

TOWAMENCIN TOWNSHIP

ORDINANCE NO. 25-08

AN ORDINANCE AMENDING (1) THE TOWNSHIP'S ZONING MAP TO CREATE A MAIN STREET OVERLAY; REMOVE CERTAIN PARCELS FROM THE TOWAMENCIN VILLAGE OVERLAY; AND ADD THEM IN THE MAIN STREET OVERLAY; (2) ARTICLE III [ESTABLISHMENT OF DISTRICT], SECTION 153-301 [CLASSES OF DISTRICTS] TO INCLUDE A NEW SUB-SECTION "I" ENTITLED "MAIN STREET OVERLAY"; (3) ARTICLE III [ESTABLISHMENT OF DISTRICT], SECTION 153-303 [STATEMENT OF PURPOSE AND INTENT OF DISTRICT] TO INCLUDE A NEW SUB-SECTION "I" ENTITLED "MAIN STREET OVERLAY" AND PROVIDE A STATEMENT OF PURPOSE AND INTENT; (4) ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(E) [TOWAMENCIN VILLAGE OVERLAY/RESIDENTIAL DENSITY] TO DELETE CERTAIN PROVISION FOR DENSITY LIMITATION IN SECTORS 3A,3B,3C, AND 3D; (5) ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(I) [TOWAMENCIN VILLAGE OVERLAY/TABLE OF PERMITTED USES] TO PROHIBIT ALL RESIDENTIAL USES IN THE SECTORS 3A, 3B, AND 3D; (6) ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(J) [TOWAMENCIN VILLAGE OVERLAY/SPECIAL PROVISIONS FOR SECTORS 3A, 3B, 3C, AND 3D] TO DELETE SUB-SECTION (2); (7) ARTICLE IV [PERMITTED LAND USES PER DISTRICT] TO PROVIDE A NEW SECTION 153-420 ENTITLED "MAIN STREET OVERLAY" WITH ASSOCIATED REGULATIONS; (8) ARTICLE V [USE DEFINITIONS AND REGULATIONS], SECTION 502(F) [R-RESIDENTIAL USES] TO PROVIDE A NEW SUB-SECTION (15) ENTITLED "MULTIFAMILY RESIDENTIAL"; (9) ARTICLE VIII [SIGNS], SECTION 153-808(C)(3)[SIGN REGULATIONS BY DISTRICT/ON-PREMISES FREE STANDING BUSINESS SIGNS], SUB-SECTIONS (E) AND (F) RELATIVE TO PERMITTED SIGNAGE IN THE MAIN STREET OVERLAY

ENACTED ON:

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It is hereby enacted and ordained by the Board of Supervisors that the Towamencin Township ("Township") Zoning Map and Township Code, Chapter 153 [Zoning] are amended as follows:

SECTION 1. ZONING MAP AMENDMENT TO CREATE A NEW MAIN STREET OVERLAY; REMOVE CERTAIN PROPERTIES FROM THE TOWAMENCIN VILLAGE OVERPLAY AND ADD THEM IN THE NEWLY CREATED MAIN STREET OVERLAY

The Township's Zoning Map is amended to create a Main Street Overlay; remove certain parcels (as identified on Exhibit A) from the Towamencin Village Overlay; and add them in the Main Street Overlay (as shown on Exhibit B).

The amended Zoning Map shall be incorporated by reference into the Township's Zoning Ordinance.

The Township's Engineer is directed to make this amendment.

SECTION 2. AMENDMENT TO ARTICLE III [ESTABLISHMENT OF DISTRICT], SECTION 153-301 [CLASSES OF DISTRICTS]

Article III [Establishment of District], Section 153-301 [Classes of Districts] is amended to include a new sub-section "I" entitled "Main Street Overlay".

SECTION 3. AMENDMENT ARTICLE III [ESTABLISHMENT OF DISTRICT], SECTION 153-303 [STATEMENT OF PURPOSE AND INTENT OF DISTRICT]

Article III [Establishment of District], Section 153-303 [Statement of Purpose and Intent of District] is amended to include a new sub-section "I" entitled "Main Street Overlay" that will read as follows:

I. Main Street Overlay.

- (1)** The purpose of the Main Street Overlay is to provide for the consolidation, master planning, and development of mixed-use commercial and residential projects under current and changing market conditions, with the goal of the timely and well-ordered development of the vacant and underutilized properties covered by the district.

SECTION 4. AMENDMENT TO ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(E) [TOWAMENCIN VILLAGE OVERLAY/RESIDENTIAL DENSITY]

Article IV [Permitted Land Uses Per District], Section 153-416(E) [Towamencin Village Overlay/Residential Density] is amended to read as follows:

- E.** Residential density shall not exceed a density of eight dwelling units per acre.

SECTION 5. AMENDMENT TO ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(I) [TOWAMENCIN VILLAGE OVERLAY/TABLE OF PERMITTED USES]

Article IV [Permitted Land Uses Per District], Section 153-416(I) [Towamencin Village Overlay/Table Of Permitted Uses] to prohibit all residential uses in the Sectors 3A, 3B, and 3D as follows:

Sector 3A – Uses “R-6 – Multiplex”, “R-8 – Housing for the Elderly”, and “R-12 – Apartment” is changed from “C” for Conditional Use to “N” for Not Permitted.

Sector 3B – Uses “R-5 – Townhouse”, “R-6 – Multiplex”, “R-8 – Housing for the Elderly” and “R-12 – Apartment” are changed from “C” for Conditional Use to “N” for Not Permitted

Sector 3D – Uses “R-5 – Townhouse”, “R-6 – Multiplex”, and “R-8 – Housing for the Elderly” are changed from “C” for Conditional Use to “N” for Not Permitted

SECTION 6. AMENDMENT TO ARTICLE IV [PERMITTED LAND USES PER DISTRICT], SECTION 153-416(J) [TOWAMENCIN VILLAGE OVERLAY/SPECIAL PROVISIONS FOR SECTORS 3A, 3B, 3C, AND 3D]

Article IV [Permitted Land Uses Per District], Section 153-416(J) [Towamencin Village Overlay/Special Provisions For Sectors 3A, 3B, 3C, and 3D] is amended to read as follows:

J. Special provisions for Sectors 3A, 3B, 3C and 3D: It is the intent of this section 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 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) There shall be no access permitted to Reiff Road from either Sector 3C or Sector 3D.

SECTION 7. AMENDMENT TO ARTICLE IV [PERMITTED LAND USES PER DISTRICT]

Article IV [Permitted Land Uses Per District] is amended to provide a new Section 153-420 entitled “Main Street Overlay” that will read as follows:

§153-420 Main Street Overlay

- A.** Permitted land uses. A building may be erected, altered, or used in whole or in part, and a lot may be used or occupied for any of the following purposes and no other, provided that such uses shall comply with such regulations as yard, lot sizes, lot width, building area and heights, impervious surfaces, easements, buffer yards, off-street parking and other provisions as specified herein.

- (1) Uses by right. Any of the following uses and no others shall be permitted by right within the Main Street Overlay provided that all applicable requirements for the uses and district, as may be amended herein, are satisfied: None.

- (2) Uses by condition. The following uses and no others shall be permitted as a conditional use within the Main Street Overlay provided that all of the conditions for said uses are satisfied and a conditional use approval is granted by the Board of Supervisors after public notice and hearing and further provided that all applicable requirements for the use and the district have been satisfied: Any use of the same general character as those listed in subsection (1) above subject to the standards set forth in 153-1004 of the Zoning Ordinance.

B Business

B-1 Medical Office

B-2 Office

B-8 Medical Lab or Medical Office w/ Surgical Center

C Commercial

C-6 Eating Place

C-13 Hotel/Motel

C-16 Retail Trade

E Educational and Institutional

E-3 Day-Care Center/Nursery School

R Residential

R-15 Multifamily Residential

A Accessory uses permitted only accessory to authorized conditional uses

A-17 Solar Energy System, Roof-Mounted

A-21 Electric Vehicle Charging Station

- (3) Uses by special exception. The following uses shall be permitted as a special exception use within the Main Street Overlay provided that all of the standards and criteria for said uses are satisfied and a special exception approval is granted by the Zoning Hearing Board after public notice and hearing and further provided that all applicable requirements for the use and district have also been satisfied: None

B. Setback requirements.

Regulation	Use Type	Requirement
Minimum Front Yard	All Uses	30 Feet
Minimum Side Yard	All Uses	30 Feet
Minimum Rear Yard	All Uses	30 Feet
Minimum Parking Setback	All Uses	30 Feet
Minimum Setback From Internal Roadways	All Uses	10 Feet
Minimum Setback Between Buildings	All Uses	40 Feet
Minimum Special Setback – Pennsylvania Turnpike Northeast Extension	All Uses	0 Feet
Minimum Special Setback – From Properties With Frontage Along Boone Way	All Uses	100 Feet

Minimum Special Setback – From 1568 To 1584 Morgan Way	All Uses	100 Feet
Minimum Special Setback – From 1560 To 1564 Morgan Way	All Uses	30 Feet

C. Maximum coverage regulations.

Regulation	Use Type	Requirement
Building Coverage	All Uses	75%
Impervious Coverage	All Uses	90%

D. Maximum height regulations:

Regulation	Use Type	Requirement
Maximum Height	R-15 Multifamily Residential C-13 Hotel/Motel	3 Stories Not To Exceed 50 Feet
Maximum Height	All Other Uses	35 Feet

E. Parking requirements:

- (1) All uses shall be regulated by type.
- (2) Reserve parking. Due to mixing of uses, reserve parking up to 25% of that required may be allowed in order to create open space without unnecessarily requiring more paving than required. Reserve parking shall be designed and engineered but need not be constructed unless directed by the Board of Supervisors.
- (3) Adequate loading areas for each structure are to be located such that they are not visible from a public roadway. In the event that loading areas would be visible from a public roadway, they shall be screened by fencing, landscape buffers or other adequate measures.

F. Development regulations. The following regulations shall apply in the Main Street Overlay:

- (1) Maximum residential density. Residential density shall not exceed 8.75 dwelling units per acre of Lot Area within the Main Street Overlay.

- (2)** A minimum of 20% of the Sumneytown Pike building frontage 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 level (street level) floor and may be combined with other uses in the same building.
- (3)** A Use C-16 – Retail Trade shall only be permitted with frontage along Sumneytown Pike.
- (4)** Landscape Buffers. Landscape buffer widths shall be determined based on abutting uses. A buffer may include pedestrian walkways, trails and/or amenity space. Driveways (internal and from public streets) may also cross landscape buffers.
- (a)** No landscape buffer is required along any property boundary that is adjacent to the Pennsylvania Turnpike – Northeast Extension.
- (b)** A 25 foot wide Type “D – 100% Non-Transparent” landscape buffer as defined in the Towamencin Village Land Use and Design Manual (the “Design Manual”) shall be provided in the following areas along any Main Street Overlay boundary that is adjacent to properties with frontage along Boone Way and Morgan Way.
- (c)** A 25 foot wide Type “A – Transparent” landscape buffer as defined in the Design Manual shall be provided along the street frontages of Bustard Road and Sumneytown Pike.
- (d)** Unless otherwise stated, a landscape buffer of at least 25 feet in width is required along any property line abutting a residential use.
- (e)** Unless otherwise stated, a Type “A – Transparent” landscape buffer as defined in the Design Manual of at least 10 feet in width is required along any property line abutting any nonresidential use.
- (f)** A detailed landscape plan shall be provided in connection with any conditional use application that identifies the quantity, species and planting specifications for all landscape buffers.

- (5) Public open space and site amenity requirements. A total area of no less than 100,000 square feet of open/civic/recreational/amenity space shall be required per overall development. There shall be no fewer than two 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 be subject to the approval of the Board of Supervisors. These improvements shall include but not be limited to the following elements: high quality pavements, pedestrian trails and/or connections, lawn/turf areas, sitting areas, lush landscaping, fountains and other water features, 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.
- (6) Signage shall be regulated in accordance with Section 153-808(c) of the Zoning Ordinance. All proposed signs shall meet the architectural standards for signs as set forth in the Design Manual. All freestanding signs shall be architecturally compatible with the surrounding buildings with respect to composition, materials, colors and details.
- (7) All crosswalks within existing property boundaries or crossing access driveways shall consist of red brick pavers or materials that look like red brick unless otherwise modified by the Board of Supervisors during the conditional use process.
- (8) All street lighting and internal lighting shall meet the lighting requirements in the Design Manual unless otherwise modified by the Board of Supervisors during the conditional use process.
- (9) All site furnishings in public use areas shall meet the site furnishing requirements in the Design Manual unless otherwise modified by the Board of Supervisors during the conditional use process.
- (10) All proposed structures shall meet the Architectural Design Standard and Guidelines in the Design Manual unless otherwise modified by the Board of Supervisors during the conditional use process.

G. Conditional use criteria. Any development of greater than 5 acres in the Main Street Overlay shall require conditional use approval from the Board of Supervisors. In addition to the provisions of Article X of the Zoning Ordinance, the following additional criteria shall apply in considering approval or denial of conditional use applications in this district.

- (1)** Streets and circulation. The location of new streets, sight access, driveways and pedestrian networks shall comply with the specific requirements identified within this chapter and the Towamencin Township Subdivision and Land Development Ordinance, except as may be modified by the Board of Supervisors as part of the conditional use approval.
- (2)** Existing streets abutting a parcel of land proposed for development shall be improved in accordance with the requirements of Pennsylvania Department of Transportation (PENNDOT), the Montgomery County Department of Roads and Bridges, the results of a Township-wide traffic study or the Towamencin Township Subdivision and Land Development Ordinance, whichever shall control as determined by the Board of Supervisors.
- (3)** Parking, service, loading, and refuse areas; pedestrian circulation; outdoor lighting; street, parking lot and sidewalk lighting and lighting fixtures and poles; mass transit stops, plazas and open space; landscaping and planted buffer requirements shall be in accordance with requirements of the Towamencin Township Subdivision and Land Development Ordinance.
- (4)** Design guidelines. In order to ensure all design elements will be uniform, the following design elements shall be incorporated:
 - (a)** Each applicant shall submit architectural drawings showing concepts for facades, roof design and materials for buildings and structured parking facilities, and incorporate specific design standards in order to qualify for conditional use approval.
 - (b)** These design standards shall include, but may not necessarily be limited to, building and streetscape elements such as the type of lighting, sidewalk design, street furniture, street signs, and architectural details and façade materials.

- (c) In addition, the applicant shall incorporate architectural performance standards such as screening of parking facilities, loading areas, and all mechanical equipment; the continuity of store front and entrance doorways on specific streets, the massing of buildings to reinforce the design of an urban space; and sign control.
- (5) Upon the submission of a conditional use application, the applicant shall include a master plan/conditional use plan for all lands controlled by the applicant within the district that illustrates, to the satisfaction of the Board of Supervisors, that all proposed development is in conformance with this section. Once approved by the Board of Supervisors, the master plan/conditional use plan must be developed in accordance with the approved master plan/conditional use approval. Any future changes will be subject to a new or amended conditional use application and approval.

SECTION 8. AMENDMENT TO ARTICLE V [USE DEFINITIONS AND REGULATIONS]

Article V [Use Definitions and Regulations], Section 502(F) [R-Residential Uses] is amended to provide a new sub-section (15) entitled “Multifamily Residential” that will read as follows:

- (15) Multifamily Residential. A Multifamily Residential use is a residential or mixed-use building designed for, and used as a residence for, six or more families, each living and cooking independently of the others with all units sharing the same lot, and/or common facilities, and containing dwelling units placed side-by-side and/or one above another.
 - (a) Parking: not less than 2.0 off-street parking spaces per dwelling unit.
 - (b) A clubhouse facility or amenity space may be permitted as an accessory use to Use R-15 Multifamily Residential provided that the facility or space is located within a Multifamily Residential building or on the same lot as the Multifamily Residential development and is designed and used for the recreational, social, or meeting needs of residents and their guests. The clubhouse or amenity space may include amenities

such as lounges, kitchens, fitness rooms, game rooms, co-working spaces, event spaces and administrative/leasing offices for the Multifamily Residential development.

SECTION 9. AMENDMENT TO ARTICLE VIII [SIGNS], SECTION 153-808(C)(3)(E) AND (F) [SIGN REGULATIONS BY DISTRICT/ON-PREMISES FREE STANDING BUSINESS SIGNS]

Article VIII [Signs], Section 153-808(C)(3)[Sign Regulations By District/On-Premises Free Standing Business Signs], sub-sections (e) and (f) shall be amended to read as follows:

(e) As part of a sign, the following is permitted for nonresidential uses on properties that are not located within the boundaries of the Village Overlay and Main Street Overlay as shown on the Township Zoning Map:

[1] Changeable copy signs, provided that said sign copy is not altered at a rate greater than one time per hour.

[2] Time and temperature signs.

(f) The following signs are prohibited on properties that are located within the boundaries of the Village Overlay District as shown on the Township Zoning Map:

[1] Digital display signs.

[2] Projecting signs.

[3] Changeable copy signs.

[4] Time and temperature signs.

[5] Message center signs.

[6] Pole banner signs.

SECTION 10. 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 11. REPEALER

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

SECTION 12. EFFECTIVE DATE

This Ordinance shall take immediately from this Board's approval of it as required Pennsylvania law.

ENACTED and **ORDAINED** by this Board at its public meeting on October 8, 2025, following a duly-advertised hearing.

TOWAMENCIN TOWNSHIP
BOARD OF SUPERVISORS

JOYCE F. SNYDER
Chairperson

ATTEST:

KOFI OSEI
Secretary

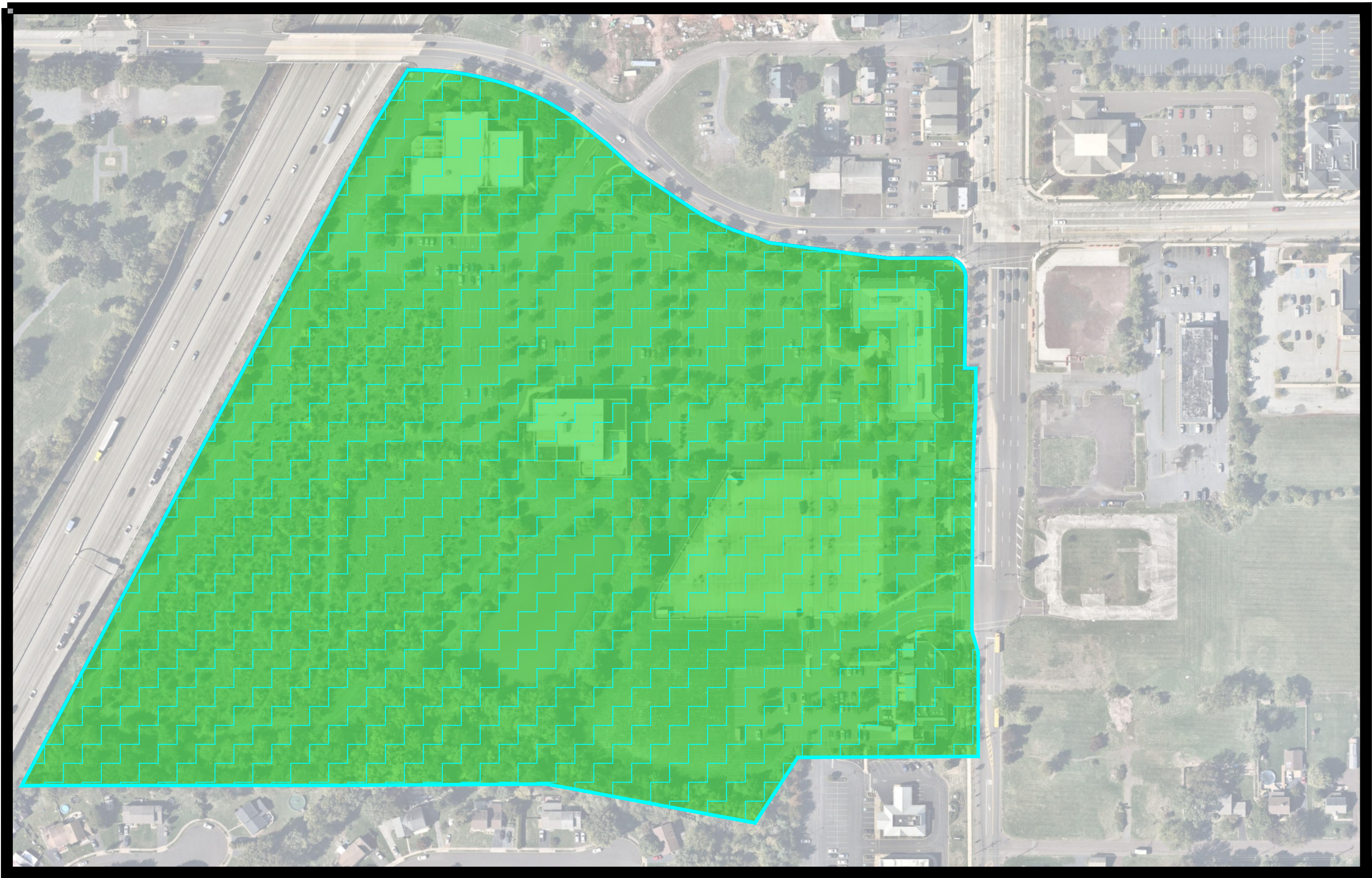
DRAFT

EXHIBIT “A”



<u>Tax Parcel No.</u>	<u>Address</u>	<u>Owner</u>
53-00-04948-00-3	Bustard Road	Kulpsville Business Campus Condominium Association
53-00-08256-01-6	1690 Sumneytown Pike	CB Spectrum Partners, LP
53-00-08256-02-5	1650 Sumneytown Pike	Tollgate Commons LLC
53-00-08256-03-4	Sumneytown Pike	6 Kulpsville Business Campus LLC
53-00-04948-32-7	Bustard Road	Philadelphia Suburban Development Corporation
53-00-04948-20-1	1555 Bustard Road	Philadelphia Suburban Development Corporation
53-00-04948-10-2	1565 Bustard Road	1565 Bustard Rd LLC

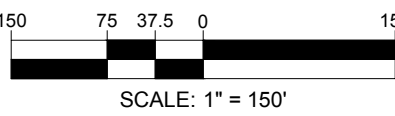
EXHIBIT “B”

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PROPOSED ZONING MAP

<i>HATCH LEGEND</i>	
	TOWAMENCIN VILLAGE OVERLAY DISTRICT
	MAIN STREET OVERLAY DISTRICT



BOHLER

SITE CIVIL AND CONSULTING ENGINEERING
 LAND SURVEYING
 PROJECT MANAGEMENT
 LANDSCAPE ARCHITECTURE
 SUSTAINABLE DESIGN
 PERMITTING SERVICES
 TRANSPORTATION SERVICES

REVISIONS

[illegible]

ATTENTION ALL CONTRACTORS:
LOCATIONS OF ALL EXISTING UTILITIES SHOWN HEREON HAVE BEEN DEVELOPED FROM UTILITY COMPANY RECORDS AND/OR ABOVE-GROUND INSPECTION OF THE SITE. COMPLETENESS OR ACCURACY OF TYPE, SIZE, DEPTH OR HORIZONTAL LOCATION OF UNDERGROUND FACILITIES OR STRUCTURES CANNOT BE GUARANTEED PURSUANT TO PENNSYLVANIA LEGISLATIVE ACT NUMBER 287 OF 1974 AS AMENDED BY ACT 50 OF 2017. CONTRACTORS MUST VERIFY LOCATION AND DEPTH OF ALL UNDERGROUND UTILITIES AND FACILITIES PRIOR TO START OF WORK.

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**NOT APPROVED FOR
CONSTRUCTION**

THIS DRAWING IS INTENDED FOR MUNICIPAL AND/OR AGENCY
REVIEW AND APPROVAL. IT IS NOT INTENDED AS A CONSTRUCTION
DOCUMENT UNLESS INDICATED OTHERWISE.

PROJECT No.:	PAA240181.00-2
DRAWN BY:	J
CHECKED BY:	M
DATE:	08/01/2020
CAD I.D.:	P-ZONG-ZON

PROJECT:

ZONING MAP AMENDMENT EXHIBIT

FOR
PHILADELPHIA
SUBURBAN
DEVELOPMENT
CORPORATION
TOWAMENCIN VILLAGE

SUMNEYTOWN PIKE AND
FORTY FOOT ROAD
OWAMENCIN TOWNSHIP
MONTGOMERY COUNTY, PA

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J.P. ALEJNIKOV

PROFESSIONAL ENGINEER
PENNSYLVANIA LICENSE No. PE086400

SHEET TITLE:

ZONING MAP AMENDMENT EXHIBIT

SHEET NUMBER

1 OF 1

REVISION 2 - 4/29/2025