

ARTICLE XIII, VC Village Commercial District

§ 143-75. Legislative intent.

Considering the historic, economic, aesthetic, cultural and identity values of our villages and other similar areas to Lower Providence Township; and

Considering these values rest primarily on the existence of older and historic buildings in our villages and other similar areas; and

Considering these values also rest on the overall character of the combined physical elements in our villages and other similar areas; and

Considering the size, shape, and location of buildings and parking as well as some building features such as, but not limited to, gable roofs and porches, and some streetscape features determines the overall village character; and

Considering safe pedestrian circulation is important to the economic health of the village businesses, is desired by residents in surrounding residential areas, and contributes to community harmony and quality of life;

It is the intent of the VC Village Commercial District to permit the development of land for limited commercial, office and residential uses, while preserving the distinct architectural character of important historic areas of Lower Providence Township. In addition, the specific intent of this article is as follows:

A. To provide areas to accommodate nonresidential uses that do not generate large volumes of traffic, which minimize adverse impacts on abutting residential neighborhoods and which maintain the visual character and architectural scale of existing development.

B. To limit and discourage development of strip-type, highway-oriented commercial uses which create traffic hazards and congestion because they generate higher traffic volumes and/or require numerous individual curb cuts.

C. To provide regulating standards which are necessary to encourage orderly, well-planned development and to ensure the compatibility of development with the character of the district and the surrounding areas.

D. To allow building conversions within existing certified historic structures or buildings built prior to 1940.

E. To encourage the retention, rehabilitation, and reuse of existing certified historic structure(s) or building(s) built prior to 1940 while also allowing for new construction to occur elsewhere on the tract.

F. To ensure that new buildings or building additions have an architectural scale and character commensurate with the existing pre-1940 architecture of the area.

G. To allow larger properties the opportunity to build multiple village-scale buildings on one property.

H. To limit hours of operation in order to respect nearby non-commercial uses so they are not adversely affected at night by noise and other nuisances.

I. To regulate the location of buildings and parking so that the village character is maintained and to make commercial enterprises more attractive to pedestrians.

J. To limit building footprints and encourage multi-story buildings to remain or be constructed in order to retain and strengthen the village character.

K. To provide for special signage regulations that help to retain and strengthen the village character and prevent the village character from being destroyed or diminished by signage that is not appropriate to the character of our villages.

L. To ensure that unsightly accessory uses such as trash, vending, or storage are not allowed or are completely hidden inside buildings.

M. To ensure that lighting is provided for pedestrian and vehicular safety and to protect surrounding non-commercial properties from glare.

N. To ensure that neighboring non-commercial properties are protected from environmental impacts with measures such as, but not limited to, property line buffering and screening.

§ 143-76. Permitted and Conditional Uses.

Any one of the following uses and no other is either a permitted or a conditional use on a lot or parcel in the VC Village Commercial District according to the following table:

A. Class One Permitted Uses

- (1) Single-family detached residence;
- (2) Two-family residence;
- (3) Multifamily conversion of an existing pre-1940 building; with no more than 4 units.
- (4) Family day-care home;
- (5) Bed-and-breakfast;
- (6) Library or museum;
- (7) Personal service;
- (8) Antique store;
- (9) Dance, music or fine art studio;
- (10) No-impact home-based businesses in accordance with the standards set forth in §143-27.A.(10). [Added 9-19-2002 by Ord. No. 472]
- (11) Any combination of the uses above; and
- (12) Multiple buildings on the same property.

B. Class Two Conditional Uses

- (1) All uses permitted in Class One;
- (2) Multifamily conversion; with no more than 8 units;
- (3) Produce shop;
- (4) Professional office;
- (5) Restaurant, excluding drive-throughs;
- (6) Establishments serving alcoholic beverages;
- (7) *Post office*;
- (8) *Place of worship*;
- (9) Specialty retail; excluding retail;
- (10) *Pharmacy*;
- (11) Sports club/health spa;
- (11) Medical/dental office;
- (12) Bank, only without a drive-through; and
- (13) Day-care center.

§ 143-77. Dimensional Standards.

A. Dimensional and coverage standards for all Village Commercial uses shall be in compliance with the following:

<u>Dimensional and Coverage Standards</u>	<u>Class One Uses</u>	<u>Class Two Uses</u>
(1) Maximum Building Footprint for new construction only, not including unenclosed portions: (square feet)	2,000	4,000
(2) Maximum Building Footprint for a pre-1940 building with additions, not including unenclosed portions: (square feet)	4,000	6,500
(3) Maximum Building Height:	2.5 stories, not to exceed 35 feet, except for decorative architectural elements.	
(4) Maximum Building Width facing street: (feet)	60	80
(5) Maximum Building Coverage:	10%	20%
(6) Maximum Impervious Coverage:	30%	50%
(7) <i>Maximum Impervious Coverage if provisions* for shared parking and driveways are provided to adjacent properties that are concurrently zoned Village Commercial</i>	50%	85%
(8) Minimum vegetation, trees or landscaping:	50%	15%
(9) Minimum lot size: (square feet)	20,000	20,000
(10) Minimum lot width at building setback line: (feet)	100	100
(11) Minimum street frontage: (feet)	50	50

*"provisions" means construction of shared parking and driveways or, if adjacent parcel does not have any nearby parking or driveway, aisles and easements that would facilitate shared parking and driveways when the adjacent parcel is further developed.

B. Building location and minimum setbacks shall be as follows:

<u>Building Location and Setback Standards</u>	<u>Class One Uses</u>	<u>Class Two Uses</u>
(1) Front yard: building shall be located	not less than 2 feet nor more than 15 feet from the ultimate right-of-way, except a building may match any adjacent neighbor	
(2) Minimum side yard: (feet)	10	15
(3) Minimum rear yard: (feet)	30	60
(4) Min. setback to a residential use or district: (feet)	40	50
(5) Minimum distance between buildings: (feet)	20	20

C. Minimum parking area or vehicular circulation setbacks:

<u>Parking and Circulation Setback Standards</u>	<u>Class One Uses</u>	<u>Class Two Uses</u>
(1) From ultimate right-of-way; street: (feet)	30	30
(2) From all non-residential property lines: (feet)	5, unless parking is shared between properties	5, unless parking is shared between properties
(3) From all neighboring residential property lines: (feet)	15, or 10 if a 6-foot high fence or wall that is landscaped on both sides is provided as a screen	25, or 10 if a 6-foot high fence or wall that is landscaped on both sides is provided as a screen
(4) From all buildings:	5 feet for parking, 5 feet for vehicular circulation	5 feet for parking, 5 feet for vehicular circulation

D. Separate individual buildings may be connected to each other with a covered, but not enclosed, walkway.

§ 143-78. Buffers and landscaping.

A. The following buffers shall be required along the side and rear property lines:

<u>Buffer and Screening Standards</u>	<u>Class One Uses</u>	<u>Class Two Uses</u>
(1) A planting area containing a buffer composed of either a wall, fence, or landscaped earth berm. Planted vegetation must consist of a combination of flowering trees, coniferous evergreen species and shrubs. No more than three of the same species may be placed adjacent to the same species. Existing vegetation of shrubs and trees to a height of 10 to 20 feet may be sufficient. Compliance of a planted buffer shall be judged based upon the average mature height and density of vegetation. The buffer is intended to create the impression of a separation without eliminating all visual contact between lots or uses.	5 feet wide, minimum	10 feet wide, minimum

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| (2) Along a property line where a non-residential development abuts a property containing a certified historic structure (<i>unless the subject property also has and retains a certified historic structure</i>) or a residential use, a buffer containing an opaque screen a height of at least six feet, and landscaping composed of planted or existing vegetation to a height of at least 20 feet. The opaque screen may be composed of a wall, fence, landscaped earth berm, planted vegetation or existing vegetation of shrubs and trees to a height of 10 to 20 feet. Planted vegetation must consist of a combination of flowering trees, coniferous evergreen species and shrubs. No more than three of the same species may be placed adjacent to the same species. The six-foot opaque screen is intended to create a strong visual separation between uses. | 10 feet wide,
minimum | 10 feet wide,
minimum |
|---|--------------------------|--------------------------|

§ 143-79. Parking and Access Standards.

- A. In addition to the parking requirements in Article XII, the following regulations shall apply:
- (1) All required off-street parking spaces shall be located to the rear of the principal structure occupying a lot unless approved as a conditional use in the side yard of the principal structure by the Board of Supervisors. No off-street parking shall be permitted *in front of a line across the property at the front-most part of the building.*
 - (2) The parking area shall be designed to permit vehicles to turn around on the lot. Backing onto a public street from off-street parking areas is prohibited.
 - (3) The minimum setback of parking areas and vehicular circulation areas from property lines shall be observed unless a parking or vehicular circulation area is shared by one or more abutting lots, in which case the parking or vehicular circulation area may cross property lines. Access easements or other legal mechanisms acceptable to the Board of Supervisors shall be provided for shared parking areas and vehicular circulation areas.
 - (4) Shared parking areas between nonresidential tracts are encouraged where they will reduce the paved area on the affected lots and where the impact of parking areas upon historic building will be reduced.
 - (5) The total parking requirement for a property may be reduced by 25% if shared parking is provided *or, in the case of no existing adjacent parking areas but a future parking area is physically possible, paved connections to the property line and cross easements are provided. Bike racks must also be provided close to the building entry(ies).*
- B. In addition to the driveway and/or access requirements of the Subdivision and Land Development Ordinance, as amended, the following regulations shall apply to the VC Village Commercial District:
- (1) New access for contiguous lots under same ownership shall be restricted to one common driveway providing access to all lots. When the number of total spaces exceeds 50 spaces, a second driveway is required from a second road.

- (2) In order to reduce the number of access driveways, common driveways are strongly encouraged for this district.
- (3) Access easements or other legal mechanisms acceptable to the Board of Supervisors shall be provided for common driveways and common parking areas between multiple uses on a single tract.
- (4) The number of driveways onto a collector or higher classification street, for each property under single and separate ownership at the time this article is adopted, shall be limited to one per each street unless additional driveways are approved by the Board of Supervisors as a conditional use.
- (5) *Parking spaces in the Village Commercial district may be reduced to 9 feet wide by 18 feet long. 25% of all spaces may be 8.5 feet by 16 feet for compact cars. All spaces sized for compact cars must be labeled "Compact" with 12-inch high letters at the aisle side of the space. Aisles may be 20 feet wide.*

§ 143-80. Conditions of Approval for all Class Two Conditional Uses.

1. All existing certified historic structure(s) or a structure(s) built prior to 1940 located on the site must be retained, rehabilitated, and re-used on site in the original existing location(s). All pre-1940 structures must be occupied with a permitted use(s) prior to the issuance of any building occupancy permit for any new construction or previously non-existing structure(s).
 - a. If the applicant can prove that the existing building(s) cannot be re-used as a viable for-profit business, the Township may accept dedication of the building(s) provided that the applicant gives the Township suitable monies for the long-term care and maintenance of the building(s).
 - b. If the building(s) cannot be re-used and the Township chooses not to accept the building(s), the applicant *must* then offer dedication of the building(s) along with suitable monies for the stabilization and long-term care and maintenance of the building(s) to a not-for-profit historical preservation agency, or similar organization that currently operates in Lower Providence Township.
 - c. *If no such organization that will accept the building is found in the township, then a similar offer shall be made to county and then to state and national agencies and organizations.*
 - d. *Only when all these avenues have been exhausted to the satisfaction of the Board of Supervisors at a public hearing that has been advertised two weeks in advance may the structure be removed.*
2. New buildings or building additions must have an architectural scale and character commensurate with *architectural styles of 1700 – 1890.*
3. Any additions to existing buildings on a lot must be located to the rear or side, and must be constructed of natural materials such as stone, brick, wood siding, shingles, slate, or materials of similar nature. Industrial or artificial materials such as raw concrete finish, anodized or galvanized metal, tinted glass, plastics, vinyls, or materials of similar nature are prohibited, unless these materials are used in such a way as to resemble historic characteristics.
4. The façade of all newly constructed building(s) shall avoid any long, monotonous uninterrupted wall(s) or roof plane(s). All architectural scale and character must be in keeping with a village character. The scale and massing of the façade shall be designed to present a residential appearance. Roofs shall be pitched and architectural features such as

porches, staggered setbacks, bay windows, and various types of wall facing(s) may also be used to achieve a more intimate and varied village appearance. Architectural features such as gables, dormers, or chimneys may be used. *Historic architectural details such as shutters, trim, eave brackets, fluted columns, etc. are encouraged if they contribute to the historic character of the area.*

5. The applicant shall submit sufficient information in the form of architectural elevations or sketches of building additions, restoration of existing structures in order to determine to what extent the design guidelines are being followed. *A survey of architectural features of nearby historic buildings may be required to be provided by an applicant.*
6. In order to facilitate traffic circulation, all parking areas for a proposed use(s) within an existing structure(s) built prior to 1940, or certified historic structure(s) located on the site shall be directly connected to nonresidential parking areas on adjacent lots. If a connection cannot be made when the proposed use is constructed, a driveway shall be provided extending to the adjacent property line in a location where a future connection can be made.
7. Each nonresidential use shall provide access easements for its parking aisles and driveways guaranteeing access to all abutting nonresidential lots, *whether a physical access connection currently exists or not.* The parking area shall be so designed to readily accommodate shared access.
8. The number of driveways onto a collector or higher classification street, for each property under single and separate ownership at the time this article is adopted, shall be limited to one unless additional driveways are approved by the Board of Supervisors.
9. *For new construction and additions, historic period street lighting shall be provided in the public right-of-way.*
10. *For new construction and additions, crosswalks shall be provided across all driveways and at intersections adjacent to the subject property.*
11. *Sidewalks shall be required and shall be at least six feet in width. Sidewalks shall be constructed with special materials or a decorative surface treatment. Sidewalks may be covered by a porch or other sun or rain sheltering structure, even if the shelter projects into the public right-of-way.*
12. *An architectural review board, appointed by the Supervisors, will review the applicant's submission and advise the Supervisors as to the appropriateness of the applicant's proposal. The board will be five members: at least one from the Lower Providence Township Planning Commission, at least one from the Lower Providence Historic Society, at least one from the Society for the Preservation of the Evansburg Historic District, and two at large.*

§ 143-81. Prohibited Uses

Any use not specifically allowed shall be prohibited in this district. This shall include, but not be limited to, any drive-through facilities, communication antennas, utility structures, adult uses, auto dealerships, and retail as defined separately from specialized retail.