

EXETER TOWNSHIP  
ORDINANCE NO. 792

AN ORDINANCE OF THE TOWNSHIP OF EXETER, BERKS COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP OF EXETER ZONING ORDINANCE, AS AMENDED, WHICH IS CODIFIED IN CHAPTER 390 OF THE EXETER TOWNSHIP CODE, BY DELETING THE CURRENT "SHOPPING CENTER COMMERCIAL DISTRICT" AND REPLACING IT WITH A SECTION ENTITLED "TOWNSHIP COMMONS DISTRICT."

PURSUANT TO THE AUTHORITY CONTAINED IN THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AS AMENDED, 53 P.S. § 10101, ET SEQ., THE BOARD OF SUPERVISORS OF EXETER TOWNSHIP, BERKS COUNTY, PENNSYLVANIA, DOES HEREBY ENACT AND ORDAIN AS FOLLOWS:

**Section 1.** Article V of Chapter 390 of the Exeter Township Zoning Code is hereby amended to delete the current Section 390-23, entitled "Shopping Center Commercial District."

**Section 2.** Article V of Chapter 390 of the Exeter Township Zoning Code is hereby amended to include the following new Section 390-23, entitled "Township Commons District":

- A. Specific Intent. It is the purpose of a Township Commons District ("TCD") to:
- 1) provide a range of commercial and related uses;
  - 2) minimize excessive paved areas and numerous curb cuts;
  - 3) encourage the consolidation of driveways, parking area and curb cuts to provide more efficient access to parking;
  - 4) encourage a unified pedestrian path system to create efficient pedestrian access between lots and uses and to surrounding neighborhoods;
  - 5) discourage overdevelopment through reasonable permitted lot coverages and paved areas;
  - 6) encourage attractive and appropriate site and architectural design in order to maintain and enhance TCD and nearby neighborhood property values; and
  - 7) encourage the redevelopment of older commercial properties.
- B. Uses Permitted by Right. Land and buildings served by public water and/or public/community sewer, or otherwise served by on-site water supply and/or on-site sewage disposal at the time of the adoption of the ordinance, may be used for the following purposes and no other:
- (1) Retail and wholesale sale of goods, prepared foods and services, except automobile tires, parts sales, and repair services, as well as adult bookstores.

- (2) Business, professional or governmental office or studio.
- (3) Banks, savings and loan associations, finance companies or similar types of businesses.
- (4) Municipal use.
- (5) Funeral Home/Crematorium.
- (6) Commercial school for the teaching of trades, arts or skills.
- (7) Personal Service.
- (8) Fire Company.
- (9) Motels and hotels.
- (10) Restaurants, taverns and similar types of establishments, except cabarets.
- (11) Microbrewery.
- (12) Brew Pub.
- (13) Distillery.
- (14) Farmers Market as an event or occasional use as permitted by the Exeter Township Code.
- (15) Club or lodge for fraternal or social purposes provided that all activities shall be conducted within buildings or structures.
- (16) Indoor Theater and Place of Indoor Amusement or Recreation.
- (17) Convenience Stores without fueling stations.
- (18) Golf course, driving range or miniature golf course, or tennis courts.
- (19) Swimming pool, subject to Section 390-33.
- (20) Telecommunication equipment but only when located on a tower that is in existence at the time of the adoption of this ordinance. See also Chapter 344, Telecommunications
- (21) Office of veterinarian.
- (22) Hospital/Surgical Center.

- (23) Diagnostic Laboratory Testing Facility.
- (24) Diagnostic Imaging Center.
- (25) Medical Office Building.
- (26) Medical or Dental Clinic.
- (27) Jr. College/College/University.
- (28) Trade School.
- (29) Forestry activities, including, but not limited to, Timber Harvesting per Section 390-56.
- (30) Yard Sales but only in lots that have residential uses per Section 390-64.
- (31) Shopping Center pursuant to Subsection F.
- (32) State licensed nursery school and child day care center.
- (33) State licensed Adult Daycare Center.
- (34) No-Impact Home-Based Business, but only for existing residential uses that exist at the time of adoption of this ordinance.
- (35) Accessory uses and structures to the above permitted uses when on the same lot as the permitted use per Sections 390-30(A), 390-30(B)(1), and 390-30(B)(3).

C. Area, Yard and Height Regulations.

	MAXIMUM
BUILDING HEIGHT – PRINCIPAL BUILDING	45 feet
LOT COVERAGE( building coverage)	40 percent of lot area
PAVED AREA	65 percent of lot area
	MINIMUM
LOT SIZE	10,000 square feet
Per separately deeded parcel or combination of parcels	5,000 square feet
Per leased pad site	
BUILDING SETBACK (FY)	30 feet

LOT WIDTH	100 feet
At street line	100 feet
At building setback line	
OPEN AREA	20 percent of lot area
SIDE YARD	60 feet
Total	30 feet
One Side	
REAR YARD	30 feet
IMPROVEMENT SETBACK	25 feet
DISTANCE BETWEEN BUILDINGS	50 feet
DISTANCE BETWEEN HIGHWAY ACCESS POINTS	150 feet

D. Performance Standards. In addition to the applicable Environmental Performance Standards of § 390-35, the following performance standards shall also apply:

(1) Drive-thru service is permissible provided it can be conducted with a safe and orderly traffic pattern, with sufficient waiting area for vehicles waiting to place and pick-up orders. Such safe and orderly traffic pattern shall be demonstrated by traffic plans and studies submitted by the Applicant. Drive-thru service must be 10 feet from the property line. Covered drive-thru must meet setbacks.

E. Buffers: The landscaping/screening standards defined in Section 390-31 apply to all uses in a TCD that abut residential zoning districts or residential uses.

F. Design Standards. The design standards defined in §390-34 apply to all uses in a TCD. Additionally, all permitted uses shall comply with Exeter Township Subdivision and Land Development Ordinance (Chapter 330 of the Exeter Township Code) Article V(A) – Design Standards for the Township Commons District (TCD), Highway Commercial District (HCD) and Flex Industrial District (FID) as amended.

G. Shopping Centers Ownership and Control.

(1) Shopping Centers shall be held under single ownership or under a unified management control plan. If the Exeter Township Board of Supervisors has approved development plans for a Shopping Center in accordance with the SALDO, the subsequent division of the Shopping Center shall contain covenants requiring the owner(s) thereof, and their successors and assigns, at all times, to operate and maintain such lots or parts of the shopping center in good order and repair and in a clean and sanitary condition; that cross-easements for parking areas and all appurtenant ways, pedestrian access and utilities shall be maintained between all lots; and that any owner of any lot, parcel or other real estate in shopping center

shall covenant and agree to be bound by the conditions set forth in this paragraph.

- (2) When the side and/or rear of a lot adjoin land zoned other than commercial or industrial, or used for residential purposes, the adjoining portion(s) of the lot shall provide a twenty foot (20) buffer strip suitably landscaped to provide a screen, and in which no paved areas or structures are permitted.

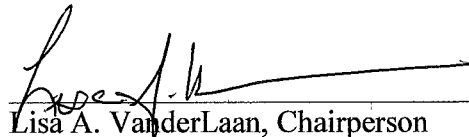
**Section 3. REPEALER:** All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**Section 4. SEVERANCE CLAUSE:** Should any section, paragraph, clause or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, the remainder of said Ordinance shall not be affected thereby, and shall remain in full force and effect.

**Section 5.** In all other respects, the provisions of the Code of the Township of Exeter, as amended, shall remain in full force and effect.

**ENACTED AND ORDAINED** into an Ordinance this 9 day of July, 2018.

**EXETER TOWNSHIP  
BOARD OF SUPERVISORS**

  
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Lisa A. VanderLaan, Chairperson

Attest:

  
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Secretary