

## ARTICLE XI

### KR KIMBERTON RETAIL DISTRICT

#### Section 1100. PURPOSE

The KR, Kimberton Retail District is intended to reflect and support the properties and uses that are predominant in the Village of Kimberton. The provisions of this article are intended to assure that new uses or changes in use (and the dimensional and design standards to which they must adhere) are compatible with its village or neighborhood commercial character and its historic significance. Residential uses and limited-scale temporary lodging as well are considered appropriate in the KR District. Unobtrusive transition to the surrounding residential uses is to be achieved and the District is not intended to accommodate highway-oriented business uses or to attract significant traffic. Because of the higher intensities and densities of uses permitted, public sewage disposal, in accordance with the effective Act 537 Plan, and water supply systems shall be required. It is also the intent of the KR District to provide opportunities for redevelopment of underutilized or otherwise blighted properties consistent with the historic nature of the Village and to provide incentives for the creation of off-street parking and appropriate streetscapes including sidewalks, sidewalk furniture, signage and lighting.

#### Section 1101. USE REGULATIONS

1. Permitted Uses. A single building or attached buildings, provided that no single use is greater than two thousand and five hundred (2,500) square feet, arranged as a structural unit may be erected, altered or used and a lot may be used or occupied for one (1) or more of the following purposes and no other:
  - A. Single-Family Detached Dwelling.
  - B. Rooming House, in accordance with the provisions of Section 1814.
  - C. Dwelling Unit or Units, when arranged to form an integral part of a building in which the ground floor, or at a minimum the front portion thereof, is constructed and maintained for any use permitted under Subsections (1) (D) through (1) (Q) herein and when in compliance with Section 1102, below.
  - D. Retail Sale of dry goods, hardware, variety and general merchandise, clothing, food, flowers, drugs, household supplies or furnishings; musical, professional or scientific instruments; and similar establishments with comparable impacts on the District and on surrounding properties.
  - E. Barber Shop, Beauty Salon, Shoe Repair, Tailor, Cleaning and Pressing and similar personal service establishments.
  - F. Restaurant, Tearoom, Café, Bar, Retail Bakery, Confectionery or other places serving food and beverages, provided that no fast-food restaurant shall be permitted.
  - G. Office for the Professional Practice of Medicine, Law, Engineering, Architecture, Real Estate, Insurance, Financial Consultation and similar activities.

- H. Studio for the Performing or Visual Arts; Gallery.
  - I. Physical Fitness, Gym, Healthcare Facility
  - J. Bank or similar Financial Institution.
  - J. Florist Shop; Greenhouse, when clearly accessory to a retail use.
  - K. Inn or Tourist Home, but not including a motel or hotel, subject to the standards of Section 1807.
  - L. Bed-And-Breakfast or similar lodging facility, subject to the standards of Section 1807.
  - M. Gift, Art, Craft and/or Antique Shop.
  - N. Museum, Library or other Educational or Cultural use of a similar nature.
  - O. Cottage Industry such as Blacksmith, Tinsmith, Cabinet- Maker or similar trade.
  - P. No-Impact Home-Based Business, in accordance with the provisions of Section 1806.
  - Q. Public Uses such as a Post Office or similar facilities.
  - R. Forestry in accordance with the provisions of Section 1823.
  - S. Township Municipal Use.
  - T. Accessory uses on the same lot with and customarily incidental to any of the foregoing permitted uses including but not limited to those uses described in Section 1804.
2. Uses by Special Exception. Any of the following uses shall be permitted when approved as a Special Exception by the Zoning Hearing Board in accordance with the provisions of this Article and the standards and criteria of Section 2208.
- A. Conversion of a Single-Family Detached Dwelling in accordance with provisions of Section 1808.
  - B. Major Home Occupation, in accordance with the provisions of Section 1806.
  - C. Accessory Dwelling Unit in accordance with the provisions of Section 1803.
  - D. Any use of the same general character as any of the uses specifically permitted by Section 1101.1.
3. Conditional Uses. The following uses shall be permitted when approved as a Conditional Use by the Board of Supervisors in accordance with the provisions of this Article and the standards and criteria of Section 2000.6.
- A. Redevelopment to permit the full range of uses permitted by right in Section 1101, when in conformance with the Kimberton Concept Plan and the provisions of Section 1102. Redevelopment proposals may receive a residential density increase and/or a non-

residential intensity increase of up to one hundred percent (100%), at the discretion of the Board of Supervisors.

- B. Amenities provision in the form of off-street parking, sidewalk and pedestrian system enhancements, signage and lighting when in conformance with the Kimberton Concept Plan and the provisions of Section 1102. Proposals for the provision of amenities, as part of a redevelopment or stand-alone may receive a residential density bonus and/or a non-residential intensity bonus of up to twenty-five percent (25%) at the discretion of the Board of Supervisors.

## Section 1102. AREA AND BULK REGULATIONS

The following regulations shall apply to uses in the KR District.

1. Minimum Lot Area - A lot area of not less than twenty thousand square feet (20,000 sq. ft.) shall be provided for every structure or combination of uses permitted in Section 1101.
2. Minimum Lot Width - Each lot shall have a width of not less than one hundred (100) feet, measured at the building setback line and fifty (50) feet, measured at the front lot line.
3. Minimum Front Yard - No building shall be situated less than thirty-five (35) feet from the front lot line.

However, for any mixed-use development including a residential and commercial component within the Kimberton Historic District, no building shall be suited more than twenty-five (25) feet or less than fifteen (15) feet from the front line. Larger front setbacks may be approved at the discretion of the Board of Supervisors for the purpose of historic preservation, specimen tree protection, or for the provision of public accessible open space or pedestrian plazas.

4. Minimum Side Yards - Each side yard shall have a width of not less than fifteen (15) feet.
5. Minimum Rear Yard - The minimum rear yard depth shall be no less than forty (40) feet.
6. Maximum Impervious Cover - Not more than sixty percent (60%) of any lot shall be covered by impervious surfaces.
7. Minimum Vegetative Cover - Not less than thirty percent (30%) of any lot shall be planted and maintained with existing and/or installed vegetation.
8. Maximum Height - No building or other structure erected, altered or enlarged in the KR District shall exceed a height of three (3) stories or thirty-five (35) feet whichever is less. Flagpoles shall be limited to thirty-five (35) feet in height.
9. Dwellings in Combination with Non-Residential Uses
  - A. Any dwelling unit permitted according to the provisions of Section 1101, above, shall have a floor area of not less than five hundred (500) square feet.
  - B. The total floor area devoted to dwelling units within a structure shall not exceed four (4) times the total floor area of the ground-floor non-residential use or uses.

- C. The entrance to any dwelling unit may be shared with another unit or units but shall be independent of the non-residential use or uses.
- D. The off-street parking standards of Section 1706 shall be used as a guide in the determination of required parking for each dwelling unit and the Applicant shall demonstrate that sufficient on-street and/or off-street parking will be available to accommodate each dwelling unit. Such parking shall be in addition to that required for the non-residential use or uses.
- E. Where two (2) or more dwelling units are to be created above the ground floor, requisite approvals of the interior layout, emergency exits, etc. shall be obtained from the Pennsylvania Department of Labor and Industry and a copy of such approval provided to the Kimberton Fire Company and the Township Building Inspector.

### SECTION 1103. STANDARDS AND CRITERIA FOR REDEVELOPMENT PROJECTS

A density and/or intensity bonus of up to one hundred percent (100%) shall be awarded based upon the following:

1. Pro forma. A pro forma submitted by the applicant detailing the cost of building the proposed development on vacant land in the KR District and the cost of the proposed development including demolitions, added land, utility costs and other costs associated with redevelopment as opposed to development on vacant land.
2. Landscaping and Amenities Plan. A landscaping and amenities plan submitted by the applicant that demonstrates how the redevelopment enhances the value and character of the immediate redevelopment area and the surrounding community. The Plan shall also include perspective or elevation renderings to permit visualization of the proposed redevelopment and its relationship to the immediate surroundings and the KR District.
3. In assessing any bonus award, the Board of Supervisors shall consider the following:
  - A. The impact of such a bonus award on the surrounding neighborhood.
  - B. The impact of such a bonus award on the infrastructure of the Township. Such infrastructure may include, but not be limited to, roads, sanitary sewers, water supply, recreation facilities and storm water management.
  - C. The impact of such a bonus award on the Township and other service providers to meet the demands for the provisions of services. Such services may include, but not be limited to, police, fire protection and emergency medical services.
  - D. The compliance of the bonus award with the intent and purposes of this Article and the Township's Comprehensive Plan.
4. The following standards and criteria shall be applicable to tracts of land in the KR District proposed for redevelopment.

- A. Ownership. Every tract proposed for redevelopment shall be in single ownership and redeveloped according to a unified redevelopment plan or if in multiple ownership redeveloped according to a single unified plan under single direction.
- B. Minimum Tract Area. A gross tract area of not less than two (2) acres shall be provided for every site proposed for redevelopment. The tract may include separate but adjoining parcels at least one of which has existing buildings that are to be demolished and/or renovated.
- C. Minimum Road Frontage. Any tract proposed for redevelopment shall have frontage on a public road of not less than one hundred and fifty (150) feet.
- D. Maximum Impervious Surface. The total of all impervious surfaces shall not exceed sixty-five percent (65%) of the tract area.
- E. Minimum Open Space. Not less than twenty percent (20%) of any redeveloped tract shall be landscaped and maintained as open space and may include the required perimeter buffer area. Such open space shall be in conformance with the provisions of Section 1714.
- F. Landscaped Perimeter Buffer. A perimeter buffer shall be provided along all property boundaries. Where the tract boundary is coincident with any residential zoning district line or the property line of a residential use, a minimum landscaped buffer of forty (40) feet shall be provided, except where the zoning district line separating the KR District from any residential district is coincident with a public road, in which case the minimum landscaped buffer shall be twenty (20) feet. In all other cases the minimum landscaped buffer shall be twenty (20) feet.
- G. Maximum Building Length. The maximum length of any single building shall not exceed two hundred (200) feet, however building facades in excess of eighty (80) feet shall be articulated through the use of setbacks in the façade either horizontally or vertically or both and/or through fenestration design.
- H. Minimum Distance Between Buildings. The minimum distance between buildings shall be one (1) foot for each one (1) foot of the building height of the highest building.
- I. Maximum Building Height. No building or other structure erected, altered or enlarged in a redeveloped tract shall exceed a height of three (3) stories or thirty-five (35) feet.
- J. Other Design Standards. All of the other applicable design standards of Section 1106, below, shall apply to redeveloped sites in the KR District.

Section 1104. STANDARDS AND CRITERIA FOR THE PROVISION OF AMENITIES

A density and/or intensity bonus of up to twenty-five percent (25%) shall be awarded based upon the following:

1. Pro forma. A pro forma submitted by the applicant detailing the cost of providing the amenities, including off-street parking, sidewalk and pedestrian system enhancements, signage and lighting.

2. Streetscape, Parking, Landscaping, Signage, Lighting or Other Amenities Plan. A plan submitted for the above types of improvements or any combination thereof submitted by the applicant that demonstrates how the value and character of the immediate redevelopment area and the surrounding community will be enhanced. The plan shall also include perspective or elevation renderings to permit visualization of the proposed improvements and their relationship to the immediate surroundings and the KR District.

Section 1105                    TRADITIONAL NEIGHBORHOOD DEVELOPMENT OVERLAY DISTRICT

Traditional Neighborhood Development (TND) Overlay District, permitted as a Conditional Use.

- A. Purposes. The following purposes will be served by a Traditional Development Overlay District.
  1. To encourage the development of a traditional village neighborhood that would enhance the existing historic village of Kimberton.
  2. To allow for the development of new pedestrian and bikeway-oriented neighborhoods within the immediate vicinity of Kimberton.
  3. To promote the integration of new neighborhoods with historic Kimberton through pedestrian and vehicular connections.
  4. To promote the implementation of the objectives of the Township Comprehensive Plan for guiding the location of growth.
  5. To encourage the development of traffic calming facilities and pedestrian ways.
- B. Applicability. The TND development provisions of this section are applicable when (1) authorized as a Conditional Use by the Board of Supervisors pursuant to Article XX within limited areas of the KR District and (2) a Development Agreement formalizing the developer's contribution to the Kimberton Village Enhancement Program is approved by the Board of Supervisors and the developer. A TND plan shall not be eligible for consideration unless it meets all of the following criteria:
  1. Tracts that are entirely or at least 80% (by area) within the KR District.
  2. Single or multiple tracts under common ownership as of the date of the enactment of this Ordinance which are greater than 4 contiguous acres;
  3. Tracts that can be served by a public sewer disposal system and public water service.
- C. Overlay Zoning District. The standards of the Traditional Neighborhood Development (TND) Overlay District are to be used in lieu of the base zoning district standards. The following regulation shall apply to applications for conditional use for TND. When authorized as conditional use by the Board of Supervisors in connection with TND, the specific regulation set forth in this Section shall supersede regulations otherwise applicable, except as expressly provided herein.

- D. Administration. The Board of Supervisors of East Pikeland Township shall administer the TND Ordinance pursuant to Article VII-A of the Pennsylvania Municipalities Planning Code (MPC) and shall be the entity with responsibility for the approval of all plans filed pursuant to this Section.
- E. TND Requirements and Options.
1. Each TND may include one or more of the following residential unit types.
    - a. Single family detached dwellings.
    - b. Single family attached dwelling (limited to twin units), subject to the density bonus provisions of Section H of this Ordinance.
    - c. Multi-family dwellings which shall be located above retail uses, subject to the density bonus provisions of Section H of this Ordinance and subject to the limitation of E.2.e, below. At the discretion of the Board of Supervisors, the required retail/office uses on the first floor may be waived.
      - 1) No multi-family dwelling unit shall be less than one thousand (1000) square feet in interior floor area.
      - 2) Each multi-family structure shall have an interior entrance coordinated with the retail/office use.
  2. Each TND may also include the following secondary uses:
    - a. Any accessory residential use permitted by Article XVIII, Section 1804, subject to the provisions of this Section.
    - b. Minor home occupations, pursuant to the provisions of Section 1806;
    - c. Open space areas, associated buildings, recreational structures and community facilities;
    - d. Municipal or civic buildings as determined by the Board of Supervisors to promote the Village as a community focal point.
    - e. Non-residential uses, such as offices, village-oriented retail and services, not to include doctors' offices or beauty salons. Non-residential uses shall not be more than 10% of the gross tract area of the TND, except in the V-3 area where no limit shall apply.
  3. Residential Unit Mix, when more than one unit type is proposed.
    - a. No fewer than 50% of the total number of dwellings in a TND shall be single family detached dwellings.
    - b. No more than 20% of the total number of dwellings in a TND shall be single family attached dwellings (limited to twin units.)

- c. No more than 20% of the total number of dwellings in a TND shall be multi-family dwellings. Each unit in a multi-family building shall be separately deeded and individually owned.
4. Development areas within a TND shall be distinguished by the following designations and permitted uses, as shown on the Kimberton Overlay Concept Map:
  - a. **V-1.** Areas within the TND made up of residential dwellings and associated rights-of-way and open space.
  - b. **V-2.** Areas within the TND made up of both residential dwellings and non-residential uses.
  - c. **V-3.** Areas within the TND made up of primarily non-residential uses, such as village-oriented retail and service, municipal or civic uses, offices and associated open space and rights-of-way. This area would be oriented toward the village center and/or be a part of it.
- F. Specific Area and Bulk Regulations for a TND.
  1. In a TND, the specific area and bulk regulations set forth in this Section shall supersede the general area and bulk regulations otherwise applicable.
  2. Single family detached standards.
    - a. Minimum Lot Area: 5500 square feet.
    - b. Minimum Lot Width: 50 feet at the building setback line.
    - c. Front Yard: 16 feet from the front lot line. One-story unenclosed porches may be set back a minimum of 8 feet from the front lot line.
    - d. Side Yard: 6 feet minimum each side, minimum distance between buildings is 14 feet.
    - e. Rear Yard: 10 feet.
    - f. Minimum Vegetative Cover: Not less than 30% of any lot shall be planted and maintained with existing and/or installed vegetation.
  3. Single family attached (twin units) standards.
    - a. Minimum Lot Area: 3000 square feet.
    - b. Minimum Lot Width: 32 feet.
    - c. Front Yard: 10 feet.

- d. Side Yard: 10 feet minimum for end units and 25 feet minimum between buildings.
  - e. Rear Yard: 10 feet.
  - f. Minimum Vegetative Cover: Not less than 15% of any lot shall be planted and maintained with existing and/or installed vegetation.
  - g. Maximum Building Length: 150 feet.
  - h. Maximum dwellings units per building: 2
4. Multi-family dwelling standards.
- a. Maximum dwelling units per building: 6
  - b. Building to building minimum distance:
    - 1) Front to front: 50 feet
    - 2) Side to side: 25 feet
    - 3) Side to front/rear: 50 feet
    - 4) Rear to rear: 50 feet
    - 5) Corner to corner: 25 feet
5. Non-residential use standards.
- a. Minimum Lot Area: 15,000 square feet
  - b. Minimum Lot Width: 50 feet
  - c. Front Yard: 10 feet from the front lot line.
  - d. Side Yard: 10 feet, two side yards required.
  - e. Rear Yard: 25 feet from the rear lot line.
  - f. Multiple buildings are permitted on one lot.
6. Accessory Uses.
- a. Structures which are accessory to residential uses shall be governed exclusively by the Section 1105.
  - b. Accessory residential uses shall not occupy the required front, side or rear yard applicable to the residential use except for garages and driveways which shall conform to standards within this Section 1105.

- c. Accessory buildings, including garages, detached from the main residential building, shall be located at least 10 feet from the main building.
  7. Building Height. All buildings and structures within the TND shall have a maximum height of 35 feet measured from the first floor with the first floor being no more than five (5) feet above street grade. Existing structures as of the date of this Ordinance may remain.
  8. Maximum Impervious Coverage. The total impervious coverage of the gross tract areas of a TND shall not exceed 40%. The maximum impervious coverage for single family detached, single family attached and multi-family lots shall be 60%.
  9. Homeowners Association. The developer of a TND shall create a Homeowners Association (HOA) for property owners in accordance with the requirements of the Pennsylvania Planned Community Act. Documents establishing the HOA shall be submitted to the Board of Supervisors for final approval prior to plan approval.
- G. Specific Design Standards for a TND.
  1. Lot Requirements.
    - a. Lots within a TND shall front on a street.
    - b. Side lot lines shall not be required to be at a right angle to the street line but shall be as close to a right angle as practical to avoid awkward shaped lots.
    - c. Rear and side yards shall be interpreted as rear and side yards when they abut an alley.
    - d. Adjacent single family detached lots may be served by a common driveway, subject to easement approval of the Board of Supervisors.
  2. Blocks shall not be required to have minimum or maximum lengths.
  3. Drainage. Site drainage shall comply with the East Pikeland Township Stormwater Management Ordinance. Stormwater management techniques may be required beyond the boundaries of the TND and shall be the responsibility of the developer and subject to approval of the Township Engineer.
  4. Streets.
    - a. The street pattern shall contain streets and alleys, laid out in a generally rectilinear pattern of interconnecting streets and blocks around the internal open space providing multiple routes from origins to destinations. The TND shall contain no cul-de-sacs.
      - 1) All streets and alleys shall be privately owned.

- 2) Street rights-of-way shall be 33 feet wide. This provision may be modified upon recommendation of the Planning Commission and approval of the Board of Supervisors.
- b. Streets and alleys shall be designed to promote pedestrian safety and vehicular traffic calming. On-street parking shall be designed in the form of parking pockets integrated into traffic calming devices, as opposed to continuous parallel parking. The application shall demonstrate the ability to accommodate all emergency service, trash, delivery service, and passenger vehicles in a TND to the satisfaction of the Township Engineer.
  - c. Street Standards in a TND.
    - 1) All one (1) way streets without parallel parking shall have a minimum cartway of fourteen (14) feet.
    - 2) All two (2) way streets without parallel parking shall have a minimum cartway of eighteen (18) feet.
    - 3) All parking pockets shall be eight (8) feet wide.
    - 4) All streets shall have minimum centerline radii of 100 feet. A radius may be reduced to 50 feet for approximate right angle turns if emergency services can be accommodated in the opinion of the Township Engineer. No minimum tangent is required between curves.
    - 5) Street design standards may be modified, including minimum widths, for the construction of traffic calming structures, such as bulb-outs or circles, subject to the approval of the Board of Supervisors.
  - d. Alley standards in a TND.
    - 1) Alleys shall provide access to the rear of a minimum of 70% of dwellings in a TND, for the purpose of removing off-street parking, garage doors and curb cuts from the street.
    - 2) Alleys shall have a minimum private right-of-way of 18 feet and a minimum cartway width of 12 feet.
    - 3) Additional space for utilities near alleys may be provided by private easement, rather than additional right-of-way.
    - 4) The driveways of dwellings served by alleys shall be located a minimum of 25 feet from the point where the alley intersects with the nearest street cartway. If the driveway is located on a one-way alley, this requirement shall only apply to that end of the alley where vehicles can enter.
    - 5) Construction standards for alleys shall be those standards as required for public streets by the Subdivision and Land Development Ordinance.

- 6) Anywhere a proposed alley abuts an existing perimeter of the property, a setback and landscaped buffer of a minimum of ten (10) feet shall be maintained and a buffer plan approved as part of the Conditional Use by the Board of Supervisors. This can be reduced at the Conditional Use hearing if the applicant can demonstrate a greater buffer on a smaller area.
- e. Intersections.
- 1) A minimum curb radius of 15 feet shall be provided at all intersections or greater radius as determined by the Township Engineer.
  - 2) Clear sight triangles of 75 feet measured at a height of 3 ½ feet shall be provided at all street to street intersections. No one side of clear site triangle may be obstructed by more than one street tree and one street light.
  - 3) Sight distance. All street to street and street to alley intersections shall meet minimum safe stopping sight distances of AASHTO and Penn DOT, as measured 10 feet behind the intersections.
  - 4) Intersecting streets shall be off-set by a minimum of 100 feet if the centerlines do not intersect. This does not apply to alleys.
  - 5) Traffic islands and medians are permitted, subject to the approval of the Township Engineer.
- f. Curbing shall be provided along all streets as required by the SALDO. Curbing is not required along alleys. Materials other than concrete may be used with the approval of the Township Engineer. Bituminous concrete shall not be used.
5. Curb Cuts, Driveways and Garages. Garages, driveways, and/or parking lots shall not be the dominant aspect of the building design and/or streetscape as viewed from the street.
- a. Each dwelling unit (excluding multi-family units) within a TND shall have a garage for motor vehicle storage and no garage shall contain more than (2) vehicle storage spaces.
  - b. At least 70% of the garages required in 5.a above and off street parking spaces shall be accessed from an alley. The balance of the garages and off-street parking spaces, where alleys are not practical to service residential dwelling units within a TND, as determined by the Township, may be accessed by curb cuts on the front street, provided that the garage door of each affected garage conforms to one of the design options described below.
  - c. Garages for residential dwelling units shall meet one of the following options listed in order of preference:
    - 1) The garage is rear entry, such that garage doors are on the opposite side of the dwelling from the front façade, preferably accessed from an alley.

- 2) The garage is located behind the rear façade of the dwelling. The garage doors may face any direction.
  - 3) The garage is side entry from the side street of a corner lot. In such cases, the garage does not need to be recessed so long as the garage is not facing the front façade of another dwelling.
  - 4) The garage is front entry (limited to a maximum of ten (10%) percent of all garages) and recessed at least 40 feet from the principle front façade. This standard shall not apply to dwellings on corner lots.
  - 5) The garage is side entry, such that garage doors are perpendicular or radial to the street or open space which the front façade faces.
- d. The rear yard applicable to garages gaining access from an alley located within a single family detached lot or single family attached lot shall be regulated as follows:
- 1) Garages shall be oriented approximately perpendicular to the direction of the alley.
  - 2) The preferred rear yard standard is a minimum of 20 feet. As an alternative when the garage is oriented parallel to the alley, the rear yard shall be six (6) feet.
- e. All garages shall be located on a lot so that the garage is behind the rear wall of the residence, regardless of access.
6. Sidewalks. Sidewalks shall be constructed and maintained along all sides of all interior streets with a TND where dwellings are located. To the extent practicable sidewalks should also link trail systems or paths so as to provide a continuous pedestrian network. Sidewalks shall be a minimum of five (5) feet wide and may be located anywhere between the curb and right-of-way line. There shall be a planting strip of at least three (3) feet between the curb and sidewalk when the sidewalk is located adjacent to a residential property, except at street intersections where the sidewalk shall be built to the curb. Sidewalks may be located either within the adjacent street right-of-way or, alternatively, within a sidewalk easement area adjacent to the street right-of-way. Sidewalks shall be maintained by the HOA. Sidewalks may not be required for green spaces onto which no houses front. Areas deemed to need public access by sidewalks shall be determined by the Board of Supervisors.
7. Common Open Space Design Standards. Because of the unique design elements which will distinguish a TND from other forms of residential and non-residential development, the specific open space design standards for a TND shall be permitted to deviate from the design standards contained in the East Pikeland Subdivision and Land Development Ordinance and shall comply with the following standards in lieu thereof:
- a. Minimum common open space requirements.

- 1) A minimum of 40% of the gross tract area shall be designated and maintained as common open space.
  - 2) An area equal to the ratio of one acre of common open space suitable for active recreation shall be provided for each 25 dwellings in a TND.
  - 3) Common open space areas shall conform with the design standards contained in this Section and shall be allowed to deviate from the design standards for open space found elsewhere in the East Pikeland Subdivision and Land Development Ordinance because of the unique design objectives of the TND.
- b. Common open space areas within a TND shall be located and designed to add to the visual or recreational amenities of the TND.
- c. Common open space areas shall have a minimum width dimension of 75 feet.
- d. Common open space areas intended for active use shall be:
- 1) In the form of neighborhood parks, playgrounds, tot lots, bike or hiking trails, community gardens, picnic groves, playing fields, recreational equestrian centers, tennis courts, swimming clubs, or other recreational facilities typical to a village in Chester County.
  - 2) Suitable for the planned active use in the opinion of the Board of Supervisors.
  - 3) A minimum area of 10,000 square feet.
- e. Open space areas intended for passive use shall be:
- 1) In the form of common greens, green courts, landscaped medians and islands, buffer areas, green belts, gardens, horticultural uses or conservation land. Open space areas intended for passive use shall be permitted to include stormwater management facilities only where designated, permitted, operated and maintained as wet pond or as a subsurface facility, if approved by the Board of Supervisors.
  - 2) Have a minimum width dimension of 150 feet where adjacent to public open space lands, except that this may be eliminated where the open space is wooded or planted with trees and/or other screening vegetation or adjacent to public woodlands. This requirement shall not apply to public lands used for civic buildings.
  - 3) Have protection standards for floodplains, watercourses, riparian buffers, and wetlands.
  - 4) Be suitable landscaped either by retaining existing natural cover and wooded areas and/or by enhancing open space areas through designs and plantings which are consistent with the purposes of this Section and which add to the beauty of the TND. Natural cover comprised of non-

native, invasive species is not an acceptable treatment along any public street.

- f. Access to open space areas. The open space shall be configured to include multiple points of access from adjacent sidewalks, trails, residential areas and/or community facilities.
  - g. Easements, utilities and stormwater facilities. The inclusion of above-ground utilities and above ground stormwater management facilities in open space areas is not permitted in the calculation of the open. Underground utilities, which include but are not limited to, stormwater facilities including subsurface detention basins, all of which are underground, are permitted within open space areas when designed so as not to conflict with the active or passive use of the open space. Areas within the open space designated for above ground utilities, including stormwater basins shall not be included in the calculation of minimum open space area standards.
  - h. Ownership of common open space. Open space shall be owned and maintained in a form that is acceptable to the Board of Supervisors. All open space areas shall be owned, managed and maintained by a Homeowners Association and shall be subject to a permanent easement for the benefit of the TND residents.
8. Screening and Landscaping, in accordance with Section 1709, Landscaping, Screening and buffering and as specified in Appendix E of the Subdivision and Land Development Ordinance (SALDO), and as further regulated as follows:
- a. The developer shall provide landscape plant material suitable for the following purposes:
    - 1) Street trees selected from the list of trees in Appendix E of the SALDO. Such trees shall be installed by the developer on both sides of all streets within the TND, spaced at 50 feet apart and installed between street curbs and sidewalks. Trees shall be 2 ½ inches in caliper and species shall be varied throughout the TND.
    - 2) Trees and shrubs shall be installed as necessary to enhance the aesthetics of the open space and its recreation areas, as well as to reduce glare, abate visual and noise nuisances and provide visual buffers between adjacent properties. Evergreen screening shall be provided around stormwater management facilities.
    - 3) Buffer plantings are required around the perimeter of the TND development that provide immediate and full screening. This may be accomplished with both a fence and intensive plantings at a minimum height of six (6) feet.
    - 4) All plant material installed or existing within rights-of-way and any other open space area of the TND, other than on a private lot, shall be maintained by the Homeowners Association of the TND.

9. Utility Easements. All utilities except stormwater basins shall be installed underground and where practical shall be located within transportation rights-of-way. No overhead electrical, telephone, fiber optic, television cable or similar lines shall be installed. The developer shall make reasonable efforts to remove any existing overhead utilities and poles.
10. Residential Building and Neighborhood Design. The following guidelines shall apply.
  - a. A minimum of 65% of single family detached dwellings shall include a front door accessing onto an unenclosed front porch on the front façade with a minimum floor area of 72 square feet and a minimum depth of 8 feet. Porches shall be covered by a permanent roof and shall not be enclosed in the future.
  - b. Architectural elevation drawings of all typical residential and non-residential dwellings and buildings shall be provided to the Township as part of the development application. The style of architectural details such as, but not limited to, window fenestration, roof pitch, door style, porch design, and façade materials and colors shall be subject to Township approval and referenced on final plans.
  - c. As part of the Conditional Use approval process, the Township Historic Commission shall review all TND application plans for compatibility with design elements of Kimberton Village. A recommendation shall be made to the Board of Supervisors.
11. Non-residential Building Design. Blank walls shall not be permitted along any exterior wall facing a street, parking area or walking area.
12. Parking and Parking Lots. Parking spaces shall be provided for all non-residential uses in the TND in accordance with numerical and dimensional standards in the Zoning Ordinance. In general, required parking spaces may be provided either on-street or off-street, or both. On-street spaces shall be parallel to the street, so long as it does not conflict with vehicular movements, and is subject to the approval of the Township Engineer. Off-street parking lots shall be either to the side or behind the use served and lots may serve more than one use when agreements are approved by the Township. A Parking Plan must be approved by the Board of Supervisors after recommendation by the Township Engineer.
13. Street Lighting and Streetscape. In a TND plan application, there shall be included a lighting plan for the installation of street lights, spaced along both sides of all streets, alternating sides at intervals of 200 feet on each side, as well as other locations deemed necessary by the Township for safety purposes. A Lighting and Streetscape Plan shall be prepared by the applicant as part of the Conditional Use approval process. The following standards shall apply subject to modification by the Board of Supervisors:
  - a. The minimum light source for street lighting shall produce illumination in accordance with Zoning Ordinance standards on the street directly under the street light and comply with all other lighting standards of the Zoning Ordinance.

- b. The style and type of lighting fixture shall be subject to approval by the Township so as to be compatible with the style of the TND.
  - c. All lighting fixtures shall be of the shielded type with a maximum reflection angle of 70 degrees measured from a plane perpendicular to the ground line and comply with all lighting standards of the Zoning Ordinance.
  - d. All street lighting fixtures shall be subject to maintenance responsibility and operational expense of the Homeowners Association of the TND.
14. Unless the required permit or exemption is obtained from Pennsylvania DEP, no wetland areas shall be disturbed. Unless specifically approved by the Board of Supervisors, a wetlands margin, constituting a 50 foot border surrounding a wetland, measured from the boundary of the wetland as delineated according to the procedures contained in the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, shall not be developed with buildings, structures or other impervious coverage.
- H. Increase in Allowable Density:
- An application for development approval in a TND may receive a density and/or intensity increase for the development of single family detached, single family attached (twins) or multi-family residential units, and non-residential units may be increased as the Board finds appropriate. Such density and/or intensity bonus is to be no more than 125% of the required base density plan for residential uses and is contingent upon the applicant participating in a program to construct and/or fund site amenities with the KR District, as determined appropriate by the Board of Supervisors, subject to location and amount approval. The amenities are to be selected from the list entitled "Kimberton Village – Enhancement Cost Estimate". The determination of extent of participation from an applicant shall be made by the Board of Supervisors, based upon the following submissions from the applicant seeking the density and/or intensity increase:
- 1. A pro forma shall be submitted by the applicant detailing the amenities to be provided within the KR District and the costs of the amenities. Participation in the provision of one or more of the listed amenities may involve sole responsibility for its construction or the funding of all or part of the amenity construction, the determination of which shall be made by the Board of Supervisors.
  - 2. A design and construction plan shall be submitted for physical improvements by the applicant detailing the appearance of the amenity and the effect of the amenity on the surrounding area and its value to the character of Kimberton Village.
- I. Agricultural Override. The provisions of Zoning Ordinance Section 1825, which limits the development of lands in the Township that meet soils classification criteria for preserving agricultural lands, shall not apply to the development of a TND in Kimberton.
- J. Kimberton Village Enhancement Program. By submitting an application for approval of a TND, pursuant to the TND Overlay District provision hereof, a developer, acknowledging that a greater density of development is permitted under a TND than would otherwise be available under the base zoning provisions, agrees to participate in the Kimberton Village Enhancement Program. The level and extent of the developer's participation shall be

generally reflective of the density bonus provisions, and shall be conclusively agreed upon between the Board of Supervisors and the developer as a component part of the Development Agreement, which shall be executed concurrently with the board of Supervisors' Conditional Use Plan approval of a TND plan.

#### Section 1106. DESIGN STANDARDS

The following Design Standards of this Ordinance shall, as applicable, govern the uses in the KR District.

1. Access, Highway Frontage and Interior Circulation as required by Section 1706.
2. Parking as required by Section 1707.
3. Off-Street Loading as required by Section 1708.
4. Landscaping, Screening and Buffering as required by Section 1709.
5. Lighting as required by Section 1711.
6. Open Space, Recreation, Greenways and Trails as required by Section 1714.
7. Storage as required by Section 1815.
8. Signs as required by Article XIX.

#### Section 1107. PLAN SUBMISSION REQUIREMENTS

In order to demonstrate compliance with the provisions of this Article, any proposal for a use authorized by right or by Special Exception in the KR District, with the exception of Single-Family Detached Dwellings, or for a Redevelopment shall include a Plan (map and text). The Plan shall be submitted to the Township and shall describe specifically how each standard, cited in Sections 1102 and 1105, shall be addressed. The Plan shall also include a certification from the Chief of the Kimberton Fire Company as to the adequacy of access for emergency vehicles. In addition to the requirements of this Article, such Plan shall demonstrate compliance with all other applicable standards of the East Pikeland Township Subdivision and Land Development Ordinance.

#### Section 1108. ENVIRONMENTAL IMPACT ASSESSMENT

Any preliminary and final plan application for a proposed subdivision or land development in the KR District shall include an environmental impact assessment report which shall be approved by the Board of Supervisors. Such environmental impact assessment report shall be prepared in accordance with the requirements for an environmental impact assessment provided in Section 1826.