

## ARTICLE V

### C COMMERCIAL DISTRICT

#### Section 500 PURPOSE AND SPECIFIC INTENT

East Nantmeal Township will, for the foreseeable future, remain essentially rural in character. It is the intent of this Article to make provisions for specific areas wherein commercial uses may be concentrated so that (a) these uses, singly or cumulatively, shall not create conditions incompatible with the residential and agricultural uses in the Township; (b) the concentration of these uses will minimize the demands upon the infrastructure within the Township, thus avoiding inefficient extension of sewer interceptor lines, extensive road improvements, demands for dispersed Township-wide police protection, etc.; (c) retail and office uses may benefit by the increased attraction of customers generated, thereby encouraging trade and commerce; and (d) these more intensive uses may be encouraged to locate in areas with roads capable of accommodating increased traffic.

Further, it is intended that the Commercial District shall be dedicated to retail and small office uses to encourage pedestrian accessibility and discourage interruptions in continuity in the shopping district.

#### Section 501 USE REGULATIONS

- A. A building may be erected, altered or used and land may be used for any of the following uses and no other:
1. Indoor retail uses for the sale of retail products or services such as restaurants. All activities other than parking shall be confined entirely within the building, and shall not include those uses specifically set forth in Section 501.B or Section 501.C, below.
  2. Small office uses, defined as office buildings or complexes that, in aggregate, provide no more than 10,000 square feet of gross leasable floor area.
  3. Bank or financial institutions.
  4. East Nantmeal Township municipal uses.

5. All uses permitted by right in the AP District, except for land application sewage disposal systems.
  6. Forestry in accordance with the provisions of Section 1327.
  7. Public recreational facilities, not accessory to a residential use, such as golf or country clubs, swim clubs, tennis courts and similar facilities, excluding however athletic fields provided the applicant has demonstrated compliance with Section 305.B.
- B. A building may be erected, altered or used and land may be used for any of the following uses when approved by the Board of Supervisors as a conditional use:
1. Multiple permitted uses on the same lot in accordance with the provisions of Section 503.A.
  2. Passenger transportation terminals.
  3. Offices, defined as office buildings or complexes that, in aggregate, provide more than ten thousand (10,000) square feet but less than twenty five thousand (25,000) square feet of gross leasable floor area.
  4. Antenna support structures for personal wireless service and public broadcast in accordance with Section 1322.
- C. A building may be erected, altered or used and land may be used for any of the following uses when approved by the Zoning Hearing Board as a special exception:
1. Outdoor retail uses for the sale of retail products or services such as nurseries and automobile sales. The sale and display of such uses may occur anywhere on the premises except within the buffer area.
  2. Drive-in facilities such as fast food restaurants, and public garages, automobile service stations and mechanical repair shops.
  3. Hotels, motels or inns.
  4. Multiple dwelling units over indoor retail or office uses.

5. Car wash.
  6. Self-storage facilities.
- D. A building may be erected, altered or used and land may be used for any of the following accessory uses, provided they comply with the applicable provisions of Section 502:
1. A single dwelling unit constructed over or behind an indoor retail or office use.
  2. Wholesale use when accessory to a retail use on the same lot.
  3. Other uses accessory to permitted principal uses.
  4. Class I or class II home occupation.

Section 502                    DESIGN STANDARDS

A. Computation of the minimum lot area:

1. It is the intent of this Article that lot areas, except for those uses permitted under Section 501.A.5, above, shall conform to the reasonable needs of the use proposed. In the determination of minimum lot area, potential expansion and growth is an integral part of the reasonable needs. Furthermore, a use may change and, thus, change the parking area requirements. Therefore, to compute the minimum lot area for any use, the building footprint, specific parking requirements, driveway and circulation requirements, accessory use areas, setbacks, sanitary sewage facilities, wells and storm sewer detention basin requirements, plus a percentage for growth, change and expansion combine to determine minimum lot area.
2. Specific computation of minimum lot area (MLA) shall be according to the following formula:

$$MLA = 1.5 (RP + BF + SA + FA + SWF + RA) + PSB$$

Where: MLA is based upon the lot area as defined in Article II.

And:

- RP = Required parking, driveways, walkways and other areas for vehicle and pedestrian movement, storage and loading.
- BF = Building footprint(s), including accessory uses and structures.
- SA = Service areas, such as outdoor storage, loading docks, trash storage, shopping cart storage, etc.
- FA = Facilities areas such as well sites, sewage facilities, electric generating and distribution facilities, telephone facilities, gas storage, fuel storage, etc.
- SWF = Storm water, sedimentation and erosion control facilities.
- RA = Reserve areas such as reserve sewage bed areas.
- PSB = Perimeter setback area.

- 3. In no event shall the minimum lot area be less than ten thousand (10,000) square feet.
- 4. For uses permitted under Section 501.A.5, the minimum lot area shall be as provided in Section 303 or Section 307 as applicable.

B. Perimeter setbacks shall conform to the following:

- 1. Front yard setback - There shall be a front yard setback of seventy (70) feet wherein no building or other above-ground structures, other than lighting and other utility standards, curbs and approved signs, shall be permitted. Parking areas and internal access drives shall be permitted within the front yard setback.
- 2. Front parking setback - A buffer strip, twenty five (25) feet in width, shall be installed and continuously maintained along each front lot line wherein no parking areas or paving, except for exit and entrance driveways perpendicular to the front lot line, shall be permitted. All shrubbery planted in the buffer according to the provisions of Section 1305 shall be so maintained as not to exceed three and one half (3½) feet in height nor shall any

shrubbery be permitted to grow in such a manner as to interfere with any clear sight triangle.

3. Side and rear yard setbacks - Unless exempted under Section 502.B.4, below, on any lot line that adjoins a residential use or is a district boundary separating the lot from any Agricultural Preservation District or Agricultural Residential District, a twenty five (25) foot wide setback shall be required, wherein no building, internal access drives, parking areas or structures shall be erected or established. The side and rear setback area shall contain a landscaped buffer in accordance with the provisions of Section 1305. The landscaped buffer shall be so planted and maintained as to provide a complete visual barrier at maturity.

On any lot line that does not adjoin a residential use or is a district boundary separating the lot from any Agricultural Preservation District or Agricultural Residential District, the required side and rear setback shall be ten (10) feet. The side and rear setback area shall contain a landscaped buffer in accordance with the provisions of Section 1305.

4. The Zoning Hearing Board may, by special exception, waive the side and rear landscaped buffers adjacent to residential districts along all or part of the building envelope where the applicant affirmatively proves to the satisfaction of the Board all of the following factors:
  - a. The proposed use is compatible with the adjacent use.
  - b. A landscaped buffer in accordance with the provisions of Section 1305 herein is provided to protect adjacent uses.
  - c. All parking, storm water management and expansion areas can be provided.
  - d. All other applicable design and performance standards will be met.
  - e. The applicant will comply with all of the requirements and has proven all of the elements set forth in Section 1808 of this Ordinance.

- C. The lot width shall conform to the following standards:
1. Except for self-storage facilities, the minimum lot width shall be no less than seventy-five (75) feet.
  2. Self-storage facilities are not intended to occupy lands fronting on commercially zoned road frontage, and because of the nature of the operating characteristics of this use, it is intended that these facilities shall be developed to the rear of retail and office uses in a flag lot configuration with only a minimum entrance road width along the street line. Thus, for this use, the lot width at street line shall be not less than 30 feet or more than 45 feet.
- D. The lot coverage shall conform to the following standards:
1. Impervious surface coverage, maximum - Seventy-five percent (75%)
  2. Landscaped area, minimum - Twenty-five percent (25%)
- E. The maximum building height shall be no more than 2 stories or 35 feet.
- F. The applicant shall demonstrate compliance with the applicable provisions of this Ordinance relating to design standards, including, but not limited to, access, parking, signs, sight triangles at points of entrance and exit, as well as exterior lighting and parking lot construction.
- G. The applicant shall demonstrate compliance with the applicable provisions of this Ordinance relating to specific performance standards set forth in Sections 1312 through 1322. Upon the recommendation of the Planning Commission, the Board of Supervisors may waive the requirements for demonstration of compliance with certain of these standards if the generic type of use proposed poses no potential for significant impact upon such standard(s). The burden of proof in this event shall be placed upon the applicant.
- H. The applicant shall demonstrate full compliance with the following ordinances, as well as all other ordinances related to the construction of buildings and the specified uses included therein:
1. Subdivision and Land Development Ordinance.
  2. Storm Water, Sedimentation and Erosion Control Ordinance.

3. Driveway Ordinance.

Section 503 SUPPLEMENTAL STANDARDS FOR CONDITIONAL USES

A. Multiple uses on a single lot shall conform to the following standards:

1. Except pursuant to the grant of a conditional use, there shall be only one principal use on a lot. Multiple uses shall conform to all requirements set forth in Section 502 and all uses shall be uses permitted by right, approved as a special exception, or approved as a conditional use.
2. The standards for the grant of conditional uses as set forth in Section 1909 shall apply. In addition to the specific performance standards set forth in Section 502.G, the performance standards set forth in Section 1313 shall apply.

B. Passenger transportation terminals shall conform to the following standards:

1. Taxicab stands, carpool and vanpool stations, bus stops and terminals and railroad passenger stations and other such terminals shall be so located as to be readily accessible to commercial (retail and/or office) areas.
2. All passenger waiting-areas, vehicle standing areas, ticket sales areas and accessory facilities shall be located outside of any road right-of-way.
3. Ticket sales, food and convenience sales and waiting areas shall be within buildings or shelters.
4. The standards for the grant of conditional uses as set forth in Section 1909 shall apply. In addition to the standards set forth in Section 502.G, the performance standards set forth in Section 1312 and Section 1313 shall apply.

C. Office Uses shall conform to the following standards:

1. In addition to the standards set forth in Section 502.G, the performance standards set forth in Section 1312 and Section 1313 shall apply.

Section 504                    SUPPLEMENTAL STANDARDS FOR SPECIAL EXCEPTIONS

A. Outdoor retail uses shall conform to the following standards:

1. Landscaped Buffers - A landscaped buffer in accordance with the provisions of Section 1305 herein shall be an integral part of any special exception approval of an outdoor retail use. Such landscaped buffer shall be sufficient to screen the outdoor portion of the use from view of incompatible uses and other uses requiring such protection. The Zoning Hearing Board may attach such other or different or additional requirements, as it deems necessary, to effectuate the purposes of this Section as conditions to any approval.
2. The standards for the grant of special exceptions, as set forth in Section 1807, shall apply. In addition, the performance standards set forth in Section 502.G shall apply.

B. Drive-in Facilities shall conform to the following standards.

1. Landscaped buffers - A landscaped buffer in accordance with the provisions of Section 1305 herein shall be an integral part of any special exception approval of a drive in facility. Such landscaped buffer shall be sufficient to screen the outdoor portion of the use from view of incompatible uses and other uses requiring such protection. The Zoning Hearing Board may attach such other or different or additional requirements, as it deems necessary, to effectuate the purposes of this Section as conditions to any approval.
2. The standards for the grant of special exceptions, as set forth in Section 1807, shall apply. In addition to the standards set forth in Section 502.G, the performance standards set forth in Section 1312 and Section 1313 shall apply.



- C. Motel, hotel or inn, or multiple dwelling units over indoor retail or office uses shall conform to the following standards:
1. Landscaped buffers - A landscaped buffer in accordance with the provisions of Section 1305 herein shall be an integral part of any special exception approval of a motel, hotel or inn. Such landscaped buffer shall be sufficient to screen the outdoor portion of the use from view of incompatible uses and other uses requiring such protection. The Zoning Hearing Board may attach such other or different or additional requirements, as it deems necessary, to effectuate the purposes of this Section as conditions to any approval.
  2. All multiple dwelling units shall have individual or common, direct or indirect access that is separate and apart from the interiors of retail or office uses. The dwelling unit entrance(s) shall not be located on the same side of the building as the entrance(s) for the principal use.
  3. The standards for the grant of special exceptions, as set forth in Section 1807, shall apply. In addition to the standards set forth in Section 502.G, the performance standards set forth in Section 1312 shall apply.
- D. Car washes shall conform to the following standards:
1. Landscaped buffers - A landscaped buffer in accordance with the provisions of Section 1305 herein shall be an integral part of any special exception approval of a car wash. Such landscaped buffer shall be sufficient to screen the outdoor portion of the use from view of incompatible uses and other uses requiring such protection. The Zoning Hearing Board may attach such other or different or additional requirements, as it deems necessary, to effectuate the purposes of this Section as conditions to any approval.
  2. Interior circulation - The premises shall be so designed, constructed and operated as to provide safe and convenient lanes for waiting vehicles, entering and exiting vehicles. Such circulation shall also be separated from pedestrian areas, and shall accommodate users of the facility without causing waiting vehicles to obstruct adjacent roads. Minimum centerline radii for the primary flow of traffic shall be adequate for vehicles to proceed

without reversing direction and in no event shall a radius be less than twenty (20) feet.

3. The standards for the grant of special exceptions, as set forth in Section 1807, shall apply. In addition to the standards set forth in Section 502.G, the performance standards set forth in Section 1312 and Section 1313 shall apply.

## Section 505                    HOURS OF OPERATION

All retail, office, bank or other financial institution, public recreation, passenger transportation terminal, drive-in facility, hotel, motel and inn, car wash, self-storage facility, wholesale, veterinary hospital, clinic or office, equestrian facility, livestock auction, special event, and permitted commercial, office, or industrial accessory uses, or any permitted combination of the above uses, whether permitted by right, special exception or conditional use, shall be open to the public, or allow customers or patrons to enter or remain within the premises of such uses, only between the hours of 6 a.m. and 9 p.m., Sunday through Saturday, or such other hours as may be permitted under grant of a special exception, conditional use or other provision.