# ARTICLE XII

## C COMMERCIAL DISTRICT

Section 1200. PURPOSE

1. The C, Commercial District is intended to:

   A. Encourage the development of high quality commercial uses and buildings in areas of the Township where transportation and infrastructure facilities are available to support such uses.

   B. Promote the use of public sewage disposal systems, in accordance with the Act 537 Plan, and public water supply systems due to the permitted types and intensity of uses.

   C. Promote uses that are primarily retail and service commercial.

   D. Promote residential uses that are deemed appropriate in the C District, and uses of a non-retail/service commercial nature and/or with the potential for industrial-type impacts shall be directed to the I, Industrial District.

   E. Encourage the redevelopment of underutilized or otherwise blighted commercial properties as new pedestrian-oriented places with a more attractive streetscape and landscape character by:

      (1) Fostering a pedestrian scale market area type of environment, and not strip commercial development.

      (2) Promoting a neighborhood type character of development.

      (3) Minimizing signage clutter.

      (4) Creating landscaped buffers and parking arrangements that complement the use and surrounding neighborhood.

      (5) Providing gateway enhancements with attractive signage, landscaping and architecture to improve the attractiveness of the streetscape.

   F. Focus on Access Management by:

      (1) Creating an interconnected system of roads, lanes, and service drives.

      (2) Strictly limiting and minimizing all single-access roads, such as cul-de-sacs.

      (3) Minimizing the number of new intersections (new driveways and associated "curb cuts") on collector and arterial roads.

   G. Create a visually appealing environment.

H. Encourage the development of sidewalks.

I. Promote multiple modes of transportation involving: vehicular circulation, mass transit, pedestrian circulation, and bicycle circulation.

## Section 1201. USE REGULATIONS

1. Permitted Uses. A building 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. Live-Work Units.

   B. Passenger station for public transportation.

   C. Outdoor recreation facility.

   D. Indoor theater, bowling lanes, or other place of indoor recreation.

   E. Physical Fitness, Gym, Healthcare Facility

   F. Club, lodge, or fraternal organization.

   G. Business or professional office.

   H. Retail sale of dry goods, hardware, variety and general merchandise, clothing, food, drugs, household supplies or furnishings; musical, professional, or scientific instruments; and similar establishments with comparable impacts on the district and on surrounding properties, when configured in any buildings not to exceed twenty thousand (20,000) square feet, gross floor area, on the ground floor.

   I. Convenience Store, when less than eight thousand (8,000) square feet total gross floor area.

   J. Barber shop, beauty shop, shoe repair, tailor, cleaning and pressing establishments and similar personal service establishments.

   K. Restaurant, tearoom, cafe, bar, retail bakery, confectionary, or other places serving food or beverages, except for fast food restaurant.

   L. Farm supply and feed sales.

   M. Studio for performing or visual arts; gallery.

   N. Bank or similar financial institution.

   O. Church.

   P. Funeral parlor or undertaker's establishment.

Q. Newspaper printing, job printing.

R. Florist shop; greenhouse, when clearly accessory to the retail uses.

S. Museum, library, or other educational or cultural use of a similar nature.

T. No-Impact Home-Based Business, in accordance with the terms of Section 1806.

U. Trade or industrial school or similar use either operated for profit or as a non-profit enterprise.

V. Forestry in accordance with the provisions of Section 1823.

W. Township Municipal Use

X. Antique shop.

Y. Farmers/Growers Market.

Z. Assisted Living or Personal Care Facility.

AA. Accessory use, limited to ten (10%) of the gross lot area, 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 1201.

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 terms of this Article and the standards and criteria contained in Section 2208.

A. Self-service laundry or dry cleaning establishment.

B. Conversion of a single-family dwelling, in accordance with the terms of Section 1808.

C. Major Home Occupation, in accordance with the terms of Section 1806.

D. Accessory dwelling unit, in accordance with the terms of Section 1803.

E. Any use of the same general character as any of the uses hereinbefore specifically permitted without requirement of a special exception.

3. Conditional Uses. The following shall be permitted as a Conditional Use by the Board of Supervisors, in accordance with the terms of Article XX and the standards and criteria contained in Section 2000.6.

A. Shopping center including retail stores not to exceed sixty-five thousand (65,000) square feet gross floor area on the ground floor.

B. Multiple Use Convenience Store, not to exceed eight thousand (8,000) square feet of gross floor area on the ground floor.

C. Motel or Hotel.

D. Fast Food Restaurant.

E. Kennel, in accordance with the terms of Section 1818 or animal hospital.

F. Day care center in accordance with the terms of Section 1813.

G. New and used automobile sales, in accordance with Section 1822.

H. Automobile service station.

I. Underground storage of fuels, including the sale or distribution thereof but excluding residential heating oil storage tanks, only when in accordance with the terms of Section 1713.15.

J. Mobile Home Parks, including manufactured homes in accordance with the provisions of Section 1824.

K. Convenience store in excess of eight thousand (8,000) square feet floor area.

L. Building Supply Store with no outdoor inventory.

M. Tower-Based Wireless Communications Facilities, in accordance with Section 1821 of this Zoning Ordinance.

## Section 1202. AREA AND BULK REGULATIONS

Except as stipulated in Section 1207, below, which refers to Conditional Uses only, the following regulations shall apply to all uses in the C District.

1. Minimum Lot Area.

   A. Any use or combination of uses in a single building specifically permitted in Section 1201 which is served by a community or public sewage system: twenty thousand (20,000) square feet, gross area per use.

   B. Any uses or combination of uses specifically permitted in Section 1201, which utilizes an individual, on-site sewage system: one (1) acre, gross.

2. Minimum Lot Width. Each lot shall have a width of not less than one hundred twenty-five (125) feet at the building setback line and one hundred (100) feet at the front lot line.

3. Minimum Front Yard. No building shall be situated less than fifteen (15) feet from the front lot line.

4. Minimum Side Yards. There shall be two (2) side yards, each of which shall have a width of not less than fifteen (15) feet.

5. Minimum Rear Yard. No building shall be situated less than forty (40) feet from the rear lot line.

6. Minimum Separation from Residential Properties. Notwithstanding the requirements of Subsections (4) and (5) above, the following setbacks shall apply from residential districts or uses:

   A. Commercial structure from residentially used property within the C District – 15 feet

   B. Commercial structure from residential district – 60 feet

   C. Commercial outdoor recreational facilities from residential property lines – 100 feet

7. Maximum Impervious Surface. No more than sixty percent (60%) of any lot shall be covered by impervious surface.

8. Height Regulations.

   A. The minimum height of the primary façade of principal buildings shall be twenty (20) feet.

   B. The maximum height of buildings and other structures erected or enlarged in this District shall be three (3) stories or forty two (42) feet.

   C. Flag poles shall be limited to thirty-five (35) feet in height.

9. Live-work Units.

   A. Total floor area devoted to dwelling units within the structure shall not exceed four (4) times the total floor area of the ground-floor non-residential use or uses.

   B. Entrance to any dwelling unit may be shared with another unit or units, but shall be independent of the non-residential use or uses.

   C. Off-street parking required for each dwelling unit shall be in accordance with Section 1706, and shall be in addition to the parking requirement for the non-residential use or uses.

   D. Where two (2) or more dwelling units are to be created above the ground floor, requisite approvals of interior layout, emergency exits, etc., shall be obtained from the Pennsylvania Department of Labor and Industry, and a copy shall be provided to the appropriate Fire Company and the Township Building Inspector upon receipt of such approval.

   E. The Zoning Officer may require documentation from the applicant regarding the quality and quantity of the proposed public water supply for the number of proposed dwellings. He shall, as he deems it necessary, consult with the Township Engineer and/or the Chester County Health Department on the quality and quantity of the proposed public water supply, and shall deny the permit application, or require its

modification as to the number of dwelling units proposed, where the proposed public water supply is deemed to be of insufficient quality and/or quantity.

Section 1203. DESIGN STANDARDS

The Streetscape and Site Enhancement requirements of Section 1207, and the following design standards of this Ordinance shall, as applicable, govern the uses in the C District:

1. Access, Highway Frontage and Interior Circulation as required by Section 1706.

2. The Off-Street Parking standards of Section 1707 shall be used as a guide in the determination of the required parking. The Applicant shall demonstrate that sufficient on-street and off-street parking will be available to accommodate the proposed use or uses.

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, Greenways and Trails as required by Section 1714.

7. Storage as required by Section 1815.

8. Signs as required by Article XIX.

Section 1204. PLAN SUBMISSION REQUIREMENT

In order to demonstrate compliance with the terms of this Article, any applicant proposing any use authorized by right or by special exception within the C District shall submit a plan (map and text) to the Township Zoning Officer, describing specifically how each standard in Section 1202, Section 1203, and Section 1207 shall be addressed. The plan also shall include a certification from the Chief of the appropriate Fire Company as to the adequacy of access for emergency vehicles. In addition to requirements contained in this Part, such plan also shall demonstrate compliance with any other applicable standards of the Township Subdivision and Land Development Ordinance.

Section 1205. STANDARDS AND CRITERIA FOR CONDITIONAL USES

1. <u>Shopping Center</u>

   A. Uses that may be included within a shopping center shall be those permitted as of right in the C District or any use deemed comparable by the Board.

   B. Minimum lot area for a shopping center shall be three (3) gross acres.

   C. The Board of Supervisors may require documentation from the applicant regarding the quality and quantity of the proposed public water supply for the number and

types of uses proposed within the shopping center. The Board shall, as deemed necessary, consult with the Township Engineer and/or the Chester County Health Department on the quality and quantity of the proposed public water supply, and shall deny the Conditional Use application, or require its modification as to the number and types of uses proposed, where the proposed public water supply is deemed to be of insufficient quality and/or quantity.

D. The application for Conditional Use approval shall be accompanied by a plan showing in detail the proposed use of the tract, and all existing uses within one thousand (1,000) feet of the tract. In addition, the plan shall locate proposed parking facilities, buffer areas, other landscaping, and any other proposed features of the tract. The plan shall cover the entire tract, regardless of any intended phasing of development.

E. The minimum setback for any building shall be as follows:

(1) From any street right-of-way line: not less than fifteen (15) feet.

(2) From any abutting property line, the zoning of which is commercial or industrial: 50 feet.

(3) From any abutting property line, the zoning of which is residential or institutional: 150 feet.

F. The minimum setback for any parking area shall be as follows:

(1) From any abutting property line, the zoning of which is commercial or industrial: 25 feet.

(2) From any abutting property line, the zoning of which is residential or institutional: 50 feet.

(3) All parking shall be located on the side or to the rear of buildings, and no such parking shall be closer than thirty-five (35) feet from the street right-of-way line, unless such parking complies with Section 1207.

G. Proposed parking facilities intended to serve a shopping center shall comply with the regulations and standards contained in Section 1706.

H. Landscaping requirements for a shopping center tract shall be as specified in Section 1708 and Section 1709.

I. Streetscape Enhancement regulations shall be in accordance with Section 1207.

2. <u>Motel or Hotel</u>

A. For any building erected or used as a motel or hotel, the minimum lot area shall be two (2) gross acres and a minimum lot width of two hundred fifty (250) feet shall be provided. There shall be a front yard on each lot, the depth of which shall be not less than fifteen (15) feet, and there shall be two (2) side yards, each of which shall have

a width not less than thirty-five (35) feet and a rear yard the depth of which shall not be less than sixty (60) feet, except that on a corner lot there shall be two (2) front yards and two (2) side yards.

B. The Zoning Officer may require documentation from the applicant regarding the quality and quantity of the water supply system for the proposed rooms or units. He shall, as he deems it necessary, consult with the Township Engineer and/or the Chester County Health permit application, or require its modification as to the number of rooms or units proposed, where the proposed water supply is deemed to be of insufficient quality and/or quantity.

C. Landscaping of the site of any motel or hotel including all parking lot landscaping shall be in accordance with the terms of Section 1708 and Section 1709.

D. Standards for access and traffic control shall be as stipulated in Section 1705.

E. Streetscape Enhancement regulations shall be in accordance with Section 1207.

## Section 1206. ENVIRONMENTAL IMPACT ASSESSMENT

Any preliminary or final plan application for a proposed subdivision or land development in the C 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.

## Section 1207. STREETSCAPE AND SITE ENHANCEMENT REGULATIONS

All development within the C Commercial District shall comply with the Streetscape and Site Enhancement Regulations of Section 1008.