

*N-C NEIGHBORHOOD COMMERCIAL OVERLAY DISTRICT***§ 153.090 STATEMENT OF PURPOSE AND USE SUMMARY.**

(A) The N-C Neighborhood Commercial Overlay District is established to provide locations for general business and related activities for the use and convenience of area and district consumers at a scale which is in concert with the existing residential and nonresidential development in the area. Regulations for this district are intended to generate commercial activities and associated supporting amenities, to encourage and sustain such functions, to strengthen the local economic base, to effectuate safe and efficient traffic circulation and to provide necessary parking facilities.

(B) (1) *Generally.* The basic requirements of the A-1 Agricultural District shall be subject to additional standards and regulations of this subchapter. These additional standards and regulations are intended to supplement, not repeal, abrogate, impair or replace any existing ordinances or provisions that relate to zoning or building construction within the township.

(2) *N-C uses permitted by right.*

- (a) Specialty retail including, but not limited to, the sale of antiques, sporting goods, electronics, gifts or books;
- (b) Personal service establishments including, but not limited to, barber and beauty shops, dance studios, financial consultants, dry cleaning and similar uses;
- (c) Administrative office (general);
- (d) Offices for professional services including, but not limited to, physicians, lawyers, architects and similar professionals; and offices incidental to uses permitted in the district;
- (e) Eating establishments, not to include drive-in or drive-through uses;
- (f) Automotive service stations;
- (g) Commercial service businesses, whether service is provided on site or away from site;
- (h) Municipal Building/fire station; and
- (i) Hotels and motels.

1. *Permits and plan.*

a. It shall be unlawful for any person to construct or maintain a hotel or motel within the township without first having secured a permit from the township.

b. Application for such permit shall be provided by the Township Administrative Secretary/Treasurer upon request. Following the approval of the Township Supervisors, a building permit shall be issued by the Administrative Secretary/Treasurer.

c. Application for hotel and motel permit shall be accompanied by a site plan (four copies) for the proposed development. Such site plan shall include the location and identification of all streets and roads, utility services and location of all utility shut off points, buildings, building setbacks, parking areas, buffers and plantings, stormwater drainage, enclosed rubbish storage area, outdoor lighting, signage, other facilities and shall be in compliance with 16 Pa. Code Ch. 44. The site plan shall be drawn at an appropriate scale as to provide ease of review, but at no less than one inch equals 100 feet.

d. Proof must be presented that all plans for the construction of buildings and facilities have been approved pursuant to the township's Building Code (the UCC) by the township's current state certified building inspector.

e. Proof must be presented that the water and sanitary sewage facilities have been approved by the Pennsylvania DEP and the Township Sewage Enforcement Officer (SEO).

f. An occupancy permit shall be obtained from the township's current state certified building inspector after final inspection and a copy provided to the Township Administrative Secretary/Treasurer before the hotel/motel facility can be utilized and inhabited.

2. *Standards.*

a. *Lot size and setbacks.*

Maximum building coverage	20%
Maximum impervious surface area	50%
Minimum aggregate width of side yards	80 feet
Minimum depth of front and rear yard	100 feet
Minimum lot area	2 acres for each principal permitted building
Minimum lot width at street line	150 feet
Minimum lot width at the building line	150 feet
Minimum width of each individual side yard	40 feet
Minimum yard abutting the street on a corner lot	100 feet

b. *Building height.* No hotel or motel shall exceed three stories or 35 feet in height.

c. *Parking.* On-site parking must be provided at a minimum of one space per room and/or suite, one space per restaurant table, and one space per employee per shift on a paved and well drained lot and must be in compliance with 16 Pa. Code Ch. 44, Universal Accessibility Standards.

d. *Special design and development requirements.*

i. *Access.* Any lot area used for off-street parking or for the storage or movement of motor vehicles shall, except for the necessary accessway, be separated from the street or highway by a raised curb, planting strip, wall or other suitable barrier against un-channeled motor vehicle entrance or exit. The layout of any such parking lot or area shall be designed in such a manner as to prohibit vehicles from backing out onto the street, and the capacity and arrangement of the lot shall be adequate for all related uses and sufficient to prevent the back-up of vehicles on a street while awaiting entry on the lot.

ii. *Outdoor lighting.* All driveways, parking areas and vehicle maneuvering areas shall be adequately illuminated, and all exterior or outdoor lighting shall be arranged in such a manner so as to protect adjoining property and traffic from any glare of hazardous interference of any kind. All such lighting shall be equipped with glare-shielding devices and not be more than 20 feet high.

iii. *Rubbish.* All trash and rubbish storage areas shall be screened from public view and from view of any surrounding uses. The screening of such storage areas shall be shown on the plan. The proposed methods for storing and removing trash and rubbish shall be noted on plans submitted for approval.

3. *Compliance with other regulations.*

a. All hotels and motels must comply with the township floodplain management regulations (see Chapter 151 of this code of ordinances) and successive revisions and amendments to the ordinance.

b. All hotels and motels must comply with 16 Pa. Code Ch. 44, Universal Accessibility Standards.

c. The owner and operator of the facility shall be responsible for the conduct and safety of the employees, customers, visitors and guests and shall be available to respond to inquiries and promptly resolve any issues caused by the employees, customers, visitors and guests.

4. *Buffer areas.* There shall be planted a buffer area of at least 50 feet along the side and rear yards that shall contain plantings of at least four feet in height when planted, to provide a visual buffer. A minimum of two rows of evergreen trees or large evergreen shrubs of two different species shall be planted in staggered rows on 15-foot centers to produce the desired visual barricade. The intent of the buffer yard is to provide a visual barrier and screen adjoining existing or future residential

development from direct view of the hotel or motel and from unfiltered headlight beams from guest traffic and parking. Immediate replacement of dead trees or shrubs shall be required.

(2003 Code, § 170-15.1) (Ord. 2-93, passed 5-4-1993; Ord. 2-2009, passed 2-1-2010; Ord. 7-2016, passed 9-6-2016)

§ 153.091 GENERAL PROVISIONS.

(A) Overlay zoning district boundaries shall be identified on the Official Zoning Map which is hereby adopted by reference and declared to be a part of this chapter.

(B) The boundaries of the overlay property boundary line districts are, unless otherwise indicated, either the centerlines of existing cartways, alleys, railroad rights-of-way, stream channels of the overlay property boundary lines or such lines extended, or lines parallel thereto as shown on the Zoning Map. Where figures are shown on the Zoning Map between a street and a district boundary line, they indicate that the district boundary line runs parallel to the street line at a distance therefrom equivalent to the number of feet so indicated. Where no figures are shown and no other definite boundaries are indicated on the Zoning Map, then scaled distances shall be used in accordance with the scale shown on the Zoning Map.

(C) Determination as to whether a property is situated within the designated N-C Neighborhood Commercial Overlay District shall be made by the Zoning Officer.

(D) Uses listed as permitted on land situated within the designated N-C Neighborhood Commercial Overlay District shall be reviewed in compliance with the land development provisions of the township's Subdivision and Land Development Chapter (Chapter 152).

(E) Uses listed as permitted on land situated within the designated N-C Neighborhood Commercial Overlay District shall be developed in conformance with the minimum dimensional and site design standards chart in § 153.094.

(2003 Code, § 170-15.2) (Ord. 2-93, passed 5-4-1993; Ord. 2-2009, passed 2-1-2010)

§ 153.092 PARKING AND LOADING.

Off-street parking and loading shall be in accordance with §§ 153.200 through 153.204.
(2003 Code, § 170-15.3) (Ord. 2-93, passed 5-4-1993; Ord. 2-2009, passed 2-1-2010)

§ 153.093 OVERLAY DISTRICT USE OPTION.

(A) *Applicability.* All parcels, whether developed or undeveloped previously recorded or created through the subdivision review and approval process, as outlined in the township Subdivision and Land Development Chapter (Chapter 152), which are situated in whole or in part in the State Route 30 and

State Route 168 Overlay Zoning Districts shall be developed in conformance with the provisions of division (B) below, where the property owner chooses to develop a land use listed in § 153.090 in the State Route 30 and State Route 168 Overlay Zoning Districts.

(B) Review and approval procedures.

(1) A property owner/developer who chooses to develop land situated in one of the State Route 30 and State Route 168 Overlay Zoning Districts shall submit to the Township Zoning Officer at least three copies of a development narrative and all information required by this section. Said development narrative shall be accompanied by the following information:

- (a) Name, address and telephone number of the owner of the property proposed for development;
- (b) Parcel identification number, size of parcel and parcel dimensions;
- (c) Abutting road rights-of-way and intended location of primary access;
- (d) Use or uses proposed to be developed;
- (e) Location of closest public utilities to subject parcel;
- (f) Planning objectives to be achieved with the proposed development; and
- (g) Area identified as a public right-of-way on the official map adopted by the township.

(2) Prior to formal submission of a land development plan application, the owner/developer shall attend an informal session with the Township Zoning Officer, select members of the Planning Commission, Township Sewage Enforcement Officer, representatives of the Pennsylvania Department of Transportation and other parties as deemed appropriate by the township. At this work session the requirements of the land development review and approval process, dimensional and site design standards enumerated in this subchapter, owner/developer responsibilities as outlined in this subchapter shall be discussed.

(3) Formal submission of a land development plan application for land situated in the State Route 30 and State Route 168 Overlay Zoning Districts shall be in conformance with the provisions of the township Subdivision and Land Development Chapter, Chapter 152, as amended. All required information, including application and fees, shall be submitted a minimum of 28 days prior to the next regularly scheduled Planning Commission meeting. Incomplete or otherwise deficient land development applications shall be returned to the applicant.

(4) The final land development plan recommended for approval by the Township Planning Commission shall be in compliance with all provisions of the applicable sections of this subchapter, specifically applicable sections of this chapter generally, and all provisions of the township Subdivision

and Land Development Chapter (Chapter 152), where applicable, including all referenced tables, charts and appendices. Any request for a deviation, revision, deletion or addition to the specific provisions identified herein shall be treated as a variance to this chapter and shall be referred to the Township Zoning Hearing Board for public hearing as per the provision of § 153.264.

(5) Where a request for a modification of the design standards for required public improvements on a land development plan is made, the procedure for recommendation and approval of such modification shall conform to the provisions of § 152.129 of this code of ordinances, as amended. (2003 Code, § 170-15.4) (Ord. 2-93, passed 5-4-1993; Ord. 2-2009, passed 2-1-2010)

§ 153.094 THE TABLE OF MINIMUM DIMENSIONAL AND SITE DESIGN STANDARDS.

The table of minimum dimensional and site design standards is as follows:

<i>State Route 30 and Route 168 Overlay Zoning Districts Table of Minimum Dimensional and Site Design Standards</i>	
<i>Primary Access</i>	<i>Public Access Road</i>
Interior landscaping	
Abutting access road	10-foot landscaped strip
Building area	No minimum
Building height (feet)	35
Lighting	
Parking lot	Cutoff luminaries - 20-foot maximum height
Minimum building setbacks	
Building setback from Route 30 and Route 168 (feet)	60
Edge of paved surface to property line (side and rear yards) (feet)	10
Maximum lot coverage	60%
Rear setback from rear property line (feet)	15
Side yard setback (feet)	20
Minimum lot area (acres)	2
Minimum lot width (feet)	120

(2003 Code, § 170-15.5) (Ord. 2-93, passed 5-4-1993; Ord. 2-2009, passed 2-1-2010)