

Worcester Township Cedars Village Overlay District -- Working Draft

§150-1. Purpose; Applicability

1. The Cedars Village Overlay District is intended to establish reasonable standards for a variety of residential and nonresidential uses within Cedars Village, in conformance with the following objectives:

- A. Preserve and reuse the historic structures in Cedars Village, and provide for renovation and new construction that compliment the existing desirable village characteristics of Cedars Village to the greatest extent possible.
- B. Conserve many of the natural features of the district, particularly the open spaces and large trees.
- C. Permit a variety of uses that can be accommodated by existing types of structures, lot sizes, and other physical and visual attributes of properties in the district.
- D. Prohibit development of retail commercial uses that are typically high volume traffic generators, have a strip-type and highway-oriented commercial appearance, contain excessive amounts of paved areas and numerous access points, have incongruous architectural styles, and do not contribute to the historic character of the district.
- E. Encourage shared use of access driveways to reduce the total number of driveways, minimize the number of new driveways, and provide more efficient and safer access and traffic flow.
- F. Require parking to the side or rear of buildings, discourage or prohibit parking in front yard setback areas, and encourage adjoining properties to share parking.
- G. Require sufficient pedestrian access from the streets and parking areas to the various permitted uses, provide for safe pedestrian access along the roads in the village, and encourage the inclusion of trail connections to the village.
- H. Minimize visual and functional conflicts between residential and nonresidential uses within the district, and protect abutting residential districts from adverse impacts.
- I. Provide for public gathering space and public open space.
- J. Provide for the transfer of development rights from rural and agricultural preservation areas of the township into the village, to reduce development pressures on the rural and preservation areas of the township and provide additional development options in the villages, consistent with the goals above.
- K. Encourage uses that benefit village residents.

2. The standards and requirements of the underlying district shall apply where the provisions of this overlay district do not.

§150-2. Establishment of Districts

The following three districts shall be established within the Cedars Village Zoning Overlay District, as designated on the accompanying zoning map:

Class 1 –

Class 2 --

Class 3 –

§150-3 Permitted Uses -- Class 1

1. The following uses shall be permitted in compliance with the density and dimensional standards herein:

A. A building may be erected, altered, or used and a lot or premises may be used for any one of the following uses, in accordance with all use and dimensional regulations contained in this section and all other applicable zoning ordinance requirements, and only in conjunction with one single-family residential use in the same building or on the same lot.

1. Antique shop, florist, boutique shop, tailor, dressmaker, or similar low-traffic retail or personal services shop;
2. Artisan or craft studio, or art/music/dance studio, including related retail sales;
3. Shop for the repair of the following: shoes, antiques, jewelry, watches, clocks, optical goods, furniture, computers, musical, professional or scientific instruments, bicycles, or similar items, including related retail sales.

B. Other sections of this ordinance notwithstanding, no property in the Class 1 district shall be allowed to increase density or intensity of use beyond the limitations in this ordinance.

§150-4 Permitted Uses -- Class 2

A. A building may be erected, altered, or used and a lot or premises may be used for any one or more of the following uses, in accordance with all use and dimensional regulations contained in this section and all other applicable zoning ordinance requirements, and only

in conjunction with one single-family residential use in the same building or on the same lot.

1. Any use listed in Class 1.
2. Bed and breakfast establishment that meets the following requirements:
 - a. The minimum lot area shall be 30,000 sq. ft.
 - b. There shall be no external alteration of the building except as may be necessary for safety considerations. Exterior stairways, when required for safe egress, shall be located, whenever practicable, to the rear of the building.
 - c. There shall be no separate cooking or kitchen facilities in any guest quarters.
 - d. The use of any amenities provided by the establishment, such as swimming pool or tennis courts, shall be restricted to the owners of the establishment and their guests, and guests staying at the establishment.
 - e. A maximum of five (5) guest rooms or suites shall be permitted, with a maximum of fifteen (15) guests at the establishment at any one time. No guest shall stay longer than one (1) month, and no guest shall use or establish the property as his or her residence.
 - f. Off-street parking shall be provided at the rate of one space for each guest room, plus one extra space for establishments with one to three guest bedrooms and two extra spaces for establishments with four or five guest bedrooms, in addition to the parking required for any other permitted use, including single-family residential use. Parking shall be located behind the main building and shall conform to the requirements of section 150-42.12 (Street Access and Parking) below.
 - g. If the property is not served by public sewer, the applicant shall furnish a valid Montgomery County Department of Health permit demonstrating that the existing on-lot sewage disposal system is capable of handling the projected increased load. The total number of bedrooms (resident and guest) on the property shall not exceed the number of bedrooms that the on-lot sewage disposal system is designed to accommodate. If the property is served by public sewer, the applicant shall submit documentation that the proposed use will be accommodated by the public sewer system.
3. Barbershop, hairdresser, or similar personal services shop.
4. Tearoom, sandwich shop, ice cream parlor, coffee shop, bakery, or similar establishment serving specialty food or beverage, but not a full-service restaurant,

and excluding drive-in, fast food, delivery-only, take-out only, and other similar establishments.

- a) Outdoor dining areas shall be limited to 24 seats and shall not face any residential use that is within 200 feet of the outdoor dining area.
- b) Food and drink service shall not take place later than 10 p.m., whether eat-in or takeout.

5. Business or professional office, but excluding clinics.
6. More than one business or office in one building; more than one village overlay use on one property, as long as one (and only one) single-family unit remains on each property.

§150-5 Permitted Uses -- Class 3

A building may be erected, altered, or used and a lot or premises may be used for any one or more of the following uses:

1. Any use permitted in Class 1 and Class 2.
2. On parcels of 5 acres or larger, business and professional offices in total shall comprise no more than 20% of the gross floor area.
3. Fitness center, health spa, martial arts/dance/music/art studio.
4. Post office.
5. Retail shops such as: beer distributor; newsstand; bookstore; hardware store; produce stand; copy shop or printing shop; specialty retail food store such as butcher, bakery, candy shop, produce stand, corner store, ethnic foods; small grocery store.
6. Pet services, including sales of goods and grooming services, but excluding kennels, pet day care, boarding, training, and animal hospitals.
7. Restaurant, excluding drive-in, fast food, delivery-only, take-out only, and other similar establishments, provided that:
 - a. No alcoholic beverages shall be served or sold.
 - b. Outdoor dining areas, subject to the following requirements:
 1. Outdoor dining areas shall be limited to 24 seats per dining establishment.
 2. Outdoor dining areas shall be located at least 100 feet from any dwelling unit or any residential zoning district.
 3. Hours of operation of an outdoor dining area shall be limited to the following:
 - Sunday to Thursday -- (to be defined)
 - Friday and Saturday -- 8 a.m. to 9 p.m.

4. The outdoor dining area shall be separated from any driveway, common area, or pedestrian walkway by planters, posts with ropes, or other removable enclosures. Outdoor dining areas shall not impede pedestrian traffic flow. A minimum pathway of 5 feet in width which is free of obstacles shall be maintained.

5. Refuse facilities, including recycling containers, shall be provided for the use of patrons of the outdoor dining area.

6. Advertising or promotional features shall be limited to (OR shall be prohibited on) umbrellas and canopies

c. Food service shall not take place later than 10 p.m., whether eat-in or takeout.

8. Seasonal outdoor retail sales such as flea markets, craft or art shows, sales of nursery stock & Christmas trees, but excluding fairs, carnivals, exhibitions, and similar events. Flea markets, art shows, and craft shows shall be limited to a maximum of two days per event and in the aggregate to not more than one event per month.

9. Financial institution, but excluding any type of drive-up facility.

10. Open space or village green.

11. Museum or exhibit gallery.

12. Municipal uses.

§150-6 Prohibited uses in all districts

The following uses shall be prohibited in all districts:

1. The repair and/or servicing of motor vehicles, equipment, or tools powered by an internal combustion engine
2. The sale of items such as automobiles, trucks, motorcycles, farm equipment, boats, motorized recreational vehicles, trailers, and gasoline
3. Recreational facilities such as athletic clubs, arcades, batting cages, indoor golf facilities, skating rinks or skate parks
4. More than one dwelling unit in one building or on one parcel
5. Outdoor display, sales or storage of materials or equipment, except for seasonal outdoor retail sales specifically listed as permitted
6. Car washes
7. Heliports
8. Sale or storage of building supplies
9. Bulk storage, warehouses, mini-warehouses
10. Adult uses
11. Industrial uses
12. Convenience food stores

- 13. Drive-through uses, either stand-alone or as part of another use; take-out only uses; delivery-only uses
- 14. Similar uses to any of the above

§150-7 Area and Bulk Regulations

A. The minimum lot area shall be that of the underlying zoning district unless specifically provided otherwise.

B. Nonconforming lot area, building, or impervious coverage.

1. Nonconforming lot area. Lots which, as of the date of enactment of this ordinance, are smaller in area than the requirements of the underlying zoning district shall be entitled to use the provisions of this ordinance, subject to the building and impervious coverage limitations herein.

2. Nonconforming building or impervious coverage. Lots that, as of the date of enactment of this ordinance, exceed either building coverage or impervious coverage, shall be entitled to use the provisions of this ordinance and shall be subject to the remaining building and impervious coverage limitations herein. For the purposes of adding TDRs, where applicable, existing building or impervious coverage that exceeds the by-right maximum shall not require the use of TDRs, but any proposed additional buildings or impervious coverage shall require the use of TDRs, up to the maximum allowed in section 150-7(F).

C. Yard regulations.

District	Front yard	Side yard	Rear yard	Side or rear yard adjacent to residential use	Front yard adjacent to residential use
Class I	50	25	25	40	75
Class 2	25	25	25	40	75
Class 3	25	25	25	40	75

1. The front yard shall be the yard extending the full width of the lot along the street line, including that portion of a lot that is parallel to and not abutting the street, and extending in depth from the edge of the paved street or parallel lot line, as applicable, to the nearest point of any structure on the lot.

2. Corner lots: Lots that front on two streets shall have a front yard along each street, and there shall be one side yard and one rear yard.

D. Minimum spacing between buildings on the same lot shall be 20 feet for one-story and 30 feet for two-story buildings. There shall be no connections between these buildings above the level of a sidewalk or landscaped planter.

E. Maximum building footprint for each building shall be 2500 square feet .

F. Maximum building and impervious coverage (excluding walkways) shall be as follows:

Zoning District	Maximum Building Coverage	Maximum Impervious Surface	Maximum Building Coverage with TDRs*	Maximum Impervious Surface with TDRs*
Class 1 overlay to R-100	5%	15%	NA	NA
Class 1 overlay to AGR	5%	15%	NA	NA
Class 2 overlay to R-100	5%	15%	15%	40-45%
Class 2 overlay to AGR	5%	15%	15%	40-45%
Class 3 overlay to R-100	10%	25%	15%	40-45%
Class 3 overlay to AGR	3%	10%	15%	40-45%

* Transferable development rights (see section 150-10)

G. Building height: No building shall exceed 2-1/2 stories or 30 feet in height.

H. Setback for accessory uses and buildings: No accessory use or building shall be permitted within the front yard of any lot. Accessory uses or buildings shall be subject to the same setbacks as the primary building or use on the lot.

§150-8 Standards and Criteria -- Class 1 and Class 2

1. All uses pertaining to the applicable district class must be conducted and contained entirely within the building or outbuilding(s).
2. There shall be no exterior storage or display of goods and/or merchandise, except for nurseries and Christmas tree sales.
3. Uses pertaining to the applicable district class, including any alterations to any structure on the property and/or any new construction that is proposed on the property, shall not alter the residential character of the existing buildings in Class 1, and shall not alter the historic character of the existing buildings in Class 2.
4. There shall be no deliveries from a vehicle with more than two axles.
5. There shall be no exterior storage of trash, refuse, or recycling. No roll-off containers or dumpsters shall be permitted on the property.
6. The use of noxious, combustible, explosive or other materials that would endanger the health and safety of the occupants and surrounding residents is prohibited.

7. Noise levels measured at the property line for an adjacent residential use may not exceed 65 decibels between the hours of 7 a.m. and 9 p.m. on weekdays (9 a.m. to 9 p.m. on weekends) and 55 decibels at all other times, unless stricter standards apply.
8. No machinery or equipment shall be used which will cause interference with the radio or television reception of neighboring residences.

§150-9 Standards and Criteria -- All Classes

A. In addition to the standards and criteria applicable to the Class in which the property is located, all land development and building permit applications shall comply with the following standards and criteria:

1. Existing buildings, whether principal structures or outbuildings, constructed prior to 1941 shall be retained and reused on the property and may not be demolished unless the applicant has demonstrated that the buildings cannot be adapted or expanded and used for the use intended or for any other permitted use. Where demolition is permitted by the Board of Supervisors, the development or redevelopment of the property shall be undertaken in a manner that preserves the character, front yard setback, and design of the building that was removed. New or reconstructed structures shall maintain the architectural style, scale, bulk, and design of the original building.
2. Existing residences constructed after 1940 shall be retained and reused on the property, or shall be renovated so as to retain the general appearance, character, and types of building materials and window openings of the front and side facades of the building.
3. Expansion of an existing building, if otherwise permissible, shall be allowed only to the sides and rear. Non-enclosed expansions, such as porches, decks, or covered entryways, shall be exempt from this prohibition.
 - 1) Expansion to the side or rear shall conform in general appearance, scale, and building materials to the front façade of the existing building.
 - 2) Rooflines shall be similar or complimentary to those of the existing building.
4. The applicant shall submit architectural drawings for evaluation of any proposed building expansion, renovation, or reconstruction, including building elevations and colored renderings. The Board of Supervisors may approve expansion, renovation, or reconstruction that is different from the existing building, provided that it compliments the existing building and does not detract from the intent of this Article to preserve and enhance the district's appearance.

5. Existing, healthy, mature trees shall be preserved in the front and side yards unless they must be removed to provide vehicular access appropriate for the proposed use, and only if there is no other place to provide such access, either on the same property or in cooperation with another property.
6. Trash and recycling shall be stored in covered enclosures, which may not encroach on any yard.
7. Historic buildings (those built before 1940) from elsewhere may be relocated to this district, if such a building would otherwise be permissible on the lot, subject to the following standards:
 - 1) The building footprint may be increased to 3500 square feet and the building height may be increased to 40 feet to allow for the relocation of a historic building. These increases shall apply only to the existing configuration of a relocated historic building and not to any additions or renovations to said building.
 - 2) In no case shall setbacks or limitations on total building coverage or total impervious coverage be exceeded.
 - 3) The architectural style, scale, bulk, and design of the historic building proposed to be relocated shall be compatible with the goals of the Cedars Village Overlay ordinance.
8. Historic identification signs may be installed to identify and explain the historic or cultural significance of a structure, location, person or event in the district. The size, design, and location of such signs shall be approved by the Board of Supervisors to ensure consistency of such signs throughout the Township. Such signs shall generally not exceed 15 square feet in area or 10 feet in height. Such signs shall not be counted toward signage or area limits contained elsewhere in this chapter.
9. The applicant shall establish by credible evidence that the use or other subject of consideration for approval complies with the declaration of legislative intent as stated in Article I of this chapter and the declaration of legislative intent that may appear at the beginning of the applicable district under which approval is sought.
10. The applicant shall establish by credible evidence:
 - a. That the proposed use or other subject of consideration for approval shall be properly serviced by available public or private utilities;
 - b. That the traffic generated by the proposed use or other subject of consideration for approval will be accommodated in a safe and efficient manner, or that improvements will be made in order to effect the same;

- c. That the proposed use or other subject of consideration for approval shall be properly served by fire protection; and
- d. That the proposed use or other subject of consideration for approval shall provide safe and appropriate proper pedestrian and bicycle access.

11. The applicant shall establish by credible evidence that the proposed use or other subject of consideration for approval shall be properly designed with regard to street access, pedestrian access, trail access (if applicable), internal circulation, parking, buffering and all other elements of proper design.

12. The Planning Commission may recommend and the Board of Supervisors shall impose such conditions as are necessary to ensure compliance with the purpose and intent of this chapter, which may include additional planting and buffers, harmonious design of buildings, and the elimination of noxious, offensive or hazardous elements.

B. Applications under this article shall include architectural plans, including elevations, for any proposed buildings or additions/renovations to existing buildings.

§150-10 Application of Transferable Development Rights

A. The parcels in Class 2 and Class 3 of the Cedars Village Overlay Zoning District shall constitute a Receiving District for the transfer of Development Rights as provided in §150-xxx (*TDR ordinance*).

B. In Class 2 and Class 3, an otherwise permitted non-residential use having a building coverage or impervious coverage greater than the maximum provided in section 150-7(F) shall be permitted, up to the maximum with TDRs as permitted in section 150-7(F) above, if the necessary Development Rights are transferred as set forth in section xx (*the TDR ordinance*), and provided that all other conditions of the land development or building permit process, including any standards and conditions contained in this overlay ordinance, are met.

1. TDRs may be applied to a parcel in the Receiving District as follows: One transferable Development Right shall allow the owner or developer of the Receiving Parcel an additional 1000 square feet of non-residential gross building floor area or impervious coverage area, up to the maximum allowed with TDRs as provided in section 150-7(F). Any transfer of Development Rights pursuant to this ordinance authorizes only an increase in maximum building floor area or maximum impervious coverage and shall not alter or waive the development standards of the Receiving District. Approval of a Transfer of Development Rights shall not constitute approval of the proposed use.

2. An application for the transferable Development Rights to a Receiving Parcel under this ordinance shall comply with all the requirements set forth in §150-xxx (*TDR ordinance*).

§150-11 Signs

For by-right nonresidential uses in any district, signs shall be allowed as provided in section 150-150.1, Signs Permitted in Village Overlay Districts.

Revisions to sign ordinance

§150-150.1 Signs permitted in Village Overlay Districts.

For by-right nonresidential uses in any district, signs shall be allowed as follows:

A. Class 1

1. One free-standing sign shall be allowed on each property and may contain only the name of the business allowed to be conducted on the property.
 - a. The area of the sign shall not exceed 300 square inches. The sign shall be no higher than 4 feet, measured from the ground at the base of the sign to the top of the highest element of the sign, including the mounting post and illumination, if any.
 - b. The sign shall be located no closer than 15 feet to the edge of the roadway and must not block the line of sight along the road or from the access driveway of this or any other property onto the road.
 - c. No temporary signage of any kind is permitted.
 - d. No sign shall be illuminated between the hours of 10 p.m. and 6 a.m.
2. No sign shall be allowed on the exterior of any building on the property, nor shall any sign be affixed to any wall, window, or door so as to be visible from outside the building.
3. Signs shall conform in all other respects to the General Sign Regulations in section 150-147.

B. Class 2

1. One free-standing sign shall be allowed on each property to serve all of the allowed uses on the property.
 - a. The area of the sign shall not exceed 15 square feet. The sign shall be no higher than 5 feet, measured from the ground at the base of the sign to the top of the highest element of the sign, including the mounting post and illumination, if any.
 - b. Temporary signs to advertise special events related to an approved use are permitted only when attached to the permanent freestanding sign. The area of the temporary sign shall be included in the calculation of the total permitted sign area.

Temporary signs may include changeable letters or replaceable panels. Moving, flashing, or digital lettering is prohibited.

- c. No sign shall be illuminated between the hours of 10 p.m. and 6 a.m.
 - d. The sign shall be located no closer than 15 feet to the edge of the roadway and must not block the line of sight along the road or from the access driveway of this or any other property onto the road.
2. Each individual business establishment shall be permitted one sign attached to the building in which the business is located, per section 150-150(C) below. No part of the sign shall be higher than the highest point of the building's roof line. The sign shall protrude no more than 10 inches from the building if it is less than 10 feet above the level of the ground, measured to the lowest portion of the sign.
3. Signs shall conform in all other respects to the General Sign Regulations in section 150-147.

C. Class 3. Signs shall be allowed in conformance with the requirements of section 150-150 and shall conform in all other respects to the General Sign Regulations in section 150-147.

§150-12 Street Access and Parking

- A. Driveways, off-street parking areas, and traffic circulation patterns shall be designed as shared facilities whenever feasible. The design of these elements shall create a unified site plan between lots. The goals are to gain parking efficiencies, reduce the number of access points, and improve internal and external vehicular circulation patterns.
- B. Access agreements, maintenance agreements, or other suitable legal mechanisms to accomplish shared access or shared parking shall be submitted to the township with the application for land development approval.
- C. Each lot shall not have more than one curb cut per street frontage for a two-way driveway for vehicular access. If sufficient room is not available for one two-way driveway, the Board of Supervisors may approve two curb cuts for two one-way driveways, subject to approval by PennDOT where required.

Applicants shall seek agreements for shared vehicular access as the preferred means for reducing the total number of curb cuts within the district for traffic safety and congestion reasons.

- D. When two or more abutting lots share an access driveway, that driveway shall be designed as the main access to those lots, and any additional existing access driveways shall be closed.
- E. Where development of three or more adjoining parcels consolidates vehicular access into one shared driveway, that driveway shall be upgraded to a medium volume driveway according to PennDOT standards.
- F. Shared access may be located entirely on one lot or be split along a common lot line. Shared access along a common lot line shall be allowed regardless of driveway setback requirements in this section.
- G. Driveway widths, grades, and setbacks from intersections shall be regulated by [Section xxx](#) of the Subdivision and Land Development Code.
- H. No parking area of any surface material, including grass, shall be permitted within the front yard setback of any lot. Parking setbacks from side and rear property lines shall be the same as building setbacks with the exception of the portion of shared parking facilities which cross property lines. Parking spaces shall be set back a minimum of five feet from all buildings.
- I. Shared parking is encouraged and may be located along or across a common side or rear lot line, regardless of setback requirements in this section.
1. The required aggregate parking capacity may be reduced up to 50% by the Board of Supervisors and held in reserve, where shared parking allows greater efficiency for the uses proposed, subject to review and recommendation by the Township Engineer.
 2. Regardless of the number of spaces actually developed, a parking area to accommodate the aggregate number of parking spaces normally required shall be fully designed and the area which is proposed to be used shall be designated on the land development plan as "parking reserve area." The parking reserve area shall be planted with vegetative cover and integrated into the site's landscaping plan. Such area shall be required to be developed as designed if and when the Zoning Officer determines the need therefor.
- J. Bicycle Storage. Sufficient area for the storage of bicycles shall be provided as approved by the Township Engineer, including racks or other permanently affixed storage devices, to accommodate one bicycle for each five required vehicular parking spaces, at a minimum. Bicycle storage facilities may be held in reserve upon approval of the Board of Supervisors upon a finding that the requirements exceed the current need.

§150-13 Landscaping and Buffer Requirements.

A. Landscaping. All areas of a developed or redeveloped lot not covered by building and/or impervious paving materials shall be maintained as landscaped areas containing trees, shrubs and ground cover materials.

B. Buffers. A screen buffer as provided in §130-28.G.(5)(f) of the Subdivision and Land Development Code shall be maintained between any property with a village overlay use and all adjacent properties with residential uses.

1. The buffer shall have a minimum width equal to the required setback from the property line, unless existing buildings are closer to the property line. In no case shall existing buildings be allowed to expand closer to an adjacent property line when a buffer is required under this section to be established between those properties. Existing parking facilities located within the required buffer area shall be removed and a vegetative buffer shall be installed as required herein.

2. When an existing building encroaches on the required setback, solid or semi-solid fencing and/or wall up to 10 feet in height may be used in conjunction with vegetative screening as needed to provide the necessary screening from any adjacent property with residential uses.

3. A buffer planting is not required along those segments of lot lines where shared access and/or shared parking are located for village overlay uses.

4. A buffer planting is not required along those segments of lot lines where the lots are owned by the same person or entity, provided that all uses on both properties are nonresidential uses.

§150-14 Lighting.

A. Lighting facilities shall not produce any glare or hazardous interference on abutting properties or streets.

B. Glare control shall be accomplished through the selection and application of lighting equipment, including shields.

C. All lighting shall be directed away from residential properties.

D. Light fixtures shall be located at least twenty feet from a residential district.

E. Light fixtures shall be no higher than twelve feet above grade.

§150-15 Refuse disposal areas.

- A. Trash, refuse, and recycling shall be stored inside the building or within a secured, enclosed, opaque screened area, as required elsewhere in this ordinance. Where required, such enclosed screening shall be at least six feet in height.
- B. Refuse and recycling areas, whether buildings or enclosed areas, shall not be located in any yard, unless adjacent properties share such facilities and the refuse or recycling building or area is located at least 40 feet from any residential use on any property.
- C. Where possible, refuse and recycling areas shall be centrally located for the use of all tenants.

WORKING DRAFT