

**TOWNSHIP OF FAIRFIELD
LYCOMING COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2012-050712

AN ORDINANCE AMENDING THE FAIRFIELD TOWNSHIP ZONING
ORDINANCE OF 2007 AND REVISING THE ZONING MAP OF FAIRFIELD TOWNSHIP

BE IT ORDAINED AND RESOLVED, following proper public notice and public hearing, it is hereby ordained and resolved by the Board of Supervisors of the Township of Fairfield, County of Lycoming, Commonwealth of Pennsylvania, as follows:

SHORT TITLE

This Ordinance shall be known as the 2012 Amendment to the Fairfield Zoning Ordinance of 2007 and Amendment to Zoning Map and shall be incorporated into the Fairfield Township Ordinance of 2007 with corresponding Zoning Map revisions.

ORDINANCE AMENDMENTS

The amendment supplements existing Fairfield Zoning Ordinance of 2007 (hereinafter "Zoning Ordinance") by adding mixed-use development by condition use in the C-General Commercial District. The Amendment adds "Mixed Use Development Uses" to the existing ordinance to supplement Article 5 and Article 12 of the Fairfield Township Zoning Ordinance of 2007 and adds definitional changes to Article 2 of the Ordinance. A true and correct copy of the Ordinance Amendments as enacted is attached hereto and contain the following: Amendment to Article 2, Section 2.2, adding definition of Mix-Use Development; amendment to Article 2, Section 3.1, Names and Purposes of Zoning Districts, adding Mix-Development by Conditional Use in the C-General Commercial District; and, amendment to Article 5, Section 5.2.2, Conditional Uses, adding Mixed-Use Development by Conditional Use in the C-General Commercial District subject to the revisions to Article 12, Section 12.20, Supplemental Use Criteria for Mixed-Use Development. The addition of Article 12, Section 12.20, Mixed-Use Development Uses, Establishing the review criteria for conditional use approval of Mixed-Use Development in the C-General Commercial District including: Mixed-use development requirements; Uses allowed by Conditional Use; Prohibited Uses; Standards for overall development intensity; Design Guidelines for Overall Design, Security, Pedestrians, Open Space and Public Space, Landscaping, Commercial and Residential Development, and Parking Areas; and, Plan Review Evaluation Criteria for Community integration, Building and Site Layout, Land uses, Pedestrian-orientation, Open and Public Spaces, and Parking.

MAP AMENDMENTS

The amendments to the Zoning Map are as follows: Consistent with the Comprehensive Plan, the zoning map revision reclassifies the following tax parcels from C-General Commercial to R-A-Residential Agricultural: 12-331-113; 12-331-145; 12-331-147; 12-331-147A; 12-351-

100; 12-351-100A; 12-351-101B; 12-351-101D; 12-351-172; 33-351-171; and, 33-351-171; and, consistent with the Comprehensive Plan, the zoning map revision proposes to reclassify the following tax parcels from I-Industrial to C-General Commercial: 12-351-103; 12-351-103A; 12-351-103B; 12-351-103C; 12-351-103D; 12-351-103E; and, 12-351-105.

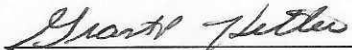
EFFECTIVE DATE

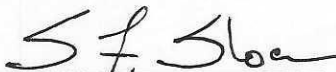
This Ordinance shall become effective five (5) days after enactment or as otherwise established by operation of law.

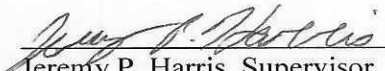
REPEALER

All ordinances or parts of ordinances inconsistent with this Ordinance are hereby repealed insofar as they may be inconsistent herewith.

ENACTED AND ORDAINED this 7th day of May, 2012:


Grant P. Hetler, Chairman


Scott F. Slocum, Vice-Chairman


Jeremy P. Harris, Supervisor



Ronald Springman, Secretary

**MIXED-USE DEVELOPMENT
ALLOWED BY CONDITIONAL USE IN C-GENERAL COMMERCIAL DISTRICT**

ADD TO: Article 2, Section 2.2 – Definitions of Terms

Added following definition:

“Mixed-Use Development: Mixed-use development shall mean a development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible commercial and residential uses. The uses may be located in the same building or in separate buildings with the express restriction that no residential use may be proposed as a stand-alone building and residential uses may not occupy the ground floor of any mixed-use development building or structure. A mixed-use development shall not consist exclusively of either residential or commercial units. Mixed-use development is a conditional use in the C-General Commercial District subject to the criteria set forth herein.”

ADD TO: Article 2, Section 3.1 – Names and Purposes of Zoning Districts

Add following sentence to description of C-General Commercial District:

“Mixed-used development is allowed in the C-General Commercial District by conditional use subject to the criteria set forth herein in order to encourage development consisting of one or more lots developed as a cohesive project and designed with a blend of various compatible commercial and residential uses.”

ADD TO: Article 5, Section 5.2.2 – Conditional Uses

“5.2.2.13 Mixed-Use Development (*See*, Article 12, Section 12.20 – Supplemental Use Criteria for Mixed-Use Development)”

ADD TO: Article 12, Section 12.20 – Mixed-Use Development Uses

Add the following requirements that apply to Mixed-Use Development:

12.20 Mixed-use development requirements

The purpose of this section is to encourage and promote well planned, suitable and appropriate mixed use developments with residential and commercial components within the C-General Commercial District by conditional use. The focus is to allow a more balanced mix of uses in a mixed-use development; to encourage efficient land use by facilitating compact, high-intensity development; and, to facilitate development (e.g., land use mix, density, and design) that supports public transit where applicable. A mixed-use development should be safe, comfortable and attractive to pedestrians, patrons and residents.

This section is organized by topic. Within each topic, development standards will be listed first

followed by its corresponding design guidelines. In some instances, the topics may contain only development standards or design guidelines.

12.20.1 Uses

To allow a mixture of complimentary land uses that includes retail, offices, commercial services, housing, and civic uses, to create economic and social vitality and to encourage the linking of trips as well as shortening trip distance between uses and services. And to dissuade those uses deemed incompatible with residential uses. The following regulations are intended to create and maintain developments with a compatible mix of residential and commercial uses. To insure compatibility between uses within the development and surrounding area, any use requiring a zoning administrator permit or a conditional use permit shall be reviewed as part of the proposed development. A broad range of uses are allowed: (i) to promote efficient use of land; (ii) to provide options for commercial opportunities; and, (iii) to promote the development of appropriate residential use.

12.20.1.1 Uses — Conditional Use Approval Required

Conditional use approval is required for any mixed-use development.

12.20.1.1.1 Uses which are permitted within the commercial zoning district may be part of a mixed-use development except for those uses listed in this subsection as prohibited.

12.20.1.1.2 Multiple Family Dwelling residential use may be part of a mixed-use development provided such multiple family dwelling residential use shall not be located in a stand-alone building or structure and such multiple family dwelling residential use may not occupy the ground floor of any mixed-use development building or structure. No other type of residential dwelling shall be allowed as part of a mixed-use development.

12.20.1.2 Uses Prohibited

Regardless of zoning designation, the following uses shall be prohibited as part of any mixed-use development:

12.20.1.2.1 Adult-oriented businesses;

12.20.1.2.2 Agriculture and commercial nurseries;

12.20.1.2.3. Assisted living facilities or other medical care facilities;

12.20.1.2.4 Astrology, palmistry and similar services;

- 12.20.1.2.5 Commercial cleaning plant;
- 12.20.1.2.6 Boat, trailer, and vehicle (including parts) sales, service, storage and garages;
- 12.20.1.2.7 Camp and trailer parks;
- 12.20.1.2.8 Car wash;
- 12.20.1.2.9 Drive-in/drive-through restaurants;
- 12.20.1.2.10 Equipment rental and sales yard;
- 12.20.1.2.11 Firearm dealers and gunsmith shops;
- 12.20.1.2.12 Fuel dealers;
- 12.20.1.2.13 Hospitals;
- 12.20.1.2.14 Laundry, commercial plant;
- 12.20.1.2.15 Recycling center and Recyclable material collection facility;
- 12.20.1.2.16 Reverse vending machines;
- 12.20.1.2.17 Service station;
- 12.20.1.2.18 Uses involving hazardous materials or that generate high level of noise incompatible with residential uses;
- 12.20.1.2.19 Uses specifically prohibited in the C-General Commercial District; and,
- 12.20.1.2.20 The Zoning Administrator and/or the Township Board of Supervisors may deem additional uses to be prohibited based on a finding that the use is similar in nature, function and operation to the prohibited uses.

12.20.2 Development Intensity - Development standards.

The amount of development allowed in a mixed-use project is guided by the total building coverage as defined in this Ordinance. The maximum allowable building coverage for a mixed-use development is forty percent (40%). Maximum building coverage increases may be requested provided that the project can provide a higher quality of amenities such as with additional affordable housing units, a high level of architectural

design, green buildings, day care centers, roof gardens, or helping to revitalize the surrounding neighborhood. All projects shall contain sufficient commercial square footage to assure that the overall nature and intent of the commercial zoning of the mixed-use development is maintained.

12.20.2.1 Overall development intensity:

12.20.2.1.1

Within the C-General Commercial District the maximum building coverage for any mixed-use development shall be forty percent (40%).

12.20.2.1.2

An increase of the allowable maximum building coverage listed in this subsection may be considered if the project will meet either of the first two of the following standards and either of the remaining two standards:

12.20.2.1.2.1 High quality open space which substantially adds to or increases the retail vitality and attractiveness of the development and/or other on-site amenities; or,

12.20.2.1.2.2 High potential to revitalize adjacent parcels, in particular neighboring commercial areas, with the development of this mixed use project; and,

12.20.2.1.2.2 Providing increased benefit to the Township (for example, such as additional affordable housing units, a high level of architectural design, green buildings, day care centers, or roof gardens); or,

12.20.2.1.2.3 Located within a quarter (1/4) mile to transit or off-site amenities (for example an array of commonly needed services used by residents, or public spaces such as parks).

12.20.2.2 Design Criteria.

The Township has an interest in creating desirable residential areas, while protecting and promoting commercial opportunities. The criteria listed below provide guidance to property owners and developers. It also provides assurance to neighbors that the combination of residential and commercial uses within a single development will create an aesthetically pleasing and livable environment.

12.20.2.2.1 Overall Design — Design guidelines

Key elements to consider are: existing architectural character of the neighborhood/district; continuity of building scale and architectural massing; transition to adjacent developments; treatment of the street-level and upper-level architectural detailing; roof forms; rhythm of windows and doors; and, relationship of buildings to public spaces such as streets, plazas, other open space, and public parking, including the following:

- 12.20.2.2.1.1 Design scheme with visual interest without clutter throughout the development.
- 12.20.2.2.1.2 Building scale and architectural massing to incorporate elements for a reasonable transition to adjacent existing (or future) developments and the proposed project.
- 12.20.2.2.1.3 Where there are multiple buildings in a mixed-use development, the structures should be of varying heights to create visual interest from the street. The ground level façade for a multi-level structure should have a distinct look from the façade of the floor levels above (e.g., using different architectural elements, such as building material or trim accent, lighting, cornice lines, awnings, projections, window treatments and sizes, and/or paint colors).
- 12.20.2.2.1.4 The vertical plane of the building facade shall be broken up with a high level of articulation (e.g., projecting entry or window features, recessed elements, transparent storefronts, identifiable retail spaces and, awning/entrance canopies) especially at ground level.
- 12.20.2.2.1.5 To define the street frontage and pedestrian areas, mixed-use and commercial buildings shall generally be built to back of sidewalk or other publicly accessible area.

12.20.2.2 Design for Security — Design guidelines

To encourage the use of design to minimize opportunities for crime and to increase public safety the following should be factored into any mixed-use development:

- 12.20.2.2.1 Building entrances, parking areas, private and public open spaces, and pathways should be accentuated with appropriate features such as landscaping, pavement treatment, art and signs which draw attention to the area. Such features should be placed or designed in such a manner that the view into the area is not obscured.
- 12.20.2.2.2 The proposed layout, building, and landscape design should promote natural surveillance. Physical features and activities should be oriented and designed in ways that maximize the ability to see throughout the site. For example, window placement, the use of front porches or stoops, use of low or see-through walls, and appropriate use of landscaping and lighting can promote natural surveillance. Sight-obscuring shrubs and walls should be avoided, except where necessary for buffering between commercial uses and lower density residential, to the extent practicable.
- 12.20.2.2.3 The proposed site layout and building design should encourage activity in public spaces. For example, locating outdoor seating in areas that are visible from inside a restaurant helps to discourage crime and supports the activity of dining.
- 12.20.2.2.4 The development should control access wherever possible by properly siting and designing entrances and exits (i.e., clear view from the store) and through the appropriate use of lighting, signs and/or other features.

12.20.2.3 Pedestrian-oriented — Design Guidelines

To encourage buildings to be designed to a human scale for pedestrian access, safety and comfort. To promote a design which would provide direct and safe access between the site and adjacent land uses that is convenient and pleasant for the pedestrian.

12.20.2.4 Open Space and Public Spaces — Design guidelines

The purpose of open space is to provide areas for passive and active social interaction. Areas which are accessible to the passing public are considered public

spaces and are just as important to a development as those accessible only to the residents of the site. In addition, the open space areas should be surrounded by attractively designed building and landscaping elements as well as uses that effectively shape and energize the open space so as to create a focal point for activity. The quality of the open space area is considered to be of utmost importance. Therefore, the location and design of open space is critical to ensure that it is useable year-round.

12.20.2.5 Landscaping — Design guidelines

The purpose of landscaping is to enhance pedestrian and open space areas, to help delineate active areas from passive areas, to provide a screening buffer between pedestrians and vehicular circulation and adjacent developments. Landscaping should include the following elements:

- 12.20.2.5.1** Be pedestrian oriented;
- 12.20.2.5.2** Designed in such a way to not create a security or physical hazard to pedestrians or motorists.
- 12.20.2.5.3** Enhance or complement the architectural design of the mixed-use development.
- 12.20.2.5.4** Provide visual interest year-round.
- 12.20.2.5.5** Utilize water conservation methods and drought tolerant planting where possible.
- 12.20.2.5.6** Should be provided between parking lots and all adjacent sidewalks.

12.20.2.6 Commercial — Design guidelines

When positioning commercial uses, issues such as access and entrances, address, identity and visibility, security, marketability, and connections to other uses should be taken into account. Retail space should be located centrally and designed with adequate access from all internal uses. It should be located near major pedestrian access where the access passes through the retail area on the way to other destinations. Proximity to existing commercial uses located on adjacent parcels is important because it maintains continuity of commercial development. Furthermore, the commercial area should include a street-front retail that promotes an active pedestrian area to draw the attention of the passing public. In addition, to accommodate the needs of an ever-changing market, the commercial area should be designed to allow easy conversion from one commercial use to another. The commercial area of the mixed-use development shall include the following elements:

- 12.20.2.6.1** Store-front windows that provide transparency to the building at the pedestrian level.
- 12.20.2.6.2** Visual interest which can draw the attention of the passing public.
- 12.20.2.6.3** A prominent location relative to the existing commercial uses located in the surrounding area in order to provide a continuity of the commercial presence in the community.
- 12.20.2.6.4** Orientation towards the street and major pedestrian or plaza areas.
- 12.20.2.6.5** Locate retail commercial uses relying heavily on passing foot traffic such as retail uses at ground level, with less active uses (i.e., office uses) located above ground level.
- 12.20.2.6.6** Provide direct and visible access noticeable from the street to uses located above ground level in order to highlight their location.
- 12.20.2.6.7** A strong commercial presence along the site's street frontage where there is an identifiable commercial area adjacent to the development which needs to be preserved, encouraged and/or maintained.
- 12.20.2.6.8** Built-in flexibility so as to allow conversion from one commercial use to another and to ensure that the commercial space is adequate for retail is also adequate for a variety of other uses.

12.20.2.7 Residential — Design guidelines

Factors such as privacy, security, amenities, and views are very important. To provide adequate privacy and security, residential entrances can be placed in the quieter areas away from the main commercial portions. Access to open space areas, either public or private, is important.

12.20.2.8 Signs — Design guidelines: The purpose of signs is to provide orienting clues and establish project identity. Consistent signs for orientation, direction, and tenant identity placed throughout the development are encouraged. Signs should enhance the users' experiences, helping them find their way and providing them with a positive image of the development. Prominent tenant signage is critical to marketing the development and in attracting visitors. Where appropriate, signage should be placed at entrances and other strategic locations to

ensure that visitors understand the scope of the development and are not discouraged or confused. Signage should be scaled to address the needs of the pedestrians and vehicular traffic.

12.20.2.9 Parking areas

Whenever feasible, parking shall comply with the following criteria:

12.20.2.9.1 Development standards

12.20.2.9.1.1 On-site parking areas: Parking areas shall be located where residents and businesses have easy and convenient access. The project shall consider dedicating a certain portion of the parking for each use. However, the parking area should not be located in such a manner that it dominates street frontage.

12.20.2.9.1.2 Surface parking should be oriented behind or to the side of a building when possible.

12.20.3 Evaluation Criteria — Findings: To assure the proposed development meets the intent of this section for mixed-use development, the following findings shall be made prior to approving a mixed-use project.

12.20.3.1 Community integration: The development integrates into the existing community and creates an appropriate internal and external human scale, providing for pedestrian comfort and amenities.

12.20.3.2 Building and site layout: The building and site layout is adaptable and would permit future changes in land use over time. Each use is designed and positioned to achieve its maximum potential so that they perform as a whole and benefit from one another. An efficiently functioning infrastructure (i.e., parking, services, utilities, and effective mechanical, electrical, and structural systems) is incorporated in the design of the development capable of servicing each component of the development's differing demands.

12.20.3.3 Land uses: The land uses provided by the development are compatible with one another and with the adjacent neighborhood. The commercial uses are those which would serve the residents of the development and the neighborhood. In addition, the project includes amenities and attractions that cannot be provided in single-purpose projects, such as interesting people-oriented spaces and a public realm that can capitalize on the synergy of diverse uses.

- 12.20.3.4 Pedestrian-orientation:** The development is able to provide a safe and well-organized pedestrian access within the site and to relevant adjacent areas. All portions of the development are accessible by a direct, convenient, attractive, and comfortable system of pedestrian facilities.
- 12.20.3.5 Open and Public Spaces:** The development provides usable public and private open space, enhances the vitality of existing commercial activity, and recognizes and responds appropriately to adjacent existing or planned public spaces (e.g., parks, civic buildings, transit stops, sidewalks, plazas, and similar spaces).
- 12.20.3.6 Parking:** The development minimizes the amount of land developed as surface parking including implementing measures which reduce the overall the amount of parking needed for the development, such as but not limited to, joint-use parking and access to public transit. Parking areas have been located where they can be conveniently and safely accessed and without difficulty from the street and within the development. On-site parking areas are designed in such a way that it does not dominate street frontage nor interfere with pedestrian areas. In addition, on-street parking is located in proximity to the retail component of the development.