

ORDINANCE NO. 451

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 AMENDING ARTICLE III, SECTION 205-6 BY ADDING THE ECII EXECUTIVE CAMPUS DISTRICT; AND ADDING ARTICLE XIIB TO CREATE THE EXECUTIVE CAMPUS II DISTRICT AND SETTING OUT THE INTENT OF THE DISTRICT, REGULATIONS TO APPLY TO THE DISTRICT, DEVELOPMENT REQUIREMENTS, SETTING FORTH GENERAL REGULATIONS RELATED TO THE SIZE OF THE TRACT, STREET FRONTAGE REQUIREMENTS, BUILDING COVERAGE, SETBACK REQUIREMENTS, PARKING REQUIREMENTS, BUILDING AND STRUCTURE RESTRICTIONS, SIGN REGULATIONS, ACCESS REQUIREMENTS, BUFFERING AND LANDSCAPING AND OPEN SPACE REQUIREMENTS.

The Boards of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of authority granted by the Second Class Township Code and the Municipalities Planning Code, do 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 Chapter 205 of the Code by adding new Article XIIB as follows:

ARTICLE XIIB - Executive Campus II District

Section 205-63.6. Intent.

The following is an expansion of the statement of community development objectives contained in Article I, Section 205-3, of this chapter. It is the intent of this Article to provide for a mix of office, hotel and residential uses in districts of at least ten (10) acres and having at least six hundred (600) feet of frontage along a principal arterial street. Furthermore, it is the intent of this Article to:

- A. Establish standards and certain limitations which encourage orderly and planned development of an architecturally harmonious mixed use development while prohibiting incompatible uses and minimizing community impact.

- B. Provide employment centers and housing opportunities in close proximity to existing and future commercial and residential developments to reduce commuting distance for the workforce and minimize traffic impact as well as to enhance the community tax base.
- C. Ensure that residential neighbors will be buffered against the Executive Campus II District and prevent encroachment upon existing highways by the use of setbacks and encourage the preservation of natural features and existing foliage.
- D. Encourage efficiency from shared planned parking and shared driveways through the use of an internal driveway network connected to principal arterial streets only at signalized intersections in order to eliminate uncontrolled access to exterior streets and to reduce excessive impervious surfaces.
- E. The Executive Campus II District differs from the Executive Campus District and is considered a more appropriate transition between adjoining low or moderate density residential land uses for the following reasons; Buildings over three(3) stories or forty (40) feet are not permitted with the exception of hotel use which may be four (4) stories and fifty-five (55) in height unless a Conditional Use is granted; pursuant to Section 205-63.8B; residential uses are permitted and encouraged adjacent to existing single family land use where practicable, but not greater than fifty percent (50%) of the gross acreage of the District; retail uses shall be limited not to exceed twenty thousand (20,000) square feet for the entire district unless contained within a Hotel use. All roadways in this District shall have a minimum right-of-way of fifty (50) feet.

Section 205-63.7. Regulations to apply.

In any Executive Campus II District, the following regulations shall apply.

Section 205-63.8. Permitted uses.

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

- A. The following are the permitted uses in an Executive Campus II District:
 - 1. Offices for administration, executive, business, medical, professional, sales, data processing, financial institutions, banks, research and other uses of the same general character, including insurance and real estate offices, the normal attributes, of which do not involve the actual bulk warehousing, exchange or delivery of inventory on the premises. No office shall have more than three (3) stories or forty (40) feet in height.

2. Storage, office/warehousing, and distribution uses shall have a maximum of two (2) stories or thirty (30) feet in height and shall be in a shopping center district only, and all associated buildings or activities are located a minimum of one hundred (100) feet from any residential district or use. Self-storage facilities may be allowed by Conditional Use limited to the same height restrictions above.
3. Municipal or governmental offices; educational or conference center uses.
4. Cafeterias, when allied with and contained within permitted office uses.
5. Barbershops, beauty salons, spas, cleaning and pressing, laundry pickup stations, travel agencies, concierge services, ticket centers and such other personal service uses.
6. Retail sale of dry goods, variety and general merchandise; excluding gasoline. The retail sales (excluding inside a hotel), shall not exceed twenty thousand (20,000) square feet for the entire district, independent of individual or multiple uses. The retail use shall be permitted only when a nonresidential permitted use of equal size is constructed prior to or during the construction of the retail use, and the occupancy of the retail use shall be permitted after the occupancy of the nonresidential permitted use only, unless a Conditional Use is granted by the Board of Supervisors.
7. Restaurants, taverns, cafes or similar establishments which shall be limited to sit down non-fast food establishments. There shall be not more than three (3) restaurants or similar establishments in the Executive Campus II District, excluding those facilities that may be provided in a hotel. Drive-through, drive-in, curb-service (and outdoor eating establishments) are specifically prohibited. Outdoor customer dining is permitted by Special Exception.
8. A Hotel provided that not more than one (1) such hotel facility shall be permitted within any Executive Campus II District. Uses provided in Section 205-63.8.A.1, 5, 6 and 7 (above) shall be permitted when located within a hotel with the total area of retail use shall not exceed ten percent (10%) of the total gross floor area of the hotel. A Hotel shall have a maximum of four (4) stories or fifty-five (55) feet in height.
9. Day-care centers.
10. Medical and surgical facilities.
11. For Profit Assisted living facilities not to exceed 120 units or beds.

12. Residential uses which may consist of: Townhouses, twin houses, duplexes and triplexes in accordance with the requirements of Section 205-38 (the CR Residential District), except as specifically modified in this District. The area devoted to residential land use shall be subject to the following:

- a. Gross acreage of the area devoted to residential uses shall not be less than ten (10) acres and shall not exceed fifty percent (50%) of the total gross acreage of the District.
- b. The maximum density shall be 3.7 dwelling units per gross acre of the area devoted to residential uses.
- c. A minimum of two (2) points of ingress/egress shall be provided.

13. Parking Structures located beneath a nonresidential permitted use is allowed.

14. Accessory uses customarily incidental to any of the above permitted uses.

B. The following uses are permitted by Conditional Use:

1. A Hotel building may increase it's height from four (4) stories or fifty-five (55) feet in height, to no greater than six (6) stories or seventy-five (75) feet in height by Conditional Use, conditioned upon the additional setbacks as follows:
 - (a) For each additional one (1) foot in height above fifty-five (55) feet, there shall be added four (4) feet to the required yard setback in addition to the minimum setback established where abutting a Residential District or use; and front yard setback from any contiguous perimeter street.
2. Office building may increase it's height from three (3) stories or forty (40) feet in height, to no greater than four (4) stories or fifty-five (55) feet in height by Conditional Use, conditioned upon the additional setbacks as follows:
 - (b) For each additional one (1) foot in height above forty (40) feet, there shall be added four (4) feet to the required yard setback in addition to the minimum setback established where abutting a Residential District or use; and front yard setback from any contiguous perimeter street.

Section 205-63.9. Development requirements.

The Executive Campus II District may consist of one or more tracts under separate ownership. The plan for the development of any tract within the Executive Campus II District shall include evidence and facts showing that it has made provision for, and the development shall in accordance with, the following requirements:

- A. A proposed development shall be constructed in accordance with an overall preliminary subdivision and land development plan for the entire development and shall be designed as a unified plan. If the development, or of any individual project within the development is to be constructed in phases, each phase shall be so planned that the foregoing requirements and the intent of this chapter shall be fully complied with at the completion of any phase.
- B. A subdivision or land development plan which has been granted final approval is considered a flex plan. The location of buildings and parking may change without further approval by the governing body provided that the plan meets all requirements of the Executive Campus II District. All plan revisions are subject to review by Township Staff prior to recording of the plan. Where the subsequent division of a tract or part thereof into lots is required to facilitate ownership or financing, the lots shall be exempt from provisions of the Township Subdivision and Land Development Ordinance with respect to setback, coverage, area of tract, open space and fee requirements, provided a development in the Executive Campus II District provides documentation satisfactory to the Board of Supervisors and the Township Solicitor assuring the appropriate covenants are recorded against the affected parcels requiring all parcels to be operated and maintained in good order and repair, in a clean and sanitary condition, uniform with the appearance and maintenance of the Executive Campus II District complex and providing appropriate covenants for driveways, access ways and easements for shared improvement. In the event any provisions governing use, setback, coverage, area of tract, open space or similar requirements in the Executive Campus II District conflict with provisions in other parts of the East Norriton Township Zoning Ordinance, these provisions of the Executive Campus II District shall prevail.

Section 205-63.10. General regulations within the Executive Campus II District.

- A. Area of tract. Not less than ten (10) acres shall be provided for any area used or developed pursuant to the Executive Campus II District.
- B. Street frontage of tract. There shall be frontage on at least one (1) public road. Non-Residential development shall be located adjacent to, and be accessible by, a signalized full movement access to a principal arterial street.

- C. Service. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, recycling containers, and other services 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 access ways or automobile parking facilities. These areas shall not be located within the parking setback envelope established for the nonresidential uses within the district and shall be screened from view of adjacent residential land uses.
- D. Vehicular Access. Provisions shall be made for safe and efficient vehicular access to and from public streets and highways serving the development at signalized locations and widths approved by the Board of Supervisors without undue congestion to or interference with normal traffic flows.
1. Direct access to public streets and highways at other than at approved locations shall be prohibited.
 2. All left turn movements to and from a property in this District shall be prohibited for any nonresidential uses permitted in the Executive Campus II District unless located at a fully signalized intersection and approved by the Board of Supervisors.
 3. Vehicular access to Jamestown Townhouses and the residential component of the Executive Campus II District may be permitted, but pedestrian access ways is required to these areas.
- E. Utilities. All buildings within the development shall be served by East Norriton Township public sanitary sewage and public water supply. All utility lines servicing the development shall be placed underground.
- F. Open Space. No less than twenty percent (20%) of the total lot area of the tract within the Executive Campus II District shall be provided and maintained as non-vehicular pervious open space. In the residential section of the district up to five percent (5%) of the required open space shall be devoted to impervious walkways or courtyards used for access to shopping districts and leisure activities such as walking trails or bicycle trails. In addition the developer shall be required, where possible, to preserve or incorporate natural features such as healthy trees and shrubs, woods, streams and ponds as open space areas which add to the overall cohesive development of the site and overall community amenity which shall be included in the landscaping.

- G. **Lighting Facilities.** Lighting facilities provided shall be arranged in a manner which will protect the highway and neighboring properties, whether contiguous or not, from unreasonable direct glare or hazardous interference of any kind. Lighting facilities shall be required where deemed necessary for the safety and convenience of the development. Freestanding light fixtures shall not exceed a mounting height of twenty (20) feet throughout the District.
- H. **Buffer.** The Executive Campus II District shall have a permanent landscape buffer area of at least twenty (20) feet in depth and screened at initial new planting to a height of not less than eight (8) feet when abutting a residential district property line which is used solely for residential purposes and ten (10) feet in depth when abutting all other district property lines. Existing vegetation shall be utilized for said buffer area where practical.
- I. **Parking Lot Landscaping.** Parking lot landscaping, which shall consist of not less than one (1) shade tree having a size at planting of not less than a two-and-one-half-inch caliper and a minimum height of twelve (12) feet for every ten (10) surface parking spaces.
- J. **Street Tree Planting.** Street trees shall be planted along public streets and highways at regular intervals or informally arranged consistent with Chapter 175, Subdivision and Land Development.
- K. Fencing requirements of Section 205-72(H)(1) shall apply.

Section 205-63.11. General regulations for Non-Residential Uses within the Executive Campus II District.

- A. **Building coverage.** No more than twenty-five percent (25%) of the gross lot area shall be occupied by nonresidential buildings or structures. The total floor area when divided by the gross lot area of the tract shall not exceed seventy percent (70%).
- B. **Building and structure setback.**
 - 1. **Setback from street.** The required minimum setback from the ultimate right-of-way of fifty (50) feet from each street on which an Executive Campus II District abuts shall be forty (40) feet.
 - 2. **Setback from property lines.** There shall be a minimum setback from any property line which the Executive Campus II District abuts, which shall not be less than:
 - (a) From any residential district: Fifty (50) feet but not less than one and one-half the actual height of the building.

(b) From any other district: Twenty-five (25) feet.

C. Parking.

1. For all permitted uses other than residential, day care, assisted living uses, off-street parking shall be provided for and located within the development at the rate of not less than three and one-half (3.5) parking spaces per every one thousand (1,000) square feet of floor area, except in the case of a hotel, which shall require one and one-fourth (1.25) parking spaces for each hotel room or suite, which shall include all ancillary services of the hotel. In the event that a hotel provides for rooms or suites only and may include common dining facilities limited to the hotel overnight guests only, such as a coffee or breakfast shop, then parking may be permitted at the ratio of one (1) parking space per room or suite. Parking for day care centers shall conform to Section 205-21.1.B(2), and assisted living facilities shall require not less than one (1) parking space for every three (3) beds.
2. The Township Board of Supervisors, may by Conditional Use grant the applicant, up to twenty percent (20%) of the required parking spaces be held in reserve and devoted to landscaping at locations which shall be agreed to by the Board. The reserve area shall be paved, if applicant so elects, or if directed by the Board of Supervisors. In the event that the applicant or the then current owner should fail to construct the reserve parking when directed by the township, the applicant or owner shall be subject to the penalties set forth in this chapter of the Code for violation of provisions of this chapter and shall further be liable for the payment of the township's costs of enforcement, including but not limited to attorney's fees.
3. The Township Board of Supervisors may permit the reduction of the aggregate amount of required parking spaces upon determination that greater efficiency is effected by joint use of a common parking area such as in the case of a shopping center of two (2) or more contiguous uses, but in no case shall the required number of off-street parking spaces be reduced more than twenty-five percent (25%). Applicant shall have the burden of providing credible testimony to support the allowance of shared parking based upon alternating times for peak demand (such as weekday, day and evening; weekend day and evening; or nighttime midnight to 6:00 A.M.)
4. Parking and paved areas shall be placed so as not to interfere with any service or emergency access area and shall not be less than:
 - (a) Twenty-five (25) feet from any residential district or use property line.
 - (b) Ten (10) feet from any nonresidential district property line to which the Executive Campus II abuts.

- (c) Fifteen (15) feet from the ultimate right-of-way line of any contiguous public street.
 - (d) Five (5) feet from the ultimate right-of-way line of any interior public or private street.
 - (e) Twenty (20) feet from any building unless said parking is located within the lines of the building.
5. Not less than five (5%) of the total lot area devoted to parking facilities shall consist of interior parking lot landscaping. The area of interior parking for landscaping may be included as non-vehicular open space. The ends of each row of parking shall contain landscaping islands not less than the size of a parking space.
- D. Except as otherwise specified herein, the Height of buildings and structures shall not exceed three (3) stories or forty (40) feet in height. For the purpose of measuring height in this District, measurements shall be taken from the lowest point of the first floor elevation.
- E. All buildings shall have fire protection in accordance with the East Norriton Township Fire and Building Codes in effect at the time of building permit application.
- F. Distance between buildings. The minimum distance between buildings shall be at least fifty (50) feet.

Section 205-63.12. General Regulations for Residential Uses Within the Executive Campus II District.

Residential uses within the Executive Campus II District shall meet the development requirements applicable to the CR District as set forth in Section 205-38 of the Zoning Ordinance, except as modified as follows:

- A. Residential development within the District shall not be located within eight hundred (800) feet of the ultimate right-of-way of a principal arterial street. Uses permitted in Section 205-16 are strictly prohibited with the exception of an attached garage.
- B. The face of each garage door shall be set back twenty-five (25) feet from the edge of the ultimate right-of-way of a privately-owned street.

- C. The horizontal distance between any two (2) buildings shall not be less than:
1. For any two (2) exterior facing walls, the building of which is oriented front-to-front, front-to-side, front-to-rear or rear-to-rear, the minimum distance apart shall be fifty (50) feet.
 2. For any two (2) exterior facing walls, the building of which are oriented side-to-side or rear-to-side, the minimum distance apart shall be thirty (30) feet.
- D. No combination of dwellings shall contain more than three (3) dwellings attached or connected to one another in any manner.
- E. Setbacks. In addition to the setback requirements set forth in Section 205-38(H), all residential buildings within the Executive Campus II District shall be setback at least thirty-five (35) feet from an abutting Zoning District.
- F. Buffer. A buffer area is not required along the perimeter of the residential component provided a minimum setback from the rear of dwelling unit to abutting property lines is forty-five (45) feet or greater.
- G. Open Space. The Board of Supervisors may waive the minimum open space percentage for the residential component if individual fee-simple lots are created for the attached and/or twin dwelling units, and the individual dwelling units have a minimum width of thirty (30) feet and a minimum lot area of 2,500 square feet and further provided that the final land development and/or subdivision plan preserves stream corridors, wetlands and flood plains, and provides walking trails to the satisfaction of the Board of Supervisors, there shall not be a minimum open space percentage required for such a development. Park and recreation land or fee in lieu of dedication regulations shall apply,
- H. Building coverage for the residential component shall be based upon the gross site area of the parcel being developed, rather than a percentage of individual fee-simple lots.
- I. Parking. The residential component shall require a minimum of two (2) parking spaces per dwelling unit excluding the garage.

Section 205-63.13. Sign Regulations within the Executive Campus II District.

- A. Signs. Notwithstanding Article XIX, Signs, of this chapter, in the Executive Campus II District, signs shall be subject to Section 205-63.5.J and the residential component shall be allowed one sign per entrance in accordance with Section 205-110.F.

SECTION 3. Severability.

In the event that any section, subsection, 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. Ratification.

All ordinances or parts of ordinances inconsistent or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, this 25th day of March, 2003.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

BY: Lewis K. McQuirns
Lewis K. McQuirns, Chairman



ATTEST:

Helmut J. V. S. Sauer
Secretary