

**TOWNSHIP OF MARPLE
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF MARPLE, DELAWARE COUNTY, PENNSYLVANIA, AMENDING THE "CODE OF THE TOWNSHIP OF MARPLE", CHAPTER 300, ZONING, AS AMENDED, BY AMENDING ARTICLE II, DEFINITIONS, BY ADDING THE DEFINITION OF HIGHWAY INTERCHANGE DISTRICT TRACT AND BY AMENDING ARTICLE V – COMMERCIAL DISTRICTS, BY ADDING A NEW SECTION 300-43.1 ENTITLED "HIGHWAY INTERCHANGE DISTRICT" AND TO PROVIDE A STATEMENT OF INTENT, USE REGULATIONS, AREA AND BULK REGULATIONS AND DEVELOPMENT STANDARDS, SIGNAGE REGULATIONS AND SPECIAL REGULATIONS.

The Board of Commissioners of the Township of Marple, Delaware County, Pennsylvania, does hereby ENACT AND ORDAIN THAT:

Section 1. The Code of the Township of Marple, Article II, Definitions, Section 300-14, is amended by adding the definition of "Highway Interchange District Tract" to be as follows:

"Highway Interchange District Tract" –

"An area of land consisting of one or more lots planned for unified commercial uses considered as a single entity for land development and as shown on one Land Development Plan, whether or not the lots are separated by a street".

Section 2. The Code of the Township of Marple, Article V – Commercial Districts, by adding a new Section 300-43.1 entitled "Highway Interchange District" and providing a Statement of Intent, Use Regulations, Area and Bulk Regulations and Development Standards, Signage Regulations and Special Regulations, as follows:

300-43.1 Highway Interchange District

A. Intent. The Intent of the Highway Interchange District is:

- 1. To provide appropriate locations for a variety of commercial/ business uses in a close proximity to major highway interchanges so that vehicular access to the uses will have negligible impact on local roadways.**
- 2. To provide for the development of a well-planned, designed, built and maintained commercial/business complex consisting of a combination of retail, shopping, professional, health and business facilities and offices and entertainment on a large Highway Interchange District Tract of ground.**
- 3. To preserve substantial portions of environmentally sensitive areas on the Highway Interchange District Tract in their existing state by having Conservation Easement Areas consisting of streams, wetlands, woodlands and steep slopes thereby creating viewscapes from the commercially developed areas resulting in a unique blending of a natural and commercial setting.**

B. Use Regulations. The uses permitted in the Highway Interchange District are as follows:

- 1. Uses by Right.**
 - (a) Supermarkets, including a grocery pick-up facility either in a free-standing building or as part of a convenience store or Supermarket.**
 - (b) Convenience store with or without a motor vehicle fuel dispensing facility; provided, however, if the fuel dispensing facility includes diesel fuel, it shall be limited to one (1) diesel dispensing station with not more than two (2) hoses, each hose pumping not more than ten (10) gallons per minute.**

- (c) Retail stores and services.**
- (d) Restaurants.**
- (e) Banks and financial institutions.**
- (f) Pharmacies.**
- (g) Business or professional offices.**
- (h) Outpatient medical facilities.**
- (i) Hotels, provided the hotel is a minimum of three stories.**
- (j) Cinemas or similar recreational or cultural establishments.**
- (k) Health club, fitness or exercise facilities.**
- (l) Educational establishments or studios for dance, art or music.**
- (m) Nursery schools or day care centers.**
- (n) Civic or municipal facilities**
- (o) Accessory uses customarily incidental to the uses listed above.**

2. Uses permitted as a Conditional Use.

- (a) Restaurants with drive-thru facilities and/or outdoor seating.**
- (b) Banks and financial institutions with drive-thru facilities.**
- (c) Pharmacies with drive-thru facilities.**

C. Area, Bulk Regulations and Development Standards

1. The following Area, Bulk and Development Regulations shall control development in the Highway Interchange District:
 - (a) **Highway Interchange District Tract Location.** The Highway Interchange District Tract shall be located within one-third of a mile of an interchange of an interstate highway with a major state highway.
 - (b) **Highway Interchange District Tract Area.** The minimum size of the Highway Interchange District Tract shall be twenty-five (25) acres exclusive of any street rights of way.
 - (c) **Maximum Building Coverage.** Not more than twenty-five percent (25%) of the Highway Interchange District Tract, and each portion thereof separated by a street shall be occupied by buildings.
 - (d) **Maximum Impervious Coverage.** Not more than seventy percent (70%) of the Highway Interchange District Tract shall consist of impervious surfaces, and not more than seventy-five percent (75%) of any portion thereof separated by a street shall consist of impervious surfaces.
 - (e) **Maximum Height of Buildings.** No building shall exceed fifty-five (55) feet in height.
 - (f) **Minimum Building Setback from Streets.** A building shall be set back a minimum of sixty (60) feet from an arterial street and twenty (20) feet from a street traversing the Highway Interchange District Tract.
 - (g) **Minimum Building Setback from a Highway Interchange District Tract Boundary.** A building shall be set back a minimum of one hundred (100) feet from a Highway Interchange District Tract

Boundary adjacent to an existing residential use in a Residential District and thirty-five (35) feet from all other Highway Interchange District Tract Boundaries.

- (h) Minimum Surface Parking Areas Setback from Streets. A Surface Parking Area shall be set back a minimum of ten (10) feet from streets.
- (i) Minimum Surface Parking Area Set Back from Highway Interchange District Tract Boundaries. A Surface Parking Area shall be set back a minimum of eighty (80) feet from a Highway Interchange District Tract Boundary adjacent to an existing residential use in a Residential District and ten (10) feet from all other Highway Interchange District Tract Boundaries.
- (j) Buffering from a Highway Interchange District Tract Boundary Adjacent to an Residential Use in a Residential District. Except as provided in Subparagraph (l) hereof, there shall be an eighty (80) foot buffer area from a Highway Interchange District Tract Boundary adjacent to an existing residential use in a Residential District
- (k) Buffering and Landscaping. In addition to buffering required by Subparagraph (j), and notwithstanding the Buffering and Landscaping Requirements of Article X, due to the complexity of a large Tract required for development in a Highway Interchange District, the Buffering and Landscaping Requirements need to be determined on a site by site basis. Therefore, the Applicant shall submit a detailed Buffering and Landscaping Plan as part of the Land Development Plan to be approved by the Board of Commissioners during the Land Development Plan Application process.
- (l) Existing Non-Conformities. Any roads, structures or buildings existing on the Highway Interchange District Tract which do not conform to the above setback requirements or are located within a

buffer area are deemed to be non-conforming and may remain.

(m) **Preservation of Environmentally Sensitive Areas.** Any area of the Highway Interchange District Tract designated as Conservation Easement Area on the Land Development Plan shall be preserved in its existing state and a “Declaration of Restrictive Covenants for Conservation” recorded with the Office of the Recorder of Deeds of Delaware County, Pennsylvania, simultaneously with the recording of the Final Land Development Plan.

(n) **Off-Street Parking and Loading.** All off-street parking and loading standards in Article XI of the Marple Township Zoning Ordinance shall apply to the Highway Interchange District, except the number of required parking spaces, including spaces designated for cart storage, shall be four (4) parking spaces for each one thousand (1,000) square feet of gross floor area of buildings on the Highway Interchange District Tract.

(o) **Lighting.** A Lighting Plan shall be submitted as part of the Land Development Plan in accordance with the Design Guidelines requirements of Subparagraph E.7.(b) hereof.

D. **Signs.** Notwithstanding Article XII, “Signs” of the Marple Township Zoning Ordinance – the following Sign Regulations shall apply in a Highway Interchange District:

1. Permitted Signs:

(a) **Main West Chester Pike Entrance Sign** – One (1) main entrance sign at the West Chester Pike entrance identifying the name of the development and Tenants in the Highway Interchange District and/or Tenants with frontage on those portions of Langford Run Road and Langford Road, between West Chester Pike and Lawrence Road, shall be permitted in the Highway Interchange District, subject to the following:

- (1) The maximum surface display area of the sign shall not exceed two hundred fifty (250) square feet on any one face.
 - (2) The maximum height shall not exceed twenty-five (25) feet.
 - (3) The sign shall not overhang any parking area, drive or pedestrian walkway or be closer than five (5) feet to a street right-of-way or be installed in a sight triangle necessary for the clear view of traffic.
- (b) **Monument Sign.** One (1) Monument Sign shall be permitted on one (1) pad site along the Tract frontage on West Chester Pike, subject to the following:
- (1) The maximum total surface display area of the sign shall be fifty (50) square feet on any one face.
 - (2) The maximum height shall not exceed twelve (12) feet.
 - (3) The sign shall not overhang any parking area, drive or pedestrian walkway or be closer than five (5) feet to a street right-of-way or be installed in a sight triangle necessary for the clear view of traffic.
- (c) **Driveway Entrance Sign.** A sign shall be permitted at each driveway entrance to a parking field from the road traversing the Highway Interchange District Tract, subject to the following:
- (1) The maximum surface display area of any one face of the sign shall not exceed one hundred (100) square feet.
 - (2) The maximum height shall not exceed ten (10) feet.

- (3) The sign shall not overhang any parking area, drive or pedestrian walkway or be closer than five (5) feet to a street right-of-way or be installed in a sight triangle necessary for the clear view of traffic.
- (d) **Wall Mounted Signs.** Signs mounted on the walls or facades of a building shall be permitted, subject to the following:
- (1) (a) The area of Wall Mounted Signs on the Primary Wall/Façade of a building shall not exceed one (1) square foot of sign area for every ten (10) square feet of the Primary Wall/Façade to which it is attached, including windows, doors and cornices, or three hundred (300) square feet, whichever is less.
- (b) The area of Wall Mounted Signs on one other wall/facade of a building shall not exceed .5 square feet of sign area for every ten (10) square feet of wall/facade to which it is attached, including windows, doors and cornices, or one hundred (100) square feet, whichever is less.
- (2) Wall Mounted signs shall be installed parallel to the supporting wall and project no more than eighteen (18) inches from the face of such wall and shall not extend above the roof line of such building.
- (e) **Directory Signs.** At each of the driveway entrances to the parking fields from the road traversing the Highway Interchange District Tract, one (1) sign for the direction of traffic to parking or identification of individual buildings or tenants within the development shall be permitted, subject to the following:

- (1) The maximum surface display area of each sign shall not exceed forty (40) square feet on any one face.
 - (2) The maximum height shall not exceed five (5) feet.
 - (3) Each sign shall be set back a minimum of five (5) feet from the curb line or edge of paving of any driveway measured from the vertical plane established by the leading edge of the sign. The sign shall not be installed in a sight triangle necessary for the clear view of traffic.
- (f) **Traffic Control.** Signs for the control of vehicular traffic shall be permitted, provided that the area of each sign shall not exceed seven (7) square feet in size.
- (g) **Flags.** Flags of the United States of America, other sovereign nations, the Commonwealth of Pennsylvania, Delaware County, Marple Township, and the corporate flags of the name of the Development or its tenants shall be permitted, provided that the total number and location of such flags shall be subject to the review and approval of the Commissioners and that the square footage of each flag shall not be greater than twenty-five (25) square feet.
- (h) **Calculation of the Sign Area.** For the purposes of this section, "surface display area" or "sign area" shall mean the entire area within a continuous perimeter formed by straight lines joined at right angles which enclose the extreme limits of the writing, background, representation or display of the sign face. The supports, uprights or structure on which any sign is supported shall not be included in determining the surface display area unless such supports, uprights or structure are designed in such a manner as to form an integral background of the display or conveys meaning.

E. **Special Regulations.**

1. **Unified Plan.** The Highway Interchange Development Plans shall consist of a unified, harmonious grouping of buildings, parking areas, landscaped areas, buffer areas and Conservation Easement areas planned and designed as an integrated unit. The Tract may be developed in phases under the Highway Interchange District Land Development Plans.
2. **Ownership.** The Tract of land to be developed shall be in single ownership or shall be the subject of an application filed jointly by all of the owners of the entire Tract, together with an Agreement that the Tract will be developed under single direction in accordance with an approved Land Development Plan.
3. **Condominium.** The owner/owners of a property in the Highway Interchange District, who have received Land Development Plan approval for a project, shall be permitted to subject their property to the Pennsylvania Uniform Condominium Act without having to obtain separate Land Development Plan approval for the establishment of the condominium.
4. **Bus Shelters.** Bus Shelter(s) shall be provided at location(s) consistent with area bus routes and subject to approval during Land Development Plan review.
5. **Utilities.** All utility lines servicing a Highway Interchange District shall be underground.
6. **Traffic.** A traffic impact study shall be required and submitted as part of the Land Development Plan process. The extent of the traffic study is to be determined by the Township Engineer.
7. **Design Guidelines.** The owner/owners shall submit Design Guidelines for the development in the Highway Interchange District to the Township during the Land Development Plan process, which shall be reviewed by the Township as part of the land development process and if approved, become a part of the Land

Development Plans. The design guidelines shall include, but not necessarily be limited to, the following:

- (a) Architectural design guidelines for all of the principal buildings, such guidelines providing for façade ornamentation, building offsets, window treatments, variations of roof lines and other elements designed to reduce the horizontal mass of the buildings.**
- (b) Landscape Design Guidelines for proposed trees, shrubs and ground cover, as well as Hardscape Design Guidelines for such features as pavers, benches, waste receptacles and lighting.**

Section 3. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

ENACTED AND ORDAINED this ____ day of _____ 2015.

TOWNSHIP OF MARPLE

BY: _____

**President
Board of Commissioners**

ATTEST: _____

Township Secretary