

EXISTING ZONING

3000 PENN AVE.

Section 314. Penn Avenue Commercial District (PAC)

(A) Purpose. The purpose of the Penn Avenue Commercial District is to accommodate a wide variety of commercial activities which provide goods and services to the Township residents and others. This district includes commercial uses which will benefit from the proximity to Penn Avenue. This district permits limited residential uses in combination with a commercial use. Development controls will ensure sign control, attractive landscaping, traffic control and desirable setbacks.

(B) Uses Permitted by Right. Each of the following principal uses and their accessory uses are permitted by right in the Penn Avenue Commercial District by the Zoning Officer, provided that the use, type, dimensional, and all other applicable requirements of this Chapter are satisfied:

- (1) Adult day care*,**.
- (2) Ambulatory surgical center*,**.
- (3) Animal hospital*,**.
- (4) Apartments on the upper levels of buildings containing a permitted nonresidential use*,**.
- (5) Art or photography studio*.
- (6) Beverage distributor*,**.
- (7) Bakery*.
- (8) Catering establishment*.
- (9) College, excluding those with dormitories*,**.
- (10) Combination of uses permitted by right*,**.
- (11) Community center*,**.
- (12) Construction company, excluding those that have substantial outdoor storage of equipment or materials*/***.
- (13) Convenience store*,**.
- (14) Copy center*.
- (15) Cultural center*.
- (16) Financial establishment*,**.
- (17) Food stand*,**.
- (18) Forestry, including, but not limited to, timber harvesting*,**.
- (19) Funeral home*.
- (20) Health Club*,**.

- (21) Holiday tree sales**.
- (22) Hospital or medical center*,**.
- (23) Indoor civic or social organization*,**.
- (24) Indoor membership club or lodge*,**.
- (25) Medical clinic or medical office*,**.
- (26) Miniature golf (outdoor)*,**.
- (27) Multiple use building*,**.
- (28) Nursery school or day care center*,**.
- (29) Office*.
- (30) Personal service establishment*,**.
- (31) Pet grooming establishment*. **.
- (32) Recreation, municipal*.
- (33) Recreation, non-municipal indoor*,**.
- (34) Restaurant, fast food*,**.
- (35) Restaurant, fast food with drive-through service*,**.
- (36) Restaurant, standard*,**.
- (37) Retail greenhouse/nursery*,**.
- (38) Retail store*,**.
- (39) Temporary retail sales*,**.
- (40) Township-owned use, including Township park and fire station.
- (41) Vocational school*,**.

* Site Plan Review required (see Section 409)

** See Section 324 for additional requirements.

(C) Special Exception Uses. Each of the following principal uses and their accessory uses may be permitted in the Penn Avenue Commercial District by the Board as a special exception in accordance with the standards contained in Section 325 of this Part.

- (1) Amusement Establishment*.
- (2) Auditorium*.
- (3) Automobile repair*.
- (4) Automobile sales*.
- (5) Automobile service station*.
- (6) Body art establishments*.
- (7) Carwash*.
- (8) Combination of uses, where one or more of the uses are permitted by special exception*.
- (10) Lumber yard*.
- (11) Multiple use building, where one or more of the uses are permitted by special exception*.

- (12) Off-track betting parlor*,**.
- (13) Place of worship.
- (14) Public utility facility*.
- (15) Tavern or nightclub*.
- (16) Taxi, limousine or bus terminal*.

* See Section 324 for additional requirements.

(D) Conditional Uses. Each of the following principal uses and their accessory uses may be permitted in the Penn Avenue Commercial District when authorized by the Board of Supervisors in accordance with the standards contained in §326 of this Chapter.

- (1) Hotel/motel*.
- (2) Off-street parking not located on the same lot as the permitted principal use*.
- (3) Shopping center*.

* See Section 324 for additional requirements.

(E) Accessory Uses.

(1) Each accessory use in the Penn Avenue Commercial District shall comply with the minimum yard requirements of Section 314(G), except as otherwise provided for in this Chapter.

(2) Each of the following accessory uses shall be permitted in the Penn Avenue Commercial District only if such use complies with the relevant standards contained in Section 327 of this Part.

- (a) Alternative energy system, accessory.
- (b) Bus shelter.
- (c) Fence and wall.
- (d) Garage.
- (e) Geothermal energy system, accessory.
- (f) Holiday tree sales.
- (g) Home occupation, including day care center.
- (h) Interior service and convenience uses.
- (i) Keeping animals or fowl.
- (j) No-impact home-based business, subject to the provisions of Section 327(C)(12).
- (k) Off-street parking, in accordance with Part 7.
- (l) Outdoor storage shed.

- (m) Recreational vehicle.
- (n) Signs, in accordance with Part 6.
- (o) Temporary retail sales.
- (p) Warehousing and storage in an accessory structure.
- (q) Accessory uses and structures which are clearly customary and incidental to the principal use.

(F) Lot Area, Width, Building Coverage, and Height Regulations. Each of the following dimensional requirements shall apply to each use in the Penn Avenue Commercial District, except as provided for in this Chapter.

<u>Principal Use</u>	<u>Minimum Lot Area*</u> <u>(sq. ft.)</u>	<u>Minimum Lot Width**</u> <u>(feet)</u>	<u>Maximum Land Coverage (%)</u>		<u>Maximum Building Height</u>	
			<u>By Buildings</u>	<u>By Total Impervious Cover</u>	<u>(Stories)</u> <u>(Whichever is Less)</u>	<u>(Feet)</u>
Any Use with Both Centralized Sewer and Water	10,000	100	60	75	3	40
Any Use without Both Centralized Sewer and Water	43,560	150	25	60	2-1/2	30

* Per dwelling unit for residential uses.

** Measured at the Minimum Front Yard listed in Section 314(G) for the particular use.

(G) Minimum Yard Requirements. Each of the following minimum yard requirements shall apply to each use in the Penn Avenue Commercial District, except as otherwise provided for in this Chapter:

<u>Principal Use</u>	<u>Front Yard*</u> <u>(feet)</u>	<u>Side Yard</u>			<u>Rear Yard</u> <u>(feet)</u>
		<u>One</u> <u>(feet)</u>	<u>Both</u> <u>(feet)</u>		
Any Permitted Use	5	10	20		25

* The depth at which the minimum lot width shall be measured.

(H) Off-Street Parking Setback.

(1) An off-street parking setback shall apply to all nonresidential uses.

(2) No off-street parking shall be located within five (5) feet of the existing right-of-way line of any public street.

(I) Setbacks of Non-residential Buildings from Residential Uses. Any nonresidential buildings shall be set back a minimum of twenty-five (25) feet from the boundary of any residential district.

Section 315. Penn Avenue Overlay District (PAO)

(A) Purpose. The provisions of the Penn Avenue Overlay (PAO) District shall be supplemental to the regulations of the Penn Avenue Mixed Use (PMU) District and the Penn Avenue Commercial (PAC) District. These additional provisions do not replace the underlying zoning district regulations, but enhance those standards for the following purposes:

(1) To make the Penn Avenue corridor a stronger, more pedestrian friendly, business center.

(2) To heighten interest in redeveloping the corridor's underutilized properties.

(3) To encourage expansion of existing businesses and start-ups of new businesses.

(B) The Penn Avenue Overlay District shall not be an independent zoning district, but shall be a set a special zoning regulations and standards to be applied over and above the zoning regulations otherwise controlling on a tract of land. The district upon which the overlay district is superimposed is referred to herein as the "underlying district".

(C) Location. The Penn Avenue Overlay District shall be comprised of the areas designated as the Penn Avenue Mixed Use (PMU) District and the Penn Avenue Commercial (PAC) District.

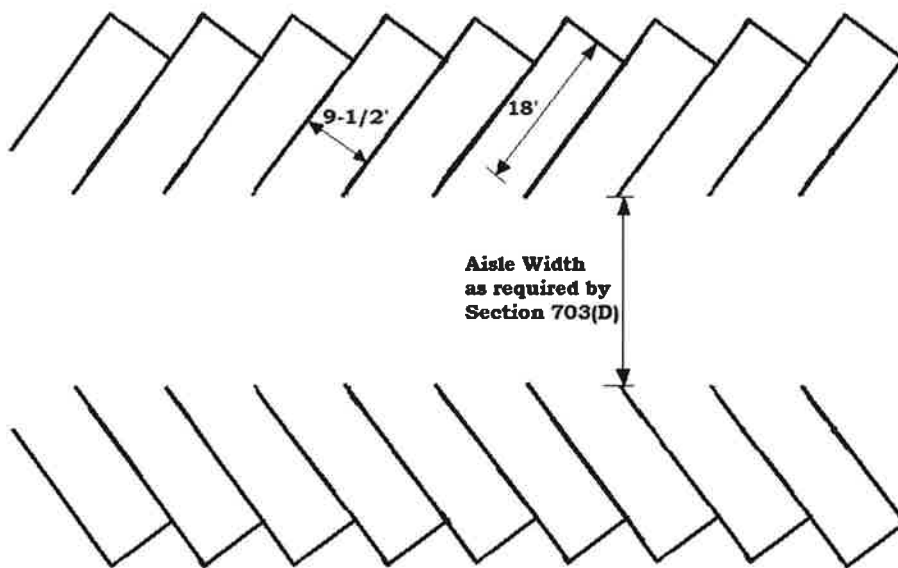
(D) Permitted Principal Uses. The principal uses permitted within the Penn Avenue Overlay District shall be those listed as uses permitted by right, by condition or by special exception within the underlying zoning district, and in accordance with the provisions for those uses.

(E) Illustrative Sketches. This section includes illustrative sketches intended to display specific concepts employed within the Penn Avenue Overlay District. These sketches are not drawn “to scale” and are not intended to display all relevant requirements and regulations that may impact a proposed use or structure, but are meant to demonstrate the specific provisions of the Penn Avenue Overlay District for which they have been provided.

(F) Parking

(1) Parking Relief. Within the Penn Avenue Overlay District, applicants for new or expanded buildings or uses shall be required to provide 75% of the number of off-street parking spaces specified for that use within Table 7.1 “Off-Street Parking Requirements” in Part 7 of this Chapter. This decrease in the required number of parking spaces shall be applied only to the standard number of spaces specified in Table 7.1, and shall not be applied to the number of parking spaces determined by the common parking lot provisions under Section 702(G) “Joint Use” or the parking reduction provisions under Section 702(O).

(2) Parking Space Size. The minimum dimensions for off-street parking spaces within the Penn Avenue Overlay District shall be reduced from the provisions of 703(C) to a minimum of 9-1/2 feet by 18 feet. This reduced parking space size shall not be applied to parallel parking spaces, which shall be provided in accordance with the provisions of Section 703(C).



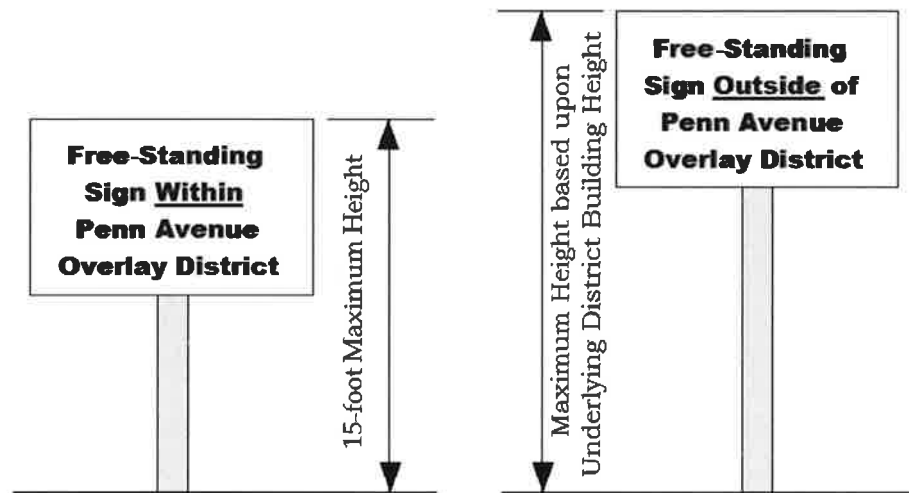
Parking Space Size Example

(3) Enlargement or Alteration of an Existing Building or Use. Within the Penn Avenue Overlay District, where parking facilities lawfully existed before this Chapter was passed or amended, an enlargement or alteration of an existing building or an existing use served by those parking facilities shall require that the current parking requirements of this Chapter be met only relative to the expanded or altered portion of the existing building or existing use. The current parking requirements shall not be applied to the existing portion or use, unless those requirements result in a lower number of required parking spaces.

(G) Signs.

(1) Free-standing signs within the Penn Avenue Overlay District shall have the following maximum heights:

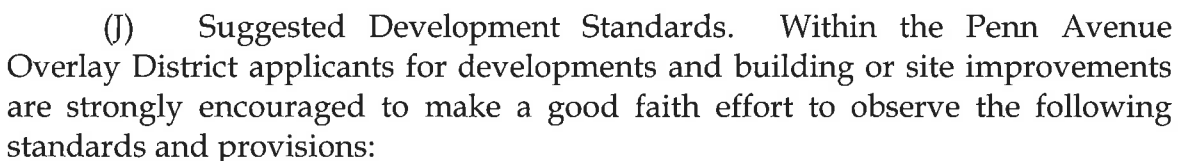
- (a) Fifteen (15) feet within the area designated as the PMU District.
- (b) Twenty (20) feet within the area designated as the PAC District.



Sign Height Example

(2) Free-standing signs within the Penn Avenue Overlay District shall not be required to be set back ten (10) feet from the right of way line of Penn Avenue, however, the clear sight triangle requirements of Sections 314(I), 315(H) and 405(H) must be met.

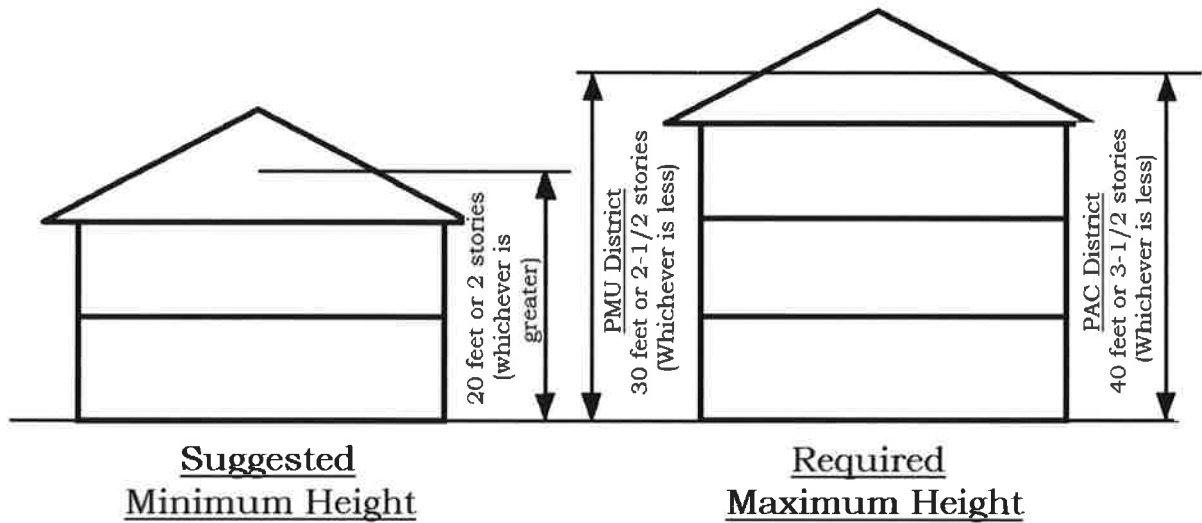
(I) Clear Sight Triangles. At signalized intersections within the Penn Avenue Overlay District, where an existing building encroaches into the clear sight triangle required by the provisions of Section 405(H), a new building, or a building enlargement or alteration, may encroach into the clear sight triangle to the same extent as the existing building. However, in no case shall a new building, or a building enlargement or alteration encroach upon the state road sight distance requirements of the Pennsylvania Department of Transportation.



XXXII-109

(a) A minimum building height of 20 feet or 2 stories for new buildings.

(b) The maximum building height shall be in accordance with the requirements of the underlying zoning district.



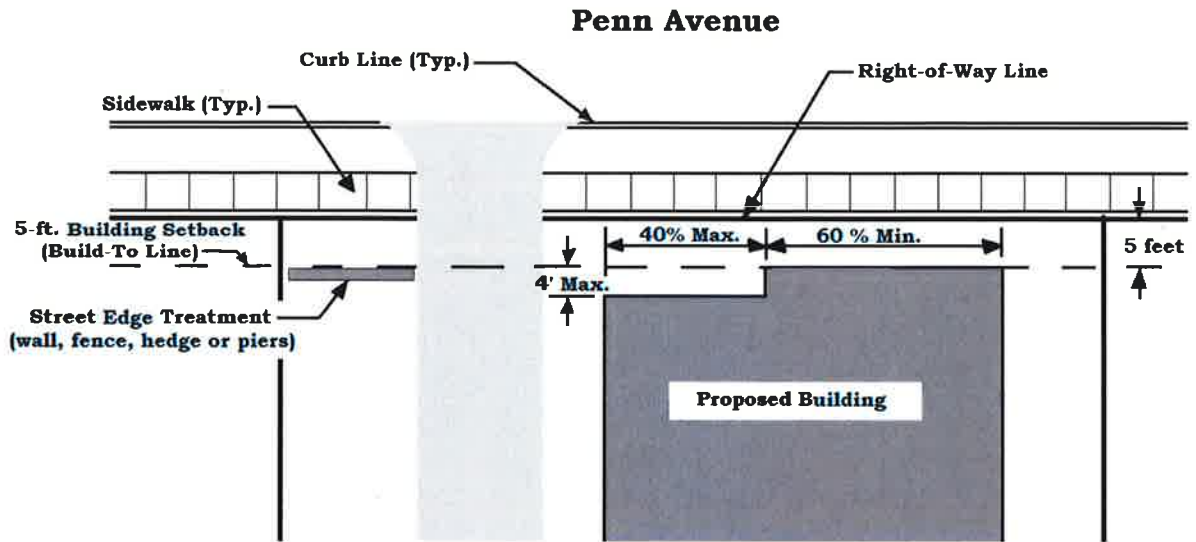
Building Height Example

(2) Building Location.

(a) The 5-foot minimum building setback line shall be considered a "build-to line." To the maximum extent feasible, new buildings shall place at this build-to line.

(b) At least 60% of an individual building façade shall be located along the build-to line. Up to 40% of the facade may be offset from the build-to line by a maximum of four (4) feet in order to provide architectural recesses, projects or open space, and to promote visual diversity and architectural enhancement.

(c) Where a building is constructed to the build-to line, but does not extend the full length of a lot, a street edge treatment shall complete the remainder of the build-to line otherwise formed by a façade. Such street edge treatments shall consist of walls, fences, hedges or piers.



Building Location Example

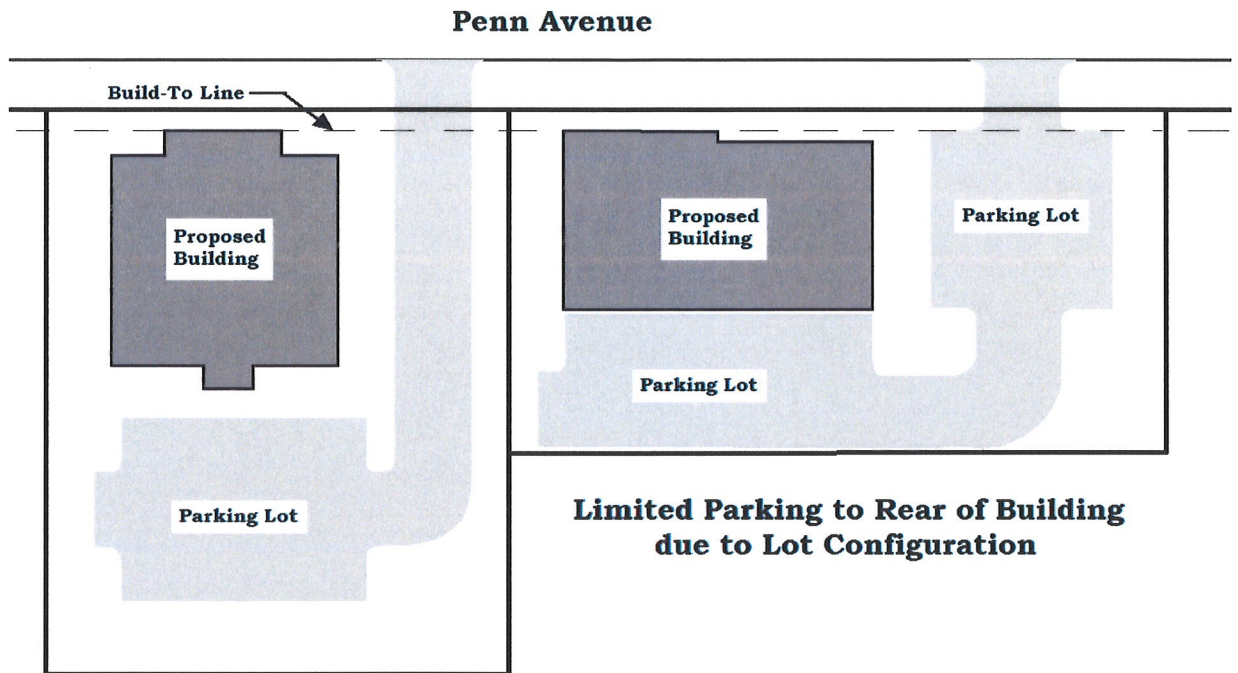
(3) Private Garages.

(a) Attached, front-loaded garages shall be set back a minimum of 15 feet from the primary façade's vertical plane.

(b) Detached, front-loaded garages shall be set back a minimum of 20 feet from a street right-of-way.

(4) Parking Location.

(a) Off-street parking shall be located to the rear of buildings, or behind the build-to line if side yard parking location is necessary due to lot configuration.



Parking to Rear of Building

Parking Location Example

(b) Off-street parking lots shall not be located at street corners along Penn Avenue.

(c) Where possible, off-street parking lots and garages shall be accessed from alleys, unless no alleys exist and alley construction is not feasible due to lot configuration.