

# **TOWAMENCIN TOWNSHIP**

ORDINANCE NO. 24-04

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AN ORDINANCE AMENDING CHAPTER 153 [ZONING], ARTICLE IV [PERMITTED LAND USES PER DISTRICT], BY AMENDING (1) SECTION 414(A)(2) [LI LIMITED INDUSTRIAL DISTRICT/PERMITTED LAND USES/USES BY CONDITION] TO PERMIT AN “E-9 PLACE OF WORSHIP” AS A USE BY CONDITION; (2) ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 414 [LI LIMITED INDUSTRIAL DISTRICT] TO PROVIDE A NEW SECTION (H) ESTABLISHING SPECIFIC CONDITIONAL USE CRITERIA FOR AN “E-9 PLACE OF WORSHIP” USE; AND (3) SECTION 400 [TABLE OF PERMITTED LAND USES BY DISTRICT] IS HEREBY AMENDED TO PROVIDE AN E-9 PLACE OF WORSHIP USE BY CONDITIONAL USE IN THE LI LIMITED INDUSTRIAL AND R RESIDENTIAL 125, 175, 180, 200 DISTRICTS

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ENACTED

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## **ATTESTATION**

The attached is an attested copy of Ordinance 24-03 that was enacted by the Board of Supervisors at its May 8, 2024 Meeting, after a duly-advertised hearing.

## **TOWAMENCIN TOWNSHIP**

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Robert J. Iannozzi Jr.  
*Solicitor*

Date: May 8, 2024

# TOWAMENCIN TOWNSHIP

## ORDINANCE NO. 24-03

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AN ORDINANCE AMENDING CHAPTER 153 [ZONING], ARTICLE IV [PERMITTED LAND USES PER DISTRICT], BY AMENDING (1) SECTION 414(A)(2) [LI LIMITED INDUSTRIAL DISTRICT/PERMITTED LAND USES/USES BY CONDITION] TO PERMIT AN “E-9 PLACE OF WORSHIP” AS A USE BY CONDITION; (2) ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 414 [LI LIMITED INDUSTRIAL DISTRICT] TO PROVIDE A NEW SECTION (H) ESTABLISHING SPECIFIC CONDITIONAL USE CRITERIA FOR AN “E-9 PLACE OF WORSHIP” USE; AND (3) SECTION 400 [TABLE OF PERMITTED LAND USES BY DISTRICT] IS HEREBY AMENDED TO PROVIDE AN E-9 PLACE OF WORSHIP USE BY CONDITIONAL USE IN THE LI LIMITED INDUSTRIAL AND R RESIDENTIAL 125, 175, 180, 200 DISTRICTS

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It is hereby enacted and ordained by the Board of Supervisors that the Township’s Zoning Ordinance shall be amended in furtherance of the Township’s health, safety, and welfare as follows:

**NOW THEREFORE, BE IT ENACTED AND ORDAINED** by this Board as follows:

**SECTION 1.** AMENDMENT TO THE TOWNSHIP CODE, CHAPTER 153 [ZONING], ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 414(A) (2) [LI LIMITED INDUSTRIAL DISTRICT/PERMITTED LAND USES/USES BY CONDITION] TO PERMIT AN “E-9 PLACE OF WORSHIP” USE AS A USE BY CONDITION.

Chapter 153 [Zoning], Article IV [Permitted Land Uses per District], Section 414(A) (2) [LI Limited Industrial District/Permitted Land Uses/Uses by Condition] is hereby amended to permit an “E-9 Place of Worship” Use as a Use by Condition within the LI Limited Industrial District.

**SECTION 2.** AMENDMENT TO THE TOWNSHIP CODE, CHAPTER 153 [ZONING], ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 414 [LI LIMITED INDUSTRIAL DISTRICT] TO PROVIDE A NEW SECTION (H) ESTABLISHING SPECIFIC CONDITIONAL USE CRITERIA FOR AN “E-9 PLACE OF WORSHIP” USE.

Chapter 153 [Zoning], Article IV [Permitted Land Uses Per District], Section 414 [LI Limited Industrial District] is hereby amended to add a new section “H”, which shall read as follows:

- H.** Conditional use criteria for E-9 Place of Worship Uses. In addition to the provisions of Article X of this Chapter, the following additional specific criteria shall apply in considering the approval or denial of E-9 Conditional Use applications within the LI District:
- (1) The E-9 Place of Worship use shall only be permitted on lots having improvements already constructed and occupying all or a portion of an existing building.
  - (2) The E-9 Place of Worship use shall be restricted to one place of worship in one building.
  - (3) The E-9 Place of Worship shall be restricted to existing structures on the lot such that no expansion or modification to the exterior structure or footprint of the existing building shall be permitted for the E-9 Place of Worship use.
  - (4) A parking demand study shall be submitted which demonstrates that all existing and proposed uses on the lot comply with the requirements specified in Article VII [Off Street Parking and Loading] of this Chapter.
  - (5) The dimensional and building requirements applicable to the E-9 Place of Worship shall be those requirements in subsections 153-414(B), (C), (D) & (E) of this Chapter.

**SECTION 3.** AMENDMENT TO THE TOWNSHIP CODE, CHAPTER 153 [ZONING], ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 400 [TABLE OF PERMITTED LAND USES BY DISTRICT] MAKING PROVISION FOR AN E-9 PLACE OF WORSHIP” USE BY CONDITIONAL USE IN THE LI LIMITED INDUSTRIAL AND R RESIDENTIAL 125, 175, 180, 200 DISTRICTS

Chapter 153 [Zoning], Article IV [Permitted Land Uses Per District], Section 400 [Table of Permitted Land Uses by District] is hereby amended to provide an E-9 Place of Worship Use by conditional use in the LI Limited Industrial and R Residential 125, 175, 180, 200 Districts.

**SECTION 4.           SEVERABILITY**

This Ordinance’s provisions are intended to be severable. If any section, sentence, clause, part, or provision of this ordinance is determined to be illegal, invalid, or unconstitutional by any court of competent jurisdiction, such determination shall not affect or impair this Ordinance’s remaining sections, sentences, clauses, parts, or provisions.

Furthermore, it is hereby declared to be this Board’s express intent that this ordinance still be adopted even if such an illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included.

**SECTION 5.           REPEALER**

All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

**SECTION 6.           EFFECTIVE DATE**

This Ordinance shall take effect five days from this Board’s approval of it as required by Pennsylvania law.

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[Signatures on Next Page]

**ENACTED** and **ORDAINED** by this Board at its public meeting on this 8th day of May 2024, following a duly-advertised hearing.

**TOWAMENCIN TOWNSHIP**  
BOARD OF SUPERVISORS

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H. Charles Wilson III, *Chairman*

Attest:

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Joyce F. Snyder, *Secretary*