

**EAST NORRITON TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 574

AN ORDINANCE OF EAST NORRITON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE EAST NORRITON TOWNSHIP ZONING ORDINANCE TO ALLOW DRIVE-THROUGH SERVICE AT FAST-CASUAL RESTAURANTS, TO ELIMINATE THE SIZE LIMITATION OF RETAIL USES IN THE EXECUTIVE CAMPUS II DISTRICT, TO ELIMINATE THE DISTANCE REQUIREMENT BETWEEN OFF-STREET PARKING FACILITIES AND BUILDINGS; REPEALING PRIOR INCONSISTENT ORDINANCES AND PARTS OF ORDINANCES; PROVIDING FOR A SEVERABILITY CLAUSE; AND CONTAINING AN EFFECTIVE DATE.

WHEREAS, the Board of Supervisors has enacted the East Norriton Township Zoning Ordinance, setting forth regulations for each zoning district located within the Township;

WHEREAS, the Board of Supervisors is vested with the authority to enact amendments to Ordinances duly enacted, as set forth under the Second Class Township Code;

WHEREAS, the Board of Supervisors desires to amend the East Norriton Township Zoning Ordinance, to allow drive-through service at fast-casual restaurants;

WHEREAS, the Board of Supervisors desires to amend the East Norriton Township Zoning Ordinance, by eliminating the size limitation of retail uses to not exceed 20,000 square feet in the Executive Campus II District;

WHEREAS, the Board of Supervisors desires to amend the East Norriton Township Zoning Ordinance, by eliminating the requirement that off-street parking facilities be located at least twenty (20) feet from any building; and

WHEREAS, the Board has determined that the health, safety, and general welfare of the residents of East Norriton Township will be served by providing for the following amendments and enacting provisions related thereto.

NOW, THEREFORE, IT IS HEREBY ORDAINED AND ENACTED, by the Board of Supervisors that Sections 205-5, 205-63.6.E, 205-63.8.A(6), 205-102.B(1)(e), and 205-63.11.C(4)(e) of the Code of East Norriton Township, are hereby amended as follows:

I. AMENDMENT OF CODE

The provision in Section 205-5 of the Code, in the definition of “Restaurant, Fast-Casual” stating:

“No drive-through service shall be provided at a fast-casual restaurant.”

is hereby deleted in its entirety. The remaining language of the definition of “Restaurant, Fast-Casual” shall remain in effect.

II. AMENDMENT OF CODE

The provision in Section 205-63.6.E of the Code, stating:

“Retail uses shall be limited to not exceed 20,000 square feet for the entire district unless contained within a hotel use.”

is hereby deleted in its entirety. The remaining language of Section 205-63.6.E shall remain in effect.

III. AMENDMENT OF CODE

The provision in Section 205-63.8.A(6) of the Code, stating:

“The retail sales (excluding inside a hotel) shall not exceed 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.”

is hereby deleted in its entirety. The provision stating “Retail sales, excluding gasoline” shall remain in effect.

IV. AMENDMENT OF CODE

Section 205-102.B(1)(e) of the Code, stating:

“Except in the case of individual on-lot parking in a CR Residential District, no parking shall be located less than 20 feet from any building unless said parking is located within the lines of the building walls or in an attached parking garage.”

is hereby deleted in its entirety, and replaced by “INTENTIONALLY LEFT BLANK.”

V. AMENDMENT OF CODE

Section 205-63.11.C(4)(e) of the Code, stating:

“Twenty feet from any building unless said parking is located under the building.”

is hereby deleted in its entirety, and replaced by “INTENTIONALLY LEFT BLANK.”

VI. REPEALER

Any and all terms, conditions, and provisions of any Ordinance or Resolution of East Norriton Township in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such conflict.

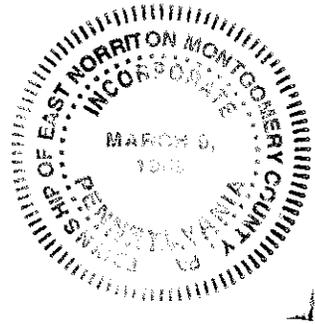
VII. SEVERABILITY

It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective.

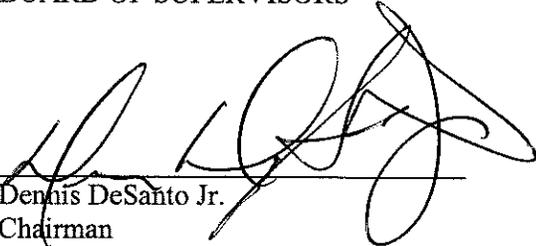
IV. EFFECTIVE DATE

This Ordinance shall be effective immediately upon adoption by the Board of Supervisors of East Norriton Township.

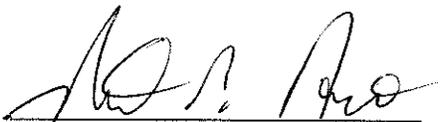
ORDAINED AND ENACTED, by the Board of Supervisors of the Township of East Norriton, Montgomery County, Commonwealth of Pennsylvania, this 27th day of February, 2018.



EAST NORRITON TOWNSHIP
BOARD OF SUPERVISORS


Dennis DeSanto Jr.
Chairman

ATTEST


Robert R. Hart, Esq.
Secretary