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Newtown Area Zoning Jointure, PA
Friday, April 12, 2024

Article VI. Commercial Districts

§ 603. TC Town Commercial District.

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[Amended effective 11/25/2002 by JMZO Ord. 2002-1, Article IV; adopted 11/20/2002. Amended effective 11/25/2002 by JMZO Ord. 2002-13, § 1.P; adopted 11/20/2002. Amended effective 8/28/2004 by JMZO Ord. 2004-14, § 07; adopted 8/23/2004. Readopted effective 6/23/2007 by JMZO Ord. 2007; adopted 6/18/2007. Amended effective 10/15/2012 by JMZO Ord. 2012-01, adopted 10/10/2012.]

In TC Town Commercial Districts, the following regulations shall apply:

- A. Use Regulations. A building may be erected or altered, to be used either in whole or in part, and a lot may be used or occupied for any of the following uses, and no other, provided that such uses shall comply with such regulations as yard, lot size, lot width, building area and height, impervious surface, easements, buffer yards, off-street parking, and other provisions as are specified in this Ordinance.
1. Uses by Right. Any of the following uses shall be permitted, provided the "Use Regulations," Article VIII, of this Chapter, have also been met:
 - a. Forestry, use A-3.
 - b. Garden Apartment, use B-10, when part of a mixed-use building only.
 - c. Home Occupation or Accessory Office, use H-1.
 - d. Office, use D-1.
 - e. Retail Shop, use E-1, provided that no single retail shop shall have more than 5,000 square feet in total square footage on all floors. A retail shop may include a gallery for the sale of artwork and crafts.
 - f. Library or Museum, use C-4.
 - g. Service Business, use E-3, provided that no single service business shall have more than 3,000 square feet in square footage on all floors.
 - h. Eating Place, use E-5. Outdoor dining is permitted as part of an eating place; drive-through or drive-up facilities are not permitted.
 - i. No-Impact Home Business, use H-2.
 - j. Municipal Building, use C-14.
 - k. Accessory Retail in Combination with a Residential Use, use H-9.
 - l. Dwelling in Combination with a Business, use H-10.
 - m. Use H-19, Accessory Solar Energy Equipment.
[Added effective 6/9/2013 by JMZO Ord. 2013-02, adopted 6/4/2013.]
 - n. Use H-20, Accessory Outdoor Wood-Fired Boilers.
[Added effective 4/11/2013 by JMZO Ord. 2013-03, adopted 4/6/2013.]

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| Minimum Lot Width at Building Setback Line | 50 feet |
| Maximum Impervious Surface Ratio | 80% |
| Maximum Building Height (1) | |
| East side of Sycamore Street | 2 stories or 30 feet |
| West side of Sycamore Street | 3 stories or 40 feet |
| Minimum Yards (2) | |
| Front | 5 feet (3) |
| Side | 5 feet (4) |
| Rear | 20 feet |
| Maximum Front Yard Setback/Build-To Line (5) | 15 feet |

Notes on Area and Dimensional Requirements:

- (1) A maximum of two stories shall be permitted by right; three stories by conditional use.
- (2) For corner lots, only one yard must be a front yard, and any ordinance regulations requiring two front yards shall not apply in the TC District. For all uses, the front yard shall be the yard along Sycamore Street in the TC District.
- (3) The front yard of a proposed building or building addition may be decreased in depth to the average alignment of the existing buildings within 300 feet on either side of the proposed building or building addition along the same side of the street frontage. The building or addition shall extend no closer than five feet to the edge of the sidewalk closest to the building.
- (4) Where two or more adjacent property owners agree to share parking and access improvements, in a manner approved by the Board of Supervisors to ensure adequate improvements are provided and the requirements of this Ordinance and those of the Subdivision and Land Development Ordinance will be met, the side yard requirement between or among the properties may be eliminated.
- (5) Within the TC District only, the maximum and minimum yards shall be measured from the edge of the paved cartway to the building facade and not from the ultimate right-of-way.

C. Special Regulations Applicable to All Uses in the TC District.

1. **Minimum Public Space Required.** For each land development or subdivision or establishment of a use on lots of 10,000 square feet or greater, public space shall be designed as part of the development or use. A minimum of 5% of the lot area shall be designated and designed as public space. Standards for public space as regulated by this Ordinance must be met.
2. **Purpose and Requirement for Public Space.** The TC District goal is to foster a lively and vibrant commercial district that can be a gathering place and center for the community. Examples of public spaces are:
 - Plazas
 - Seating areas
 - Outdoor eating areas

Public spaces must be visible from and accessible from Sycamore Street, except for any public spaces located along Newtown Creek, in which case they must be accessible from Sycamore Street but not necessarily visible from the street. Properties on the east side of Sycamore Street that abut Newtown Creek are encouraged to use the creek as all or part of any required public space. Access to Newtown Creek may be designed as a natural area, walking path, building entrance, or outdoor eating area. Access to Newtown Creek is an option that is encouraged but that is not required.
3. Sidewalks shall be a minimum of four feet wide as opposed to the Township ordinance requirements (as required by this Ordinance or by the Subdivision/Land Development Ordinance).

are outside the Historic District, but the Historic District procedures shall not be applied in that case.

- c. No specific architectural style shall be imposed on applicants. Factors to be considered by the Board of Supervisors are:
 - (1) If a lot is being redeveloped, can the existing structures be used? Preference is given to the reuse of existing structures rather than removal and building new structures.
 - (2) Franchise architecture, used by national or chain companies, is discouraged in favor of reusing existing building or designs that reflect the architecture of Sycamore Street. Use of design, materials, color, lighting, texture, mass or roofline designed to serve as an advertisement or commercial display do not meet the standards of the Township and shall not be approved. Franchise logos may be included in signage that meets ordinance requirements.