

ORDINANCE NO. 497

**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, TO AMEND ARTICLE II , DEFINITIONS, AND TO CREATE A NEW ARTICLE
IXA, HR-1 HIGH-RISE-1 RESIDENTIAL DISTRICT AND REPEALING ANY INCONSISTENT
PROVISIONS THEREWITH**

NOW, THEREFORE, BE IT ENACTED and ORDAINED and it is hereby **ENACTED** and **ORDAINED** by the Board of Supervisors of East Norriton Township as follows:

Section 1. Article II, Section 205-5, Definitions, shall be amended to provide the following in alphabetical order:

The existing definition APARTMENT shall be deleted and restated to read as follows:

APARTMENT – A permanent dwelling unit within a building containing three (3) or more dwelling units (also known as Apartment House), each for a single family living independent of one another, and being vertically arranged, sharing outside access, and having one (1) or more walls as well as a ceiling or floor in common with another dwelling unit. (See also Multiple Dwelling.)

Section 2. A new district titled HR-1 High-Rise-1 Residential District shall be created to provide as follows:

**ARTICLE IXA
HR-1 High-Rise-1 Residential District**

§205-44.1. Intent.

The following is an expansion of the Statement of Community Development Objectives contained in Article I, §205-3, of this Chapter. It is the intent of this Article to provide for suitable locations for high density apartment house style residential development on compact sites of between approximately five (5) to ten (10) acres which are located with frontage along principal arterial streets and which are located in close proximity to employment, shopping centers, health care services, and mass transit.

§205-44.2. Permitted uses.

A building may be erected or used and a lot may be used or occupied for the following purposes and no other, provided that the requirements of the following sections are met:

- A. The following are the permitted uses in a HR-1 High-Rise-1 Residential District:
- (1) Apartment house or group of apartment houses.
 - (2) Personal service shops such as beauty parlors, barber shops, clothes cleaning pickup/drop off, snack shops not greater than six hundred (600) square feet floor area, newspaper sales, and office uses shall be permitted on the ground floor only, or in the case where ground floor parking is provided on the first residential floor, provided that no trade or business shall be permitted which is noxious, hazardous or detrimental to the proper use of the property for residential purposes. The total floor area of personal service and

office use shall not exceed five percent (5%) of the total floor area of the entire development. In the event that the project is constructed in stages, the five percent (5%) of commercial and office use shall be computed on fully completed stages.

- (3) Playgrounds, parks, tot-lots, club house and card rooms, and the other public or semipublic, noncommercial recreational facilities for the exclusive use of residents of the apartment house, as well as open space areas.
 - (4) Fitness center including physical therapy studio, limited to use by residents of the apartment house and their invited guests provided the total floor area devoted to these uses does not exceed three thousand (3,000) square feet plus area for lockers and showers.
 - (5) Accessory uses in accordance with §205-16.
 - (6) No-impact home-based business as defined in Article II herein.
- B. Parking. Off-street automobile parking and off-street delivery-collection facilities shall be for the sole use of the occupants of such apartment building and the visitors thereto.

§205-44.3. Development requirements.

The general plan for a high-rise residential district shall be designed for the entire tract showing that it has considered and made provision for, and that the development shall be executed in accordance with the following essential conditions:

- A. The proposed development shall be constructed in accordance with an overall plan and the buildings shall be designed as a unified architectural unit with appropriate pedestrian systems, parking areas, recreation areas, buffers and landscaping.
- B. If the development of the high-rise apartment plan is to be carried out in stages, each stage shall be so planned that the foregoing requirements and the intent of this chapter shall be fully complied with at the completion of any stage. The initial stage of the development shall comprise a total floor area of not less than thirty thousand (30,000) square feet.
- C. Plans for any apartment house development shall be submitted to the Township prior to the issuance of any permit and such plans shall include the following:
 - (1) The location, use and plan for each building or other structure, the total gross floor area of each building, and, where applicable, the floor area of each building to be used for personal service or offices.
 - (2) Floor area (in square feet) of each type of apartment dwelling unit.
 - (3) Building elevations.
 - (4) The total number of apartment dwelling units.
 - (5) Total number of acres in the proposed district.
 - (6) Total number of off-street parking spaces.
 - (7) Exterior, vertical and horizontal building dimensions.

- (8) Ground area coverage of each building.
- (9) The location, dimensions and arrangement of all open spaces, yards, streets, accessways, entrances, exits, off-street parking facilities, loading and unloading spaces, pedestrian ways, sidewalks, recreation areas and areas devoted to planting, landscaping and other similar purposes.
- (10) The capacity of all areas to be used for automobile access, parking, loading and unloading.
- (11) The provision made for, and location of, existing or proposed stormwater and sanitary sewerage, water supply, exterior lighting facilities, gas and other utilities.
- (12) Information sufficient to demonstrate that satisfactory arrangements will be made to accommodate probable increases in traffic and to facilitate traffic movements on the streets in the vicinity of the proposed use. These arrangements shall include provisions for emergency access and police and fire vehicular circulation within the district.
- (13) Information sufficient to determine that the proposed plan and uses comply in all respects with the requirements of this and all other ordinances.
- (14) All procedural and content requirements of the Subdivision and Land Development Ordinance shall be met, unless specifically waived by the Board of Supervisors.

§205-44.4. General regulations.

- A. Minimum tract. Not less than five (5) acres shall be provided for every lot to be used in whole or in part as a HR-1 High-Rise-1 Residential District.
- B. Building coverage. No more than thirty percent (30%) of the lot area shall be occupied by a building or buildings.
- C. Dwelling units per acre. There shall be no more than twenty (20) dwelling units per acre of lot area.
 - (1) In the event that an apartment building(s) shall provide not less than fifty percent (50%) of the total required parking spaces for a high-rise apartment development plan under or within the apartment building(s), then the overall number of dwelling units shall be permitted at no more than thirty (30) dwelling units per acre of lot area.
- D. Height of building. No apartment house building shall be less than three (3) stories nor exceed the height of six (6) stories (exclusive of the basement but inclusive of ground floor parking, if provided under the building), and shall in no event exceed a building height of sixty-five (65) feet; provided the maximum height to the highest appurtenance of the building shall not exceed seventy-five (75) feet.
- E. Setback from street. There shall be a building setback from the ultimate right-of-way of each street from which the HR-1 High-Rise-1 Residential District takes regular vehicular access which shall not be less than one hundred (100) feet in depth.
- F. Setback from property lines. There shall be a building setback from any property line which the HR-1 High-Rise-1 Residential District abuts, which shall not be less than:

- (1) From any residential district including an adjacent high rise residential district a setback equal to the building height of a building constructed in the HR-1 District.
- (2) From any other property line a setback of not less than fifty (50) feet.

G. Distance between buildings and wings of the same building. In the case of two (2) or more buildings or wings of the same building, regardless of orientation, the horizontal distance measured in feet between any two (2) buildings at their nearest point shall be:

- (1) Not less than fifty (50) feet for buildings the average building height of which is sixty (60) feet or greater.
- (2) Not less than forty (40) feet for buildings the average building height of which is less than sixty (60) feet.
- (3) Not less than thirty-five (35) feet between end walls of buildings where said walls contain no legally required windows.
- (4) Club houses and buildings used for service or recreation shall provide a distance equal to the height of the building but shall in no event be less than twenty (20) feet from an adjacent building.

H. Parking.

- (1) For apartment residential use, not less than two (2) off-street automobile parking spaces shall be required for each dwelling unit. Initially, one and one-half (1½) spaces per dwelling unit may be constructed, provided that the remaining required parking spaces and service drives shall be engineered and identified on the approved plans and shall be constructed as may be determined from time to time by the Zoning Officer.
- (2) For personal service and office use, parking provision shall be off-street, located on the same lot and be in accordance with Article XVIII of this chapter.
- (3) Parking garages or decked parking structures shall not be included in the calculation of Subsection B, Building coverage, unless physically contained within the apartment building.
- (4) Parking areas not part of a building or structure shall be placed so as not to interfere with any recreation or service area and shall not be less than:
 - (a) Seventy-five (75) feet from the ultimate right-of-way line of a street from which the apartment house development takes regular vehicular access.
 - (b) Fifteen (15) feet from any nonresidential district property line to which the HR-1 High-Rise-1 District abuts. This may be reduced to not less than ten (10) feet provided the requirements of §205-44.4.H.(4) (f) herein shall apply along the property line.
 - (c) Forty (40) feet from any residential district property line to which the HR-1 High-Rise-1 Residential District abuts. This may be reduced to not less than twenty-five (25) feet provided the requirements of §205-44.4.H.(4) (f) herein shall apply along the property line.
 - (d) Twenty-five (25) feet from the ultimate right-of-way line of any contiguous public street from which regular vehicular access is not taken. This may be

reduced to not less than fifteen (15) feet provided the requirements of §205-44.4.H.(4) (f) herein shall apply along the property line.

- (e) Ten (10) feet from any high-rise apartment building unless said parking is located within the lines of the high-rise building walls or in an attached parking garage.
 - (f) Where authorized above, a high intensity type buffer in accordance with Chapter 175, Subdivision and Land Development shall be provided in conjunction with a solid masonry wall having a minimum height of four (4) feet above parking elevation. Parking facilities which are depressed below the finish grade determined at the property line may substitute equally for part of/all of the masonry wall requirement. In no event shall the finish grade of parking be greater than one (1) foot in elevation above existing grade as determined at the property line, otherwise this section shall not be applicable and the reduced setbacks shall not be permitted.
- I. Paving. All areas provided for use by vehicles and all pedestrian walks shall be constructed in accordance with all pertinent specifications within Chapter 175, Subdivision and Land Development.
 - J. Service. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other service shall be provided and shall be adequate in size and shall be so arranged that they may be used without blockage or interference with the use of accessways or automobile parking facilities.
 - K. Access. Provision shall be made for safe and efficient ingress and egress to and from public streets and highways without undue congestion to or interference with normal traffic flow.
 - L. Utilities. All buildings shall be served by a public sanitary sewage disposal system and public water supply. All utility lines servicing the high-rise apartment house shall be placed underground.
 - M. Lighting facilities. Lighting facilities provided shall be arranged in a manner which will protect the highway and neighboring properties, whether contiguous or not, from direct or indirect glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary for the safety and convenience of high-rise apartment residents. No free standing light fixture shall exceed a mounting height of twenty-five (25) feet above ground elevation.
 - (1) Techniques to minimize the impact of illumination on adjacent properties shall include, but not be limited to, the selection and location of lighting fixtures, use of full cut-offs and timed lighting.
 - (2) All lighting shall be directed away from adjacent residential uses and districts.
 - (3) Free-standing light fixtures shall be located at least twenty-five (25) feet from the boundary of residential uses and districts.
 - (4) Pedestrian-scaled walkway lighting shall be provided where necessary for the safety of the residents, as may be required by the Township.
 - N. Fencing requirements of §205-24 and §205-44.N shall apply.
 - O. Buffer and landscaping requirements, including conservation of existing trees and woodlands, street trees, parking lot design and landscaping, stormwater basin landscaping and site element

- screens, shall be provided in accordance with the provisions of Chapter 175, Subdivision and Land Development.
- (1) Buffers may be used for no purpose other than planting of trees, shrubs and lawn, except, however, that a pedestrian pathway approved as a part of the overall master plan may penetrate the buffer to connect to adjacent land uses.
 - (2) Where specific uses are listed, standards shall be based on those referenced for multi-family or high-rise residential.
- P. Building performance standards. All building and construction specifications shall be in accordance with the Pennsylvania Construction Code Act. Requirements of the Township Fire Code must be incorporated into the buildings and the site.
- Q. Open space. No less than thirty-five percent (35%) of the lot area shall be maintained in nonvehicular pervious open space. In addition, the development plan shall be required where possible to preserve or incorporate natural features, such as woodlands, streams and open space areas, which add to the overall cohesive development of the high-rise apartment development and the overall community development.
- (1) Open space which shall provide at least three (3) of the following features shall not be considered pervious for purposes of this section:
 - (a) Outdoor furniture.
 - (b) Outdoor seating walls.
 - (c) Landscaped planters.
 - (d) Fountain.
 - (e) Public art.
 - (f) Gazebo.
 - (g) Decorative paving, including brick, stone and/or stamped and colored concrete.
- R. Recreation. The development plan shall give consideration to the provision of community areas, playgrounds, tot-lots and other services necessary for the comfort and convenience of high-rise apartment house residents. Not less than seventy-five (75) square feet of recreation space for each dwelling unit shall be dedicated to active and passive recreation.
- S. Dwelling unit requirements. Each dwelling unit shall contain a minimum of six hundred fifty (650) square feet floor area.
- T. Trash and refuse areas, HVAC units, and loading areas shall be visually and acoustically screened from public rights-of-ways and surrounding properties:
- (1) Refuse areas shall be screened and shall be located at least seventy-five (75) feet from the property line of an adjacent residential use or district.
 - (2) Refuse areas shall be centrally located for the use of tenants. Every day trash and garbage refuse stations shall be located within the apartment house building or parking structure.

Section 3. 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 portions of this ordinance.

Section 4. 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.

ORDAINED and ENACTED by the Board of Supervisors of East Norriton Township this

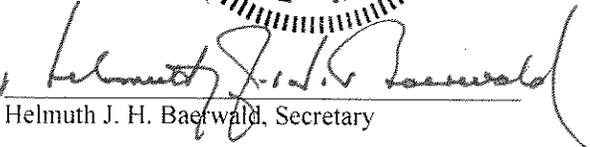
28th day of August, 2007.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP


Donald J. Gracia, Chairman

ATTEST:




Helmuth J. H. Baerwald, Secretary