

ARTICLE XV  
**VC Village Commercial District**  
**[Amended 1-11-1999 by Ord. No. 99-2; 4-11-2007 by Ord. No. 07-04-01]**

**§ 275-105. Legislative intent. [Amended 2-27-2017 by Ord. No. 2017-02; 2-12-2020 by Ord. No. 2020-01]**

In expansion of the declaration of legislative intent found in Article I, § 275-2 of this chapter, and the statement of community development objectives found in Article I, § 275-3 of this chapter, it is the intent of this article to:

- A. Encourage an uncongested environment for the harmonious intermingling of residential, office, and limited commercial uses that are compatible with the character of Sumneytown.
- B. Accommodate nonresidential uses in the center of Sumneytown which do not generate large volumes of traffic, which minimize adverse impacts on abutting residential uses, and which maintain the visual character and scale of existing development. The edges of the Village may be appropriate for larger, more vehicle-friendly uses that still minimize adverse impacts and maintain the visual character and scale of existing development.
- C. Maintain, to the greatest extent possible, the historical visual character established along Route 63 by the locations, sizes, structures, styles, and spatial relationships of existing residential buildings, businesses, and other properties relative to each other.
- D. Discourage strip-type, highway-oriented commercial uses which create traffic congestion.
- E. Consolidate driveways and establish common parking areas at the rear of parcels that front Route 63, and provide a network of sidewalks or pedestrian pathways throughout the village to give priority to pedestrian movement and encourage walking among buildings, open spaces, and streets.
- F. Provide standards that are necessary to encourage orderly, well-planned development and to ensure compatibility with existing development.
- G. Protect and retain the character of the village by encouraging retention and reuse of existing buildings.
- H. Provide standards for village expansion on larger tracts of land that would integrate more intense uses or development with existing village character.

**§ 275-106. Use regulations. [Amended 2-27-2017 by Ord. No. 2017-02; 5-9-2018 by Ord. No. 2018-1; 2-12-2020 by Ord. No. 2020-01]**

- A. **Permitted uses.** On any lot in the VC District, any one of the following uses listed in Subsection A(1) through (3) below or any one or combination of the following uses listed in Subsection A(4) or (5) below.
  - (1) Single-family detached dwellings.
  - (2) Two-family dwelling (duplex).

- (3) Single-family semidetached dwellings (twin), where dwellings sharing a single party wall are constructed simultaneously.
- (4) Conversion of existing structures in accordance with § 275-68, Residential conversion.
- (5) The following commercial uses:
  - (a) Personal service shop. Personal care business that requires direct, physical contact with the customer in the performance of a personal service, and shall include such uses as barber, beautician, nail manicure, and tattooing. Such uses generally require a license from the State Department of Professional Occupations.
  - (b) Laundromat; pickup and drop-off station for dry cleaning, excluding dry-cleaning operations.
  - (c) Studio for art, dance, music, crafts, or photography.
  - (d) Mixed use buildings with a nonresidential permitted use on the first floor of the building and single-family and multifamily dwelling unit(s) on higher floor(s).
  - (e) Professional service business that include businesses which typically offer service in conjunction with the sale of goods. Such uses differ from retail or office business in that the customer area is usually separated from the service area, and some form of laboratory, fabrication area or processing area is necessary. Such use includes but is not limited to shoe repair, tailor, photography studio, copying service, shipping service, eyeglass labs, and other similar uses, unless otherwise provide for in this chapter.
  - (f) Retail establishment where the single principal use of the premises is the retail sale of goods and merchandise, and whose marketplace draws as largely local in scope or services.
  - (g) Business, professional or medical office.
  - (h) Bed-and-breakfast, boarding house, or inn with 10 or fewer rooms.
  - (i) Restaurant, cafe or similar establishment serving food or beverages without a drive-through.
  - (j) Preschool or adult or child day-care center.
  - (k) Family or group day care home in accordance with § 275-63, Day-care facilities.
  - (l) Funeral home.
  - (m) Uses of similar nature to the uses listed in Subsection A(5)(a) through (l) above.

**B. Conditional uses.** The following uses are permitted as a conditional use with approval by the Board of Supervisors pursuant to the standards herein and those of § 275-60, Conditional use application. Multiple uses may be present on the same lot. The conditional uses are intended to be located on larger lots near the edges of the VC District to ensure a pedestrian friendly environment that maintain the visual character of the village:

(1) Uses permitted by right in Subsection A of the Village Commercial Zoning District up to a size of 30,000 square feet of gross floor area in compliance with the standards below:

- (a) A minimum gross lot area of four acres.
- (b) All conditional use buildings in the Village Commercial District shall be built in accordance with the following standards.

[1] Building design standards. All buildings shall meet the following requirements:

[a] Walls and windows. Exterior walls or portions of exterior walls, visible from any existing or proposed streets or parking areas shall meet the following criteria:

[i] Buildings must have an architectural treatment on all facades for every 40 feet of continuous facade. Such architectural treatments may be met through the use of windows, faux windows, porches, porticos, building extensions, towers, bays, gables, dormers, steeples, and other architectural treatments. Such walls shall have architectural treatments that are the same as the front facade, including consistent style, materials, colors, and details.

[ii] Windows. The ground floor of any wall facing a street shall contain windows in accordance with the following requirements:

[A] The ground floor front facades of retail commercial uses, personal service businesses, and restaurants shall consist of at least 35% window area, but not more than 75% window area, with views provided through these windows into the business.

[B] For all other uses, the ground floor walls facing a street shall contain at least 25% window area but not more than 75% window area, with views provided through these windows into the business.

[C] Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall, such treatments may include masonry but not flat block; concrete or masonry plinth at the base of the wall; belt courses of a different texture or color; projecting metal canopy; decorative tilework; trellis containing plantings; medallions; opaque or translucent glass; artwork, vertical visual articulation, horizontal visual articulation; lighting fixtures; or a similar architectural element not listed above, as approved by the municipal governing body.

[b] Roofs.

- [i] Buildings with pitched roofs shall cover at least 80% of the building with a pitch of at least six vertical inches to every 12 horizontal.
- [ii] Buildings shall use parapets or mansard type roof styles to conceal flat roofs, elevator and stair shafts, large vents, and rooftop equipment such as HVAC units along roof edges.
- [iii] Pitched roofs or mansards shall provide overhanging eaves that extend a minimum of one foot beyond the building wall.
- [c] Buildings shall contain materials, windows, doors, architectural details, massing, floor heights, and roofs that are compatible with existing buildings within the VC District buildings.
- [d] Garage doors shall not face any existing or proposed road.
- [e] An area shall be reserved for a future bus transit stop. There shall be appropriate ADA-compliant pedestrian access to the bus transit stop from the primary building on the site.
- [f] A bench shall be provided as part of the sidewalk design as close to the bus transit stop as feasible. The bench shall be a minimum of six feet long.
- [g] All lighting standards shall follow those contained within Article VIII, § 275-55 of the Marlborough Township Zoning Ordinance.
- [h] All noise control standards shall follow those are contained in Chapter 161 (the Marlborough Township Noise Control Ordinance).
- [i] Off-street loading areas and trash disposal areas.
  - [i] All commercial and restaurant uses must contain a designated loading area separate from the parking lot and driveway. All loading areas and loading docks shall be located to the sides and rears of buildings. All loading areas and loading docks shall be set back at least 25 feet from property lines.
  - [ii] All outdoor trash disposal areas shall be set back at least 25 feet from residentially zoned lines. Refer to Article VI, § 215-49 of Marlborough Township's Subdivision and Land Development Ordinance for all other solid waste disposal design and location guidelines.
- [j] Street trees, buffers, parking lot landscaping, detention basin landscaping, and landscaping around buildings shall be provided, in accordance with § 215-42 of Marlborough Township's Subdivision and Land Development Ordinance. The Township recommends the applicant incorporate stormwater best management practices into the landscaping. Building foundation landscaping is required between the building facade and the sidewalk area that are visible from a street, though building

foundation landscaping cannot include stormwater best management practices.

- (2) Gasoline service/filling stations with or without a retail establishment, in compliance with the standards below:
  - (a) Minimum gross lot area of two acres.
  - (b) All activities except those to be performed at the fuel or air pumps are performed within a completely enclosed building. Outdoor storage is not permitted.
  - (c) Minimum setback of pump islands is 50 feet from street ultimate rights-of-way, 80 feet from residential property lines, and 30 feet from all other property lines.
  - (d) Minimum setback of parking (any portion) from fuel pumps is 30 feet.
  - (e) The fuel pump area does not interfere with parking spaces, internal circulation, or entry into the site. The fuel pumps islands shall be placed to the side or behind the main building on site. In developments with multiple uses, the fuel pump area shall be separated from the parking and internal circulation of other uses.
  - (f) Canopies shall meet the following requirements:
    - [1] Canopies shall be set back at least 15 feet from property lines and ultimate rights-of-way lines and 50 feet from abutting residentially zoned properties.
    - [2] Canopies shall have a maximum height of 16 feet measured to the underside of the canopy. For slanted canopies, this sixteen-foot maximum shall be measured at the portion of the canopy closest to the street.
    - [3] Individual canopies shall have a maximum area of 3,600 square feet; multiple canopies shall be separated by a minimum distance of 15 feet.
    - [4] Lighting for canopies shall be recessed so that the bottom of the lighting fixture is flush with the underside of the canopy, using a full-cutoff flat lens luminaire.
    - [5] Canopies shall be designed to be architecturally compatible with structures in the surrounding area with regard to color and building materials. Colors shall be compatible with buildings in the neighborhood, and pitched roofs shall be used wherever possible. Any signage on canopies shall comply with the Township Sign Ordinance.
- (3) Auto repair, auto body repair and/or painting establishments in compliance with the standards below:
  - (a) Minimum gross lot area of two acres.
  - (b) Hours of operation shall be between 7:00 a.m. to 8:00 p.m.
  - (c) All work must be performed within a building.

- (d) All storage, including parts; tires; refuse; and similar articles must be stored within a building or fully enclosed area that is not visible from the exterior.
  - (e) Vehicles awaiting repair may not be stored on the street or in the front yard.
  - (f) Junk vehicles, abandoned vehicles or unlicensed vehicles must be stored in a manner consistent with the Township's Nuisance Ordinance.
  - (g) The sale of vehicles shall be prohibited.
  - (h) Retail sales of parts and supplies must be accessory to the principal use.
- (4) Car washes in compliance with the standards below:
- (a) Minimum gross lot area of two acres.
  - (b) All automated washing and drying facilities are located entirely within an enclosed and roofed building.
  - (c) Facilities with an automatic car wash bays provide sufficient on-site stacking lanes to accommodate a minimum of 10 automobiles for the first automatic washing bay on site and two automobiles for each additional automatic washing bay on the site. Stacking lanes shall not encroach into nor block driveways, travel lanes, access aisles, or parking spaces. Stacking lanes shall not interfere with ingress or egress from the site or internal movements and shall not block sight lines.
  - (d) Self-service car wash facilities provide sufficient on-site stacking lanes to accommodate a minimum of four automobiles for the first washing bay on the site and one automobile for each additional washing bay on the site.
  - (e) Car wash facilities contain on-site drainage systems designed to prevent water runoff and freezing on streets and adjoining properties.
- (5) Outdoor storage of building or contractor's supplies in compliance with the standards below:
- (a) Minimum gross lot area of two acres.
  - (b) Outdoor storage areas are limited to 50% of the total site area and are screened from public roads and residentially zoned properties.
  - (c) 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.
  - (d) 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.
  - (e) Such uses have a defined pickup area that does not interfere with the flow of internal traffic or required parking areas.
  - (f) Commercial vehicles and outdoor storage areas are at least 60 feet from

residentially zoned property lines and street ultimate right-of-way lines.

- (g) A ten-foot-wide landscaped buffer area is provided along all property lines.
- (6) Indoor and outdoor places of amusement, such as but not limited to arcades and miniature golf in compliance with the standards below:
  - (a) Driving ranges, miniature golf courses, race courses, batting cages and other forms of outdoor places of amusement provided:
    - [1] A minimum gross lot area of two acres is provided.
    - [2] Protective screens to stop stray golf balls from crossing property lines are installed, unless the Board of Supervisors determines that screens are unnecessary. Protective screens over six feet in height are located at least 100 feet from the property line.
    - [3] A thirty-foot-wide landscaped buffer area is installed along all street ultimate right-of-way lines and along all property lines abutting a non-residentially zoned parcel, and a fifty-foot buffer is installed along all property lines abutting a residentially zoned parcel. The buffer area shall be landscaped in accordance with § 215-42 of the Subdivision and Land Development Ordinance.
  - (b) Amusement parks, provided:
    - [1] The gross lot area is at least 20 acres.
  - (c) Indoor theater and other indoor amusement centers provided:
    - [1] Minimum gross lot area of two acres.
    - [2] Pickup and drop-off areas are provided with at least one automobile waiting space per screen or amusement center, up to a maximum of six spaces.
- (7) Drive-in bank and restaurant in compliance with the standards below:
  - (a) A minimum gross lot area of two acres.
  - (b) The use provides sufficient on-site 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.
  - (c) These stacking lanes shall not interfere with parking spaces or the internal and external circulation of the site.
  - (d) Drive through windows shall face the rear or side yard of the site. Drive-through windows shall not face a public street.
- (8) Village marketplace consisting of a combination of three or more commercial or residential uses listed in § 275-106 as permitted uses, in compliance with the standards

below:

- (a) A minimum gross lot area of 15 acres.
- (b) Additional dimensional requirements for Village market conditional use:
  - [1] Composition. The Village marketplace shall contain two or more architecturally compatible buildings with a maximum total building coverage of 25% (see § 275-107, Dimensional standards table). The Village marketplace may include one larger building with a maximum building footprint of 30,000 square feet. All other buildings shall have a maximum building footprint of 15,000 square feet. All buildings may be further divided into multiple, leasable spaces (subject to the applicable sections of the Subdivision and Land Development Ordinance) for retail, commercial, and office use.
  - [2] Tract setback requirements. Buildings and parking shall be set back a minimum of 25 feet from all other property lines.
  - [3] All buildings in the Village marketplace shall comply with the design standards of the Village Commercial District, as outlined in § 275-110, Design guidelines.
- (c) Village marketplace concept. In support of the objectives listed in § 275-105 herein, a Village marketplace shall have a unified site design planned for safe, efficient, and convenient operation that includes a harmonious arrangement of two or more architecturally compatible buildings and uses, fully integrated with the character and functions of adjoining development in the village, including attractive and functional landscaped areas, and vehicular and pedestrian circulation, parking and service areas.
- (d) Community facilities. Sites shall be served by public utilities or central water and sewage facilities. (Note: a central water facility utilizing an on-site well or wells shall demonstrate that a sufficient supply will exist to serve the development without causing any adverse effects on the supply available to existing wells in the surrounding area and shall meet all applicable requirements of the Township Well Ordinance.)
- (e) Utilities. Utilities for the tract to be developed shall be placed underground on-site.
- (f) Ownership. The tract to be developed shall be in one ownership, or shall be subject of an application filed jointly by the owners of the entire tract under consideration.
- (g) Residential density. If residential units shall be part of the Village marketplace, they should account for no more than 40% of the building footprint square footage in the development.
- (h) Open space. A minimum of 25% of the gross lot area shall be used for open space and recreational activities, in accordance with the following standards: § 275-52, Open space regulations of the ZO and § 215-50, Common open space requirements



of the SLDO.

- (i) Central plaza. One or more central plazas equal in area to 2% of the total building square footage shall be constructed and improved as a public gathering place according to the following standards:
  - [1] The minimum size required is 450 square feet, excluding five feet in width for sidewalk area.
  - [2] The plaza shall be located adjacent to one or more front entrances of buildings and shall be centrally located and visible and accessible from either a public sidewalk or pedestrian connection.
  - [3] Thirty percent of the plaza shall be landscaped with trees, shrubs, and mixed plantings with year-round interest.
  - [4] The plaza shall use the following paving materials; unit pavers, paving stones, or concrete. No more than 20% of the plaza shall be concrete.
  - [5] Five linear feet of seating area, which may include benches or seats grouped around or attached to a table, must be provided for each 450 square feet of central plaza area.
  - [6] The plaza shall not be used for parking, loading, or vehicular access (excluding emergency vehicular access).
  - [7] Public art and fountains encouraged.
  - [8] Trash containers shall be distributed throughout the plaza. The trash containers shall be of a size and style that is appropriate for the development.
  - [9] The plaza shall provide shade by using the following elements: trees, canopies, trellises, umbrellas, or building walls.
  - [10] One shade tree is required for every 450 square feet.
- (j) Landscaping and buffering. Street trees, buffers, parking lot landscaping, detention basin landscaping, and landscaping around buildings shall be provided, in accordance with § 215-42 of Marlborough Township's Subdivision and Land Development Ordinance. The Township recommends the applicant incorporate stormwater best management practices into the landscaping. Building foundation landscaping is required between the building facade and the sidewalk area that are visible from a street, though building foundation landscaping cannot include stormwater best management practices.
- (k) Lighting. All lighting standards shall follow those contained within Article VIII., § 275-55 of the Marlborough Township Zoning Ordinance. In addition to those requirements, lighting fixtures shall be traditional period lighting in design. The height of fixtures shall be a maximum of 20 feet for parking lots and 14 feet for pedestrian walkways.

- (l) Pedestrian design standards.
  - [1] Pedestrian pathways or sidewalks acceptable to the governing body are required to connect internal streets and driveways, street frontages, front building entrances, parking areas, central plazas, open space and recreational areas, and any other destination that generates pedestrian traffic. Sidewalks shall also connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points.
  - [2] Where pedestrian traffic is expected to cross internal driveways, crosswalks shall be required according to the following standards:
    - [a] Crosswalks shall be raised, painted with stripes, or use a paving material such as stamped asphalt or concrete.
    - [b] Crosswalks shall be at least six feet wide.
  - [3] Internal driveways shall be designed to slow traffic by using one or more of the following elements: speed bumps, chicanes, bump-outs, or stop signs.
  - [4] In addition to the requirements for a central plaza, proposals should include bicycle racks, benches and trash receptacles that complement the lighting along pedestrian areas and in other appropriate locations.
  - [5] All sidewalks and walkways shall be a minimum of five feet in width.
  - [6] If a trail exists, or one is officially planned by the Township, Montgomery County or another Township-approved entity, then pedestrian connections on the owner's property shall be required to the existing or possible trail.
- (m) Layout of buildings, driveways and parking areas.
  - [1] Buildings within 50 feet of an external street frontage shall have their main entrance facing the street frontage. Buildings located outside of 50 feet from an external street should face an internal street with sidewalk connections to external streets and neighboring properties.
  - [2] All internal streets and driveways must be interconnected.
  - [3] The distance between buildings shall be no greater than 70 feet.
  - [4] Buildings shall be laid out in a manner that encourages walking from building to building. Landscaped sidewalk or pedestrian pathway connections shall be provided from building to building.
- (n) Design of retail buildings. To promote a more walkable environment, all buildings used entirely, or partly, for retail use shall meet the following requirements:
  - [1] Walls and windows. Exterior walls or portions of exterior walls, visible from any existing or proposed streets or parking areas shall meet the following criteria:

- [a] Buildings must have an architectural treatment on all facades for every 40 feet of continuous facade. Such architectural treatments may be met through the use of windows, faux windows, porches, porticos, building extensions, towers, bays, gables, dormers, steeples, and other architectural treatments. Such walls shall have architectural treatments that are the same as the front facade, including consistent style, materials, colors, and details.
- [b] Windows. The ground floor of any wall facing a street shall contain windows in accordance with the following requirements:
  - [i] The ground floor front facades of retail commercial uses, personal service businesses, and restaurants shall consist of at least 35% window area, but not more than 75% window area, with views provided through these windows into the business.
  - [ii] For all other uses, the ground floor walls facing a street shall contain at least 25% window area but not more than 75% window area, with views provided through these windows into the business.
  - [iii] Walls or portions of walls where windows are not provided shall have architectural treatments designed to break up the bulk of the wall, such treatments may include masonry but not flat block; concrete or masonry plinth at the base of the wall; belt courses of a different texture or color; projecting metal canopy; decorative tilework; trellis containing plantings; medallions; opaque or translucent glass; artwork, vertical visual articulation, horizontal visual articulation; lighting fixtures; or a similar architectural element not listed above, as approved by the municipal governing body.
- [2] Roofs.
  - [a] Buildings with pitched roofs shall cover at least 80% of the building with a pitch of at least six vertical inches to every 12 horizontal.
  - [b] Buildings shall use parapets or mansard type roof styles to conceal flat roofs, elevator and stair shafts, large vents, and rooftop equipment such as HVAC units along roof edges.
  - [c] Pitched roofs or mansards shall provide overhanging eaves that extend a minimum of one foot beyond the building wall.
- [3] Buildings shall contain materials, windows, doors, architectural details, massing, floor heights, and roofs that are compatible with existing buildings within the VC District buildings.
- (o) Design of mixed-use buildings. When residential and nonresidential uses are combined in the same building, residential uses shall not be located on the first floor.

- (p) All lighting standards shall follow those contained within Article VIII, § 275-55 of the Marlborough Township Zoning Ordinance.
- (q) All noise control standards shall follow those are contained in Chapter 161 (the Marlborough Township Noise Control Ordinance).
- (r) Off-street loading areas and trash disposal areas.
  - [1] All loading areas and loading docks shall be located to the sides and rears of buildings. All loading areas and loading docks shall be set back at least 25 feet from property lines.
  - [2] All outdoor trash disposal areas shall be set back at least 25 feet from residentially zoned parcel lines. Refer to Article VI, § 215-49 of Marlborough Township's Subdivision and Land Development Ordinance for all other solid waste disposal design and location guidelines.
- (s) Street trees, buffers, parking lot landscaping, detention basin landscaping, and landscaping around buildings shall be provided, in accordance with § 215-42 of Marlborough Township's Subdivision and Land Development Ordinance. The Township recommends the applicant incorporate stormwater best management practices into the landscaping. Building foundation landscaping is required between the building facade and the sidewalk area that are visible from a street, though building foundation landscaping cannot include stormwater best management practices.

**§ 275-107. Dimensional standards.** [Amended 2-27-2017 by Ord. No. 2017-02; 2-12-2020 by Ord. No. 2020-01]

A. Refer to the following chart:

	Sites with Private Water and Sewer Facilities	Sites with Central Water or Community System and Sewer Facilities	Sites where an Existing Principal Building is Preserved	Conditional Use
Minimum Lot Area	1 developable acre	10,000 developable square feet	10,000 developable square feet	Dependent on use
Minimum Lot Width	85 feet	65 feet	65 feet	100 feet
Maximum Building Footprint	10,000 square feet	10,000 square feet	10,000 square feet	Dependent on use

	Sites with Private Water and Sewer Facilities	Sites with Central Water or Community System and Sewer Facilities	Sites where an Existing Principal Building is Preserved	Conditional Use
Gross Lot Area Maximum Building Coverage	30%	40%	50%	25%
Gross Lot Area Maximum Impervious Coverage	40%	50%	75%	50%
Maximum Building Height	35 feet (accessory building 20 feet)	35 feet (accessory building 20 feet)	35 feet (accessory building 20 feet)	35 feet (accessory building 20 feet)

B. Minimum building setbacks:

- (1) From a public right-of-way: either the average setback of existing buildings within 100 feet on each side of the proposed building, but not less than 10 feet from the ultimate right-of-way, or 20 feet where there are no buildings within 100 feet.
- (2) From rear property line: 30 feet (accessory building: 10 feet).
- (3) From each side: 10 feet (accessory building: three feet), except that one fifteen-foot side yard is required for single-family semidetached dwellings (twins).
- (4) From a zoning district boundary: 25 feet (accessory building: 15 feet).
- (5) From an existing primary building on the same lot: 30 feet.
- (6) From an easement: 10 feet.
- (7) From an accessory building: 10 feet.

C. Minimum parking setbacks: see § 275-111, Vehicular access, parking, and drive-through facilities.

**§ 275-108. Existing principal buildings.**

The following regulations shall apply to existing principal buildings that were constructed before 1950:

- A. Retention and use. These existing principal buildings shall be retained and used for uses permitted in § 275-106A, Permitted uses.
- B. Demolition and replacement. These existing principal buildings shall not be demolished unless the Board of Supervisors approves a replacement building in compliance with

§ 275-109, Regulations for replacement of existing principal building.

- C. Preservation of existing buildings. Existing buildings that contribute to the historic character of the village should be retained where possible. Front and side building facades should be preserved.
- (1) Expansion shall be permitted only to the sides and rear of the existing principal building.
  - (2) Existing principal buildings that face the street shall not be expanded toward the street, except to permit an open front porch consistent with the architecture of the building.
  - (3) Applicant shall submit architectural drawings for evaluation of the proposed principal building expansion, including building elevations and colored renderings.
  - (4) Applicants may increase the gross square footage permitted for commercial uses listed in § 275-106A, Permitted uses, but may not exceed 7,000 square feet, provided that the use is housed in an existing building.

**§ 275-109. Replacement of existing principal building.**

The following standards shall apply when an applicant requests approval from the Board of Supervisors to replace an existing principal building:

- A. Required evidence. The applicant shall provide evidence sufficient to convince the Board of Supervisors that the building is inadequate for reasons of safety or practicality. This may include evidence of structural deficiencies and/or dimensions and layouts of interior spaces compared to the needs of the proposed uses. The Board of Supervisors may request the advice of the Township Planning Commission, Township Engineer, and/or Building Inspector in this regard.
- B. Standards for replacement buildings.
- (1) Documentation for comparison. The applicant shall provide documentation of the existing and proposed buildings' characteristics in photographs and drawings sufficient for comparison of location, footprint, external shape, bulk, dimensions, roofline, and proportions, including locations, sizes, and shapes of windows, doors, and porches.
  - (2) Approval of replacement buildings. The Board of Supervisors may grant approval to raze the existing building and build the replacement when it is satisfied that the proposed replacement building conforms sufficiently to the documented characteristics of the existing principal building. The Board of Supervisors may request the advice of the Township Planning Commission, Township Engineer, and/or Building Inspector in this regard.
  - (3) If an existing principal building is removed, new buildings on the site shall be built using the same footprint as the original, removed structure.
  - (4) Upgraded alternative. When an applicant's documentation proposes an alternative replacement building that the Board of Supervisors agrees is superior to simply replacing the characteristics of the existing building, the Supervisors may approve an upgraded replacement building proposal. The Board of Supervisors may request the

advice of the Township Planning Commission, Township Engineer, and/or Building Inspector in this regard. The upgraded alternative shall be a minimum of two stories, with suitable architectural characteristics, including a front porch, reflecting the architectural heritage of the Upper Perkiomen Valley Region.

- C. Modification and expansion of replacement buildings. When a replacement building has been approved by the Board of Supervisors, it shall be considered an existing principal building and any modifications and/or expansion shall comply with the requirements of § 275-108, Regulations for existing principal buildings.

**§ 275-110. Design guidelines. [Amended 2-27-2017 by Ord. No. 2017-02; 2-12-2020 by Ord. No. 2020-01]**

- A. Style of architecture. Marlborough Township encourages property owners to rehabilitate existing buildings rather than redesign them. In the vast majority of cases, the best design is the building's original design.
- B. Design guideline for existing buildings: Marlborough Township encourages property owners, whenever possible, to retain or repair original architectural features such as cornices, lintels, windows, roofs, and doors. If these features cannot be repaired, they should be replaced with reproductions of the originals. The front facade is the most important part of the building to conserve in its original form. If this is not feasible, they should be replaced with features that are similar in size and scale to the original. The following aspects should be considered when additions or alterations are made to existing buildings:
- (1) Buildings should be similar in height, proportion, and scale.
  - (2) Buildings should be similar in bulk and general massing.
  - (3) Materials, colors, and textures of buildings should generally be natural materials such as stone, brick, wood siding, shingles, and slate. These are preferred to concrete, glass, metal, plastics, and vinyl. The use of synthetic materials made to look like natural materials may be used for new construction where appropriate.
  - (4) Fenestration (the pattern, ratio to wall area, and design of windows) should mimic historic village character.
  - (5) All buildings shall have an obvious front entrance facing the street, and be connected by ADA compliant pedestrian walkways to the street.
  - (6) Roofs shall be in keeping with the character of the existing building, adjacent buildings, or shall be pitched roofs. Pitched roofs should have a minimum slope of 4:12 and a maximum slope of 12:12.
  - (7) Any fire escapes or similar features not part of the original building shall be at the rear of the property.
- C. Design guideline for new buildings: New buildings in the Village Commercial District shall be designed in conformance with the character and style of the surrounding village district in:

- (1) Architectural style.
  - (2) Form, either horizontal or vertical.
  - (3) Base, body, and cap.
  - (4) Scale.
  - (5) Texture and pattern of exterior materials.
  - (6) Proportion of openings to walls.
- D. Roof angle.
- (1) Roofs.
    - (a) Buildings with pitched roofs shall cover at least 80% of the building with a pitch of at least six vertical inches to every 12 horizontal.
    - (b) Buildings shall use parapets or mansard type roof styles to conceal flat roofs, elevator and stair shafts, large vents, and rooftop equipment such as HVAC units along roof edges and need to be in conformance with the character and style of the surrounding Village District.
    - (c) Pitched roofs or mansards shall provide overhanging eaves that extend a minimum of one foot beyond the building wall.
- E. Base, body and cap. The front facade of most Marlborough Township buildings has three primary components: Base: A portion of a building foundation or in the case of stores, the first floor of a building, which is distinct from the upper floors; body: One or more architecturally similar stories which are distinct from the base; and cap: The roof of a building, including a cornice or parapet where the body of the building ends.
- (1) For the front facade of existing buildings:
    - (a) For renovations and alterations, a distinct base, body and cap should be retained.
  - (2) For the front facade of new buildings:
    - (a) Each new building should have a distinct base at the street level, a body with a consistent character for the main or upper stories, and a cap.
    - (b) The base, body and cap should roughly line up with the base, body, and cap of adjoining buildings and be similar in proportion and style of surrounding existing buildings.
- F. Proportion of building walls to openings. The number and size of windows and doors in a building strongly affect its appearance. The amount of open space in a wall can be expressed as a ratio. For example, a building with twice as much wall space as windows and doors would have a two to one ratio. Some new buildings have walls that are largely glass or largely wall. To be compatible with Marlborough Township's existing buildings, they should have wall to openings ratios between three to one and one to one.



- (1) For the front facade of existing buildings:
  - (a) If windows and doors are replaced, the new ones shall use the same space as the windows and doors they are replacing or have a proportion of wall opening ranging from three to one to one to one.
- (2) For the front facade of new buildings or additions:
  - (a) A new building must have a proportion of wall to opening ranging from three to one to one to one.

G. Texture and pattern of materials.

- (1) For existing buildings:
  - (a) If new materials are used to cover existing exterior walls, they shall be in conformance with the character and style of the surrounding Village District.
- (2) For new buildings:
  - (a) The exterior materials of new buildings shall be in conformance with the character and style of the surrounding Village District.

H. Additions.

- (1) Because facades are so important to the appearance of a building, additions shall be permitted only to the sides and rear of the existing principal building. Whenever possible, additions should be constructed at the rear of a building, or the least conspicuous side. The more visible the addition from the street, the more important compatibility becomes.
- (2) When reviewing proposals for additions, the Township shall judge its suitability based on:
  - (a) Placement.
  - (b) Height.
  - (c) Proportion of wall to openings.
  - (d) Form.
  - (e) Texture and pattern of exterior materials.
  - (f) Architectural style.

I. Fences and walls are not required, but when implemented they shall meet the following requirements:

- (1) The most aesthetic side of fences shall face the exterior of properties.
- (2) One type of fence shall be used from the choices listed below:

Location	Maximum Height (feet)	Materials
Front	3	• Brick
Side yard adjacent to street (alleys excluded)	4	• Ornamental iron • Ornamental aluminum or steel designed resemble iron
Rear yard adjacent to a street (alleys excluded)	6	• Stone • Wood in the form of a picket fence
Side yard of a building that abuts a public trail, path, or sidewalk	6	• Vinyl designed to resemble wood in the form of a picket fence • Stucco over concrete block, capped with brick or stone
Interior side yard	6	Any common fence material

**§ 275-111. Vehicular access and parking facilities. [Amended 2-27-2017 by Ord. No. 2017-02; 2-12-2020 by Ord. No. 2020-01]**

- A. Parking area setback. Parking spaces, areas, and driveways serving the spaces shall be set back from rear and side property lines, and ultimate rights-of way according to the following standards unless common parking is established by abutting lots, in which case parking may abut or cross the property lines shared by the users in common.
- (1) Minimum from an ultimate right-of-way: 25 feet.
  - (2) Minimum from each property line: 10 feet.
  - (3) Minimum from each building: 10 feet.
- B. Parking and vehicular access design standards.
- (1) No parking space shall encroach into a public right-of-way or obstruct a public sidewalk.
  - (2) Each lot shall have not 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. A second two-way driveway for vehicular access may be permitted, as approved by the Board of Supervisors, when traffic flow, intensity of use, and/or pedestrian safety warrant such a driveway, such as for the Village marketplace.
  - (3) For conditional uses, parking in the front yard setback shall be screened by dense landscaping or a decorative masonry wall that completely blocks the view to a height of three feet above the parking lot.
  - (4) All nonresidential proposals abutting existing residentially zoned uses shall maintain parking setback areas along those properties lines according to the standards in § 215-42C, Buffer and screen planting, of the Subdivision and Land Development

Code. All other parking setback areas for residential proposals shall be landscaped according to § 215-33C, Residential parking lots, of the Subdivision and Land Development Code. All other parking setback areas for nonresidential proposals shall be landscaped according to § 215-33D, Nonresidential parking lots, of the Subdivision and Land Development Code.

C. Parking interconnections.

- (1) Parking areas on abutting nonresidentially zoned parcels shall be interconnected by access driveways.
- (2) Each nonresidentially zoned parcel shall provide cross-access easements and maintenance agreements for its parking areas and access driveways guaranteeing access to adjacent lots through suitable legal mechanisms, acceptable to the Board of Supervisors.
- (3) Liability safeguards for all property owners and lessees served by the common parking shall be guaranteed to the satisfaction of the Township.
- (4) Applicants using common shared parking areas may reduce the overall number of spaces required in Article IX, Off-Street Parking Standards, by no more than 25%.

**§ 275-112. (Reserved)<sup>1</sup>**

**§ 275-113. Application for approval. [Amended 2-27-2017 by Ord. No. 2017-02; 2-12-2020 by Ord. No. 2020-01]**

The conditional use application should require the following submissions: All conditional use applications shall be made for such approval in accordance with the provisions of § 275-60, Conditional use application, of the Township Code. Such applications shall be accompanied by a conditional use plan showing the relationship among the various components of the development. The conditional use plans shall be prepared at a scale appropriate to the size of the property, and in sufficient detail to demonstrate that the plan complies with the requirements of this chapter. The conditional use plan shall be conceptual in nature and shall not be required to meet the provisions of a preliminary subdivision or land development plan. The applicant shall have the option of submitting preliminary subdivision or land development plans concurrent with the conditional use application. The conditional use plan shall include the following elements:

- A. An existing features plan shall be submitted which shall indicate the gross lot area and developable lot areas with calculations, outbounds of the site, topography, wetlands, woodlands, floodplains, recorded easements, and rights of way and any other significant physical or man-made feature existing on the site.
- B. A general land use plan indicating the gross lot area and the general locations of the land uses included shall be submitted. The total number and type of dwelling units; and the amount of nonresidential square footage shall be provided. The residential density and the overall site intensity (building and impervious coverage) shall be provided. The plan shall indicate the

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1. Editor's Note: Former § 275-112, Additional requirements for conditional uses, was repealed 7-11-2018 by Ord. No. 2018-02.

location of proposed uses within the development; the location and amount of common open space, along with any proposed recreational facilities, such as but not limited to, pedestrian pathways, community greens, community centers, etc.

- C. Conceptual architectural renderings, showing the general design, scale and materials of residential and nonresidential buildings within the VC development.
- D. A conceptual utility plan shall be included which shall indicate the proposed location of sanitary sewer and water lines, along with a narrative indicating the feasibility of such facilities. The plan shall also show the approximate areas needed for stormwater management.
- E. A traffic study shall be submitted which analyzes the likely impacts of the proposed development, and makes traffic improvement recommendations in accordance with standard traffic engineering procedures. (The CU standards should require traffic improvements consistent with the study and the review of township consultants).