

Revised (3/9/06)

**ARTICLE 19, SECTION 1923 – ROUTE 202 CORRIDOR OVERLAY DISTRICT**

*(Note: This reference to Section 1923 may need to be changed depending on the section reference(s) for the Forestry Ordinance.)*

**SECTION 1923 PURPOSE**

The Route 202 Corridor Overlay District is designed to foster development that preserves the character of the residential and agricultural areas of the Township in a manner consistent with the purposes and provisions of the underlying districts while protecting and enhancing the scenic qualities and aesthetic value of the Route 202 Corridor

**SECTION 1924 ESTABLISHMENT OF THE ROUTE 202 CORRIDOR OVERLAY DISTRICT**

The Route 202 Corridor Overlay District shall include any parcel with frontage along the right-of-way of Route 202 whose underlying zoning district is either the RA Residential/Agricultural District or the RB Residential/Agricultural District.

**SECTION 1925 USE REGULATIONS**

A building may be erected, altered or used, and land may be used or occupied, subject to the provisions of Articles 14, 15 and 19, for any one (1) of the following principal, accessory, or conditional uses and no other uses, regardless of whether or not those uses are permitted in the underlying district:

**A. Permitted Principal Uses**

1. Single-family detached dwellings.
2. Two-family dwellings and conversions into two-family dwellings, in accordance with the area and bulk regulations of Section 1927 and Section 1903.
3. Agricultural uses and buildings subject to Article 19.
4. Municipal use.

**B. Permitted Accessory Uses**

1. Accessory use on the same lot and customarily incidental to the permitted principal residential and agricultural uses permitted in Section 1925(A) above, subject to the provisions of Article 18 and 19.
2. The sale of farm products, subject to the provisions of Article 19.
3. The keeping of no more than two (2) horses, or two (2) ponies or combination thereof, for recreational purposes, on lots of at least five (5) acres in size, subject to the

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provisions of Article 19, Section 1902. Provided that, no more than one (1) additional horse, or one (1) additional pony, may be kept for each additional acre in excess of five (5) acres.

4. Parking in accordance with Article 16.
5. Signs in accordance with Article 17.
6. Accessory Dwellings

C. Conditional Uses

1. Golf course.
2. Cultural use.
3. Religious use.
4. Emergency services.
5. Bed and Breakfast inn.
6. Multiple single-family detached dwellings as part of an agricultural use.
7. Single-family detached dwellings utilizing the Open Space Option, in accordance with the requirements of the underlying zoning district and subject to Article 20.
9. Riding academy, subject to Section 1901(DD).
10. Village-oriented shop.
11. Dwelling in Combination with Business.

**SECTION 1926 HEIGHT REGULATIONS**

The maximum height of buildings and other structures erected, enlarged, altered or used shall be thirty-five (35) feet, except as provided in Article 18.

**SECTION 1927 AREA AND BULK REGULATIONS**

A. Agricultural Uses involving livestock:

1. Minimum Lot Area - ten (10) acres
2. Minimum Lot Width at Building Line - 400 feet

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3. Minimum Lot Width at Street Line - 200 feet
4. Maximum Impervious Surface Coverage - 25%
5. Maximum Building Coverage - 20%
6. Minimum Depth of Front and Rear Yards - 100 feet
7. Minimum Width of Each Individual Side Yard - 75 feet

**B. Residential Uses - Single-family detached dwellings, Two-family dwellings and Agricultural Uses not involving livestock:**

1. Minimum Lot Area – The minimum lot area shall be the minimum lot area of the underlying zoning district, provided, however:
  - a. The keeping of horses or ponies for recreational purposes shall require a minimum lot area of five (5) acres. (Refer to Section 1925(B)(3) and Article 19, Section 1902)
  - b. In the case of a two-family dwelling or conversion into a two-family dwelling, the lot area for each dwelling unit shall be a minimum of one and one-half (1-1/2) acres.
2. Minimum Lot Width at Building Line - 160 feet
3. Minimum Lot Width at Street Line - 50 feet
4. Maximum Impervious Surface Coverage - 25%
5. Maximum Building Coverage - 15%
6. Minimum Depth of Front Yard - 70 feet
7. Minimum Depth of Rear Yard - 50 feet
8. Minimum Width of Each Individual Side Yard - 35 feet

**C. Accessory Dwellings**

1. Minimum Lot Area - 4 acres.
2. Minimum Lot Width at Building Line - 225 feet.
3. Minimum Lot Width at Street Line - 100 feet.

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4. Maximum Total Impervious Surface Coverage - 20%.
5. Maximum Building Coverage - 15%.
6. Minimum Depth of Front Yard - 80 feet.
7. Minimum Depth of Rear Yard - 60 feet.
8. Minimum Width of Each Side Yard - 50 feet.
9. Clustering - The Principal Dwelling and all Accessory Dwellings shall be clustered within twenty percent (20%) of the entire tract.
10. Other Requirements - a maximum of two (2) Accessory Dwellings may be erected provided the lot is a minimum of 50 acres in area.
11. Nothing contained in this section shall permit an Accessory Dwelling to be constructed on a lot which has been restricted from the construction of additional dwellings by deed, subdivision plan, operation or law or otherwise.
12. When an owner of a lot wishes to erect an Accessory Dwelling, the owner shall enter into a Unilateral Declaration of Restrictions and Covenants in a form acceptable to the Township agreeing not to subdivide the Accessory Dwelling or subject it to a plan of condominium.

**D. Conditional Uses**

1. Cultural and Religious Uses
  - a. Minimum Lot Area - 5 acres
  - b. Minimum Lot Width at Building Line - 300 feet
  - c. Minimum Lot Width at Street Line - 250 feet
  - d. Maximum Total Impervious Surface Coverage - 40%
  - e. Maximum Building Coverage - 15%
  - f. Minimum Depth of Front and Rear Yards - 125 feet
  - g. Minimum Width of Each side Yard - 75 feet

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2. Golf course
  - a. Minimum Lot Area - 20 acres
  - b. Minimum Lot Width at Building Line - 500 feet
  - c. Minimum Lot Width at Street Line - 400 feet
  - d. Maximum Total Impervious Surface coverage - 40%
  - e. Maximum Building Coverage - 20%
  - f. Minimum Depth of Front and Rear Yards - 250 feet
  - g. Minimum Width of Each Side Yard - 200 feet
3. Emergency Services, Municipal Use, and Bed and Breakfast Inn
  - a. Minimum Lot Area - 3 acres
  - b. Minimum Lot Width at Building Line - 225 feet
  - c. Minimum Lot Width at Street Line - 100 feet
  - d. Maximum Total Impervious Surface coverage - 40%
  - e. Maximum Building Coverage - 15%
  - f. Minimum Depth of Front and Rear Yards - 125 feet
  - g. Minimum Width of Each Side Yard - 75 feet
4. Multiple single-family detached dwellings as part of an agricultural use
  - a. Minimum Lot Area - 100 acres
  - b. Minimum Lot Width at Building Line - 225 feet
  - c. Minimum Lot Width at Street Line - 100 feet
  - d. Maximum Total Impervious Surface Coverage - 20%
  - e. Maximum Building Coverage - 15%
  - f. Minimum Depth of Front Yard - 80 feet

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- g. Minimum Depth of Read Yard - 60 feet
  - h. Minimum Width of Each Side Yard - 50 feet
  - i. Clustering - All dwellings shall be clustered within twenty percent (20%) of the entire tract
  - j. Other requirement - More than two (2) single-family dwelling units may be erected provided there remains a minimum of thirty-three and one-third (33-1/3) acres of land per each dwelling as part of the undivided tract.
5. Single-family detached dwellings utilizing the Open Space Option.
- a. Such single-family detached dwellings shall be developed in accordance with the requirements of the underlying zoning district and subject to Article 20.
6. Riding Academy
- a. Minimum Lot Area - 10 acres
  - b. Minimum Lot Width at Building Line - 400 feet
  - c. Minimum Lot Width at Street Line - 200 feet
  - d. Maximum Total Impervious Surface Coverage - 25%
  - e. Maximum Building Coverage - 20%
  - f. Minimum Depth of Front and Rear Yards - 150 feet
  - g. Minimum Width of Each Side Yard - 125 feet
7. Village-Oriented Shop, Dwelling in Combination with Business
- a. Minimum Lot Area – one and one-half (1.5) acres
  - b. Minimum Lot Width at Building Line - 160 feet
  - c. Minimum Lot Width at Street Line - 50 feet
  - d. Maximum Total Impervious Surface Coverage - 25 %
  - e. Maximum Building Coverage - 15 %
  - f. Minimum Depth of Front Yard - 70 feet

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- g. Minimum Width of Rear Yard – 50 feet
- h. Minimum Width of Each Individual Side Yard - 35 feet

**SECTION 1928 SPECIAL REGULATIONS**

- A. All signs in the Route 202 Corridor Overlay District, must comply with the sign regulations of the underlying zoning district in accordance with Article 17.

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| USES   | MINIMUM      |                        |                      |                 |      |      | MAXIMUM                       |                       |                                     |
|--|--------------|------------------------|----------------------|-----------------|------|------|-------------------------------|-----------------------|-------------------------------------|
|  | Lot          |                        | Width at Street Line | Yard            |      |      | Coverage                      |                       | Height Building(s) and Structure(s) |
|  | Area (Acres) | Width at Building Line |                      | Front (Min/Max) | Rear | Side | Impervious Surfaces (Percent) | Building(s) (Percent) |                                     |
| Multiple Single-Family Detached Dwellings as part of Agricultural Use* | 100          | 225                    | 100                  | 80              | 60   | 50   | 20                            | 15                    | 35                                  |
| Golf Course  | 20           | 500                    | 400                  | 250             | 250  | 200  | 40                            | 20                    | 35                                  |
| Agriculture Involving Livestock  | 10           | 400                    | 200                  | 100             | 100  | 75   | 25                            | 20                    | 35                                  |
| Riding Academy   | "            | "                      | "                    | 150             | 150  | 125  | "                             | "                     | "                                   |
| Cultural Religious   | 5            | 300                    | 250                  | 125             | 125  | 75   | 40                            | 15                    | 35                                  |
| Religious  | "            | "                      | "                    | "               | "    | "    | "                             | "                     | "                                   |
| Accessory Dwellings**  | 4            | 225                    | 100                  | 80              | 60   | 50   | 20                            | 15                    | 35                                  |
| Bed & Breakfast Inn  | 3            | 225                    | 100                  | 125             | 125  | 75   | 40                            | 15                    | 35                                  |
| Emergency Services   | "            | "                      | "                    | "               | "    | "    | "                             | "                     | "                                   |
| Municipal Use  | "            | "                      | "                    | "               | "    | "    | "                             | "                     | "                                   |
| Dwelling in Combination with Business                                  | 1.5          | 160                    | 50                   | 70              | 50   | 35   | 25                            | 15                    | 35                                  |
| Village-Oriented Shop  | "            | "                      | "                    | "               | "    | "    | "                             | "                     | "                                   |
| Residential Uses – Not Involving Livestock:                            |              |                        |                      |                 |      |      |                               |                       |                                     |
| Single-Family Detached Dwelling  | ***          | 160                    | 50                   | 70              | 50   | 35   | 25                            | 15                    | 35                                  |
| Two-Family Dwelling  | "            | "                      | "                    | "               | "    | "    | "                             | "                     | "                                   |
| Agricultural Uses  |              |                        |                      |                 |      |      |                               |                       |                                     |

**SUMMARY TABLE – AREA AND BULK REGULATIONS**

**ROUTE 202 CORRIDOR OVERLY DISTRICT**

- Notes: 1. All numerical values are recorded in feet unless otherwise noted.  
 2. See Section 1003 for details.

Note: Single –family detached dwellings utilizing the Open Space Option shall be developed in accordance with the requirements of the underlying zoning district and subject to Article 20.

\* Other requirements – More than two (2) single-family dwelling unites may be erected provided there remains a minimum of thirty-three and one-third (33-1/3) acres of land per each dwelling as part of the undivided tract.

Clustering – All dwellings shall be clustered within twenty percent (20%) of the entire tract.

\*\* For provisions, refer to Article 19, §1927.C.

\*\*\* Minimum Lot Area – The minimum lot area shall be the minimum lot area of the underlying zoning district. For provisions, refer to Article 19, §1927.B.1a and b.

## Miscellaneous Ordinance Amendments

### SECTION 201 – DEFINITIONS

#### A. Revise Existing Definitions

1. **Private Recreational Facilities**—A family-oriented, indoor recreational facility owned or operated by a non-governmental agency and entirely enclosed within a structure. The use may include by way of example arcades, batting cages, indoor golf facilities, skating rinks or skate parks. This use is permitted by conditional use only.
2. **Village Retail**—The retail sales of goods and commodities in the Village Commercial and Village Commercial-1 districts. This use does not include the sale of items such as automobiles, trucks, motorcycles, farm equipment, boats, motorized recreational vehicles, travel trailers and gasoline. No single use shall occupy a building greater than 4,000 square feet.
3. **Village Service**—A service or repair business in the Village Commercial, Village Commercial-1, and Traditional Neighborhood Commercial districts including such service businesses as spas, therapeutic massage, yoga and the like as well as traditional service businesses as barber, beautician and tailor, the studio of such arts and crafts persons or artists, photographers, potters and other persons creating homemade articles, repair businesses of such articles as appliances, televisions, shoes, bicycles, and small business machines is included in this use. The use shall not include repair and/or servicing of motor vehicles or tools powered by an internal combustion engine. This use shall not occupy a building area of greater than 4,000 square feet.

#### B. Add New Definitions

1. **Retail Sales**—Shops and stores selling commodities and goods to the ultimate consumer. Not included under this use are stores in excess of 10,000 square feet of floor area or the over-the-counter sale of alcoholic beverages in taverns and bars. Any retail store that provides for gasoline or fuel sales for motor vehicles directly to the retail customers shall be considered to be a Motor Vehicle Fuel Station and shall meet the requirements of that use and shall only be permitted in zoning districts where Motor Vehicle Fuel Station is permitted. Also not included is any store with greater than fifteen (15) square feet of floor area devoted to the display of pornographic materials or obscene material as defined by Pennsylvania Statutes.
2. **Specialty Shopping Center**—A mixed-use commercial retail and office center with stores that are compatible with the traditional buildings that

are characteristic of the rural and historic character of the community. Shop sizes shall be no larger than 7,500 square feet. The shopping center should be small in scale and linked together by a historic architectural theme. The stores may deal by way of example in the following goods and services: handcrafted items, gifts, household goods, boutiques, books, imported goods, antiques, fashions, gourmet foods, hobby and craft supplies, and antiques. National franchise stores servicing the general public, supermarkets, department stores, variety stores, discount stores, or service stations are not permitted under this use which are Retail Sales and subject to the regulations of that use Classification.

3. **Medical Office/Wellness Center**—Office or clinic for medical or dental examination or treatment of persons as out-patients, including laboratories incidental thereto. A fitness center and cafeteria within the same building are permitted as accessory uses; however, the cafeteria shall be limited to a maximum of 10 percent of the total building area.
4. **Dwelling in Combination with Business**—A dwelling in combination may be used as an accessory use with an institutional, commercial, consumer service, or office use that is permitted within the district. The dwelling unit can be located above the office or commercial establishments or in a separate building(s) provided that the lot area, setbacks, and parking requirements for each use are satisfied.

#### ARTICLE 16, SECTION 1600 – REQUIRED OFF-STREET PARKING SPACE

##### A. **Revise Parking Ratios for Existing Uses**

1. **Retail store or shop**—One (1) for every two hundred (200) square feet of store sales floor area or area serving customers; plus one (1) for each employee on the shift of greatest employment. (*currently 1 space per 100 square feet; Section 1600(E)(1)*).
2. **Convenience store**—One (1) for every one hundred (100) square feet of store sales floor area or area serving customers; plus one(1) for each employee on the shift of greatest employment. (*same as current retail requirement; new Section 1600(E)(23)*).

##### B. **Add Parking Ratios for New Uses**

1. **Specialty Shopping Center**—One (1) for every two hundred (200) square feet of store sales floor area or area or area serving customers; plus one (1) for each employee on the shift of greatest employment. (*Proposed 1:200 similar to Retail Sales use; new Section 1600(E)(24)*)
2. **Medical Office/Wellness Center**—One (1) off-street parking spaces per 150 square feet of gross floor area, plus one (1) space for every doctor and full-time employee. (*New Section 1600(E)(25)*)

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3. **Dwelling in Combination with Business**—Three (3) off-street parking spaces for dwellings having 3 bedrooms or fewer, four (4) off-street parking spaces for dwellings having 4 bedrooms or more. This parking is in addition to the parking required for the commercial or office use. (*New Section 1600(B)(5), with the residential uses*)
4. **Village Retail and Village Service**—One (1) off-street parking space for each two hundred (200) square feet of gross floor area used or intended to be used for servicing customers, plus one (1) additional space for every full-time employee. (*New Section 1600(E)(26)*)

#### **ARTICLE 16, SECTION 1601 – GENERAL REGULATIONS FOR OFF-STREET PARKING**

A. **Add New Subsection as follows:**

- J. For any commercial adaptive reuse or mixed use development, garages are allowed to count towards satisfying the required number of parking spaces.

#### **ARTICLE 16, SECTION 1602 - PARKING AREA DESIGN STANDARDS**

- A. **Parking Space Size**—Increase the minimum parking space to ten (10) feet in width and nineteen (20) feet in depth to be consistent with the parking space standard in the subdivision and land development ordinance. The currently zoning standard is 9.5 feet x 19 feet. Sample language is provided below to replace the current last sentence of Section 1602:

The minimum parking space shall be ten (10) feet in width and twenty (20) feet in depth, unless the Board of Supervisors grants a modification of this standard as part of the land development or subdivision approval.

#### **ARTICLE 16, SECTION 1603 – CONDITIONAL REDUCTION OF OFF-STREET PARKING AREAS**

- A. **Parking Reduction/Reserve Parking**—Revise the off-street parking requirements for the TNC District, the VC-1 District and the Rt. 202 Corridor Overlay District to permit a 40 percent reduction in the total number of required parking spaces in reserve if township officials determine they are necessary in the future. If deemed necessary and feasible, require that the reserve parking area be constructed of porous paving to reduce the amount of impervious surfaces on the site. Sample language is provided below for subsection (E), which could be added to Section 1603.

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E. The provisions of Section 1603 are also applicable to all land developments which include or are entirely comprised of institutional, commercial or office uses in the TNC District, the VC-1 District and the Rt. 202 Corridor Overlay District, except as provided below:

1. In the TNC, VC-1 and Rt. 202 Overlay districts the conditional reduction shall permit up to a forty (40) percent reduction in the required number of spaces.
2. If deemed necessary and feasible by the Township, the reserve parking area in TNC, VC-1 and Rt. 202 Overlay district shall be constructed of porous paving to reduce the amount of impervious surfaces on the site.

**SUMMARY TABLE – AREA AND BULK REGULATIONS**

The ordinance will need to be amended to create a “Summary Table- Area and Bulk Regulations” that will be inserted after the text of the regulations for the new districts in each of the sections that govern those districts (one summary table for each new section/district).

The ordinance will need to be amended to delete the HC District from the “Summary Table- Area and Bulk Regulations” found at the end of the ordinance and to add rows for the area and bulk regulations allowed in the new TNC, VC-1 and Rt. 202 Overlay Corridor districts.

**TABLE OF USE REGULATIONS**

The ordinance will need to be amended to delete the HC District from the “Table of Use Regulations” found at the end of the ordinance and to add columns for the permitted and conditional uses allowed in the new TNC, VC-1 and Rt. 202 Overlay Corridor districts.

The ordinance will need to be amended to add rows for the “Specialty Shopping Center,” “Medical Office/Wellness Center,” and “Dwelling in Combination” uses and any other new uses that will be added as a result of this amendment in the “Table of Use Regulations” found at the end of the ordinance. Any old uses not allowed due to the changes in the HC District may need to be deleted.

**SUBDIVISION AND LAND DEVELOPMENT ORDINANCE**

Revise Section 5.04.A (Street Standards) to reduce the right-of-way width for Principal Arterials from 100 to 80 feet.

Amend Section 5.18.A.6 of the subdivision and land development ordinance to specify that only residential uses are prohibited to use garages to meet parking requirements.

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**ARTICLE 2, ARTICLE 8, AND ARTICLE 9: REFERENCES TO COMMERCIAL CONVERSION**

As part of our decision to remove any reference to “Commercial Conversion” use, Section 201 containing the actual definition, Section 801.A.3 (and the reference in the VC district summary table), and Section 901.A.2 (and the reference in the RC district summary table) should be revised to delete the term Commercial Conversion and associated narrative. Any other reference to Commercial Conversion in the zoning and/or subdivision and land development ordinances should also be deleted.

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## SUMMARY OF POTENTIAL VC-1 AND ROUTE 202 OVERLAY DISTRICTS

### A. Route. 202 Corridor Overlay District

*(The underlying zoning consists of the RA and RB Residential/Agricultural districts which generally permit ag. and ag.-related uses, and low density residential uses, some institutional uses, and limited commercial uses such as bed and breakfast and no-impact home-based business uses.)*

1. **Overlay District Purpose**—To foster development that preserves the character of the residential and agricultural areas of the Township in a manner consistent with the purposes and provisions of the underlying zoning districts while protecting and enhancing the scenic qualities and aesthetic values of the Route 202 corridor.
2. **Applicability**—The limit of the overlay district is defined as any parcel with frontage on Route 202 located between the existing R-1 and HC district (or proposed TNC district), excluding properties contained within the proposed VC-1 District.
3. **Benefits**—The list of permitted uses in the existing RA and RB districts were used as a foundation for establishing the overlay district. Certain uses were added or deleted based upon their appropriateness the designated segment of the Route 202 corridor. Uses eliminated include Private Recreational Facility, School, Library, Commercial School, Group Home, Day Care Center. Potentially, these uses may be too intensive, provide excessive building and parking areas, and/or provide a significant visual impact along this rural segment of the corridor.

On the other hand, there were certain uses that were felt to be beneficial to the context of this section of the corridor. For instance, limited commercial opportunities would be appropriate if the building and parking areas are manageable in size and traffic volume is not too intensive. Therefore, Village Retail and Dwelling in Combination with Business uses are permitted within the overlay district.

### B. Village Center-1 District

*(The underlying zoning consists of the RA and RB districts, which generally permit ag. and ag.-related uses, low density residential uses, some institutional uses, and limited commercial uses such as bed and breakfast and on-impact home-based business uses.)*

1. **District Purpose**—To preserve and enhance the village of Aquetong and its context within the Route 202 corridor. The nature and intensity of uses will be limited to those that reflect the historic and scenic setting. Small-

scale business opportunities that are compatible with the village are permitted.

2. **Applicability**—Since there is no current village zoning designation, the limit of the VC-1 district is based the perceived village of Aquetong. This includes about 2 dozen parcels located on both sides of Route 202 that form a core or concentration of structures (See Recommended Zoning Map.)
3. **Benefits**—The list of permitted uses in the existing VC district were used as a foundation for the new VC-1 district. Certain uses were added or deleted based upon their appropriateness in the context of village of Aquetong. A school and commercial school uses were eliminated since the potential building size and parking would be out of scale with the village.

The addition of Dwelling in Combination with Business use will allow a mixed use scenario, particularly if a property owner wants to convert a historic structure to a business on the first floor with residence above.

The existing minimum lot area in the VC district is 21,780 square feet. Based upon a survey of lot areas within the proposed VC-1 district, it was determined that the median lot area was 1.09 acres. Therefore, a minimum lot area of 1 acre was established for “Permitted Principle Uses.” The minimum lot width and lot setbacks are commensurate to the required lot area. The existing minimum depth of the front yard for the VC district is 50 feet. For the VC-1 district, a minimum of 10 feet and a maximum of 30 feet is provided, which is intended to locate buildings and structures closer to the road to mirror existing buildings and provide a setback typical of historic villages.

### C. Other Potential Benefits

1. **Impervious Surface Reduction**—For the VC-1 and Rt. 202 Corridor Overlay Districts (and TNC district), an off-street parking area reduction is proposed. This would permit a reduction in the total number of required parking spaces of up to 40 percent if placed in reserve. If deemed necessary and feasible, the reserved parking area must be constructed of porous paving to reduce the amount of impervious surfaces on the site.
2. **Traditional Neighborhood Design Guidelines**—For the VC-1 and Rt. 202 Corridor Overlay Districts (and TNC district), any new subdivision and land development, adaptive reuse, and redevelopment proposals applicants shall with the Traditional Neighborhood Design Guidelines in the design and layout of the site. The design guidelines are intended to be utilized by township officials to assist in the review of and recommendations on conceptual site and architectural plans as part of the site review process for proposed development. (To be developed later.)