

**TOWAMENCIN TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

**AN ORDINANCE OF THE TOWNSHIP OF TOWAMENCIN, MONTGOMERY
COUNTY, PENNSYLVANIA AMENDING THE
TOWAMENCIN TOWNSHIP ZONING ORDINANCE AND THE TOWAMENCIN
TOWNSHIP ZONING MAP TO REVISE THE REQUIREMENTS IN SECTION
153-416, TOWAMENCIN VILLAGE OVERLAY DISTRICT, AND THE
TOWAMENCIN VILLAGE LAND USE AND DESIGN MANUAL, AND TO
REVISE THE OVERLAY DISTRICT BOUNDARY**

WHEREAS, the Board of Supervisors of Towamencin Township deems it to be in the best interest and general welfare of the citizens and residents of the Township to update certain provisions of the Towamencin Township Zoning Ordinance for the Towamencin Village Overlay District;

WHEREAS, the Board of Supervisors has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including holding a public hearing; and,

WHEREAS, the Board of Supervisors, after due consideration of the proposed Ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of Towamencin Township will be served by these amendments to the Towamencin Township Zoning Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Towamencin Township, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by authority of same as follows:

SECTION 1. Zoning Map Amendment

The official Zoning Map of Towamencin Township is hereby amended to modify the Towamencin Village Overlay District to include three (3) additional parcels set forth in Exhibit “A”, which is attached hereto.

SECTION 2. Section 153-416 A (1) is hereby amended to add the following use:

C-17 Vehicle Repair and Service Station

SECTION 3. Overlay Zoning Sector Boundaries Plan for the Towamencin Village Overlay District in Chapter 3 of the Towamencin Village Land Use and Design Manual is hereby amended to include Sectors 3A, 3B, 3C, and 3D as set forth in Exhibit “B”, which is attached hereto.

SECTION 4. Section 153-416 B is hereby amended to read as follows:

B. Uses permitted by land use sector. The Towamencin Village Overlay District shall be divided into twelve sectors as designated in the Towamencin Village Land Use and Design Manual. Uses shall be permitted by individual sector as designated on the Table of Permitted Land Uses.

- (1) Uses permitted in all sectors in accordance with the Land Use and Design Manual.
 - (a) Public open space, plazas, and recreation areas;
 - (b) Bicycle and walking trails;
 - (c) Bus lanes, bus stops;
 - (d) Directional signs;
 - (e) Structured parking facilities (except in Sectors 6 and 8).
- (2) Unless specified to the contrary, sectors shall be designated to the center lines of existing and proposed roads.

SECTION 5. Section 153-416 D is hereby amended to add reference to Sectors 3A, 3B and 3C as follows:

D. Maximum building coverage, impervious surface coverage and building/structure height.

SECTOR	1	2	3	3A	3B	3C	3D	4	5	6	7	8
Maximum building coverage (percent)	100	100	100	100	100	100	40	100	50	20	50	5
Maximum impervious surface (percent)	100	100	100	100	100	100	75	100	90	50	90	10
Maximum building and structure height (feet)	40 ²	50 ³	50 ³	56	50 ³	50 ³	35	50 ³	50 ³	35 ⁴	50 ³	16

NOTES:

¹ For the purposes of this district, building coverage and impervious surface cover shall be calculated as a percent of the building envelope established for each sector. See Building Envelope Plan of the Towamencin Village Land Use and Design Manual.

² But in no event greater than three stories above ground level.

³ But in no event greater than four stories above ground level.

⁴ But in no event greater than 2 1/2 stories above ground level.

⁵ Sloped portions of the roof perimeter intended as screenings, architectural details (in accordance with the architectural guidelines), and similar projections may, in the discretion of the Board of Supervisors exceed height limitations provided no such elements in excess of the maximum height restrictions shall be used for occupancy, parking, or storage of any type.

SECTION 6. Section 153-416 E is hereby amended to read as follows:

E. Residential density shall not exceed a density of eight (8) dwelling units per acre except that within Sectors 3A, 3B 3C, and 3D, residential density shall not exceed 25% of the total Gross Floor Area of all structures (not including structured parking) erected within those sectors combined.

SECTION 7. Section 153-416 F (3) (a) shall be amended to read as follows:

(a) Structured parking on the first floor (street level) of any building or structure shall not exceed 50% of the square foot areas of the first floor. Permitted uses other than parking shall be located adjacent and parallel to streets and pedestrian easements; provided, however, that these requirements shall not apply where the top parking level of a structured parking facility is at the same level as the nearest public street or pedestrian easement, and no other portion of the structure is within 200 feet of any other public street or pedestrian easement. Structured parking is permitted, but not required, in Sectors 3A, 3B, 3C and 3D.

SECTION 8. Section 153-416 G. shall be amended to add a new subsection (3) and (4) as follows:

(3) The total Gross Floor area of combined non-residential uses in sectors 3A, 3B, 3C and 3D, shall include a minimum of 10% of that total gross non-residential floor area as C-6 Eating Place uses.

(4) A minimum of 20% of the Forty Foot Road building frontage of sector 3A and a minimum of 20% of the Sumneytown Pike building frontage of Sector 3A shall be occupied by one or more of the following uses: C-6 Eating Place; C-8 Entertainment; or C-16 Retail Trade. These uses shall be on the ground (street level) floor and may be combined with other uses in the same building.

SECTION 9. Section 153-416 H shall be amended to add a new subsection (6) as follows:

(6) Upon the submission of a condition use application relating to any parcel within Sectors 3A, 3B 3C, or 3D, the applicant shall concurrently submit a master plan / conditional use plan for all lands controlled by the applicant that illustrates, to the satisfaction of the Board of Supervisors, that all proposed development is in conformance with this ordinance, including but not limited to residential density and the applicable provisions of the Land Use and Design Manual. Once approved by the Board of Supervisors, the Master Plan / conditional use plan must be developed in conformance with the approved Master Plan / Conditional Use Approval. Any future changes will be subject to a new conditional use application and approval.

SECTION 10. Section 153-416 I shall be amended to read as follows:

Table of permitted uses.

Uses Permitted	Sectors										
	1	2	3	3A	3B	3C	3D	4	5	6	7
B-1 Medical Office ⁴	C ¹	C	C	C	N	C	N	N	C	N	C
B-2 Office	C ¹	C	C	C	C	C	N	C	C	N	C
B-8 Medical Lab. or Medical Office w Surgical Center	N	N	N	C	N	N	N	N	C	N	N
C-5 Convenience Store	C	C	C ³	C ³	C ³	C	N	C ³	C ³	N	N
C-6 Eating Place	C	C	C	C	C	C	N	N	C	N	N
C-8 Entertainment	N	C	N	C	N	C	N	N	N	N	N
C-9 Financial Establishment	C	C	C	C	C	C	N	C	C	N	N
C-13 Hotel/Motel	N	C ²	C ²	C ²	N	C ²	N	N	N	N	N
C-16 Retail Trade	C	C	C ³	C	C	C	N	C ³	C ³	N	N
C-17 Vehicle Repair and Service Station	N	N	N	N	N	C ⁵	N	N	N	N	N
C-22 Health Club	C ¹	C ¹	N	C	N	C	N	C ¹	N	N	N
E-3 Day-Care	N	C	C	C	C	C	N	C	C	N	N
E-7 Nursing Home	N	N	N	N	N	N	N	N	N	N	N
E-8 Personal Care Facility	N	N	N	N	N	N	N	N	N	N	N
R-5 Townhouse	C ¹	N	N	N	C	N	C	N	N	C	C
R-6 Multiplex	C ¹	N	N	C	C	N	C	N	N	C	C
R-8 Housing for Elderly	C ¹	N	C	C	C	N	C	N	N	C	C
R-12 Apartment	C ¹	N	N	C	C	N	C	N	N	C	C

Sector 8: Township Open Space

C = Conditional Use

N = Not Permitted

NOTES:

¹ Second story or above.

² Maximum one per sector.

³ Located on first floor only, not to exceed 2% of total floor area of building but in no event shall the sum of all Footnote 3 uses exceed 4,000 square feet per building except as approved by the Board of Supervisors as part of conditional use approval.

⁴ Except in Sectors 3A and 3B, use limited to a maximum of 10% of the total Gross Floor Area of office buildings.

⁵ Use limited to the sale of gasoline and other petroleum products with no automotive repair or service permitted and such use may be permitted only in combination with use C-5 – Convenience Store. Only one C-17 use shall be permitted in Sector 3C. This use may occur only if it is no closer than one-thousand five hundred (1,500) feet from any other property that has gasoline sales.

SECTION 11. Section 153-416 shall be amended to add paragraph J as follows:

J. Special provisions for sectors 3A, 3B, 3C and 3D:

It is the intent of this ordinance that sectors 3A, 3B, 3C and 3D will be developed as part of a unified development plan in accordance with the master plan / conditional use plan that is a part of the Conditional Use Approval Process. Therefore, the following provisions shall govern:

- (1) In Sectors 3A, 3B 3C and 3D there shall be open space / civic space areas that total no less than 65,000 square feet that are well distributed through these sectors (although not every sector must contain an open / civic space area). There shall be no fewer than four (4) of these spaces and the minimum size of any one of these areas shall be no less than 5,000 square feet. These areas shall be open to the public and the locations, sizes and improvements in these areas shall meet with the approval of the Board of Supervisors. These improvements shall include but not be limited to the following elements: high quality pavements, lawn / turf areas, sitting areas, lush landscaping, fountains, moveable furniture, trees, works of art, seasonal flower displays, pedestrian scale lighting, and other improvements suitable for small gatherings (50 to 100 people) and events. These areas shall not include parking, although handicapped parking should be located as close to these areas as is practical. These areas will be owned and maintained by the developer / owner.
- (2) The amount of residential use in comparison to non-residential use shall be developed in the same ratios as permitted under Section 153-416 E. For example, if the applicant obtains a building permit for 25,000 SF of residential use, the applicant must concurrently obtain a building permit for 75,000SF of non-residential use. Final certificates of occupancy for any building shall be issued by the Township only if building permits have been issued for both residential and non-residential construction in the ratio required pursuant to Section 153-416 E.
- (3) There shall be no access permitted to Reiff Road from either Sector 3C or Sector 3D.

SECTION 12. The Landscape Buffer Requirements Plan in Chapter 6 of the Towamencin Village Land Use and Design Manual is hereby amended to include buffer requirements for Sectors 3A, 3B, 3C and 3D as set forth in Exhibit “C”, which is attached hereto.

SECTION 13. The Transportation Plan referenced in Chapter 5 of the Towamencin Village Land Use and Design Manual is hereby amended to include requirements related to the development of Sectors 3A, 3B, 3C, and 3D as set forth in Exhibit “D”, which is attached hereto.

SECTION 14. The Building Envelope Plan referenced in Chapter 11 of the Towamencin Village Land Use and Design Manual is hereby amended to include requirements for Sectors 3A, 3B, 3C and 3D as set forth in Exhibit “E”, which is attached hereto.

SECTION 15. Chapter 11 of the Towamencin Village Land Use and Design Manual, Building Envelope, is hereby amended to read as follows:

A. SPACE BETWEEN BUILDINGS

Separation between buildings within each building envelope as shown on the *Building Envelope Plan* shall be as follows except as required by building codes and or public safety requirements as determined by the Township Board of Supervisors.

Sector 1

Minimum setback between buildings: 0 feet
Maximum setback between buildings: 0 feet

Sector 2

Minimum setback between buildings: 0 feet
Maximum setback between buildings: 0 feet

Sector 3, 3A, 3B 3C and 3D

Minimum setback between buildings: 40 feet
Maximum setback between buildings: none

Sector 4

Minimum setback between buildings: 40 feet
Maximum setback between buildings: none

Sector 5

Minimum setback between buildings: 40 feet
Maximum setback between buildings: none

Sector 6

Minimum setback between buildings: 35 feet
Maximum setback between buildings: none

Sector 7

Office Use

Minimum setback between buildings: 40 feet
Maximum setback between buildings: none

Residential Use

Minimum setback between buildings: 35 feet
Maximum setback between buildings: none

B. BUILDING LOCATION

Sectors 1 and 2

a. Buildings shall be setback not more than three (3) feet from building envelope, unless permitted by the Board of Supervisors, or if required, by governing building codes.

b. Building walls shall be located on any alley right-of-way line. If buildings are not located on the alley right-of-way line, a solid wall, not less than six (6) feet in height shall be provided on this right-of-way line. This wall shall be constructed of the same materials and with the same level of detail as its associated building. This wall may enclose service, storage, or other areas necessary for operation of the building use.

Sectors 3, 3A, 3B, 3C, 3D, 4, and 5

a. Where building envelopes are adjacent to and parallel to street right(s)-of-way, buildings shall be located at the building envelope line adjacent to the street.

b. Where building envelopes are adjacent to and parallel to street right(s)-of-way and a pedestrian easement, buildings shall be located at the building envelope line at the intersection of the pedestrian easement and street right-of-way.

c. Where building envelopes are adjacent to and parallel to more than one street right-of-way, buildings shall be located at the building envelope line adjacent to the intersection of the two widest streets.

Sector 7 – Office Use

Where building envelopes are adjacent to and parallel to street rights-of-way, the building(s) shall be located at the building envelope line.

Sector 7 – Residential Use

a. Where building envelopes are parallel to and adjacent to the Texas Eastern Pipeline right-of-way, buildings shall be located at the building envelope line.

b. Delineation of residential yards are permitted at a location no more than twenty (20) feet from the building envelope line (towards the Texas Eastern Pipeline right-of-way) by means of fencing, walls, and or plant materials.

Fences, walls, or hedges shall be maintained at a maximum height of four (4) feet. This treatment shall be of a unified, compatible nature for the entire length of the Texas Eastern Pipeline right-of-way in keeping with the formal nature of the alley. If walls or fences are utilized, materials shall be similar to and compatible with the building materials (see *Landscape Buffer Requirements – Landscape Buffer Type ‘B’.*)

SECTION 16. 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 17. REVISIONS. The Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinances, including this provision.

SECTION 18. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining provisions of this Ordinance.

SECTION 19. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

ORDAINED AND ENACTED by the Board of Supervisors of Towamencin Township,
Montgomery County, Pennsylvania this ____ day of _____, 2019.

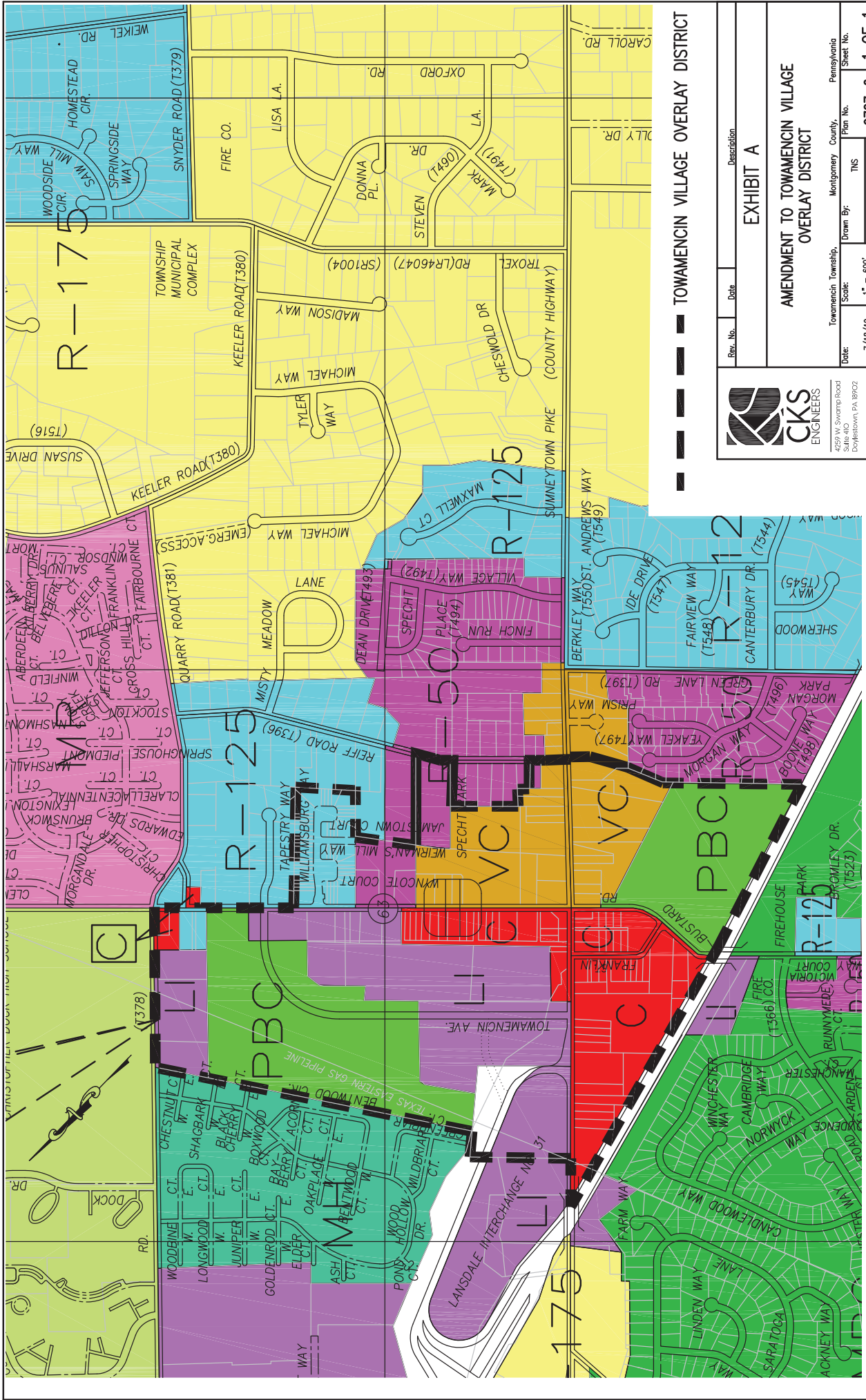
Attest:

TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS

By: _____,
H. Charles Wilson III, Chairman

_____,
James Sinz, Secretary

EXHIBIT "A"
ZONING MAP AMENDMENT

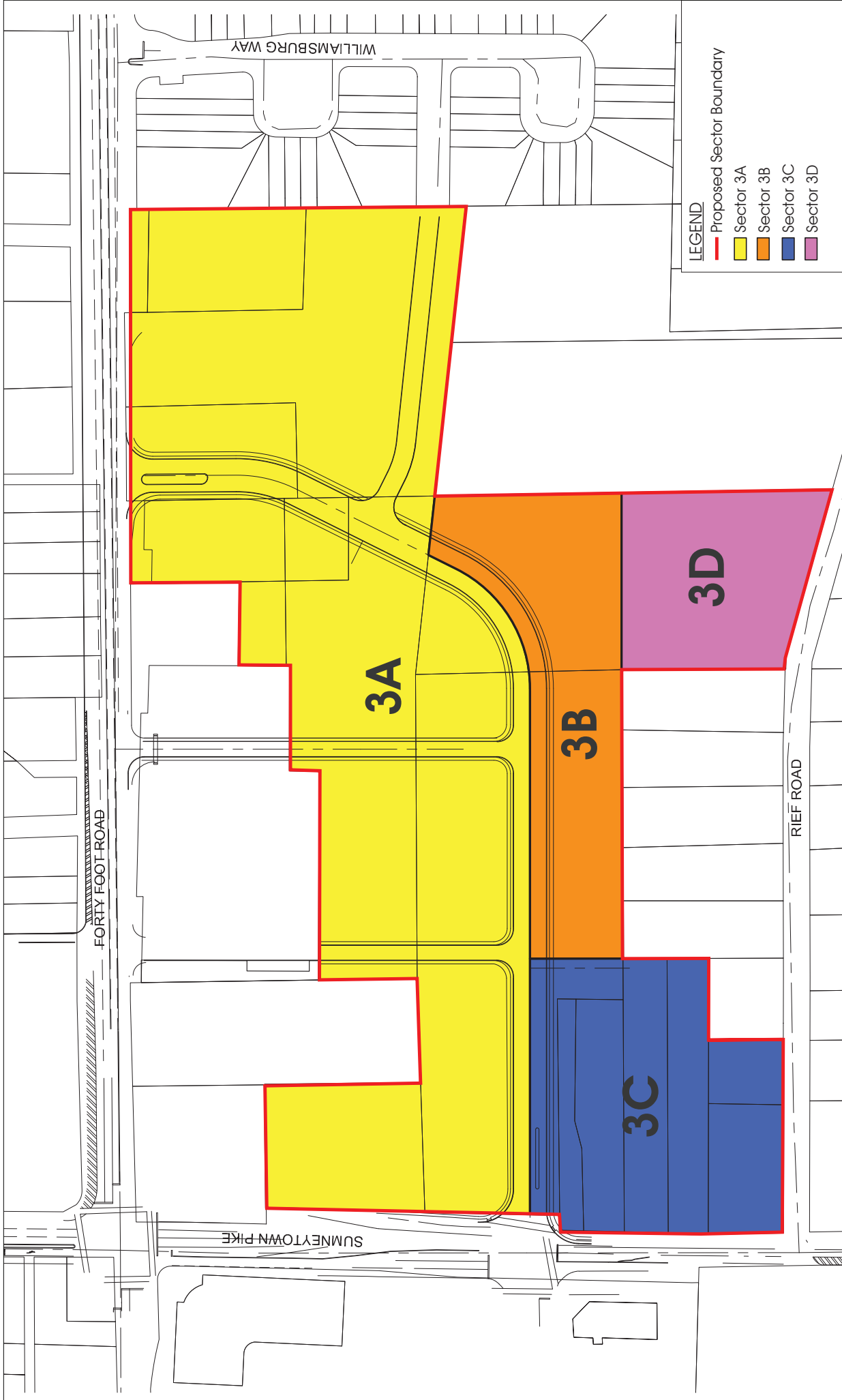


Rev. No.	Date	Description
		EXHIBIT A
AMENDMENT TO TOWAMENCIN VILLAGE OVERLAY DISTRICT		
Towamencin Township,	Montgomery County,	Pennsylvania
Date: 7/18/19	Drawn By: TMS	Plan No. 9707-6
Scale: 1" = 600'	Checked By: MRS	Sheet No. 1 OF 1

--- TOWAMENCIN VILLAGE OVERLAY DISTRICT

EXHIBIT “B”

OVERLAY ZONING SECTOR BOUNDARIES PLAN



LEGEND

- Proposed Sector Boundary
- Sector 3A
- Sector 3B
- Sector 3C
- Sector 3D

PROPOSED ZONING OVERLAY SECTORS

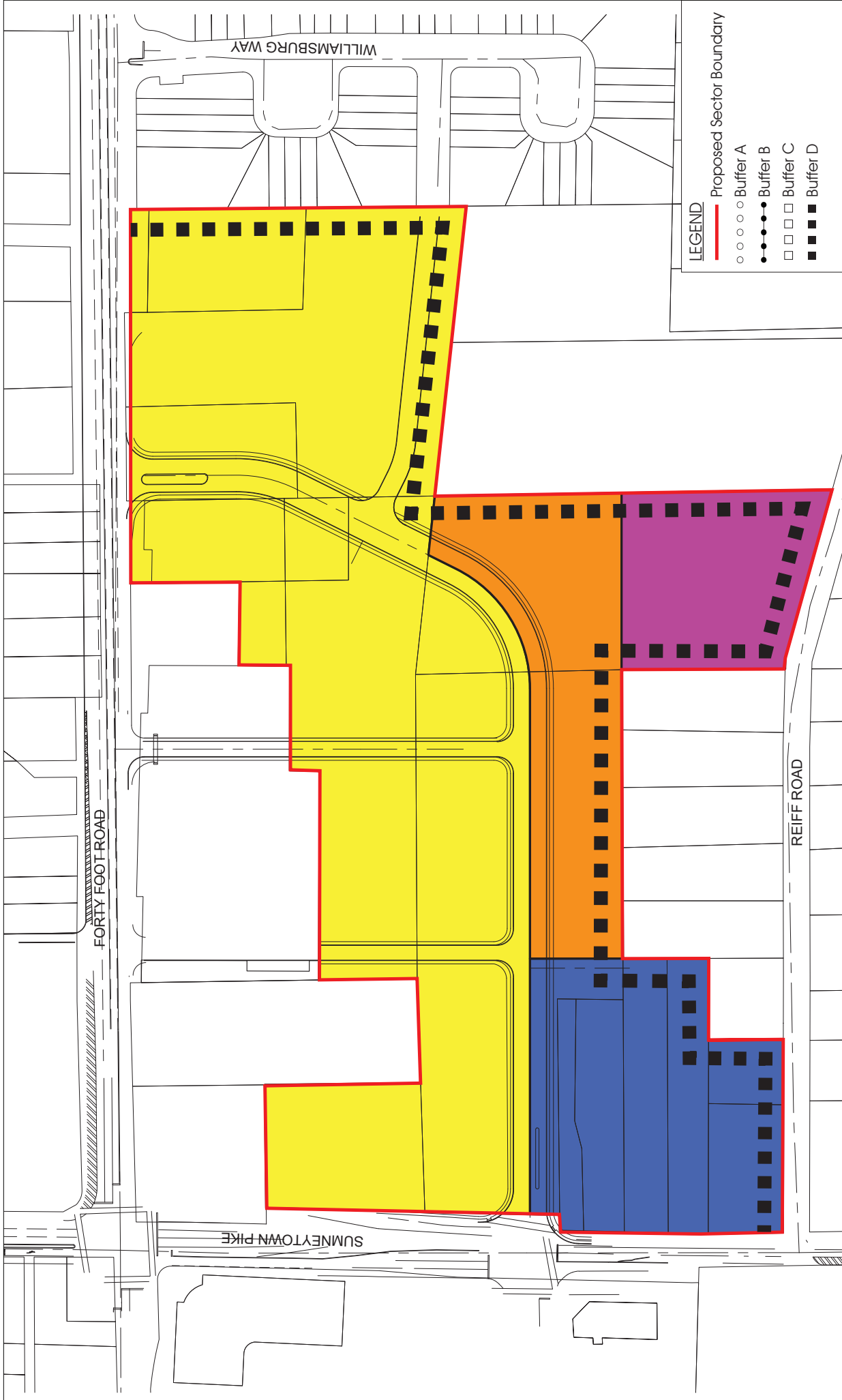
06/24/2019
 SC #: 18044, 10

NORTH

SCALE 0' 30' 60' 120'

EXHIBIT “C”

LANDSCAPE BUFFER REQUIREMENTS PLAN



LEGEND

- Proposed Sector Boundary
- Buffer A
- Buffer B
- Buffer C
- Buffer D

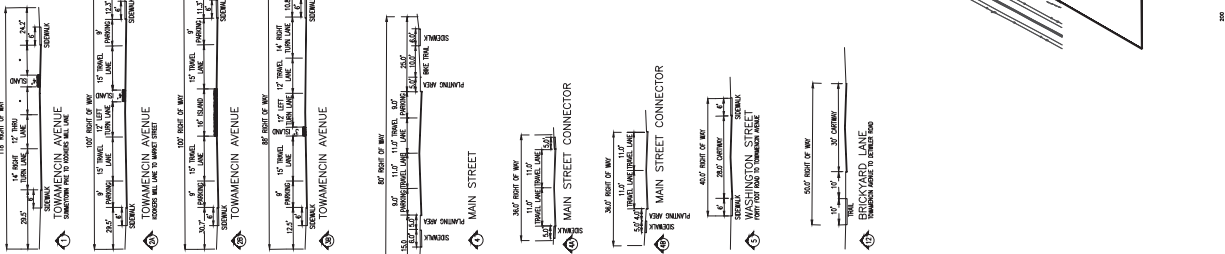
LANDSCAPE BUFFER REQUIREMENTS

06.24.2019 SC #: 18044.10

SCALE 0' 30' 60' 120'

NORTH

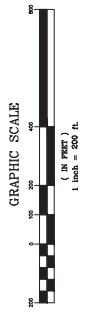
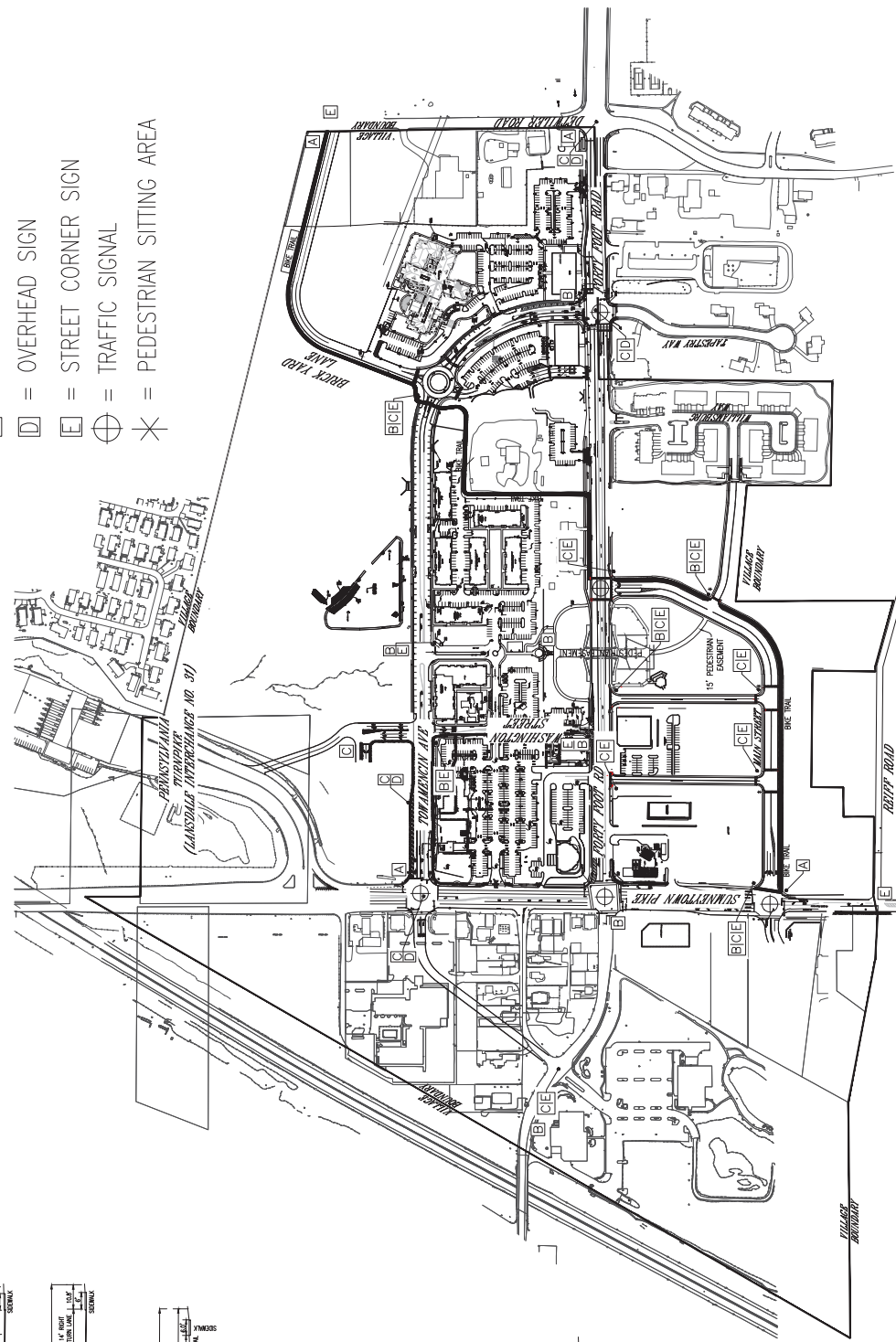
EXHIBIT “D”
TRANSPORATION PLAN



PLAN LEGEND

- [A] = GATEWAY SIGN
- [B] = GATEWAY SIGN
- [C] = DIRECTIONAL SIGN
- [D] = OVERHEAD SIGN
- [E] = STREET CORNER SIGN
- ⊕ = TRAFFIC SIGNAL
- ⊗ = PEDESTRIAN SITTING AREA

- GENERAL NOTES:**
1. THE PLAN PROVIDES A GENERAL LAYOUT OF THE ACCESS ROADS THROUGHOUT THE VILLAGE AND IS SUBJECT TO APPROVAL BY THE BOARD OF SUPERVISORS AND PENNDOT.
 2. THE PLAN PROVIDES A GENERAL LAYOUT OF THE ACCESS ROADS THROUGHOUT THE VILLAGE AND IS SUBJECT TO APPROVAL BY THE BOARD OF SUPERVISORS AND PENNDOT.



<p>CLIENT DATA</p> <p>P.S.D.C. PHILADELPHIA SUBURBAN DEVELOPMENT CORPORATION</p>	<p>Cornerstone Consulting Engineers & Architectural, Inc.</p> <p>213 West Main Street, Landark, PA 19446 Phone: 215-834-2000 Fax: 215-834-1800 Lehigh Valley Region 610-250-5300 Poccono Region 570-839-1770</p>	<table border="1"> <tr><th>NO.</th><th>DATE</th><th>REVISIONS</th></tr> <tr><td>1</td><td>11-27-19</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>2</td><td>12-19-19</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>3</td><td>02-05-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>4</td><td>02-26-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>5</td><td>03-06-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>6</td><td>03-26-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>7</td><td>05-22-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>8</td><td>06-08-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>9</td><td>06-11-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> <tr><td>10</td><td>06-11-20</td><td>FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.</td></tr> </table>	NO.	DATE	REVISIONS	1	11-27-19	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	2	12-19-19	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	3	02-05-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	4	02-26-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	5	03-06-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	6	03-26-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	7	05-22-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	8	06-08-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	9	06-11-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	10	06-11-20	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.	<p>J.B. ANDERSON</p> <p>1000 BIRCHWOOD DRIVE TOWAMINCEN VILLAGE MONTGOMERY COUNTY PENNSYLVANIA</p>	<p>PROJECT LOCATION</p> <p>TOWAMINCEN VILLAGE TRANSPORTATION PLAN</p>	<p>TITLE</p> <p>OVERALL TRANSPORTATION PLAN</p>	<p>SHEET 1 OF 1</p> <p>DATE: 06/11/2020 TIME: 10:58:00 AM USER: JBA</p>
NO.	DATE	REVISIONS																																					
1	11-27-19	FOR REVIEW TO PHILA. SUBURBAN DEVELOPMENT CORP.																																					
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EXHIBIT “E”
BUILDING ENVELOPE PLAN

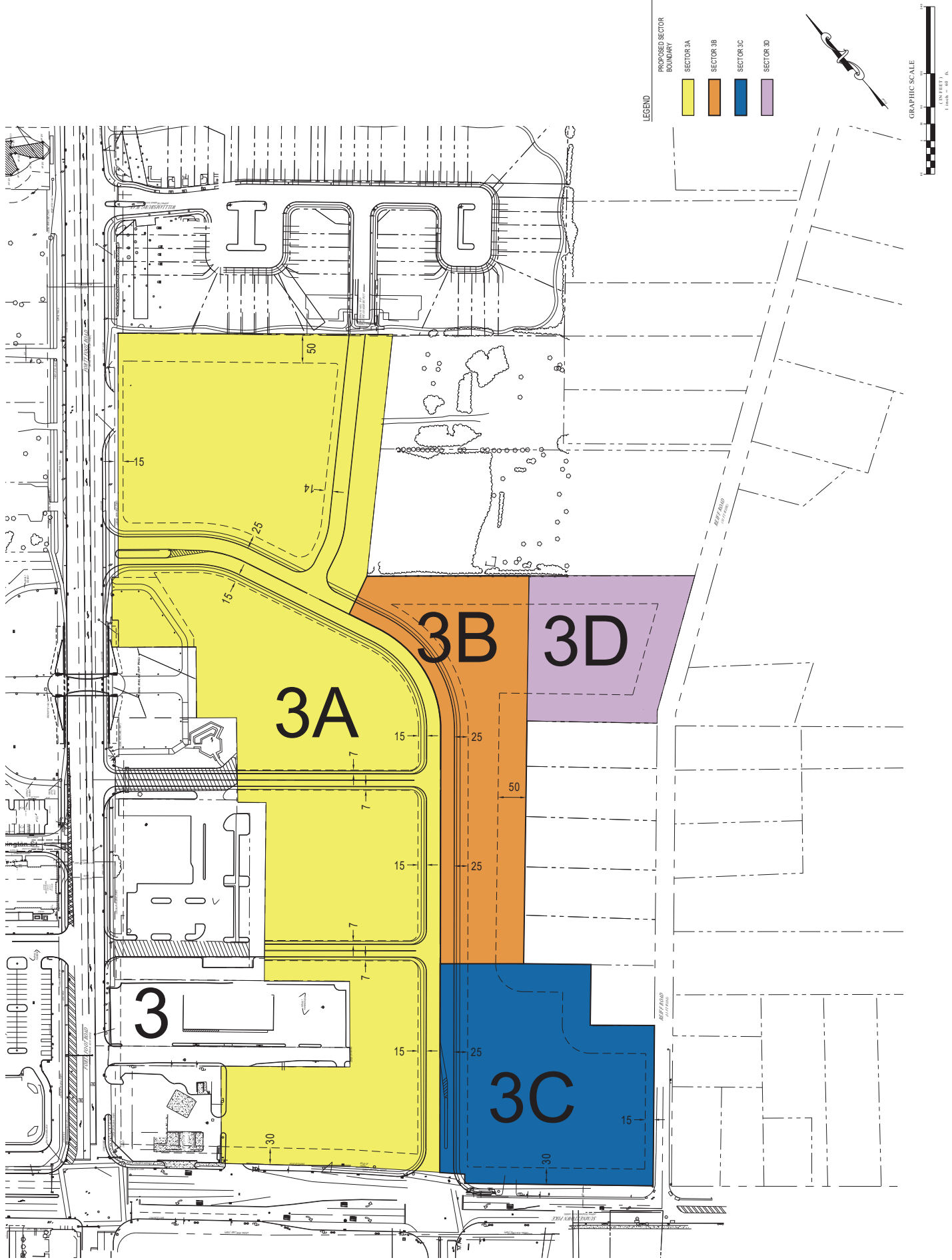


J.B. ANDERSON
Professional Engineer
Professional Architect

PROJECT LOCATION
MAIN STREET
BUILDING ENVELOPE
PLAN

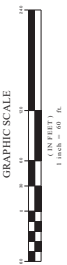
REVISIONS

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMITS



LEGEND

- PROPOSED SECTOR BOUNDARY
- SECTOR 3A
- SECTOR 3B
- SECTOR 3C
- SECTOR 3D



REVISIONS

NO.	DATE	DESCRIPTION
1		ISSUED FOR PERMITS