

LOWER PROVIDENCE TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 08-

AN ORDINANCE AMENDING CHAPTER 143 OF THE CODE
OF THE TOWNSHIP OF LOWER PROVIDENCE (ALSO KNOWN
AS THE ZONING ORDINANCE OF LOWER PROVIDENCE TOWNSHIP)

NOW, THEREFORE, BE IT ENACTED and ORDAINED, and it is hereby **ENACTED and ORDAINED** by the Board of Supervisors of Lower Providence Township as follows:

SECTION 1. ARTICLE XIII, §§ 143-75 through 143-79 shall be eliminated in their entirety and marked as reserved.

SECTION 2. ARTICLE I, § 143-6 Definitions shall be amended by adding the following definition.

BAKED GOODS STORE - A retail store that only sells baked goods. Seating for food consumption at a baked goods store shall be considered a restaurant use.

BOOK STORE – A retail store that sells new and used books. An adult bookstore shall not be considered a book store and is prohibited in all VC districts.

CAMERA AND PHOTOGRAPHIC SUPPLY STORE – Includes the selling of cameras, video devices only and photographic supplies with limited photographic development only.

CHILDREN’S AND INFANTS’ CLOTHING STORE – Clothing includes coverings for the trunk and limbs as well as coverings for hands (gloves), feet (shoes, sandals, boots), and head (hats, caps).

CLOTHING ACCESSORIES STORES – Clothing includes coverings for the trunk and limbs as well as coverings for hands (gloves), feet (shoes, sandals, boots), and head (hats, caps). Articles carried rather than work (like purses and umbrellas) normally count as accessories rather than clothing.

MEAT AND SEAFOOD MARKET AND BUTCHER SHOP – An establishment in which meat, poultry and fish are sold. The killing of animals or fish on site shall be considered a slaughterhouse or a meat or seafood processing use. All waste material must be disposed promptly and temporarily stored correctly as required by the Township, otherwise the use shall be considered a Meat or Seafood Processing Use.

MEAT AND SEAFOOD PROCESSING – A slaughterhouse or processing of meat or fish in

such a manner as to change its properties with a view to preserving it, improving its quality or making it functionally more useful.

NEWS DEALERS AND NEWSSTANDS – a place (as an outdoor stall) where newspapers, magazines and periodicals are sold. Any material displayed or being sold containing semi-nude or totally nude pictures or drawings shall be considered an adult bookstore.

PHARMACY – the art, practice, or profession of preparing, preserving, compounding, and dispensing medical drugs or cosmetic material. A pharmacy that sells liquor or beer shall be considered a wine and liquor store. A pharmacy which displays more than 40% of the gross floor area of the pharmacy in food products normally sold in grocery stores shall be considered a retail store use.

SECTION 3. ARTICLE XXXV, EVC, Evansburg Village Commercial District shall be added as follows:

§ 143-274. 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 EVC-Evansburg 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:

Overall Site Design

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 Evansburg National Historic District and the surrounding areas.

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

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

To limit building footprints and encourage multi-story buildings to remain or be constructed in order to retain and strengthen the character of the Evansburg National Historic District.

To encourage owner-occupied mixed use, small scaled professional buildings.

Historic Preservation/Adaptive Re-use

To allow building conversions within existing certified historic structures or buildings built prior to 1899.

To encourage the retention, rehabilitation, and reuse of existing certified historic structure(s) or building(s) built prior to 1899 while also allowing for new construction to occur elsewhere on the tract.

Architectural Scale & Character

To ensure that new buildings or building additions have an architectural scale and character commensurate with the existing Evansburg National Historic District architecture of the area.

Traffic Control

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 Evansburg National Historic District.

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.

Existing Neighborhood Protection

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.

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

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.

Signage

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.

Lighting

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

§ 143-275 Permitted Uses:

A. Class One Uses Permitted by Right

The following uses shall be permitted by right when proposed to be conducted within an existing building with no expansion of interior floor space for the use or uses proposed.

1. Single-family detached residence;
2. Two-family residence;
3. Family day-care home;
4. Bed-and-breakfast;
5. No-impact home-based businesses in accordance with the standards set forth in §143-27.A.(9).

B. Class Two Uses Permitted by Right

The following uses shall be permitted by right when proposed to be conducted within an existing building with no expansion of interior floor space for the use or uses proposed.

1. Dwelling unit above a class two non-residential use;
2. Antique store;
3. Art Dealers;
4. Baked Goods Stores;
5. Book Stores;
6. Camera and Photographic Supplies Stores;
7. Children's and Infants' Clothing Stores;
8. Clothing Accessories Stores;
9. Coffee shops, on premise brewing;
10. Computer and Software Stores;
11. Confectionery and Nut Stores;
12. Cookie shops;
13. Fish and Seafood Markets;
14. Florists;
15. Floor Covering store;
16. Fruit and Vegetable Markets;

17. Furniture Store;
18. Gift, Novelty, and Souvenir Stores, excluding adult novelty stores;
19. Grocery Store;
20. Hardware Store;
21. Historic Artisans;
22. Hobby, Toy, and Game Stores;
23. Household Appliance Stores;
24. Ice cream parlors;
25. Jewelry Stores;
26. Luggage and Leather Goods Stores;
27. Meat Markets, excluding meat processing;
28. Medical/dental office;
29. Men's Clothing Stores;
30. Music or fine art studio;
31. Musical Instrument and Supplies Stores;
32. News Dealers and Newsstands;
33. Office;
34. Office Supplies and Stationery Stores;
35. Optical Goods Stores;
36. Paint and wallpaper store;
37. Personal service;
38. Pets/Pet supply stores, excluding kennels;
39. Pharmacy;
40. Post office;
41. Prerecorded Tape, Compact Disc, and Record Stores;
42. Produce shop;
43. Publishing, printing, or copy related activity;
44. Radio, Television, and Other Electronics Stores;
45. Restaurant, excluding drive-throughs;
46. Sewing, Needlework, and Piece Goods Stores;
47. Shoe Stores;
48. Specialty Food Stores, excluding meat processing;
49. Sporting Goods Stores;
50. Window Treatment stores;
51. Women's Clothing Stores;
52. Dance studio;
53. Indoor Fitness Center;

- 54. Day spa;
- 55. Library;
- 56. Museum.

C. Class Three Uses Permitted by Conditional Use

The following uses shall be permitted by conditional use when proposed to be conducted within an existing building when expansion of interior floor space is proposed and/or when a new building is proposed.

- 1. All uses permitted in Class One and Class Two, including combinations of uses;
- 2. Beer/Wine/Liquor store;
- 3. Bank, only without a drive-through;
- 4. Multiple buildings on the same property with permitted and/or conditional use or uses;
- 5. Establishment serving alcoholic beverages;
- 6. Place of worship.

D. 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, sexually-oriented businesses, parking lots as a primary use, criminal treatment center, drug or alcohol treatment centers, group homes operated as a criminal, alcohol, or drug-treatment center or halfway house, and any retail or specialty retail unless specified above, and any establishment selling vehicles of any kind including, but not limited to new or used automobiles, new or used trucks, new or used recreational vehicles or new and used boats.

§ 143-276. Dimensional Standards.

A. Dimensional and coverage standards for all Evansburg Village Commercial uses shall be in compliance with the following: At the adoption of this ordinance if any certified pre-1899 structure exists on a tract within the designated district boundaries, those structures must be rehabilitated, retained, and reused, pursuant to Section §143-278 of this ordinance.

<u>Dimensional and Coverage Standards</u>	<u>Class 1 & 2 Uses</u>	<u>Class 3 Uses</u>
(1) Maximum Building Footprint for new construction only, not including unenclosed portions: (square feet)	NA	5,000
(2) Maximum Building Footprint for a pre-1899 building	NA	5,000

including additions, not including unenclosed portions: (square feet)		
(3) Maximum Building Height:	Not to exceed 35 feet, decorative architectural elements not to exceed an additional 5 feet	
(4) Maximum Building Width facing street: (feet)	Class 1 & 2	Class 3
a. The maximum building width facing the street:	40	50
b. The maximum building width for a structure to be located 50' from the ultimate right-of-way:	40	80
(5) Maximum Building Coverage:	10%	20%
(6) Maximum Impervious Coverage:	30%	50%
(7) Maximum Impervious Coverage if provisions* for the preservation/restoration/adaptive re-use of any pre-1899 structures as well as shared parking and driveways are provided to adjacent properties that are zoned EVC-Evansburg Village Commercial	50%	85%
(8) Minimum vegetation, trees or landscaping if provisions* for the preservation/restoration/adaptive re-use of any pre-1899 structures as well as shared parking and driveways are provided to adjacent properties that are zoned EVC-Evansburg Village Commercial.	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 1&2 Uses</u>	<u>Class 3 Uses</u>
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(1) Front yard: building shall be located	Not less than 2 feet nor more than 15 feet from the ultimate right-of-way, or within +/- 10 feet of the average front yard setback to the ultimate right-of-way of all of the buildings within 200 feet of either side of the subject tract.	
(2) Minimum side yard: (feet)	10	10
(3) Minimum rear yard: (feet)	30	30
(4) Minimum setback to a residential district: (feet)	40	40
(5) Minimum setback to a residential district where there is more than one building on the lot (feet)	80	80
(6) Minimum distance between buildings on the same lot (feet)	15	15
(7) Maximum distance between buildings on the same lot (feet)	85	85

C. Minimum parking area or vehicular circulation setbacks:

<u>Parking and Circulation Setback Standards</u>	<u>Class 1&2 Uses</u>	<u>Class 3 Uses</u>
(1) From ultimate right-of-way; street: (feet)	30	30
(2) From all non-residential property lines: (feet)	6, unless parking is shared between properties	6, unless parking is shared between properties
(3) From all residential districts: (feet)	15, or 10 if a 8-foot high fence or wall that is landscaped on both sides is provided as a screen	25, or 10 if an 8-foot high fence or wall that is landscaped on both sides is provided as a screen

(4) From the rear of all buildings:	5 feet for parking, 5 feet for vehicular circulation	5 feet for parking, 5 feet for vehicular circulation
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D. Separate individual buildings on the same lot may be connected to each other with a covered, but not enclosed, walkway.

§ 143-277. Parking and Access Standards.

In addition to the parking requirements in Article XII, the following regulations shall apply:

- A. 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.
- B. 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.
- C. 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.
- D. The total parking requirement for a property may be reduced pursuant to § 143-73 if shared parking is provided or, in the case of no existing adjacent parking areas but a reserved 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).
- E. There shall be no parking in the front yard.

§ 143-278. Screening Buffer.

Where a non-residential use abuts a residential district, a 10-foot screening buffer pursuant to §123-50C. of the Lower Providence Township Subdivision and Land Development Ordinance shall be provided.

§ 143-279. Conditions of Approval for All Class Three Conditional Uses.

- A. All existing certified historic structure(s) or a structure(s) built prior to 1899 located on a

lot must be retained, rehabilitated, and re-used on site in its original existing condition. All pre-1899 structures must be occupied with a permitted use(s) prior to the issuance of any building occupancy permit for any new construction or use.

1. If the applicant can prove that the existing structures(s) cannot be re-used for a use permitted in the district, then the applicant must then offer dedication of the structure(s) on the same lot to a not-for-profit historical preservation agency or similar organization in the following order: first, to an organization currently operating in Lower Providence Township; second, to a similar organization operating in Montgomery County; third, to a similar organization in the Commonwealth of Pennsylvania; and finally, to a similar national organization, provided that the applicant establishes that the structure meets all Township's codes and that the structure(s) has obtained a certificate of compliance permit.
2. If the applicant can prove that no such organization will accept the existing structures(s) for dedication, then the applicant shall offer dedication of the structure(s) on the same lot to Lower Providence Township provided that the applicant establishes that the structure meets all Township's codes and that the structure(s) has obtained a certificate of compliance permit. Notwithstanding, the Township shall have no obligation to accept dedication of the structure(s).
3. 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 and then the property may be permitted as a Class Three Use.

B. New buildings or building additions must have an architectural scale and character commensurate with architectural styles of 1700 – 1899 typical of the Evansburg area.

1. 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.
2. 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.

- C. The applicant shall submit sufficient information at the time of application in the form of architectural elevations or sketches of building additions, restoration of existing structures and architectural renderings in an electronic media format 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.
- D. In order to facilitate traffic circulation, all parking areas for a proposed use(s) with an existing structure(s) built prior to 1899, 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.
- E. 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.
- F. 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.
- G. For new construction and additions, historic period street lighting shall be provided.
- H. For new construction and additions, crosswalks shall be provided across all driveways and at intersections adjacent to the subject property.
- I. Sidewalks shall be required and shall be at least five feet in width. Sidewalks shall be constructed with special materials or a decorative surface treatment pursuant to the adopted design manual. Sidewalks internal to the site may be covered by a porch or other sun or rain sheltering structure.
- J. Any other reasonable request requested by the Board of Supervisors, provided that the request improves the overall health, safety, and general welfare of the residents of Lower Providence Township.
- K. The applicant shall comply with the requirements of § 143-80 regarding procedures for consideration of conditional use applications.

SECTION 4. ARTICLE XXXVI, VC, Village Commercial District shall be added as follows:

§ 143-280. 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 use of land for limited commercial, office and residential uses, while preserving the distinct architectural character of important historic and culturally significant areas of Lower Providence Township. In addition, the specific intent of this article is as follows:

Overall Site Design

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 Villages and the surrounding areas.

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

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

Architectural Scale & Preservation of Village Character

To allow building conversions within existing certified historic or culturally significant structures or buildings built prior to 1945.

To require the retention, rehabilitation, and reuse of existing certified historic or culturally significant structure(s) or building(s) built prior to 1945, unless replaced by buildings of the same architectural styles and proportions, while also allowing for new construction to occur as additions to the rear and sides of existing buildings.

To ensure that new buildings or building additions have an architectural scale and character commensurate with the existing residential architecture of the Villages.

To encourage owner-occupied, small scale buildings with residential character for residential,

nonresidential, and/or mixed uses.

Traffic Control

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 the existing Villages.

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.

To require provisions for shared driveways and parking for nonresidential and/or mixed uses to reduce the number of driveway intersections and potential hazards of vehicular turning movements.

Existing Neighborhood Protection

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

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

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

Signage

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.

Lighting

To ensure that lighting is provided for pedestrian and vehicular safety and to protect surrounding residential properties from glare.

§ 143-281. Permitted Uses.

A. Class One Uses Permitted by Right.

The following uses shall be permitted by right when proposed to be conducted within an existing building with or without expansion of interior floor space for the use or uses proposed.

1. Single-family detached residence;
2. Two-family residence;
3. Family day-care home;
4. Bed-and-breakfast;
5. No-impact home-based businesses in accordance with the standards set forth in §143-27.A.(10).

B. Class Two Uses Permitted by Right.

The following uses shall be permitted by right when proposed to be conducted within an existing building with or without expansion of interior floor space for the use or uses proposed.

1. Dwelling unit above a class two non-residential use;
2. Antique store;
3. Art Dealers;
4. Baked Goods Stores;
5. Book Stores;
6. Camera and Photographic Supplies Stores;
7. Children's and Infants' Clothing Stores;
8. Clothing Accessories Stores;
9. Coffee shops, on premise brewing;
10. Computer and Software Stores;
11. Confectionery and Nut Stores;
12. Cookie shops;
13. Fish and Seafood Markets;
14. Florists;
15. Floor Covering store;
16. Fruit and Vegetable Markets;
17. Furniture Store;
18. Gift, Novelty, and Souvenir Stores, excluding adult novelty stores;
19. Grocery Store;
20. Hardware Store;
21. Historic Artisans;
22. Hobby, Toy, and Game Stores;
23. Household Appliance Stores;
24. Ice cream parlors;
25. Jewelry Stores;
26. Luggage and Leather Goods Stores;
27. Meat Markets, excluding meat processing;

28. Medical/dental office;
29. Men's Clothing Stores;
30. Music or fine art studio;
31. Musical Instrument and Supplies Stores;
32. News Dealers and Newsstands;
33. Office;
34. Office Supplies and Stationery Stores;
35. Optical Goods Stores;
36. Paint and wallpaper store;
37. Personal service;
38. Pets/Pet supply stores, excluding kennels;
39. Pharmacy;
40. Post office;
41. Prerecorded Tape, Compact Disc, and Record Stores;
42. Produce shop;
43. Publishing, printing, or copy related activity;
44. Radio, Television, and Other Electronics Stores;
45. Restaurant, excluding drive-throughs;
46. Sewing, Needlework, and Piece Goods Stores;
47. Shoe Stores;
48. Specialty Food Stores, excluding meat processing;
49. Sporting Goods Stores;
50. Window Treatment stores;
51. Women's Clothing Stores;
52. Dance studio;
53. Day spa;
54. Library;
55. Museum;
56. Two or more of the uses listed herein, when located in one building.

C. Class Three Uses Permitted by Conditional Use.

The following uses shall be permitted by conditional use when proposed to be conducted within an existing building when expansion of interior floor space is proposed and/or when a new building is proposed.

1. All uses permitted in Class One and Class Two, including combinations of uses;
2. Beer/Wine/Liquor stores;

3. Bank, only without a drive-through;
4. Establishments serving alcoholic beverages;
5. Multiple buildings only when the existing principal structure is retained.

D. Following adoption of this ordinance, any pre-1945 principal structure within the designated district boundaries must be retained, reused, and maintained in a habitable condition, pursuant to § 143-283 of this ordinance when a change of use or owner occurs.

E. 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, sexually-oriented businesses, parking lots as a primary use, criminal treatment center, drug or alcohol treatment centers, group homes operated as a criminal, alcohol, or drug-treatment center or halfway house, and any retail or specialty retail unless specified above, and any establishment selling vehicles of any kind including, but not limited to new or used automobiles, new or used trucks, new or used recreational vehicles or new and used boats.

§ 143-282. Dimensional Standards.

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

<u>Dimensional and Coverage Standards</u>	<u>Class 1 & 2 Uses</u>	<u>Class 3 Uses</u>
(1) Maximum Building Footprint for a tract containing a pre-1945 building, including additions, but not including unenclosed portions (square feet per lot):	2,000	4,000
(2) Maximum Building Height:	Not to exceed 35 feet, decorative architectural elements not to exceed an additional 5 feet.	
(3) Maximum Building Width (feet):	Class 1 & 2	Class 3
a. Maximum building width facing the street:	40	50
b. Maximum building width for any portion of a structure located 50 feet or more from the ultimate right-of-way:	40	80
(4) Maximum Building Coverage:	10%	20%
(5) Maximum impervious coverage	30%	30%
(6) Maximum Impervious Coverage with provisions* for shared parking and driveways to adjacent properties that are concurrently zoned Village Commercial:	50%	50%

(7) Minimum vegetation, trees or landscaping with provisions* for shared parking and driveways to adjacent properties that are concurrently zoned Village Commercial:	50%	50%
(8) Minimum lot size (square feet):	15,000	30,000
(9) Minimum lot width at building setback line (feet):	75	125
(10) 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 1&2 Uses</u>	<u>Class 3 Uses</u>
(1) Front yard (building shall be located):	Minimum 2 feet and maximum 15 feet from the ultimate right-of-way	
(2) Minimum side yard (feet):	20	20
(3) Minimum rear yard (feet):	30	30
(4) Minimum setback to a residential district (feet):	20	40
(5) Minimum setback to a residential district where there is more than one building on the lot (feet):		
(6) Minimum distance between buildings on the same lot (feet):	15	15
(7) Maximum distance between buildings on the same lot (feet):	85	85

C. Minimum parking area or vehicular circulation setbacks:

<u>Parking and Circulation Setback Standards</u>	<u>Class 1&2 Uses</u>	<u>Class 3 Uses</u>
(1) From street ultimate right-of-way (feet):	75	75
(2) From all non-residential property lines (feet):	6, unless parking is shared between properties	6, unless parking is shared between properties

(3) From all residential districts: (feet)	15, or 10 if an 8-foot high fence or wall that is landscaped on both sides is provided as a screen	25, or 10 if an 8-foot high fence or wall that is landscaped on both sides is provided as a screen
(4) From the rear or side of all buildings:	5 feet for parking, 5 feet for vehicular circulation	5 feet for parking, 5 feet for vehicular circulation

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

§ 143-283. Parking and Access Standards.

In addition to the parking requirements in Article XII, the following regulations shall apply:

- A. The parking area shall be designed to permit vehicles to turn around on the lot. Backing onto a public street from parking is prohibited.
- B. 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 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.
- C. Shared parking areas and circulation between nonresidential lots are required to qualify for the 50% maximum impervious coverage permitted by §143-281. This requires construction of shared parking and driveway connections. If the adjacent parcel has not provided for shared parking and driveways, then driveway stubs and easements shall be required to facilitate shared parking and driveways when the adjacent parcel is further developed.
- D. The total parking requirement may be reduced pursuant to § 143-73 when shared parking is provided or, in the case of no existing adjacent parking areas but a reserved parking area is physically possible, paved connections to the property line and cross easements are required, and reduction will be permitted in compliance with the Township’s reserve parking standards. If the reduced parking capacity proves to be insufficient under routine use, the full parking capacity shall be required to be installed. Bike racks must also be provided close to the building entry(ies).

E. There shall be no parking in the front yard.

§ 143-284. Screening Buffer.

Where a non-residential use abuts a residential district, a 10-foot screening buffer pursuant to §123-50C. of the Lower Providence Township Subdivision and Land Development Ordinance shall be provided.

§ 143-285. Conditions of Approval for All Class Three Conditional Uses.

- A. All existing certified historic structure(s) or a structure(s) built prior to 1945 located on the site must be retained, maintained in a habitable condition, and re-used on site in the original existing location (s). All pre-1945 structures must have a Certificate of Compliance prior to the issuance of any permit for any new construction or use.

- B. New buildings or building additions must have an architectural scale and character commensurate with architectural styles typical of the Villages.
 - 1. Any additions to existing buildings on a lot must be located to the rear 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, amodized 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.

 - 2. The façade of all newly constructed building(s) that replace existing buildings shall avoid any long, monotonous uninterrupted wall(s) or roof plane(s). The architectural style, scale, proportions, and character must be consistent with the building being replaced and compatible with the 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.

 - 3. Evaluation of the appearance of a project shall be based on the quality of its design and on its relationship to its surroundings, guided by the provisions of this section. Site characteristics to be evaluated for this purpose include building and plant materials, colors, textures, shapes, massing, rhythms of building components and details, height, roof-line and setback. The massing of larger commercial buildings shall be de-emphasized in a variety of ways, including the use of projecting and recessed sections, and balconies and terraces above the first floor, to reduce their apparent overall bulk

and volume.

4. Mechanical equipment, satellite dishes, and other utility hardware, whether located on the roof or exterior of the building or on the ground adjacent to it, shall be screened from the public view and with materials identical to or strongly similar to building materials or by heavy landscaping that will be effective in winter or they shall be located so as not to be visible from any public way. In no case shall wooden fencing be used as a rooftop equipment screen.
5. Building Entries: Each street level business or tenant space shall have at least one entrance on a street and parking lot side. No more than two adjacent businesses or tenant spaces have the ability to share the same entrance unless the entrance also provides an entry to businesses above or below the first level.
6. Exterior Building Face Material Standards:
 - a. Acceptable primary building materials include the following: High quality materials such as brick, stone, wood clapboard, or splitfaced aggregate block. Synthetic materials such as vinyl and external finish insulation systems are acceptable accent materials but are limited to 20 percent wall area on each elevation.
 - b. Unacceptable primary building materials include the following: Painted brick, poured “case in place” concrete panels, non-decorative cinder block, tilt-up concrete panels with a ribbed or corduroy appearance, sheet metal panels.
 - c. Windows: First floor facing street or public walkways, parking areas, or privately accessible walkways shall have a minimum of 30 percent transparent window area on walls. First floor height computations shall use 12 feet as the maximum for calculated wall area.
 - d. Awnings: Canvas-like material if used. Awnings shall not be back or internally lighted. Vinyl, poly, or plastic awnings are not permitted.
 - e. Public Plazas and Open Spaces: Pedestrian amenities shall be included in all public plazas such as benches, tables, seating areas, passive areas, public art display, gardens and fountains. The Township retains the right to require that improvements be installed by the property owner or developer.
- C. The applicant shall submit sufficient information at the time of application in the form of architectural elevations or sketches of building additions, restoration of existing structures and architectural renderings in an electronic media format 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.

- D. In order to facilitate traffic circulation, all parking areas for a proposed use(s) with an existing structure(s) built prior to 1945, 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 in compliance with Section 143-79, herein.
- E. 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.
- F. 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.
- G. For new construction and additions, historic period street lighting shall be provided.
- H. For new construction and additions, crosswalks shall be provided across all driveways and at intersections adjacent to the subject property.
- I. Sidewalks shall be required and shall be at least five feet in width. Sidewalks shall be constructed with special materials or a decorative surface treatment pursuant to the adopted design manual. Sidewalks internal to the site may be covered by a porch or other sun or rain sheltering structure.
- J. Any other reasonable request by the Board of Supervisors, provided that the request improves the overall health, safety, and general welfare of the residents of Lower Providence Township.

SECTION 5. ARTICLE XIX, shall be amended by adding the following:

§ 143-142. Signs in EVC, Evansburg Village Commercial District and VC, Village Commercial District.

Signs in the EVC, Evansburg Village Commercial District and VC, Village Commercial District shall comply with the requirements of this section. Where the requirements of this section and the requirements of §143-141 conflict, the requirements of this section shall apply.

- A. Signs affixed to the exterior of a building shall be architecturally compatible with the style, composition, materials, colors, and details of the building as well as with other signs used on the building or in its vicinity.
- B. Signs shall fit within the existing façade features, shall be confined to signable areas, and shall not interfere with door and window openings, conceal architectural details or obscure the composition of that façade where they are located.

- C. Signs shall be constructed of wood, painted metal or similar-looking materials. Flat signs shall be framed with raised edges and/or shall feature raised or carved lettering and/or logos. Wood signs shall use only high-quality exterior wood with suitable grade finishes.
- D. Sign colors should be compatible with the colors of the building façade. A dull matte finish shall be used to reduce glare and enhance legibility.
- E. Freestanding signs. One freestanding sign shall be permitted per street frontage, not to exceed 20 square feet in size and ten feet in height. For properties with multiple tenants, the area of each freestanding sign may be increased to a maximum of 35 square feet. All signs for multitenant properties shall be designed with a unified appearance.
- F. Monument Signs. Only one monument sign shall be permitted for each property, in place of a freestanding sign. Monument signs must have a solid base constructed of native stone that is consistent with the surrounding architecture. Signs shall be face-mounted on the stone base and shall be constructed of either painted wood or painted metal in colors compatible with the buildings and other signs on the property. Monument signs may be a maximum of 50 square feet and ten feet in height. Only the largest side of a monument sign shall be counted toward the maximum sign area, even if a monument has two sign faces. For properties with multiple tenants, the total permitted sign area must be shared. All signs for multitenant properties shall be designed with a unified appearance.
- G. Wall signs. Not more than one wall sign shall be permitted on each major wall face of each primary building on a lot. Parallel wall signs shall not exceed 35 square feet. Projecting wall signs shall not exceed 15 square feet nor project more than four feet from the wall of a building. At least eight feet of clearance from the sidewalk to the bottom edge of a projecting sign shall be provided. For properties with multiple tenants, the total permitted sign area must be shared. All signs for multitenant properties shall be designed with a unified appearance.
- H. Awning signs. One awning sign may be used in place of a wall sign on the front face of a building. Awnings must be consistent with the colors and architectural style of the building, and may be constructed only of canvas or canvas-like material. Lettering on awnings must be permanently affixed or painted on and may not exceed 25% of the awning skirt area.
- I. Window signs. Window signs shall be limited to permanent lettering which shall be professionally applied to the window surface; professionally lettered wood, metal, or fabric signs may also be hung in windows, provided that individual signs do not exceed four square feet. In any case, no more than 25% of the area of any window may be obscured by applied lettering or hanging signs. Window signs made of paper, cardboard, plastic or similar materials shall be prohibited.
- J. Chalk-board signs. One chalk-board sign shall be permitted per retail or restaurant use,

provided that it does not exceed six square feet, and that it is constructed of natural-looking materials. A sandwich-board chalk-board may be used, provided that any face of the board does not exceed six square feet. Chalk-board signs may be hand-lettered to advertise daily specials or sales items, and may be placed in windows or next to front doors, provided that the total window or wall sign area does not exceed the maximum permitted areas set forth in this ordinance.

- K. Additional incidental signs for the convenience and safety of the public, not to exceed four square feet in size and containing no advertising, shall be permitted.
- L. Temporary signs shall not be permitted within the VC and EVC districts, except as authorized specifically by the Zoning Officer of the Township.
- M. Total sign face area. Within the VC and EVC Districts, the applicant is entitled to a maximum total sign face area of 70 square feet, which total must be divided among permitted freestanding, monument, and wall sign faces on the applicant's property. Window signs shall be in addition to the permitted sign face area, not to exceed the limits set forth herein.
- N. Illumination of signs. Freestanding, monument, wall, and window signs may be lit by shielded spotlights, mounted either directly above or below the sign, such that only the sign area is directly illuminated and there is no spillover lighting outside of the sign area. In the VC Districts only, freestanding and monument signs may be internally illuminated using a plastic panel, provided that only the sign's lettering and associated logos are lighted and the remainder of the sign is shielded by an opaque surface. Internally illuminated signs of any kind shall be prohibited in the EVC District. Fully illuminated panel signs shall be prohibited in both VC and EVC districts. All outdoor lighting must be extinguished between 11 PM and dawn, except with special authorization by the Board of Supervisors. Display windows may be lit only during a business' normal operating hours.

SECTION 6. ARTICLE XIX, §143-142 Signs in Shopping Centers, shall be amended as follows:

§143-142 shall be renumbered to §143-143.

SECTION 7. ARTICLE XIX, §143-143 Sign Permits, shall be amended as follows:

§143-143 shall be renumbered to §143-144.

SECTION 8. ARTICLE XIX, §143-144 Non-Conforming Signs, shall be amended as follows:

§143-144 shall be renumbered to §143-145.

