

MUNICIPALITY OF NORRISTON
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 20 – 09 OF 2020

AN ORDINANCE OF THE MUNICIPAL OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE NORRISTOWN MUNICIPAL ZONING ORDINANCE TO AMEND CHAPTER 320 TITLED “ZONING,” ARTICLE XIII TITLED “TC TOWN CENTER DISTRICT” TO REQUIRE CERTAIN EXISTING USES BE PERMITTED BY CONDITIONAL USE RATHER THAN BY SPECIAL EXCEPTION; REPEALING ALL INCONSISTANT ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Municipality of Norristown is a Home Rule Municipality organized operating in accordance with the Charter of the Municipality of Norristown as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*

WHEREAS, in accordance with the Charter and Pennsylvania law, the Municipal Council has the authority to enact and amend at any time it deems proper the provisions of the Municipality’s General Laws including those provisions relating to zoning within the Municipality;

WHEREAS, after review of its General Laws, particularly its existing zoning regulations, Municipal Council has determined it would be in the best interest of the Municipality and consistent with the Municipality’s existing Comprehensive Plan to amend Chapter 320, Article XIII titled “TC Town Center District” to require certain existing uses be permitted by conditional use rather than by special exception within the TC Town Center District.

NOW, THEREFORE, be it **ORDAINED** that Norristown Municipal Council amends its General Laws as follows:

SECTION I. Chapter 320, titled “Zoning,” Article XIII, titled “TC Town Center District,” Section 320-129 titled “Use Regulation,” Subsection B is hereby amended to permit only the following uses as uses permitted by special exception:

- C. Special Exception. Any of the following uses when authorized by the Zoning Hearing Board as a special exception pursuant to Article XXI and any additional criteria set forth herein.
- (1) Apartments, provided that they are above a nonresidential use.
 - (2) Houses of worship, provided the house of worship is located on a lot 20,000 square feet or greater in size.

- (3) Bed-and-breakfast, pursuant to § 320-237.
- (4) Tailors, barbers, beauty salons, shoe repair, dressmaking or similar shops.
- (5) Health spas.
- (6) Retail dry cleaning.
- (7) Job printing and photocopying.
- (8) Consignment shops.
- (9) Single-family detached, twin, rowhouse and duplex dwellings as per the applicable standards of the R-2 Residence District and provided the dwellings were originally constructed as such

SECTION II. Chapter 320, titled “Zoning,” Article XIII, titled “TC Town Center District,” Section 320-129 titled “Use Regulation,” is hereby amended to add a new Subsection D stating as follows:

D. Conditional Use. Any of the following uses when authorized by Municipal Council as a conditional use in accordance with the standards set forth in § 320-326 (relating to conditional use standards) and any additional criteria set forth herein.

- (1) Mid-rise apartment houses, provided all dwelling units are located on the second floor and above.
- (2) High-rise apartment houses, provided all dwelling units are located on the second floor and above.
- (3) Residential mixed uses, provided all dwelling units are located on the second floor and above.
- (4) Public transit stations or terminals.
- (5) Any use listed in § 320-129A, which contains a gross floor area in excess of 10,000 square feet.
- (6) Parking garages as a principal use.

SECTION III: **SEVERABILITY**

In the event that any section, sentence, clause, 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 the validity of the remaining portions of this Ordinance.

SECTION IV: REPEALER

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

SECTION V: EFFECTIVE DATE

This Ordinance shall take effect and be in force from and after its approval as required by the law.

ENACTED AND ORDAINED this _____ day of _____, 2020.

Seal:

**Municipality of Norristown
Municipal Council**

By: _____
Derrick Perry
Council President

Attst: _____
Crandall O. Jones
Municipal Administrator