

ARTICLE V
HC - HIGHWAY COMMERCIAL DISTRICT

SECTION 500: STATEMENT OF LEGISLATIVE INTENT

In expansion of the Community Development Objectives contained in Article I, Section 104 of this Ordinance, it is hereby declared to be the intent of this Article to provide for well-designed commercial establishments within appropriate areas of Adams County, in order to:

- A. Provide for a compatible mix of commercial uses fronting on major roadways within the County, where some commercial development already exists, or where land use patterns and planning goals suggest that highway oriented commercial development is appropriate.
- B. Prevent commercial areas from developing at an intensity which is beyond the capability of the surrounding roadway network to accommodate the traffic generated by such development.
- C. Provide for the future economic vitality of highway commercial areas by discouraging premature land uses of an inappropriate scale from utilizing roadway frontage.
- D. Require appropriate building setbacks and other design standards, which will facilitate potential future roadway improvements and/or widening projects.
- E. Enhance public safety by preventing excessive curb cuts, regulating the location and spacing of ingress and egress points, and establishing appropriate sight distances at the intersection of property access drives and the surrounding roadway network.
- F. Provide for appropriate site improvements, landscaping, community infrastructure, and environmental protection standards for development locating along the surrounding roadway network.
- G. Enhance the visual appearance and appeal of highly visible commercial development located along segments of the County roadway network by requiring the installation of landscaping and signage of an appropriate size, scale, and design.
- H. Enhance public safety for highway users by avoiding excessive and confusing signage along roadways.

SECTION 501: PERMITTED USES

The following uses are permitted in the HC-Highway Commercial district.
(as amended by Ord. No. 1 of 2015, §IV)

- A. Offices for businesses and business support services, excluding uses featuring "drive-through" services.
- B. Offices for professional services.
- C. Retail establishments, but excluding adult entertainment uses.
- D. Automobile sales, service, and supply agencies.
- E. Restaurants, cafes, taverns, and nightclubs, excluding those establishments offering drive-through or fast-food service and those characterized as adult entertainment uses.
- F. Warehouses, wholesale distribution businesses, and supply outlets for lumber, plumbing, building supplies and materials.
- G. Animal hospital, pet shop.
- H. Day Care Centers, nursery schools.
- I. Banks, financial institutions, provided that "drive through" services are not included in the development plan.
- J. Wireless Communication Antennae, as an accessory use to any principal use.
- K. Animal Shelter.
- L. Kennel, Commercial.
- M. Forestry.
- N. The construction of new or the expansion of an existing Single Family Detached Dwellings, provided that the following requirements are met:
 - 1. A Single Family Detached Dwelling may be constructed on a parcel existing prior to the effective date of this Ordinance.
 - 2. A Single Family Detached Dwelling may be constructed on a parcel created after the effective date of this Ordinance, provided the parcel meets the dimensional requirements of Section 802 of this Ordinance.
- O. No-Impact Home-Based Businesses, in accordance with Section 1008.
- P. Home Occupations, in accordance with Section 1005.
- Q. Indoor Theaters, Bowling Alleys, Indoor Ice and Roller Skating Rinks, Gymnasiums, Indoor Handball and Tennis Courts, and Miniature Golf Ranges.

- R. Hotel / Motel.
- S. Mortuaries and Undertaking Establishments.
- T. Place of Worship.
- U. Wireless Communications Towers, in accordance with Section 1003.
- V. Other uses of the same general character as those listed in Section 501.A through 501.U.

SECTION 502: SPECIAL EXCEPTION USES

The following uses are permitted as Special Exception uses in the HC District in accordance with the following standards and criteria and any additional reasonable conditions that the Zoning Hearing Board may deem necessary to apply and in accordance with the procedures set forth in Section 1407 of this Ordinance:

A. Fast Food Restaurants with "Drive-In" or "Drive-Through" service, provided the following requirements can be met:

1. A minimum of eight (8) on-site vehicular waiting spaces are required for occupied vehicles waiting for window service.
2. The above spaces shall not interfere with parking spaces intended for non-drive through customers, internal circulation or pedestrian safety.
3. A site design plan showing building placement and dimensions, vehicular and pedestrian access, internal circulation, landscaping, and size and location of signage is approved by the Zoning Hearing Board.

B. Banks, financial institutions, and any other businesses with drive-through service, provided the following standards are met:

1. A minimum of six (6) queuing spaces are required for customers in vehicles waiting drive-through window service.
2. Drive-through window queuing spaces shall be separated from parking spaces intended for non-drive-through customers, and shall not interfere with pedestrian movements from parking spaces to the business.
3. Drive-through windows and the queuing spaces shall be located to the side or rear of the structure.
4. A site plan showing, at a minimum, building placement and dimensions, vehicular and pedestrian access, and internal circulation, shall be submitted.

C. Gasoline Service Stations or other highway oriented vehicular service businesses, provided the following standards can be met:

1. All vehicular servicing activities except for those normally performed at fuel pumps shall be performed within completely enclosed buildings.
2. Fuel pumps shall be setback a minimum of forty (40) feet from the public right-of-way.
3. Fuel pumps shall not interfere with parking spaces or internal circulation and shall be located at least thirty (30) feet from all parking areas.
4. A minimum width of two hundred and fifty (250) feet at the building setback line is required.
5. A site development plan is approved showing building and fuel pump placement and dimensions, parking, landscaping, internal circulation, and the size and location of signage are approved by the Zoning Hearing Board following review and comment by the Adams County Office of Planning and Development and the Adams County Planning Commission.

D. Shopping Centers provided the following requirements are adhered to:

1. A tract of no less than three (3) acres is required.
2. A minimum lot width of three hundred (300) feet, measured at the building setback line, is required.
3. Provisions for providing for a minimum of eight (8) separate uses specified in Sections 501.A, 501.B, 501.C, 501.E, 501.H, and 501.I must be incorporated into the center.
4. Impervious Ground Coverage: Not more than sixty-five percent (65%) of any lot may be occupied by structures, access drives, parking lots, or any other impervious surfaces.
5. Off-street parking shall be provided in accordance with Article XII herein.
6. Only one ingress and one egress point is permitted onto an Arterial Street.
7. Written confirmation is obtained from appropriate authorities and/or agencies that adequate sewage treatment and water facilities are available.
8. A site design plan showing building placement and vehicular safety control features, specific landscaping components, and the size and location of signage is approved by the Zoning Hearing Board.

9. An architectural rendering showing the appearance of the facade(s) of the structure(s) visible from the cross-route highway must be submitted along with the site plan.
10. Shopping Centers that exceed 25,000 square feet of gross floor area shall be subject to the design requirements set forth in Section 1003 of this Ordinance.

SECTION 503: GENERAL DEVELOPMENT STANDARDS

In the HC Highway Commercial District, the following lot area, lot coverage, yard requirements, building height and other development standards shall apply, unless specifically designated otherwise within this article.

- A. Lot Area: Except when otherwise specified herein, a lot area of not less than one (1) acre shall be provided for every permitted or special exception use in the HC District.
- B. Lot Width: Unless otherwise specified, two hundred (200) feet.
- C. Minimum Yard Requirements:
 1. Front Yard: 100 feet from the right-of-way line of a limited access highway; 20 feet from the right-of-way of all other streets.
 2. Side Yard: 20 feet, unless the buffer requirements of Section 503.K apply.
 3. Rear Yard: 20 feet, unless the buffer requirements of Section 503.K apply.
- D. Impervious Ground Coverage: Not more than sixty-five percent (65%) of any lot may be occupied by structures, access drives, parking lots or any other impervious surfaces.
- E. Height Restrictions: Maximum Building Height: No building shall exceed five (5) stories or sixty (60) feet in height.
- F. Ingress and Egress (Access ways):
 1. Paved and curbed access ways leading to and from adjoining public roadways shall be built to the dimensional requirements specified in the subdivision land and development ordinance of the applicable local municipal government. If width standards are not specified in a local ordinance, the maximum width of an access way at its right-of-way line shall be forty (40) feet.
 2. For existing lots which have less than one hundred and seventy five (175) feet of frontage along an adjoining roadway a maximum of one access way to a public roadway shall be permitted.

3. Corner lots shall not have two points of access into one adjoining roadway, unless the placement of an access onto one roadway would create a traffic hazard as deemed by PennDOT.

4. No property shall have more than two access ways, and any access way shall be spaced a minimum of eighty (80) feet from any other.

G. Frontage Landscaping Requirements:

1. Along the public right-of-way(s) of each lot, except for areas devoted to driveways, landscaping with a minimum depth of twenty (20) feet shall be provided.

2. All of the area between a building and the public right-of-way shall be landscaped. Pedestrian amenities (i.e. sidewalks, outdoor patios and dining areas, etc.) may be permitted within the required landscaping area. Where a building directly faces two (2) or more abutting streets, this requirement shall apply only to the side of the building facing the primary street.

3. Parking areas shall not be located in the area between the building and the public-right-of way. Where a building directly faces two (2) or more abutting streets, this requirement shall apply only to the side of the building facing the primary street.

4. Loading areas, refuse areas, and outdoor storage and display areas shall not be located in the front yard.

H. Refuse Areas: The design of all structures in the HC District shall include either a provision for the storage of refuse inside the building(s) or within an area enclosed by walls or opaque fencing outside the building(s) designed to be architecturally compatible with the primary building(s). Such walls or fencing shall be designed to shield the refuse areas from the direct view of any adjacent property and must be at least six (6) feet high.

I. Outdoor Storage:

1. When an outdoor display or storage area is paved, it shall count toward the total impervious coverage permitted in the district.

2. Permanently roofed structures shall count toward building coverage requirements and shall not be located within any specified building setback area.

J. Lighting: All outdoor lighting shall be arranged so that no objectionable illumination is cast upon adjoining land uses in any Zoning District; no blinking, rotating, or moving lights are permitted in this District.

K. Zoning District Boundary Buffer Required: When a use is permitted in the Highway Commercial District as a "Special Exception", and when said "Special Exception" abuts an adjoining Residential or Agricultural Preservation Zoning District,

no structure shall be built within seventy-five (75) feet of the boundary line of an "AP" or "RR" Residential District. Furthermore, a landscaped buffer strip, at least twenty (20) feet in depth must be contained within the buffer strip.

L. Within any subdivision that includes proposed lots intended for residential use as authorized in Section 501.N.2, only single-family detached dwellings shall be permitted on parcels accessed from local streets installed as a component of the subdivision. Business or commercial use of such lots shall not be authorized.

M. Building Design: Any building where the proposed gross floor area exceeds twenty-five thousand (25,000) square feet, either initially or cumulatively, shall be subject to the building design standards of Section 1004.

N. Landscaping: For all nonresidential development within the HC District, the following landscaping standards shall apply.

1. Quantity of Landscaping: A minimum of two (2) Planting Units shall be provided for every one thousand (1,000) square feet, or portion thereof, of building coverage. This quantity shall be in addition to any other plantings required in other sections of this Ordinance.
2. Credit for Existing Landscaping: Credit for up to fifty percent (50%) of the minimum landscaping quantity requirements may be given for retaining major deciduous trees on the site, provided the following conditions are achieved:
 - a. The major deciduous trees shall be in good health.
 - b. The major deciduous trees shall be located within twenty-five (25) feet of the non-residential use or improvements on the property (for example, parking lots) that support the non-residential use.
 - c. The applicant shall replace any major deciduous tree which contributes to the minimum quantity of landscaping with another major deciduous tree if it should die within two (2) years of the completion of the development.
3. Landscaping Plan Submission: A Landscaping Plan depicting the required plantings shall be provided with all required submissions in support of a given project. At a minimum, this includes applications for Special Exception approval and for Zoning Permit approval.
4. Landscaping Compliance Table: A table shall be provided with every Landscaping Plan with sufficient detail to demonstrate compliance with the landscaping requirements of this section. At a minimum, the table shall include the following.
 - a. Calculation of minimum Planting Units required.