

ORDINANCE NO. 312

EAST NORRITON TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP, SPECIFICALLY, CHAPTER 205, KNOWN AS THE EAST NORRITON TOWNSHIP ZONING ORDINANCE, BY MODIFYING SECTION 205-5 DEFINITION OF FAMILY; BY MODIFYING SECTION 205-104 ALLOWING FIFTEEN PERCENT (15%) OF REQUIRED PARKING SPACES TO BE RESERVED IN THE FORM OF OPEN SPACE; BY MODIFYING SECTION 205-66 SETTING FORTH OUTDOOR SALES RESTRICTIONS INCLUDING REQUIRING PERMITTING AND PAYMENT OF A FEE; MODIFYING SECTION 205-61 BY DISALLOWING RADIO AND TELEVISION BROADCASTING FACILITIES AND TOWERS AS A PERMITTED USE IN THE BP DISTRICT; MODIFYING SECTION 205-72 BY ADDING RADIO AND TELEVISION TRANSMITTING FACILITIES AND TOWERS AS A PERMITTED USE IN THE INDUSTRIAL DISTRICT; MODIFYING SECTION 205-107 BY DELETING THE EXISTING DEFINITION OF "SIGN" AND SUBSTITUTING A NEW DEFINITION WHICH WOULD INCLUDE SIGNS ATTACHED TO VEHICLES; MODIFYING SECTION 205-114 BY INCLUDING THE IN DISTRICT IN THIS REGULATION; MODIFYING SECTION 205-115 BY ADDING THE IN DISTRICT TO THIS REGULATION; MODIFYING SECTION 205-48 BY INCREASING THE MINIMUM SIZE OF A LOT IN THE RP DISTRICT TO 10,000 SQUARE FEET AND ADDING A REQUIREMENT THAT ALL LOTS IN THE RP DISTRICT BE SERVED BY SANITARY SEWER AND SETTING STANDARDS FOR SIGNS IN AN RO ZONING DISTRICT.

THE BOARD OF SUPERVISORS OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, UNDER AND BY VIRTUE OF THE AUTHORITY GRANTED BY THE SECOND CLASS TOWNSHIP CODE AND THE MUNICIPALITIES PLANNING CODE, DOES HEREBY ENACT AND ORDAIN:

SECTION 1.

The Code of East Norriton Township, Chapter 205, known as the East Norriton Township Zoning Ordinance is hereby amended as set forth below.

Amend Section 205-5. Definition of Family by adding the sentence: "Family shall be deemed to include unrelated persons with disabilities living together in a community living arrangement".

Amend Section 205-104 by adding paragraph C as follows:

C. The developer may set aside up to fifteen percent (15%) of the required parking spaces which shall be planted, landscaped and reserved for future parking needs. The reserved parking shall be constructed at the sole expense of the property owner or tenant: in total or in part, at the election of the property owner or, if so ordered by the Township Board of Supervisors. Such reserved parking shall be fully engineered, and such areas shall not be counted as any open space otherwise required and the location and design must conform to all other applicable Township standards. The applicant shall provide financial security in the form of a cash escrow in the amount determined by the Township Engineer to be sufficient for completion of the parking spaces held in reserve. The escrow shall not be released until such time as the reserved parking spaces are completed in accordance with Township requirements and approved by the Township Engineer.

Amend Section 205-66 by deleting the existing subparagraph J and substituting the following therefore:

J. Outdoor Sales. No outdoor sales shall be permitted and all business shall be conducted within a completely enclosed building, except for off-street parking and uses such as gasoline service stations, and the sale of specialty items such as Christmas trees and living plants, which by their nature require outdoor sales. The outdoor sale of such specialty items shall require a special use permit issued by the Zoning Officer and subject to the following conditions:

1. Sale events must be temporary in nature, not to exceed thirty (30) days.

2. No sales event shall use more than twenty-five percent (25%) of the usable lot area.

3. Application for the special use permit must be made in writing to the Zoning Officer and must be executed by both the property owner and the proposed land user.

4. A non-refundable permit fee of One Hundred Dollars (\$100.00) and an escrow fee of Two Hundred Dollars (\$200.00) to insure restoration of the area to its former condition must accompany the application. The escrow fee is not required when the outdoor sale is conducted by the property owner.

5. No temporary structures, no vehicles or parts of vehicles may be used to store merchandise for sale.

6. All applicants shall provide safe and adequate off-street parking and adequate traffic and crowd control.

7. All appropriate Township licenses, taxes and permits must be obtained from the Township prior to issuance of this special use permit.

Amend Section 205-61 by deleting from subparagraph D. the following: Radio and television transmitting facilities and towers.

Amend Section 205-72 B (2) by adding the following: ". . . and radio and television transmitting facilities and towers."

Amend Section 205-107 by deleting the existing definition of "Sign" and substituting the following definition:

Sign - Any name, nameplate, emblem, painting, banner, pennant, balloon, placard, billboard, poster, panel, display, illustration, structure or other device, illuminated or non-illuminated, used for visual communication which is affixed, painted or represented directly or indirectly upon a building or other outdoor surface or is painted or affixed to or propelled or towed by a vehicle other than one licensed by the Public Utilities Commission, for the purpose of bringing the subject thereto to the attention of the public or advertising a business, commodity, service, product or political candidate or candidates or for identifying a business, structure or use of land. Bumper stickers 1 sq. ft. or less and vehicles used regularly in association with a specific business that have advertising affixed, painted or represented directly upon the vehicle pertaining to the business are not considered signs under this Ordinance provided said vehicles are operable and display current inspection and registration and are not parked within 50' of the curb line.

Amend Section 205-114 by adding "IN" after "SC" in the first clause of that section.

Amend Section 205-115 by adding "IN" after "C" in the first clause of that section.

Amend Section 205-48 by deleting the existing subparagraph A and substituting the following:

A. Minimum Lot Area: ten thousand (10,000) square feet.

Amend Section 205-48 by adding subparagraph G as follows:

G. All lots in an RP-Zoning District must be served by sanitary sewer.

Amend Section 205-110 E. to Read "For Residential-Professional and Residential Office uses: one (1) freestanding sign, not to exceed sixteen (16) square feet, which shall be placed a minimum of ten (10) feet from the ultimate rights-of-way. Such signs may not exceed six (6) feet in height and must be unlighted.

SECTION 2. Severability.

If any Section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any Court of competent jurisdiction, such provisions shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. Ratification.

This Ordinance shall in no other way affect, amend or modify the said Zoning Ordinance contained in Chapter 205 of the Code of East Norriton Township.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this *13th* day of *April*, 1992.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

By: _____

Joseph C. Roush

ATTEST:



Helmut J. C. Bauwald
Secretary