

Article XVI

VCR Village Commercial/Residential District

Section 1601. Declaration of Legislative Intent

In expansion of the Declaration of Legislative Intent and Statement of Community Development Objectives found in Sections 101 and 102 of Article I of this ordinance, it is the intent of this article to provide regulations to preserve village character in designated areas, while permitting a reasonable variety of land uses in conformance with the goals of the Upper Perkiomen Valley Regional Comprehensive Plan, Open Space and Environmental Resource Protection Plan, and the following objectives: **[Amended 12/09/03; Ord. No. 2003-12]**

- 1601.1 Encourage the retention of the unique village atmosphere of the Village of Palm, and the area along Route 29 north of Kraussdale Road, by preserving the existing buildings and landscape to the greatest extent possible, and by encouraging infill development of retail, office, and residential uses that are compatible with the historic village setting in size, scale and architectural character.
- 1601.2 Encourage the retention of existing buildings by permitting a variety of commercial, office and residential uses which are compatible with the existing structural types, lot sizes and other physical, visual, and historical characteristics of the Village Commercial District.
- 1601.3 Permit uses which allow conversion of existing buildings in a manner which maintains the visual character and architectural scale of existing development within the district.
- 1601.4 Discourage development of strip-type highway-oriented commercial uses which require incongruous architectural styles, excessive paved areas and numerous curb cuts.
- 1601.5 Encourage the consolidation of driveways, parking and curb cuts to provide more efficient, economical, and safe access and parking.
- 1601.6 Encourage a coordinated pedestrian path system to provide efficient, pleasant and convenient pedestrian access from parking areas to and among the various permitted uses.
- 1601.7 Minimize visual and functional conflicts between residential and nonresidential uses within and abutting the district.
- 1601.8 Encourage the formation and continuance of an uncongested environment for business and professional offices intermingled harmoniously with residences and certain other commercial uses.
- 1601.9 Discourage overdevelopment of lots by limiting the maximum permitted development and the maximum impervious coverage.

1601.10 Encourage compact development that is served by central sewer and water services, and encourage extension of such utilities to serve village areas.

1601.11 Provide standards and criteria for village commercial development in appropriate areas of the township in accordance with the Upper Perkiomen Valley Regional Comprehensive Plan. **[Amended 12/09/03; Ord. No. 2003-12]**

Section 1602. Permitted Uses

On any lot in the Village Commercial district, one or a combination of the following uses are permitted:

1602.1 Business or professional offices, including medical, dental and other health care offices, veterinary offices (without boarding facilities), and similar uses.

1602.2 Public utility, municipal or government offices.

1602.3 Educational, religious, or philanthropic institution.

1602.4 Personal service shop, including but not limited to such uses as tailor, barber, beauty salon, dry-cleaning drop-off, and copy center.

1602.5 Specialized retail as per Article II Definitions, herein.

1602.6 Bank or financial office, without drive-in facilities.

1602.7 General retail, including uses such as grocery, bakery, hardware store, drugstore, and similar uses, up to a maximum of 5,000 square feet per use.

1602.8 Restaurant, cafeteria, or tavern, not to include fast food or drive-in restaurants.

1602.9 Small appliance and equipment repair and/or rental.

1602.10 Studio for art, dance, music, photography, or fitness facilities that do not require court areas.

1602.11 Production of crafts, wood working, or similar uses by artisans, provided that noise levels do not exceed those typical of permitted uses.

1602.12 Single-family detached dwelling.

1602.13 Village house dwelling as defined in Article VII, herein.

1602.14 Two-family: twin or duplex.

1602.15 Residential conversion in accordance with Section 807.2.A.2, and meeting the following requirements:

- A. An existing building shall be used, and its front facade and front porch, if any, shall be preserved. Any building addition shall be located to the rear, and shall be compatible with the existing building in size, scale and materials.
- B. In the case of conversion into a mixed use (non-residential and residential), any non-residential use shall be located on the ground floor with the residential use located above.
- C. A minimum lot area of 2,500 square feet per dwelling unit shall be provided.

Section 1603. Conditional Uses

- 1603.1 Undertaking or funeral establishment.
- 1603.2 Retail printing and publishing.
- 1603.3 Drive-in facilities for uses listed in Section 1602.
- 1603.4 On-site storage facilities ancillary to a permitted use.
- 1603.5 Clubs, lodges or other fraternal organizations
- 1603.6 Family or group day care home
- 1603.7 Day care center, in accordance with the standards of Section 822, herein.
- 1603.8 Bed and breakfast establishment, in accordance with the standards of Section 810, herein.
- 1609.9 Exercise facility with court(s)

Section 1604. Prohibited Uses

In structures other than those already being used for such purposes, the following uses are strictly prohibited:

- 1604.1 Automobile or other vehicle sales, service, repair, or washing.
- 1604.2 Fuel service or filling station.
- 1604.3 Storage facilities for off-site uses; i.e. mini warehouses.
- 1604.4 Bulk storage and sale of building materials and supplies: i.e. home center.
- 1604.5 Beverage distributors.

Section 1605. Utilities

[Amended 6/8/04; Ord. #04-06]

Development at village densities requires the presence of both central sewers and public water. The following exceptions apply to lots existing prior to the adoption of this Ordinance:

1605.1 For lots without public water service:

- A. Each existing lot may contain a maximum of one permitted use and one dwelling unit.
- B. Any additional development may occur at a density of one dwelling unit per additional two acres or one nonresidential use per additional acre.
- C. The applicant shall agree to tie in to central water service at such time as it becomes available.

1605.2 For lots without public sewer service:

- A. Each existing lot may contain a maximum of one permitted use and one dwelling unit.
- B. Any additional development may occur at a density of one dwelling unit or one nonresidential use per additional acre.
- C. The applicant shall demonstrate to the Township's satisfaction that an interim individual or community sewage disposal system meeting all PADEP and County Health Department standards can be installed. Existing on-lot systems shall be inspected and certified as to their satisfactory functioning by the Sewage Enforcement Officer. Malfunctioning systems shall be replaced with systems designed and constructed to current standards.
 - 1. Deed-restricted adjacent open space may be used for individual disposal fields or land treatment of effluent, in compliance with the above standards.
- D. The applicant shall agree to tie in to public sewer service at such time as it becomes available.

Section 1606. Dimensional Regulations

[Amended 6/8/04; Ord. #04-06]

1606.1 For residential uses permitted under Section 1602, the following regulations apply:

	<u>S F D</u>	<u>V H</u>	<u>TWIN/DP</u> <u>(per DU)</u>
A. Minimum lot area in square feet	10,000	6,000	5,000
B. Maximum building coverage	30%	20%	35% TW/ 20% DP
C. Maximum impervious surface coverage	65%	65%	65%
D. Minimum lot width	60 ft.	60 ft.	60 ft.

E. The prevailing setback of the buildings within 200 feet on either side shall apply, provided however, that all new buildings shall be located outside of the Ultimate Right of Way. If no existing buildings are present, the following standards will apply:

1. Front yard setback: 20 feet minimum; 30 feet maximum.
2. Minimum side yard setback: 10 feet each.
3. Minimum rear yard setback: 30 feet.

F. Maximum height: 35 feet; accessory buildings: 15 feet.

G. Parking setbacks:

1. From street right-of-way: the setback of the principal building, or 25 feet, whichever is greater. No parking shall be permitted between the front of the principal building and the street line.
2. From rear property lines: 10 feet.
3. From side property lines: 5 feet, however no setback is required if shared parking is used.
4. From buildings: 5 feet.

1606.2 For all non-residential uses other than those permitted under Section 1602 and 1603, the following regulations apply:

- A. Minimum lot area: 20,000 square feet.
- B. Minimum lot width: 85 feet.
- C. Minimum front yard setback: 25 feet.
- D. Minimum side yard setback: 10 feet each.
- E. Minimum rear yard setback: 30 feet.
- F. Maximum building coverage: 30 percent.
- G. Maximum impervious surface coverage: 65 percent.

1606.3 For all uses permitted in this District, the following regulations apply:

- A. Minimum setback from a zoning district boundary: 25 feet.
- B. Maximum ground floor area for any individual building: 5,000 square feet.
- C. Maximum length of a building, as measured along any street: 100 feet.
- D. Minimum distance between buildings on one lot: 15 feet.

- E. Outside merchandise displays shall not extend more than 4 feet in front of the building, and shall not exceed 6 feet in height. In no instance shall outside merchandise displays be located on the sidewalk.

Section 1607. Non-Conforming Lots

- 1607.1 The following standards apply to lots that are non-conforming in terms of area or width. Lots that are rendered non-conforming by the current absence of public utilities are discussed under Section 1605, herein.
 - A. A non-conforming lot may be used for a maximum of one permitted use and a single dwelling unit.
 - B. Any new construction on non-conforming lots shall comply with the required setbacks and building and impervious coverage standards of Section 1606 herein.

Section 1608. Development Regulations

- 1608.1 All development in the VCR Village Commercial/Residential District shall be served by public sewer and water. **[Amended 12/09/03; Ord. No. 2003-12]**
- 1608.2 Sufficient off-street loading and unloading facilities shall be provided which do not conflict with pedestrian or vehicular movement.
- 1608.3 Off-street parking shall be provided in accordance with Article IX, of this Ordinance. The siting of all required parking spaces in the side or rear yard is strongly encouraged, and shall not interfere with pedestrian or vehicular movement. No parking areas shall be located in the front yard area of any residential use. No on-street parking will be permitted.
- 1608.4 All Signs shall comply with Article X, of this Ordinance.
- 1608.5 All uses shall be connected by a safe and convenient pedestrian circulation system, which shall connect buildings with sidewalks along streets, and parking areas, common areas, and other buildings. Pedestrian connections may not be required if the applicant can show why such connections are impossible.
- 1608.6 Safe and convenient vehicular connections between parking areas on adjacent lots used for non-residential purposes shall be required except where impractical because of environmental constraints (such as steep slopes or mature trees), or other site constraints (such as existing buildings or structures). Common parking areas serving two or more lots are strongly encouraged to increase flexibility and reduce the number of street access points. Each use shall provide parking to meet the requirements of this Ordinance. Cross access easements shall be provided for all common parking areas.
- 1608.7 Trash and refuse shall either be stored inside the building or within an opaque screened area, located in the rear or side yards, which shall be at least 6 feet high or higher if necessary to screen the trash.

1608.8 Lighting facilities shall not produce unreasonable glare or hazardous interference on abutting properties or highways.

1608.9 Landscaping and buffer requirements:

A. All areas of a lot not covered by building and or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs, ground cover vegetation, and lawn areas. At least 40 percent of the lot must be landscaped.

B. Buffer planting containing hedge, evergreens and shrubbery, or suitable dense vegetation that provides partial visual screening shall be placed and maintained on:

1. Non-residential properties that abut residential properties. The buffer shall be provided along each property line which is adjacent to a residential property.

2. Residential properties that have at least three times as many dwelling units as an abutting residential property. The buffer shall be provided along each property line which is shared by these residential properties.

C. All material used for the buffer shall meet the following criteria:

1. All evergreen vegetation to be installed shall not be less than 3 feet in height at the time of planting, and shall be of such species that expected height of maturity shall not be less than 12 feet.

2. All deciduous material to be installed shall not be less than 2 inches in caliper.

3. All plant material shall be guaranteed for two years. All plant material which dies within that time shall be replaced by the applicant at his cost.

1608.1 Additional regulations for uses with drive-in, (drive-through), facilities.

A. Drive-in areas shall have a minimum of a six-car stacking lane for each window, including the space at the window itself.

B. The stacking lanes shall not interfere with other parking spaces, internal vehicular or pedestrian circulation, or other services such as refuse collection.

Section 1609. Design Guidelines

1609.1 The following standards are recommended as guidelines for all permitted uses:

A. Existing buildings, especially those built prior to 1940 and contributing to the historic character of the village, should be retained where possible. Front and side building facades and front porches, if any, should be preserved.

- B. Additions to existing buildings or new buildings on a lot should be located to the rear or side, where possible, and should be compatible with the existing building in the following respects:
 - 1. Height, proportion and scale (relation of the building height to width).
 - 2. Bulk and general massing (i.e. are surrounding buildings simple and box like in shape or articulated by porches, turrets, and bay windows?).
 - 3. Materials, colors, and textures of buildings and signage. In general, natural materials such as stone, brick, wood siding, shingles, slate, etc., are preferred to industrial or artificial materials such as raw concrete, anodized or galvanized metal, tinted glass, plastics, vinyls, etc.
 - 4. Any fire escapes or similar features not part of the original building shall be at the rear of the property.
- C. The applicant shall submit sufficient information in the form of architectural elevations or sketches of building additions, restoration, or new buildings in order to determine to what extent the design guidelines are being followed.
- D. In order to facilitate traffic circulation, all parking areas for a proposed use should be directly connected to nonresidential parking areas on adjacent lots. If a connection cannot be made when the proposed use is constructed, a driveway may be provided extending to the adjacent property line in a location where a future connection can be made. Cross-easements between properties should be provided where necessary.

Section 1610. Bonus Provisions

- 1610.1 For any development that follows the design guidelines of Section 1609 A through D above, the maximum building coverage permitted may be increased to 35 percent of lot area, and the maximum impervious coverage may be increased to 75 percent of lot area.
- 1610.2 For developing shared driveway access with an abutting lot, the area of the shared driveway (but not the surrounding parking area) shall be exempted from impervious. The bonus shall apply to each lot. If only one lot is being developed, a cross-easement to an abutting lot or lots shall be offered, and recorded on the plan of the first lot. To use this bonus, no additional driveways shall be permitted to access either lot from an arterial street. Additional driveways may be permitted off a side street or service road.
- 1610.3 The following elements are encouraged, and shall be exempted from impervious coverage limitations:
 - A. Driveway connections between nonresidential parking areas;

- B. For properties fronting arterial street, construction of a portion of a rear "service road" for access to more than one property.
- C. Pedestrian pathways linking neighboring properties, and between the rear of a property and the street frontage.
- D. Plazas and courtyards open to the general public, provided that at least 30 percent of the area is landscaped.

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