

Chapter 350. Zoning

Article XXV. RO Retail Office District

§ 350-201. Declaration of legislative intent.

In expansion of the legislative intent contained in Article I, § 350-4, of this chapter and the community development objectives contained in Article I, § 350-5, of this chapter, it is hereby declared to be the primary purpose of this article to establish and regulate reasonable standards to permit office and commercial development, including shopping centers. Specific objectives are as follows:

- A. Allow office and retail commercial uses, including auto-oriented uses that will meet the local neighborhood shopping needs of the Township's residents.
- B. Limit the potential adverse effect of office and retail/commercial development on abutting properties, the Township's character and the Township's roads by controlling the location and nature of office and retail/commercial development.
- C. Encourage well-designed shopping and office areas for the Township.
- D. Encourage consolidation of driveways to promote more efficient vehicular access and parking facilities.
- E. Require sufficient pedestrian access from the street and parking areas to the various permitted uses.

§ 350-202. Uses by right.

In the RO Retail Office District, a building or structure may be erected, altered or used and a lot or premises may be used or occupied for any of the following uses and no other:

- A. Single-family detached dwellings as permitted in R-2 Residential Districts with the same area, width, density and yard regulations as provided for in R-2 Residential Districts. However, land developments with more than two dwellings shall require a municipally adopted specific plan.
- B. Apartments over nonresidential uses.
- C. Retail store for the sale of dry goods, variety and general merchandise, clothing, food, flowers, plants, books, beverages, drugs, household supplies or furnishings, or the sale or repair of jewelry, watches and clocks, optical goods, cameras, home appliances, musical, professional or scientific instruments, and/or similar items.
- D. Personal service shop, including a barbershop, hairdresser, cleaning and pressing pickup station, shoe repair, tailor, dressmaker or similar shops.
- E. Business or professional office or studio.
- F. Medical office for the treatment of persons as outpatients, including laboratories incidental to it.
- G. Bank or financial institution.

- H. Restaurant, tearoom, cafe, bakery or confectionery for production of articles that will only be sold at retail on the premises, or similar establishment serving food or beverages.
- I. Laundromat.
- J. Club, fraternal organization or lodge.
- K. Day-care center.
- L. Indoor theater, bowling alley, billiard room or similar indoor amusement.
- M. Noncommercial park or playground.
- N. Accessory use on the same lot with and customarily incidental to the use permitted and utilized.

§ 350-203. Conditional uses.

- A. In the RO Retail Office District, the following uses are permitted only when approved by the Township as conditional uses, in compliance with the criteria in § 350-203B:
 - (1) Any use of the same general character as any of the above permitted uses.
 - (2) Hotel, motel, bed-and-breakfast, rooming house, boardinghouse, or similar lodging facility.
 - (3) Educational, religious or philanthropic use.
 - (4) Greenhouse or nursery sales yard.
 - (5) Outdoor theater.
 - (6) Undertaking or funeral establishment.
 - (7) Gasoline service station, public garage or automobile repair shop, provided that the following requirements are met:
 - (a) All activities except those to be performed at the fuel or air pumps shall be performed within a completely enclosed and roofed building. Outdoor storage is not permitted.
 - (b) Minimum setback of fuel pumps shall be at least 50 feet from any ultimate right-of-way of any street.
 - (c) Minimum setback of parking from fuel pumps shall be 30 feet.
 - (d) The fuel pump area shall not interfere with parking spaces or internal circulation.
 - (e) Body repairs and/or painting, auto restoration work, and/or auto body upholstery shall not be permitted.
 - (f) Canopies shall be designed and constructed to meet the following standards:
 - [1] Canopies shall meet the minimum setback requirements of principal structures.
 - [2] Canopies shall have a maximum height of 14 feet measured to the underside.
 - [3] Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy.

- [4] Any signs associated with a canopy shall be regulated by Article **XVI**, Signs, of the Township Zoning Ordinance.
- (8) Car washes, provided that the following requirements are met:
- (a) All car washes shall be served by public sewer and public water facilities.
 - (b) All washing and drying facilities shall be located entirely within an enclosed and roofed building, or roofed structure.
 - (c) Each automatic car wash bay shall provide on-site stacking lanes to accommodate a minimum of five vehicles. Self-service car washes shall provide sufficient on-site stacking lanes to accommodate three vehicles per washing bay.
 - (d) All car wash bays shall be oriented parallel to the street. In the case of a corner lot, the bays shall face the street of lower classification or as determined by the Board of Commissioners upon the recommendation of the Planning Commission.
 - (e) On-site drainage and recycling systems shall be provided to prevent water runoff, water loss and freezing on streets and adjoining properties.
 - (f) No accessory building shall be permitted.
- (9) Automobile and other vehicle sales, service, and rentals, provided that the following requirements are met:
- (a) Storage and/or display of vehicles shall be within the building setback envelope, except that vehicles may be displayed a minimum of 20 feet behind the street ultimate right-of-way.
 - (b) Outdoor display shall be limited to motor vehicles.
 - (c) Vehicles shall not be displayed on aboveground platforms and shall be displayed to appear similar to customer parking.
 - (d) All vehicle repairs shall be performed within a completely enclosed and roofed building.
 - (e) All parts, dismantled vehicles, and similar articles shall be stored within a completely enclosed and roofed building.
 - (f) Body repairs and/or painting, auto restoration work, and/or auto body upholstery shall not be permitted.
- (10) Outdoor amusement facilities, such as miniature golf courses, batting cages, golf driving ranges, amusement parks and similar uses.
- (11) Municipal building, office or use.
- (12) Fire company or other rescue service.
- (13) Library.
- (14) Post office.
- (15) A shopping center according to the provisions of § **350-209**. Only those uses provided for in §§ **350-202** and **350-203** are permitted in shopping centers.
- (16) Drive-through facilities as an accessory use to all permitted uses and conditional uses. Except for drive-through facilities within a shopping center development, drive-through facilities shall be subject to the following requirements:

- (a) Hours of operation: 8:00 a.m. to 10:00 p.m.
 - (b) The use must provide sufficient stacking lanes to accommodate a minimum of six automobiles leading to the first drive-through window, bank teller window, remote teller window, or drive-through automatic teller machine on the site, and two automobiles for each additional drive-through facility on the site. These stacking lanes shall not interfere with parking spaces or the internal and external circulation of the site.
 - (c) Drive-through windows shall face the rear or side yard of the site. Drive-through windows shall not face a public street.
 - (d) Provisions for screening and buffering as required by § 310-37E(1)(f) of the Township Subdivision and Land Development Ordinance.
- B. Conditional use standards. The uses contained under § 350-203 may be developed when the applicant receives conditional use approval. In order to obtain conditional use approval, the applicant shall demonstrate to the Upper Pottsgrove Board of Commissioners that all of the following conditions are met:
- (1) Conditional use plan:
 - (a) Shall meet the requirements of the tentative sketch plan requirements per the Township Subdivision and Land Development Ordinance.^[1]
 [1] *Editor's Note: See Ch. 310.*
 - (b) Shall show general conformity with the intent, dimensional standards, general regulations, design requirements, and vehicular access and parking standards of the RO Retail Office District.
 - (c) A traffic impact study shall be completed, as specified by Subdivision and Land Development Ordinance § 310-53.
 - (d) The Township shall have the authority to require additional information as part of the conditional use plan.
 - (2) The proposed use and plan complies with the goals and objectives in the Pottstown Metropolitan Regional Comprehensive Plan and the Township's open space plan.
 - (3) The appropriate use of the properties adjacent to the area included in the plan will be safeguarded.
 - (4) The proposed use will not create a traffic problem for either vehicular or pedestrian traffic.

§ 350-204. Prohibited uses.

- A. Adult uses.
- B. Standalone bars (this includes bars not part of a restaurant; if the bar is part of a restaurant, the dining area shall be greater than the bar area).
- C. Nightclubs.

§ 350-205. Dimensional standards.

- A. All nonresidential uses permitted under § 350-202 of this article and served by public sewer and public water facilities shall conform to the following standards:
 - (1) Minimum lot size: 20,000 square feet.
 - (2) Minimum lot width: 100 feet.

- (3) Build-to-zone: 30 feet to 60 feet (in a land development with multiple buildings, the front facade of at least one principal building shall be placed in the build-to-zone).
 - (4) Minimum side yard: 15 feet.
 - (5) Minimum rear yard: 30 feet.
 - (6) Maximum building size: 8,000 square feet; 15,000 square feet when utilizing bonus provisions; not including buildings in shopping centers.
 - (7) Maximum building coverage: 25%.
 - (8) Maximum impervious coverage: 60%.
 - (9) Maximum building height: 35 feet; 45 feet for properties fronting on PA 663, Wilson Street, PA RT 100, Commerce Drive, or South State Street.
 - (10) Maximum diameter, circular or partially circular buildings: 150 feet.
 - (11) No building shall be located closer than 50 feet to a side or rear property line adjacent to a residential district or use.
 - (12) No parking, loading area, trash disposal area or driveway shall be located closer than 20 feet to any side property line, and no closer than 20 feet to any rear property line or street ultimate right-of-way. Parking or driveways shall not impinge on the required buffer. However, the required side yard setback and some or all of the required side yard buffer shall be eliminated in the case of shared parking or a shared driveway.
 - (13) No parking or driveway area shall be located closer than 25 feet to a side or rear property line adjacent to a residential use or residential district.
 - (14) No loading or trash disposal area shall be located closer than 50 feet to a side or rear property line adjacent to a residential use or residential district.
 - (15) All parking spaces, aisles and driveways shall be set back a minimum of five feet from all buildings.
- B. All uses permitted under § **350-203** of this article, Conditional uses, or not served by public sewer and public water facilities, except shopping centers, shall conform to the standards in Subsection **A**, unless otherwise regulated here:
- (1) Minimum lot size: 40,000 square feet.
 - (2) Minimum lot width: 150 feet.
 - (3) Minimum front yard: 50 feet.
 - (4) Minimum side yard: 25 feet.
 - (5) Minimum rear yard: 40 feet.
 - (6) Maximum building coverage: 25%.
 - (7) Maximum impervious coverage: 60%.
 - (8) Maximum building height: 35 feet; 45 feet for properties fronting on PA 663, Wilson Street, PA RT 100, Commerce Drive or South State Street.

C. Apartments over nonresidential uses.

- (1) No more than one apartment may be permitted over each nonresidential use.
- (2) A building containing an upper-level apartment should be designed with a unified architectural scheme compatible with the RO Retail Office District.
- (3) Two off-street parking spaces shall be provided for the apartment unit. In the interest of limiting paved area, the spaces may be provided on the same parking lot provided for the nonresidential use on premises (in such case, the residents' parking shall be designated "reserved for residents"). If a resident of the apartment is also an employee of a nonresidential use on premises, the number of parking spaces required for the apartment shall be reduced to one.
- (4) Apartments shall meet all requirements of the Building Code.
- (5) Exterior lighting shall be provided where necessary for the safety and convenience of apartment residents. Lighting shall be designed to prevent glare.
- (6) In addition to the requirements of the Subdivision and Land Development Ordinance,^[1] the floor area and number of bedrooms of the apartment shall be provided on land development plans submitted for approval.
[1] Editor's Note: See Ch. 310.
- (7) No apartments shall be permitted on the first floor of a building.

§ 350-206. General regulations.

The following regulations shall apply to all permitted uses and conditional uses under this article:

- A. Utilities. All utility lines (electrical, telephone, etc.) shall be placed underground.
- B. Vehicular access. Developers of tracts of land in the RO District are encouraged to share access with an adjacent RO District property. If shared access cannot be provided via an existing driveway intersection, the applicant is encouraged to provide access in a way that maximizes the potential for shared access in the future consistent with § 350-206B(2). Independent, dual, or multiple accesses on one lot may be provided when the requirements of § 350-206B(3), (4) and (5) are met.
 - (1) Shared access via existing driveways.
 - (a) When the nearest edge of an existing driveway on an adjacent nonresidential property (zoned RO Retail Office) having frontage on the same street is within 50 feet of the subject tract, the subject tract is encouraged to utilize the driveway on the adjacent tract as shared access, provided that an easement granting access to the subject tract has been recorded.
 - (b) When shared access is provided among two or more abutting lots, only one shared access point shall be permitted, unless a second driveway is permitted consistent with § 350-206B(4).
 - (c) Shared access shall not be constructed when all possible interconnections between the two abutting lots would cross wetlands, floodplains or steep slopes of 15% or greater.
 - (d) Shared access may be located entirely on one lot or be split along a common lot line.
 - (2) Shared access via new driveways.
 - (a) When shared access cannot be provided via an existing driveway consistent with § 350-206B(1), above, a maximum of one new driveway intersection shall be permitted per street frontage.
 - (b) The new driveway shall be located along a side lot line bordering a property zoned RO Retail Office. In order to accommodate required site distances or to preserve environmental features, the driveway may be set back from the side lot line no more than 50 feet.

- (c) Shared access shall not be constructed when all possible interconnections between the two abutting lots would cross wetlands, floodplains or slopes of 15% or greater.
 - (d) Each nonresidential use is encouraged to provide an access easement for this driveway guaranteeing access to one or more abutting lots zoned RO Retail Office. An access easement, where established, shall provide access from the closest adjacent property line to the driveway. The easement between the driveway and the closest adjacent lot shall have a minimum width of 35 feet and shall be located between 50 feet and 100 feet from the street ultimate right-of-way line. The portion of the lot area guaranteeing access to abutting lots zoned RO Retail Office, including the driveway, is not required to be included in the calculation of the lot's maximum impervious coverage, whether or not shared access is currently being provided.
 - (e) The location of the driveway intersection shall be subject to approval by the Township Board of Commissioners. The location shall be based on its ability to minimize the need for future driveways and/or maximize the distance from existing street and driveway intersections. Site distances shall also be considered.
- (3) Independent access.
- (a) When future shared access is not provided consistent with § 350-206B, above, a maximum of one driveway intersection per lot per street shall be permitted.
 - (b) The driveway intersection shall be separated from existing driveway intersections by a minimum of 200 feet.
- (4) Dual access.
- (a) A second driveway intersection per street may be permitted when it can be located at least 200 feet from the first driveway intersection and at least 200 feet from adjacent property lines.
 - (b) When a second driveway is permitted consistent with § 350-206B(4)(a), above, the separation from adjacent property lines may be reduced in order to provide future shared access, provided that the second driveway is located within 50 feet of an adjacent property line and at least 200 feet from any other driveway intersection. The adjacent property must be zoned RO Retail Office and the potential interconnection shall not cross wetlands, floodplains or slopes of 15% or greater. Each nonresidential use is encouraged to provide access easements to all abutting lots zoned RO Retail Office consistent with § 350-206B(2).
- (5) Multiple driveways. Shopping centers are permitted multiple access points when the following conditions are met:
- (a) In cases where the proposed shopping center development will create a new Township road that bisects the shopping center.
 - (b) The proposed Township road shall be classified as a feeder, residential, rural, or cul-de-sac road with an ultimate right-of-way no greater than 60 feet in width.
 - (c) Driveway intersections that intersect with the proposed road shall be separated from existing driveways and all other proposed driveways by a minimum of 150 feet.
 - (d) Proposed driveways that intersect the proposed road on opposite sides of the street shall be aligned perpendicular to one another or be separated by a minimum of 150 feet.
 - (e) Intersection separation distance shall be measured along the center line of the proposed Township road between the intersecting center lines of each proposed driveway.

C. Parking.

- (1) No more than 40% of the required off-street parking shall be located between the front facade of the closest principal building to the street and the required parking setback from the street ultimate right-of-way. Where a lot has more than one principal building located within 100 feet of the street, not more than 40% of the parking required for those principal buildings shall be located between the street and the principal building(s). This requirement does not apply when developing a shopping center greater than 10 acres as a conditional use.
- (2) Shared or interconnected parking. When parking is shared, total required parking may be reduced consistent with the parking reduction Table 1 of § 350-144, Shared parking, or per § 310-20C(6) (reduction of required parking in commercial and industrial districts by the Zoning Hearing Board). All parking areas located within 50 feet of a common property line zoned RO Retail Office are encouraged to be interconnected to adjacent tracts consistent with the following requirements:
 - (a) For each nonresidential use, the applicant may choose to provide an access easement for proposed parking areas and driveways guaranteeing access to one or more abutting lots zoned RO Retail Office. In addition, this easement would provide for the construction of the interconnection between the applicant's proposed parking area and any parking area on adjacent lots.
 - (b) Side and rear yard setback requirements for parking may be reduced or eliminated at the discretion of the Township for shared or reserved parking lots.
 - (c) When an access easement has been provided on an adjacent lot in accordance with § 350-206B(2), above, the applicant may choose to directly connect its parking area by a driveway to the parking area on the adjacent lot. Where possible, the connection should be located in the rear or side yards rather than the front yards.
 - (d) An interconnection shall not be undertaken when all possible interconnections between the two abutting lots would cross wetlands, floodplains or slopes of 15% or greater.
 - (e) Any cross-access easement shall provide for construction of an interconnection between the applicant's proposed parking area and existing parking area(s) on adjacent lots.
 - (f) Interconnections should be logically placed on the land development or subdivision plan and easily identifiable to ensure convenient traffic flow.
 - (g) Access easement and maintenance agreements or other suitable legal mechanisms shall be provided, acceptable to the Board of Commissioners in consultation with the Township Solicitor. Businesses should also consult an insurance professional.
 - (h) Formal shared parking agreements will be necessary and should be recorded with the Township.
 - (i) Issues for negotiation should include, but are not limited to:
 - [1] Use of facilities (peak demands).
 - [2] Maintenance.
 - [3] Utilities and taxes.
 - [4] Signs.
 - [5] Enforcement.
 - [6] Conditions if lot is sold.
 - [7] Cooperation.
 - [8] Insurance.

[9] Indemnification.

[10] Termination.

[11] Supplemental contracts (special events, leased spaces).

D. Landscaping.

- (1) All areas of a lot not covered by building and/or impervious paving materials shall be maintained as landscaped or grass-covered areas.
- (2) Buffers. For RO developments, a buffer planting area of not less than 25 feet in width shall be established along all tract lines proposed for subdivision or land development, with the exception of external street boundaries. However, a planting buffer is not required where it would otherwise conflict with a shared parking or a shared driveway. In shopping centers over 10 acres, the buffer may be located in the required yard area.

E. Sidewalks, pathways, and crosswalks. Sidewalks shall connect nonresidential buildings with all parking areas and sidewalks along streets and driveways.

(1) Sidewalks and pathways.

- (a) Sidewalks shall be provided along the full length of the building along any facade having a customer entrance and along any facade abutting a parking area.
- (b) A grass strip at least four feet in width (not including obstructions such as trees, mailboxes, street lights, benches, etc.) shall be provided on each side of a sidewalk along a street. A greater width may be required between the curbline and the sidewalk on arterial and collector roads, at the discretion of the Board of Commissioners, on the recommendation of the Township Planning Commission.
- (c) Sidewalks through landscaped areas, medians, or parking islands are encouraged to ensure safety of pedestrians. [see also Subdivision and Land Development § 310-20C(12)(a).]
- (d) Unless otherwise noted, internal pedestrian sidewalks or other pedestrian paths shall be no less than five feet in width, shall provide a direct link from the public sidewalk or street right-of-way to the principal customer entrance of all principal uses on the site. Walkways shall also connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, and building and store entry points. The sidewalks required within planting strips by § 310-20C(12) may be used to meet part of this requirement.
- (e) Sidewalks in front of retail businesses are required to be at least six feet in width and utilize the materials described in § 350-206E(2) for at least 20% of their surface area.

(2) Crosswalks.

- (a) Crosswalks over streets or driveways shall be at least eight feet wide. All crosswalks over streets or driveways shall be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks or scored concrete to enhance pedestrian safety and comfort.
- (b) Crosswalks over parking aisles shall be at least six feet wide. Crosswalks over parking aisles shall be painted with the hatch style or may use the design stipulated in § 350-206E(2)(a), above.

F. Signs. All signs in the RO Retail Office District shall comply with Article XVI of this chapter.

G. Lighting facilities.

- (1) Lighting facilities shall not produce unreasonable amounts of light nor any glare or hazardous interference on abutting properties or highways. Any light fixture higher than three feet above grade shall be shielded to direct light downward.
- (2) Fixtures meeting IESNA full-cutoff criteria shall not be mounted in excess of 20 feet above finished grade. Fixtures not meeting IESNA full-cutoff criteria shall not be mounted in excess of 16 feet above finished grade. In shopping centers, fixtures meeting IESNA full-cutoff criteria shall be mounted on poles up to 30 feet in height.
- (3) Lighting spillover onto residential lots and streets shall not exceed 0.2 footcandle; lighting spillover onto nonresidential streets and rights-of-way shall not exceed 0.4 footcandle.
- (4) Lighting fixtures shall not be constructed directly on a paved parking lot or driveway area. Lighting fixtures illuminating such areas shall be placed in a landscaped area or raised parking lot island a minimum of three feet from the face of curb or tire stop. Pole-mounted fixtures for the illumination of horizontal surfaces shall be shielded to direct light straight downward.
- (5) Lighting of nonhorizontal surfaces. For the lighting of predominantly nonhorizontal surfaces such as, but not limited to, facades, landscaping, signs, billboards, fountains, displays and statuary, fixtures shall be fully shielded and shall be installed and aimed so as not to project their output into the windows of neighboring residences, adjacent uses, past the object being illuminated, skyward or onto a public roadway. Fixtures with lighting levels below the threshold in the table below^[1] are exempt from the requirements of this subsection.

[1] *Editor's Note: See Subsection H(11).*
- (6) Glare onto abutting properties shall be controlled primarily through the selection and application of lighting equipment. Only after these means have been exhausted shall vegetation, fences and similar screening methods be considered acceptable for reducing glare.
- (7) No lighting facility shall have any blinking, flashing, or other illuminating device which has a changing intensity, brightness or color, nor is any beacon light permitted, except those required for fire alarm and/or emergency systems.
- (8) No lighting facilities shall be located within required yard setback areas, except along parking lots, when permitted within required yard setbacks, and pedestrian walkways.
- (9) Illumination of all nonresidential parking areas and along all pedestrian walkways shall provide a minimum of 0.2 footcandle.
- (10) Parking facility and vehicular and pedestrianway lighting (except for safety and security applications and all-night business operations), for commercial, industrial and institutional uses, shall be automatically extinguished no later than one hour after the close of business or facility operation. When safety or security lighting is proposed for after-hours illumination, it shall not be in excess of 33% of the number of fixtures required or permitted for illumination during regular business hours, or in an amount judged necessary by the Township Engineer.
- (11) Shielding requirements. A fully shielded fixture, where all light emitted is projected below a horizontal plane running through the lowest part of the fixture (equivalent to a total cutoff angle of less than 90°, is required based on the lighting facility's lamp type, consistent with the following:

Lighting Facility Lamp Type	Shielding Requirement (based on light emitted)
Low/high-pressure sodium, mercury, vapor, metal halide and fluorescent over 50 watts	Fully shielded
Incandescent over 60 watts	Fully shielded
Incandescent 60 watts or less	None

Lighting Facility Lamp Type	Shielding Requirement (based on light emitted)
Fossil fuel	None
Any light source of 50 watts or less	None

- H. Trash and refuse area. Trash and refuse shall either be stored inside the building or within an opaque screened area with a latching gate which shall be at least six feet high and shall be higher if necessary to screen the trash. This screened area shall be put in the rear of the property unless the Township Board of Commissioners, on recommendation from the Township Planning Commission, determines that trash facilities located in the side of a property will have less impact on abutting properties than facilities in the rear.
- I. Outdoor display and storage. There shall be no outdoor storage or display of goods or materials, other than nursery stock plants and automobile vehicle sales, for marketing, storage or any other purpose.
- J. Service areas. Loading and unloading areas shall be provided which do not conflict with pedestrian or vehicular movement.
- K. Hazardous uses. No use shall be permitted which may be noxious or offensive by reason of odor, dust, fumes, smoke, gas, vibration or noise or which may constitute a public hazard either by fire, explosion or otherwise.

§ 350-207. Design standards.

- A. Maximum length of flat facades: 100 feet. Facades may be longer than 100 feet if they utilize significant plane changes. Plane changes must consist of angle changes of 45° to 90° at least five feet in depth. Plane changes shall be a length suitable for creating significant visual relief. The Board of Commissioners may waive and/or modify this requirement upon good cause shown, including but not limited to complying with tenant design requirements.
- B. Rear and side facades shall be of finished quality and shall be of color and materials that are similar to the front facade and blend with structures within the development as well as with structures in the surrounding area. Any property with more than one building on the site shall have a common and coherent architectural theme throughout the development.
- C. Building facades of 200 feet or more which face public streets or public parking shall, in addition to offsets, include other design elements to break up the facade, such as awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, and planted trellises.
- D. Principal buildings shall have clearly defined, highly visible customer entrances with features such as canopies, porticoes, arches, and integral planters that incorporate landscaped areas and/or areas for sitting.
- E. Rooflines shall be varied to add visual interest, to reduce the scale of larger buildings, and to create consistency with buildings in the surrounding area.
- F. Buildings shall have pitched roofs covering at least 80% of the building with a pitch of at least six vertical inches to every 12 horizontal inches, or buildings shall use parapets or mansard-type roof styles to conceal flat roofs and rooftop equipment such as HVAC units along all roof edges.
- G. For all buildings, building rooflines facing public streets and public parking lots must be interrupted at least once every 100 feet by a vertical change of five feet, the inclusion of a new gable, or the inclusion of a dormer.

§ 350-208. Bonus provisions.

When qualifying for a bonus, the maximum permitted building size may be increased from 8,000 square feet to 15,000 square feet, excluding buildings in shopping centers on tracts of at least 10 acres. To qualify for the bonus, the applicant must meet at least three of the following provisions:

- A. Use shared parking, in conjunction with § **350-206B**.
- B. Use shared access: when two abutting lots have one shared driveway with no additional driveways to either lot from that street.
- C. Use a building constructed before 1940, preserve and maintain the front and side facades, and preserve the front porch, if any. If, in the opinion of the Board of Commissioners, acting on recommendation from the Township Planning Commission, the building does not reflect the character of traditional homes found in the Township, this provision will not apply.
- D. Limit impervious surface area to 10% below the maximum permitted while still providing the minimum number of parking spaces (including spaces permitted to be held in reserve).
- E. Use landscaping, berms, topography, or location to significantly reduce view of parking from the road. The landscaping, berms, etc., should conceal the lower part of cars up to and including headlights and taillights.
- F. Significantly increase landscaping over that required by zoning and the Chapter **310**, Subdivision and Land Development, in the form of gardens, planters, hanging plants, window boxes, ground cover, or enhanced buffers or screens, etc. This criterion will be met if the applicant adds one of the following to the proposed landscaping over that required:
 - (1) One hanging plant or planter per 12 required parking spaces. The planting area in planters shall be at least three feet in diameter, and the planting area for hanging plants shall be at least one foot in diameter.
 - (2) Increase proposed tract buffering over that required by 20%.
 - (3) The criteria will also be met if, in the opinion of the Township, the applicant makes improvements to landscaping equivalent in scope to those in Subsection G(1). Planters, window boxes, and hanging plants shall be planted and maintained with year-round vegetation.

§ 350-209. Shopping center uses.*

Unless regulated below, shopping center uses shall be subject to the general regulations in § **350-206**.

- A. Shopping centers require a municipally adopted Master Plan.
- B. Use regulations. A shopping center use, consisting of a building or group of buildings, may be erected, altered or used and a lot or premises may be used or occupied for any one or combination of the uses permitted under §§ **350-202** and **350-203** except for a club, fraternal organization or lodge.
- C. Lot dimensional standards.
 - (1) Minimum lot area: five acres.
 - (2) Minimum lot width: 250 feet.
 - (3) Minimum front yard: 50 feet.
 - (4) Minimum side yard: 50 feet.
 - (5) Minimum rear yard: 50 feet.
 - (6) Maximum building coverage: 20%.

- (7) Maximum impervious coverage: 60%.
- (8) Maximum building height: 45 feet for properties fronting on PA 663, Wilson Street, PA RT 100, Commerce Drive, or South State Street.
- (9) Minimum parking setback: 20 feet from ultimate right-of-way unless bisected by a Township road. Minimum parking area for 50 or more cars requires a driveway (between the street and the parking area) of at least 50 feet. This driveway requirement does not apply for Township roads that bisect a shopping center development.
- (10) Maximum size per use: 150,000 square feet.
- (11) Maximum shopping center size: 300,000 square feet.
 - * Must lie in "Regional Commerce" Future Land Use Category (as amended) of Pottstown Regional Plan (Note: along Farmington Avenue or State Street). Also, a shopping center must be part of a municipally prepared and adopted Master Plan. The Master Plan must be found to be generally consistent with the Regional Plan.

D. Shopping center design standards.

- (1) The development shall consist of a harmonious selection of uses and grouping of buildings, service and parking areas, circulation and open spaces, planned and designed as an integrated unit, in such manner as to constitute a safe, efficient and convenient retail shopping center.
- (2) Any shopping center development shall be constructed in accordance with an overall plan and designed as a single architectural unit.
- (3) No building shall be located closer than 100 feet to a side or rear property line adjacent to a residential district or residential use.
- (4) No parking or driveway area shall be located closer than 20 feet to any side or rear property line or street ultimate right-of-way.
- (5) No parking or driveway area shall be located closer than 50 feet to a side or rear property line adjacent to a residential district or residential use.
- (6) No loading or trash disposal area shall be located closer than 100 feet to a side or rear property line adjacent to a residential district or residential use or 20 feet any other property line.
- (7) If the development of the shopping center is to be carried out in progressive stages, each stage shall be planned so that the foregoing requirements and the intent of this article shall be fully complied with at the completion of any stage. The initial stage of development shall comprise a total ground floor area of not less than 7,500 square feet.
- (8) If portions of the shopping center project are to be completed in successive stages, a less detailed sketch or layout of the area not scheduled for immediate development may be submitted; however, prior to actual commencement of additional development, a supplemental plan or plans shall be submitted showing all plan requirements.
- (9) In addition to the plan requirements contained within the Subdivision and Land Development Ordinance,^[1] the following information shall be shown on all shopping center plans:
 - (a) Elevations for all building facades (fronts), and for the side or rear of buildings visible from the internal parking area, from internal driveways, or from a public street.
 - (b) A description of the commercial uses proposed, including approximate number of employees and an indication of the number of customers in sufficient detail to indicate the effects of those

operations in producing traffic congestion, noise, glare, air pollution, water pollution, fire hazards, or safety hazards.

(c) Any other data or evidence the Board of Commissioners may require.

[1] *Editor's Note: See Ch. 310.*

- (10) Ground floor facades that face public streets shall have arcades, display windows, entry areas, awnings or other such features along no less than 60% of their horizontal length. Display windows shall begin between 12 inches to 24 inches above ground level and shall end between 78 inches and 108 inches above ground level.
- (11) Buildings in shopping centers shall have clearly defined, highly visible customer entrances featuring no less than three of the following: canopies or porticoes; overhangs; recesses/projections; arcades; raised corniced parapets over the door; peaked roof forms; arches; outdoor patios; and display windows.
- (12) Any side of a shopping center building that directly faces an abutting public street shall feature at least one customer entrance.
- (13) Common use area. Shopping centers shall contain a common use area that will serve as a focal point for the center and provide walkways, seating, and landscaping. Water features, courtyards, mini-parks and plazas are encouraged. The common use area shall meet the following requirements:
- (a) It shall not be located so all principal buildings (occupied residential, retail, or office space) in the shopping center are located between it and the street.
 - (b) It shall be equal to or greater in size than 5% of the gross floor area of the shopping center.
 - (c) It shall be directly connected to the shopping center's pedestrian circulation system (sidewalks and crosswalks).
 - (d) It shall consist of one contiguous area, and the shape and location of the common use area shall be approved by the Board of Commissioners in consultation with the Township Planning Commission.
 - (e) It shall be improved with either a gazebo, pavilion, clock tower, paved patio area with a fountain or a similar type feature, as approved by the Board of Commissioners, to help identify this area as the central gathering place for the development.
 - (f) It shall contain shade trees, ornamental plantings, and seating; it may also contain outdoor dining areas.
- (14) Unobstructed sidewalks, no less than six feet in width, shall be provided along the full length of the building along any facade featuring a customer entrance and along any facade abutting public parking areas. Along facades with building entrances, the required six-foot-wide sidewalk area shall be set back from the facade so as to accommodate the additional plantings required in § 310-37G. However, in shopping centers the planting area may be reduced to three feet in width, and the required additional plantings may be reduced by 50%. In instances where the required plantings and planting area will conflict with access, retail operations, block building visibility, or create other such conflicts, the required additional plantings can be planted elsewhere on site.
- (15) Off-street parking within a shopping center.
- (a) The following parking stall dimensions are permitted:
 - [1] Perpendicular parking stall dimensions shall be a minimum of nine feet in width by 18 feet in depth.
 - [2] Angled parking stalls of 60° shall be a minimum of nine feet in width by 20 feet in depth.

- [3] Angled parking stalls of 45° shall be a minimum of nine feet in width by 19 feet in depth.
- (b) Parking lot aisles separating rows of perpendicular parking shall be a minimum of 24 feet wide.
- (c) The minimum radius for curblines within parking facilities shall be 4 1/2 feet.
- (d) The following parking use requirements shall supersede those of § 350-142:
- [1] For retail uses, the parking use requirement shall be a minimum of one space per 250 square feet of gross floor area.
- [2] For indoor theater uses, there shall be a minimum of one space per four seats.
- (16) Disturbance of steep slopes.
- (a) In addition to the uses permitted in §§ 350-40 and 350-41, the uses permitted in §§ 350-202 and 350-203 are permitted in the Steep Slope Conservation District upon satisfaction of the following:
- [1] Approval of an erosion and sedimentation control plan by the Montgomery County Conservation District.
- [2] Obtainment of an NPDES permit that covers the associated disturbances.
- (17) In a shopping center, when the landscape requirements specified in this chapter, and the requirements of § 310-37D through I are satisfied, the tree replacement requirements of § 310-37C(4) may be waived or such trees placed in other locations to be determined and approved by the Board of Commissioners.
- (18) Additional regulations for a shopping center. A shopping center shall comply with the following additional standards:
- (a) Within a shopping center, land may be subdivided for sale, leasing or financing purposes without regard to individual lotting standards, provided that the development of those lots complies with the regulations for shopping centers contained herein and is an integral part of the center's plan. Access to individual lots so created shall be taken only from within the shopping center.
- (b) The shopping center shall be developed following a single unified plan, with a fully coordinated system of interior traffic access, coordinated traffic circulation and coordinated parking.
- (c) Where the Board of Commissioners has approved plans for a shopping center containing a lot area of not less than five acres, individual units, buildings or parcels of land within the planned retail center may be leased, purchased, subdivided, sold and mortgaged as individual zero lot line units with zero lot setback for internal parking and building lines, if developed as a single unified plan, except in no case shall zero lot lines apply for lot lines forming the original tract boundary.
- (d) Deeds conveying parts thereof shall contain covenants requiring purchasers at all times to operate and maintain such parts in good order and repair and in a clean and sanitary condition uniformly with the appearance and maintenance of the balance of the shopping center complex.
- (e) The failure of any purchaser to so covenant and agree shall thereby subject the proposed division of the lot or part thereof to the Zoning Ordinance and Subdivision and Land Development Ordinance of Upper Pottsgrove Township.
- (f) Each commercial use located within the shopping center shall provide reciprocal access easements for its parking aisles and driveways, guaranteeing access to all lots that were developed pursuant to the approved land development plan for the shopping center.
- (19) Rooflines. Roofs for shopping centers on tracts of land at least 10 acres, rooflines shall be varied. For buildings 15,000 square feet or less within 100 feet of a residential use or district, buildings shall have pitched roofs of a pitch of at least 8:12 covering at least 80% of the building. For buildings greater than

15,000 square feet, the same standards shall apply, or a parapet or mansard roof may be used; in either case, rooftop equipment and flat roofs must be hidden.

E. Noise control.

- (1) No person shall cause, suffer, allow, or permit the operation of any sound source on a commercial property or public space or right-of-way in such a manner as to create a sound level that becomes a nuisance.
- (2) No delivery, loading, trash removal or compaction or other such operations shall be permitted between the hours of 10:00 p.m. and 7:00 a.m., unless the applicant proves to the satisfaction of the Board of Commissioners that berms, vegetative or other buffering, setbacks, etc., are sufficient.

F. Other requirements.

- (1) Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous and uninterrupted by ladders, towers, fences and equipment. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
- (2) Outdoor sales and storage areas shall conform to the following requirements:
 - (a) Outdoor sales and storage areas shall not be located within 20 feet of any public street or sidewalk.
 - (b) Outdoor sales and storage areas shall be screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets.
 - (c) Outdoor areas for the storage and sale of seasonal inventory shall be permanently defined and screened with walls or fences. Materials, colors and design of screening walls or fences shall conform to those used as predominant materials and colors of the building. If such areas are to be covered, then the covering shall conform to those used as predominant materials and colors of the building.
 - (d) Outdoor storage areas shall not exceed 10% of the gross building floor area of any uses, except as noted in Subsection F(2)(d)[i] and [ii], below.
 - [1] Building supply center, lumberyard and contractor's business, including masonry, carpentry, remodeling, electrical, house cleaning, plumbing, painting, roofing, landscaping contractor, wholesale establishment for the sale and distribution of supplies and general merchandise, provided that:
 - [a] Outdoor storage areas are limited to 50% of the total site area and are screened from public roads and residential properties.
 - [b] All products stored outdoors are stored and displayed behind areas that are clearly defined for such purpose, such as completely enclosed fences, walls or other structures.
 - [c] The display of goods and merchandise is not located between the building and the street and meets the minimum required rear and side yard setbacks.
 - [d] Such uses have a defined pickup area that does not interfere with the flow of internal traffic or required parking areas.
 - [e] Commercial vehicles and outdoor storage areas are at least 60 feet from residential property lines and street ultimate right-of-way lines.

- [2] Nursery or greenhouse, provided that:

- [a] Outdoor storage is limited to 75% of the total site area.
- [b] All nonplant materials are stored and displayed behind areas that are clearly defined for such purpose and are screened from public roads and residential properties.
- [c] Such uses have a defined pickup area that does not interfere with the flow of internal traffic or required parking areas.
- [d] Commercial vehicles and outdoor storage areas are at least 60 feet from residential property lines and street ultimate right-of-way lines.