

MUNICIPALITY OF NORRISTON
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 21-10 of 2021

AN ORDINANCE OF THE MUNICIPAL OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE NORRISTOWN MUNICIPAL ZONING ORDINANCE TO AMEND PORTIONS OF THE MUNICIPALITY'S ZONING CODE (CHAPTER 320) INCLUDING PROVISIONS UNDER ARTICLE II TITLED "DEFINITIONS," ARTICLE VII TITLED "MR MULTI-FAMILY RESIDENTIAL DISTRICT," AND ARTICLE XXIII TITLED "SUPPLEMENTAL REGULATIONS"; 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 portions of its zoning code as codified in Chapter 320 to allow for additional flexibility in the form and type of residential development within the MR Multi-Family Residential District.

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

SECTION I.

Chapter 320, titled "Zoning," Article II, Section 320-11 titled "Definitions," shall be amended to add in alphabetical order the following definition:

CLUB HOUSE

A private facility used by a specific group of people. When in a residential development the club house is considered an accessory to the primary residential use.

Chapter 320, titled "Zoning," Article II, Section 320-11 titled "Definitions," Section B.4 (c) "Multiplex" shall be stricken and restated as follows:

(c) MULTIPLEX

An attached dwelling arranged in a variety of configurations: side by side, back-to-back, vertically, or some combination thereof. Because of the variety of configurations, a multiplex can be designed to look like a large, single-family detached house or Townhouse.

SECTION II.

Article VII, § 320-66 “Use Regulations” Section A “Permitted uses” Subsection (2) shall be stricken and restated as follows:

- (2) Multifamily development to include garden apartments, townhouse dwellings, single-family, Multiplex dwellings, and twin dwellings provided that single-family and twin dwellings comprise no more than 40% of all units built.

Article VII, § 320-66 “Use Regulations” Section A “Permitted uses” Subsection (3) shall be stricken and restated as follows:

- (3) Personal service shop, including barbershops, hairdresser, nail salon, shoe repair, tailor, dry cleaner, flower shop, coffee shop or uses of a similar nature, provided that they are located wholly within a garden apartment building or Club House and shall be limited to the first floor only. Total square footage shall not exceed 20% of the first floor gross floor area. No drive-through, drive-thru, or drive-up use shall be permitted in conjunction with development conducted herein.

Article VII, § 320-66 “Use Regulations” Section A “Permitted uses” Subsection (4) shall be amended to add the following accessory use:

- (f) Club House

SECTION III.

Article VII, § 320-68 “Development Regulations” Section B “Multifamily Development” Subsection (1) shall be stricken and restated as follows:

- B. Multifamily development.
 - (1) Any application for multifamily development on a tract shall be pursuant to a unified plan of development submitted by either the equitable or legal owner (s) of all lots or parcels comprising the tract. The tract may include parcels bisected by a public right of way. The entirety of a bisected parcel must be developed under the requirements outlined here.

Article VII, § 320-68 “Development Regulations” Section B “Multifamily Development” Subsection (5)(b) “Garages and carports” Subsection [2] shall be stricken and restated as follows:

- [2] No more than ten garages or carports shall be attached in a row and at no time shall the garage doors directly face a public right-of-way.

Article VII, § 320-68 “Development Regulations” Section B “Multifamily Development” Subsection (6) shall be stricken and restated as follows:

- (6) No more than six buildings containing townhouse, rowhouse and/or multiplex dwellings shall be constructed in a single row.

Article VII, § 320-68 “Development Regulations” Section B “Multifamily Development” Subsection (9) shall be stricken and restated as follows:

- (9) The development shall provide for resident outdoor gathering areas or residential recreation that may include, but not be limited to, pocket parks, gazebos, walking trails and/or playgrounds.

SECTION IV. Chapter 320, titled “Zoning,” Article VII, titled “MR Multi-Family Residential District,” is hereby amended to add a new subsection numbered 320-69 and titled “Multi-family Redevelopment Option” as follows:

§ 320-69 Multi-Family Redevelopment Option

A. Objective: To encourage the private sector redevelopment of parcels within Multifamily Residential (MR) districts through adjustment of area and bulk standards.

B. Use Regulations: In addition to the permitted uses in Section 320-66(A)(2) above, Multiplex Dwellings and Rowhouse Dwellings are permitted uses. The Dimensional and Development Criteria for both Multiplex Dwellings and Rowhouse Dwellings shall be the same as set forth for Townhouse Dwellings in Section 320-67 (A) and 320-68 (B) except as may be modified in Section 320-69 (C) hereinbelow.

C. Dimensional Criteria: All Dimensional Criteria set forth in Section 320-67(A) and this Section 320-69(C) shall be calculated utilizing the tract gross area, as defined within § 320-11.

- (1) Minimum Tract Size: 13 acres
- (2) Maximum density: 24 dwelling units per acre
- (3) Minimum tract boundary setback (feet) for Townhouse, Multiplex and Rowhouse dwellings: 25’ with a minimum of 40 feet from the curb of a public street.
- (4) For Townhouse, Multiplex and Rowhouse dwellings, minimum distance between buildings (feet): 25-feet from the side of one building to the side, front or rear of another building; 40-feet from the rear of one building to the rear of another building; 40 feet from the front of one building to the front of another building; 40 feet from the rear of one building to the front of another building.

- (5) Minimum distance between Club House and Garden Apartments: ten feet
- (6) Maximum building height (feet) for Townhouse, Twin and Multiplex dwellings shall be 50 feet or 4 stories whichever is less. Maximum building height for Rowhouses shall be 35 feet or 3 stories whichever is less.
- (7) Maximum impervious surface: 65%.
- (8) Where the Municipality has approved development plans for a tract which meets the requirements stated herein, individual units, buildings or parcels of land within the approved development tract may be subdivided, sold, mortgaged and/or developed as individual parcels containing multiple units or as individual zero lot line units provided that the approved development plan for the entire tract shall at all times remain compliant with the tract development standards set forth on the approved development plan.

§ 320-70 through § 320-74 remains reserved.

SECTION V.

Chapter 320, titled “Zoning,” Article XXIII, titled “Supplemental Regulations” is amended as follows:

Section 320-246 titled “Facilities screening” shall be stricken and restated as follows:

§320-246

Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building(s) so that the architectural design is continuous and uninterrupted by ladders, towers, fences and equipment. These areas shall be located and screened so that the visual and acoustic impacts of these functions are fully contained and out of view from adjacent properties and public streets. Utility meters and HVAC equipment for individual Townhomes, Multiplexes and Rowhouses built under Section 320-69 and utility meters for Garden Apartment units built under 320-69 shall not be subject to the location and screening requirements as set forth in subsection A above.

Section 320-248 “Front Porches” Section A.2. shall be stricken and restated as follows:

- § 320-248 A. (2) Porches shall be a minimum of six feet deep and should extend a minimum of 70% of the façade of the building. In dwelling units built under §320-69, porches may be reduced to 40% of the façade of the building as long as the garage door face does not encompass more than 50% of that same façade.

Section 320-248 “Front Porches” Section A.(4) shall be stricken and restated as follows:

§ 320-248 A. (4) No second-floor balcony, deck or enclosed construction shall be permitted above the porch structure except in the R-1 and R-2 Residential Districts as a special exception. Dwellings and buildings developed under the §320-69, a first, second, third or fourth-floor balcony, deck, or enclosed construction shall be permitted.

Section 320-259 titled “Public Utilities” shall be stricken and restated as follows:

§ 320-259 Public Utilities

The provisions of this chapter shall not be so construed as to limit or interfere with the construction, installation, operation and maintenance of public utility structures or facilities in existence at the time of passage of this chapter, or which may hereafter be located within public easements or rights-of-way designated for such purposes. Unless otherwise stated, the location of any such construction not within a public easement or right-of-way shall be permitted as a special exception by the Zoning Hearing Board, in compliance with the provisions of Article XXI, Special Exceptions. The Zoning Hearing Board shall give consideration to the effect of such construction or installation upon the public safety and the character of the adjacent neighborhoods. Wireless telecommunications facilities are not included under this section. They are regulated separately in § 320-242.1. In the case of development under Section 320-69, public utilities not within a public right of way shall be permitted without a Special Exception so long as such facilities are underground or limited to pedestals and transformers not greater than four feet in height and are green, silver, black, bronze or other neutral color.

Section 320-262 “Residential Parking and Garages” A. (1) shall be stricken and restated as follows:

§ 320-262.A.(1) To maintain the existing character of the neighborhood, surface parking shall not be in the front yard. If a proposed lot abuts an existing alley, then parking must be placed in the rear yard of the property with access to the parking from said alley and garage facing the alley or the side. Garden apartments, when developed under §320-69, shall be exempt from this requirement.

Section 320-262 A. (4) shall be stricken and restated as follows:

§ 320-262.A.(4) Where no alley exists or can be created, or where the property lacks sufficient depth for parking in the rear or for a rear-facing garage, then parking in the front yard setback or a front-facing garage shall be permitted as a special exception as per Article XXI, and the following subsections.

Garden apartments, when developed under §320-69, shall be exempt from this requirement.

SECTION VI: 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 VII: 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 VIII: 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 21st day of September 2021.

Seal:

**Municipality of Norristown
Municipal Council**

By: Derrick Perry
Derrick Perry
Council President

Attest:

Crandall O. Jones
Crandall O. Jones
Municipal Administrator
Municipal Secretary