

LOWER PROVIDENCE TOWNSHIP
Montgomery County, Pennsylvania

ORDINANCE NO. 641

**AN ORDINANCE OF LOWER PROVIDENCE TOWNSHIP,
MONTGOMERY COUNTY, PENNSYLVANIA, ESTABLISHING
ARTICLE XIII, RIDGE PIKE WEST DISTRICT; AMENDING THE
ZONING MAP TO SHOW THIS NEW DISTRICT; AND ENACTED
RELATED DEFINITIONS AND REGULATIONS.**

WHEREAS, to foster the redevelopment and renewal of certain areas of the Township, the Lower Providence Board of Supervisors determined that a new zoning district permitting a greater mix of uses was necessary and desirable.

NOW, THEREFORE, after review and recommendation by the Montgomery County Planning Commission and the Lower Providence Township Planning Commission, it hereby be **ENACTED** and **ORDAINED** by the Board of Supervisors of Lower Providence Township, Montgomery County, Pennsylvania, as follows:

ARTICLE I DEFINITIONS

Section 143-6, Definitions, of the Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, is hereby revised and amended by the addition of the following new terms and definitions. These definitions shall be placed alphabetically within this Section.

AUTO SERVICE CENTER

A building and/or land where repairs and installation of parts and accessories for motor vehicles and/or boats are conducted that involves work that is less intense in character than work permitted under the definition of “auto repair garage.” This use includes major mechanical work and emissions testing centers, but specifically excludes body work, welding, and painting. The following performance standards shall be met:

- (1) All activities shall be performed within an enclosed building.
- (2) All storage of vehicles, parts, or accessories shall be contained behind a minimum eight (8) foot opaque fence; all storage shall be shielded from view from any adjacent property.

- (3) The applicant shall provide documentation that any emissions or exhaust levels are acceptable for a residential area.

CAR WASH

Automated or self-serve commercial facility for washing, cleaning, and/or detailing of automobiles or light trucks.

CARE FACILITIES FOR THE AGED

Institutional facilities that provide support services to the elderly, including personal care facilities, intermediate care facilities, skilled nursing care facilities, nursing homes, and life-care facilities.

CHILD DAY CARE FACILITY

Any of the following as defined by Pennsylvania Code Title 55, Part V, Subpart D, Article I, Chapters 3270, 3280, and 3290: child day care center, group child day care home, or family day care home.

EDUCATIONAL USE

Includes any or all of the following institutions of learning:

- (1) Schools - Public (including charter schools) and private (including religious, sectarian, non-sectarian, and denominational schools) schools providing primary, elementary, junior high, or high school level education and instruction to both day and boarding students. Does not include child day care facilities.
- (2) Institutions of higher learning – Accredited institutions, including junior colleges, community colleges, four-year colleges, and universities, that offer courses of general or specialized study leading to a post-secondary or graduate degree.
- (3) Trade/Vocational Schools – An entity providing instruction in a trade or vocation, such as information technology, carpentry, plumbing, electronics, automobile repair, cosmetology, culinary arts, and other similar activities, leading to a degree or certificate.

FAÇADE

A building elevation that faces a public right of way, private street, or an internal access driveway that functions as a street.

FUNERAL ESTABLISHMENT

An establishment for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation, including a funeral home, mortuary, auditorium, retail sales of funeral-related equipment and goods, laboratory, and temporary storage facilities, but not

including cemeteries, columbariums, crematoriums, mausoleums, or any other permanent storage facility for remains.

HOBBY SCHOOL OR STUDIO

A facility that is primarily intended for teaching, instruction, and practice of a skill, craft, or hobby (i.e. dancing, gymnastics, martial arts, photography, ceramics, music, art, etc.) and does not include viewing or fitness as primary activities.

MIXED USE BUILDING

A building containing multiple types of non-residential and/or residential uses.

MUNICIPAL USE

Municipal uses and buildings owned and/or operated by Lower Providence Township, including, but not limited to, administration buildings, police stations, recreational uses and buildings, libraries, water supply facilities, municipal communications facilities, wastewater facilities, road maintenance and equipment facilities, temporary and permanent municipal uses, community centers, community events, and other municipal structures.

RESTAURANT

A commercial establishment for the sale and consumption of food and beverages to customers who place and receive their orders after leaving their vehicles. The sale of alcoholic beverages must be incidental to the sale and consumption of food.

ARTICLE II DEFINITIONS

The definitions for the following terms contained within Section 143-6, Definitions, of the Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, are hereby revised and amended to read as follows:

GASOLINE FILLING STATION

Any area of land, together with structures thereon, used for the retail sales of motor fuel and ancillary services, such as a car wash; the sale, installation, or minor repair/replacement of lubricants, tires, batteries or other automobile accessories; and the routine servicing and mechanical repair of motor vehicles, excluding painting, major body, upholstery, and restoration work. In addition, any such use shall meet the following standards:

- (1) All activities, except those performed at fuel or air pumps, shall be performed within an enclosed building;

- (2) Fuel pumps shall be set back at least 25 feet from any ultimate right-of-way; and
- (3) All auto parts and other storage shall be within an enclosed building.

HOSPICE

A facility that provides support services for terminally ill persons, but that does not primarily involve highly skilled medical care. Such use may occur within a hospital, care facilities for the aged, personal care center, or group home. However, if the use involves care of persons with illnesses that can be contagious through the air or casual conduct, the use shall be limited to within a hospital or nursing home.

INSTITUTIONAL USE

An organization having an educational, social, or religious purpose, such as a hospital, hospice, care facilities for the aged, nursing home, life care center, retirement village, assisted living care, church, reformatory, school, college, and university.

INSTITUTIONAL GROUP LIVING QUARTERS

Residential living quarters where the residents do not live together as a single housekeeping unit. To be considered a single housekeeping unit, all residents must have common use of and access to all living areas, eating areas, bathrooms and food preparation and serving areas. Dormitories, barracks, prisons, nursing homes, personal-care homes, life-care facilities for the aged, long-term care areas of hospitals, shelters, wards, juvenile institutions, group homes that meet the above definition; , monasteries, convents, and any other such living quarters that meet the above definition shall be considered an institutional group living quarter.

INTERMEDIATE CARE FACILITY

A facility that provides nursing care and related medication or other personal health services on a regular basis to individuals who do not require a degree of care or treatment which a hospital or skilled nursing care facility is designed to provide, but who, because of their mental or physical disability, require hospital or skilled nursing services within the context of a planned program of care and administrative management, supervised on a continuous twenty-four-hour basis in an institutional setting. Must comply with all state regulations and licensing requirements.

LIFE-CARE FACILITY

An age-restricted continuing care development that provides a continuum of accommodations and care, from independent living units to personal care to intermediate care to skilled nursing care to hospice and nursing homes, and enters into contracts to provide lifelong care in exchange for the payment of periodic fees and an entrance fee. Independent living units are dwelling units located

within a life-care facility. Must comply with all state regulations and licensing requirements.

NURSING HOME

A facility licensed by the state for the housing and intermediate or fully skilled nursing care of four or more persons. Must comply with all state regulations and licensing requirements.

PERSONAL-CARE FACILITY

A premises in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours for four or more adults who are not relatives of the operator and who do not require the services of a skilled nursing or intermediate care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet or medication prescribed for self-administration. Sometimes known as an "assisted living facility." Must comply with all state regulations and licensing requirements.

ARTICLE III DEFINITIONS

The existing definition for "Skilled Nursing Care Facility or Nursing Home" contained within Section 143-6, Definitions, of the Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, is hereby replaced with the following term and definition.

SKILLED NURSING CARE FACILITY

A premises in which nursing care and related medical or other health services are provided for a period exceeding 24 hours for two or more individuals who are not relatives of the operator, who are not acutely ill or in need of hospitalization but who, because of age, illness, disease, injury, convalescence, or physical or mental infirmity, need such care, including, but not limited to, Alzheimer units and memory care services. Must comply with all state regulations and licensing requirements.

ARTICLE IV DEFINITIONS

The existing definitions for "Family Day Care Home", "Motel", and "Trade/Hobby School or Trade School" contained within Section 143-6, Definitions, of the Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, are hereby deleted and removed.

ARTICLE V DISTRICTS

Section 143-7, Districts Enumerated, of the Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, is hereby amended to read as follows:

For the purpose of this Chapter, the Township is hereby divided into 23 districts, which shall be designated as follows:

R-1	Residential District
R-2	Residential District
OSR	Open Space Residential Overlay District
R-3	Residential District
R-4	Residential District
R-5	Residential District
MHP	Mobile Home Park District
VC	Village Commercial District
GC	General Commercial District
HC	Highway Commercial District
PBO	Professional and Business Office District
RPBD	Ridge Pike Business District
RPW	Ridge Pike West District
EVC	Evansburg Village Commercial District
MU	Mixed-Use District
I	Industrial District
IP	Industrial Park District
LI	Limited Industrial District
PFO	Public Facilities and Open Space Overlay District
INO	Institutional Overlay District
BO	Billboard Overlay District
FCD	Floodplain Conservation District
SS	Steep Slope Conservation District

ARTICLE VI RIDGE PIKE WEST DISTRICT

The Lower Providence Township Zoning Ordinance, Chapter 143 of the Code of Ordinances of the Township of Lower Providence, is hereby revised by amending previously reserved Article XIII to read as follows:

Article XIII RPW Ridge Pike West District

§143–75. Legislative Intent

It is the intent of the Ridge Pike West District to provide regulations and standards for new development along Ridge Pike from the Perkiomen Creek to Evansburg State Park and along Germantown Pike from the intersection with Ridge Pike to west of Old Crosskeys Road to improve the overall safety and appearance of the built and natural environments while providing opportunities for well-designed commercial, residential, and limited industrial development with a focus on mixing commercial/retail and residential uses and pedestrian-friendly designs.

- A. Regulate vehicular access to public streets by requiring separation distances from intersections, cross-access easements with neighboring properties, shared parking areas and driveways, and the closure of redundant access points.
- B. Increase the number of pedestrian and vehicular connections between adjacent properties to provide complementary and coordinated development of adjacent properties.
- C. Provide reasonable standards for the development and continued use of commercial, retail and office uses to serve the needs of Township residents and workers.
- D. Promote the reuse of existing buildings and expansion of existing businesses while requiring new additions and development to be in accordance with selected standards of this section.
- E. Regulate the design and form of buildings to establish community identity.
- F. Regulate businesses that require outdoor storage of vehicles, equipment, and merchandise.

§143–76 General Regulations

Where standards of this Article differ from standards found elsewhere in this Chapter, the standards herein shall apply to properties located in this District.

§143–77 Use Standards

- A. Uses Permitted By Right
 - (1) On lots within the district, the following residential uses are permitted provided they are set back a minimum of 300 feet from the ultimate right-of-way of Ridge Pike or Germantown Pike.

- (a) Single-family detached dwellings
- (b) Single-family attached dwellings
- (2) On lots with frontage along Ridge Pike or Germantown Pike, the following non-residential uses are permitted individually or combined within a building.
 - (a) Retail store, including baked goods store, bookstore, children's and infants' clothing store, clothing accessories store, convenience store, meat and seafood market and butcher shop, produce shop, and specialized retail store
 - (b) Personal services, including funeral establishment and repair service shop
 - (c) Dry-cleaning drop-off establishment
 - (d) Offices
 - (e) Restaurant, including drive-in and fast-food
 - (f) Hobby school/studio
 - (g) Municipal use
 - (h) Financial institution
 - (i) Medical office or clinic; pharmacy
 - (j) Veterinary office, with no outdoor facilities, except by conditional use approval
 - (k) Commercial indoor recreation, commercial outdoor recreation, public swimming pool, and open space
 - (l) Child day-care facility
 - (m) Educational use
 - (n) Community center, cultural center, or place of worship
 - (o) A gasoline filling station, public garage, car wash, and auto service center
 - (p) Parking areas, including structures for parking
 - (q) Hotel, motor court/motel, tourist home, and bed and breakfast

- (r) Theater
- (s) Lumber yard/building supply
- (t) Mixed use buildings containing any combination of by-right residential, retail, commercial, financial, or office uses within a building, excluding automobile-oriented uses, parking, and light industrial uses. The first floor of the building can only be occupied by non-residential use(s), and residential uses shall only be located on the second, third, and/or fourth floor(s). Offices may be located on the upper floors of a building, but they may not occupy the same floor as any residential use. These buildings shall comply with all standards for non-residential buildings.

B. Conditional Uses. The following conditional uses are permitted when authorized by the Board of Supervisors pursuant to the procedural requirements set forth in §143-212, the performance standards set forth in this Article, and in compliance with all other applicable regulations of this Chapter:

- (1) Drive-through service facility
- (2) Light industrial uses
- (3) Supermarket
- (4) Life-care facility, subject to the following additional requirements:
 - (a) Minimum lot size of 10 acres
 - (b) The proposed use shall be served by public sewer and public water facilities.
 - (c) Parking requirements. One space for every two (2) dwelling units plus one space for each employee on the largest work shift.
 - (d) The maximum density may not exceed 8 dwelling units per gross acre. No units may be larger than 850 square feet in size.
 - (e) At least 20% of the proposed site of a Life-care facility, not including land subject to flooding or on slopes in excess of 5%, shall be developed for passive recreation, including, but not limited to, outdoor sitting areas, decks, patios, gazebos, picnic areas, and pedestrian walks.
 - (f) Due to the dependence of the elderly on alternate means of transportation and the need for acquiring access to primary services, a Life-Care facility's proximity to the following services shall be considered by the Township in considering conditional use approval:

Bank
Barbershop
Beauty parlor
Drugstore
Dry cleaner
Grocery store
Library
Movie theater
Place of worship
Post office
Public transportation
Regional shopping center
Restaurant

As an alternative to be considered, the developer of a Life-Care facility may submit a plan outlining a transportation service for the residents of the facility, providing access to these services at reasonable intervals.

C. Special Standards for Existing Nonconforming Uses, Lots, Buildings, and Parking Areas. The following provisions shall establish additional flexibility for properties rendered nonconforming by the creation of this Ridge Pike West District. Where Article XX Nonconforming Uses and this Section apply to the same property, the nonconforming use provision that is less restrictive upon development, permitting, and use of the property shall apply.

- (1) A lawful, existing nonconforming use in existence prior to the adoption of this Article shall be allowed to continue and or be changed or expanded to include any use permitted by right within the Ridge Pike West District.
- (2) Expansion of legal nonconforming nonresidential uses up to 100% of the gross square feet at the time of adoption of this Article or 7,500 square feet, whichever is greater, shall be permitted.
- (3) Any expansion of a legal nonconforming use or building or a change of such an use, regardless of the amount proposed, shall provide all cross access easements required by this Article.
- (4) Any expansion of a legal nonconforming nonresidential use or building shall comply with at least two of the following conditions, as chosen by the applicant:
 - (a) New buildings and additions shall occupy the front yard setback area in accordance with the standards of §143-78.B(4).
 - (b) Parking shall not be located within the front yard setback area.

- (c) Sidewalks and planting areas shall be provided along Ridge Pike or Germantown Avenue in accordance with §143-78.C(2).
 - (d) Additional parking lot and sidewalk landscaping shall be provided to the satisfaction of the Board of Supervisors to include but not be limited to trees in parking lots, stormwater facility plantings, tract buffers, and street trees.
 - (e) All existing access points to Ridge Pike or Germantown Avenue shall be consolidated into one entrance with a maximum of 30 feet in width.
 - (f) A connection to one or more neighboring properties shall be constructed for the purpose of shared parking and shall be recorded as a permanent easement guaranteeing mutual access to the satisfaction of the Township solicitor and Board of Supervisors.
- (5) Where existing buildings are demolished as a result of land development plans, new development shall comply with this Article in its entirety.

§143-78 Dimensional Standards

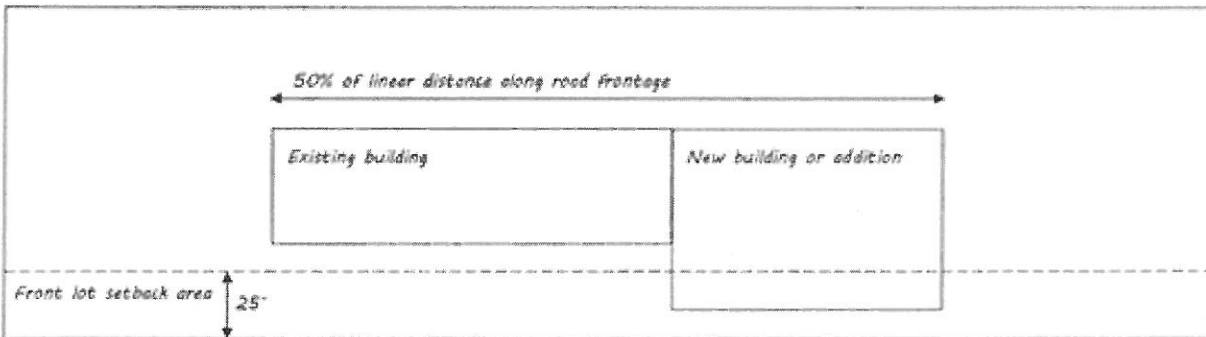
A. Residential Uses

- (1) Single family detached residential development shall be developed in accordance with either the R-2 Residential District zoning standards in Article VI: R-2 Residential District or the Village House Development Option in Article XVII: Professional and Business Office District. The developer must comply with the standards of the chosen zoning district development requirements in their entirety and cannot combine standards from multiple zoning districts.
- (2) Single family attached residential development shall be developed in accordance with Article IX: R-4 Residential District.

B. Non-Residential Uses. All non-residential uses shall conform to the following standards:

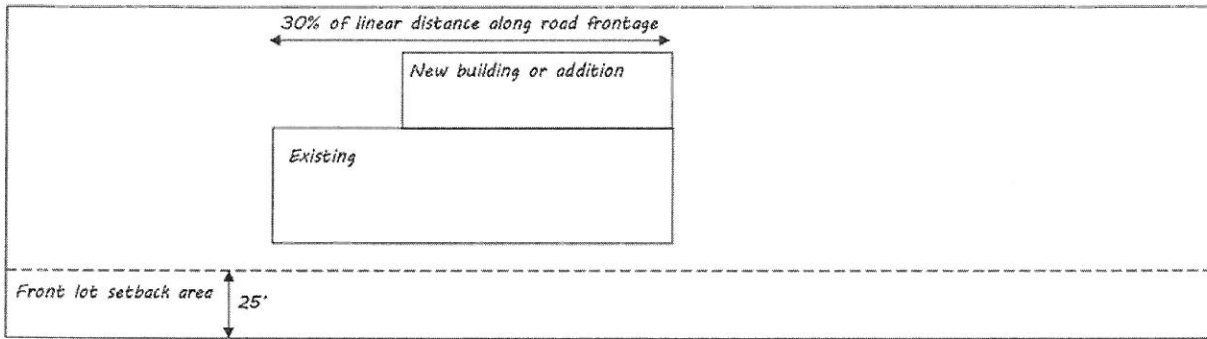
- (1) Lot Size
 - (a) Minimum lot width at front lot line - 50 feet
 - (b) Minimum lot size - 20,000 sq. ft.
- (2) Building Setbacks
 - (a) Maximum front yard - 25 feet
(allowing a front yard setback of 0 feet to 25 feet, as measured from the front lot line)

- (b) Minimum side yard - 20 feet
 - (c) Minimum rear yard - 30 feet
 - (d) Minimum distance between buildings on a lot or lots – 30 feet
 - (e) Buildings containing light industrial uses shall be set back no less than 100 feet from the ultimate right-of-way of Ridge Pike and/or Germantown Pike.
- (3) **Building Height.** Total building height shall be a maximum of 3 stories or 45 feet, whichever is lower. Where a building's footprint is wholly located within a circle with a 500 foot radius centered on of the centerline intersections of Ridge Pike and Germantown Pike, Crosskeys Road, or Level Road, the maximum building height of such a building shall be 4 stories or 60 feet, whichever is lower.
- (4) **Ratio of Building Facade Width to Lot Width**
- (a) All new buildings and additions shall have facades located within the front yard setback and can comprise up to 75% of the lot width along Ridge Pike and Germantown Pike. If the width of the existing front façade of a building(s) equals or exceeds 75% of the lot width, all new buildings or additions shall be constructed behind the front façade. See the following Exhibits.



Building location in conformance with zoning code. The new building has its façade within the front lot setback area and is situated in a horizontal linear fashion along the road frontage. The buildings comprise 50% of the linear distance of the lot so further additions would also have to be built along the linear distance of the lot, up to 75% at which time buildings may be built to the rear of the property.

versus



Building location not in conformance with zoning code. The new building does not have its façade within the front lot setback area and since the existing building comprises less than 75% of the linear distance of the lot, the new building cannot be built to the rear of the property.

(b) Courtyards in the fronts of buildings surrounded by building walls on at least two sides shall count towards the cumulative building facade width of all buildings on a lot.

(5) Coverage Limits

(a) Maximum building coverage ratio - 50% of the lot area.

(b) Maximum impervious coverage ratio - 60% of the lot area, except that impervious coverage may be increased to a maximum of 75% through the cooperative actions by the property owner or land development applicant to comply with the subsections described below. In order to take advantage of this additional bonus provision of 15%, as well as, to further meet the intent of the Ridge Pike West District, an applicant must provide the Township with three of the four following bonus provision options, listed below:

- [1] Pedestrian and vehicular connections between adjacent properties to facilitate circulation
- [2] Consolidation of two or more parcels, under separate ownership, prior to development, with the purpose of providing a more unified development.
- [3] Renovation of existing building facades along Ridge Pike to conform to SLDO §123-142, Design Standards for all uses within the Ridge Pike Business District, or §143-78.C, Non-residential development standards, whichever is more strict.
- [4] Where existing use is to remain, bring façade wall and sidewalk into conformity with SLDO §123-142, Design standard for all uses.

C. Non-Residential Development Standards

(1) Parking Lots and Driveways

(a) Parking Areas

- [1] New parking areas shall not be constructed within the front yard setback.
- [2] Parking areas shall be set back a minimum of 8 feet from all buildings.
- [3] Parking areas shall be setback 12 feet from all property boundaries, except for property boundaries adjacent to single family detached residential uses where the setback shall be 20 feet.
- [4] Parking areas for non-residential uses shall be permitted beyond the 300 foot commercial limit from the centerline of Ridge Pike or Germantown Pike when located on the same lot.

(b) The following driveway standards shall apply. Properties fronting State Roads controlled by PennDOT will be required to apply for a Highway Occupancy Permit.

- [1] A maximum of one curb cut of no more than 30 feet in width is permitted for each lot.
- [2] One additional access shall be permitted if the applicant demonstrates that it is necessary to accommodate traffic to and from the site and it can be achieved in a safe and efficient manner.
- [3] The Board of Supervisors may restrict access, at its sole discretion, to right turn only ingress and egress or to another road if safe and efficient movements cannot be accommodated.
- [4] For a property that abuts two or more roadways, the Board of Supervisors may restrict access, at its sole discretion, to only that roadway that can more safely and efficiently accommodate traffic.
- [5] Driveway accesses shall be at least 200 feet apart except when it is not feasible given the location of a driveway on a neighboring property.

(c) Clearance

- [1] Driveways shall be located so that the point where the center lines of the driveway and street is a minimum of 200 feet from any intersections of the centerlines of streets.
 - [2] Where this setback requirement cannot be met due to the size of the applicant's property or the inability to create a cross access easement with another property in the district, driveways may be located closer than 200 feet, but in no case shall the intersection of driveway and street centerlines be located less than 100 feet from any intersections of the centerlines of streets.
 - [3] If no other reasonable access to the property is available, and no reasonable alternative is identified, the driveway shall be located the farthest possible distance from the intersecting roadway. In such cases, directional connections such as right in and right out only movements may be required at the sole discretion of the Board of Supervisors.
- (d) Driveway Channelization. Where driveway volume is expected to exceed 500 vehicles per day, a raised median of a minimum length of 50 feet shall be installed in the driveway to separate entering and exiting traffic.
- (e) Joint and Cross Access Easements
- [1] At time of land development or subdivision, an applicant shall record cross access easements for its parking areas and aisles with all neighboring properties in the District. Such access need not be explicitly located or constructed at the time of recording the easement.
 - [2] At the time of land development or subdivision, applicants shall take advantage of any existing cross access easements to eliminate driveways on their lot, reducing the aggregate number of curb cuts between neighboring properties. At its sole discretion, the Board of Supervisor, alternately, may authorize the elimination of an access driveway on a property neighboring the applicant's property where conditions warrant.
 - [3] Parking areas connected through a cross access easement need not satisfy the requirements for tract boundary setback between the sharing properties and shall be designed in a way to maximize parking opportunity on both parcels.
 - [4] Shared access may be located entirely on one lot or may be split along a common property line.

- [5] Where unique topography or conditions exist that make cross access easements and the construction interconnected parking areas impossible or prohibitive, the Board of Supervisors, at its sole discretion, may approve plans that do not comply with this Section.

(2) Design Standards

- (a) Building Form Standards. The applicant shall submit sufficient information in the form of architectural elevations or sketches of building(s) and restoration of existing structures, so that the Township can determine the extent to which the following building form standards are being complied with:

- [1] First Floor Standards. The following standards apply to the facades of new buildings located within the front yard setback and to existing buildings where a change of use is proposed. Buildings built before 1950 need not comply with the following first floor design standards when used in compliance with the remaining standards of this Chapter.

[a] The first floor of any façade located in the front yard setback shall be composed of between 40% and 75% transparent glass located between 2 ½ feet and 8 feet above sidewalk grade. Glass may be tinted but may not be opaque or reflective. Signs, merchandise, or other temporary fixtures shall not greatly obscure the view into the building.

[b] The first floor shall have a primary entrance located in a façade facing a street connected via an uninterrupted pathway for walking to the sidewalk.

[c] Shop front awnings may intrude upon the pedestrian area at or into the ultimate right of way up to four feet, provided that the height of such awnings is no less than eight feet above the sidewalk.

(b) Building Massing

- [1] Any façade greater than 40 feet long located in the front yard setback along any public or private road shall be interrupted by changes in surface materials and depth of façade such that no uninterrupted portion of the façade be longer than 30 feet.

- [2] For buildings taller than one story, a change in dimension of surface materials that separates the ground floor of the building from upper floors shall accent this boundary.

(c) Building Design

- [1] Buildings located wholly or partially within the 300 foot radius of the intersection of the centerlines of Ridge Pike and Germantown Pike or within the 300 foot radius of the intersection of the centerlines of Ridge Pike and Level/Evansburg Road shall use surface materials such as stucco, brick, or clapboard siding in accordance with the prevailing pattern of neighboring properties within the District.
- [2] Buildings located wholly or partially within a 300 foot radius of the intersection of the centerlines of Ridge Pike and Germantown Pike or within the 300 foot radius of the intersection of the centerlines of Ridge Pike and Level/Evansburg Road shall have pitched roofs in accordance with the prevailing pattern of neighboring properties within the District.
- [3] Buildings located wholly or partially within a 300 foot radius of the intersection of the centerlines of Ridge Pike and Germantown Pike or within the 300 foot radius of the intersection of the centerlines of Ridge Pike and Level/Evansburg Road shall have windows in the primary façade whose ratio of length to width are similar to the prevailing pattern of neighboring properties within the District.
- [4] Buildings located wholly or partially within 300 foot radius of the intersection of the centerlines of Ridge Pike and Germantown Pike or within the 300 foot radius of the intersection of the centerlines of Ridge Pike and Level/Evansburg Road shall have frontage features such as porches, porticos, terraces, or awnings in accordance with the prevailing pattern of neighboring properties within the District.
- [5] The prevailing pattern shall be defined as the type of building material or architectural style used in other properties within the Ridge Pike West District that also meet the building form standards found in this Section.

- (d) Public Area Standards. Trash cans or dumpsters that cannot be located within a building shall be placed to the side or in the rear of the building and shall be fenced and/or screened from view. The location of these areas shall not interfere with any aspect of normal activities on the site.

(e) Landscaping

[1] Requirements

- [a] Non-residential developments shall be screened from residential areas when on the same lot, or when a non-residential use is directly adjacent to a residential use on an adjoining lot. The buffer area of the site shall contain a planted screen to act as a visual barrier unless, upon approval of the Board of Supervisors, equivalent screening is provided by natural areas or topography. The planted screen shall be composed of plants and trees arranged to form both high-level and low-level screening.
- [b] The high-level screen shall be composed of a row of evergreen trees at least eight feet in height and planted 15 feet apart on center.
- [c] The low-level screen may be any plant materials approved by the Planning Commission. Plants shall be not less than two feet in height and spaced at intervals of no more than five feet.

- [2] Any area not used for buildings, structures, paved areas, or screening shall be planted with an all-season ground cover and other landscaping materials in accordance with the landscaping and screening plan. Existing vegetative materials shall be preserved wherever possible.

[3] Parking and Sidewalks

- [a] Sidewalks shall be required along all public frontages and be a minimum six feet in width. Sidewalks shall be located so that they are entirely within the ultimate right of way and the greatest distance from the road centerline.
- [b] For properties at least 40 feet wide, a planting area in the form of a continuous trench of minimum four foot width shall be located within the ultimate right of way between the edge of the cartway and the sidewalk for the installation of street trees as required in §123-50 and §123-52, except where utilities or driveway entrances prohibit the creation of such an area. For properties less than 40 feet wide, a minimum of one street tree shall be provided within the

ultimate right of way between the edge of the cartway and the sidewalk.

- [c] Where parking areas abut a sidewalk along a public road, a low wall, fence, landscape plants that form a hedge, or earthen berm of 24 to 42 inches in height shall be provided between the parking area and the sidewalk. Fences and walls shall comply with the standards and permitting requirements of Chapter 81, Fences and Walls, of the Township Code.

(3) Design Criteria for Drive-Through Facilities

- (a) Any of the permitted Uses in this Article, when established in combination with drive through facilities, shall conform to the following standards and all applicable procedures and standards of Article XXII, Zoning Hearing Board, of this Chapter.

- [1] A minimum twelve-car stacking area shall be provided which can include the space at the drive-up window(s).
- [2] Any and all drive-up windows shall be located in the rear or side of the principal building.
- [3] The stacking area shall not interfere with parking spaces or the internal circulation of the site.

- D. All development must comply with the regulations outlined in Chapter 86, Floodplain Conservation and Damage Prevention, of the Township Code.

§143–79 Performance Standards for Specific Uses

- A. Gasoline filling station, public garage, car wash, and auto service center.

- (1) Servicing and repair of vehicles shall be within an enclosed building only.
- (2) Storage of parts or vehicles shall be to the rear of all principal buildings and must be enclosed.
- (3) Shall conform to all applicable State and Federal environmental standards regarding emissions and storage of hazardous materials.
- (4) Fuel pumps shall be set back at least 25 feet from the ultimate right of way.

- (5) Only passenger autos, vans, and trucks rated equal or less than Class 5 according to the US Department of Transportation Federal Highway Administration (having a gross vehicles weight rating of no more than 19,500 pounds) can be serviced at stations in the District.

B. Child day care facility.

- (1) Shall conform to all State standards and maintain a current license with the Department of Public Welfare in accordance with Title 55 Public Welfare, Part V Children, Youth, and Families.
- (2) Outdoor play areas shall be located to the side or rear of principal buildings.
- (3) A driveway and parking area with a drop off zone shall be provided off street.

C. Light industrial uses.

- (1) Only the following activities/uses shall be permitted by right as acceptable light industrial uses in the District.
 - (a) Electronics and small parts assembly and/or manufacture
 - (b) Scientific or industrial research, engineering laboratory, testing or experimental laboratory, or similar establishment for research or product development
 - (c) Light manufacturing of beverages (including brewery and distillery), cosmetics, pharmaceuticals, printing and publishing, confections, food products (exclusive of meat and fish packing, sauerkraut, vinegar, yeast and the rendering or refining of fats and oils), ceramics, clothing, plastics, electrical goods, furniture and wood products, hardware, tools, dies, patterns, professional and scientific instruments, and handcraft products
 - (d) Accessory uses normally and customarily associated with the above principal uses, including cafeteria and/or recreational facilities for employees and storage within a completely enclosed building. Such accessory uses shall not be detrimental to the neighborhood.
- (2) Any light industrial use in this District shall comply with all the purposes, standards, regulations, and requirements set forth in §143-125 through §143-129 of this Chapter.
- (3) Light industrial uses shall be entirely contained within buildings on the lot.
- (4) Additional buildings on the lot shall be located between these uses and Ridge Pike in accordance with all standards of this Article; or as an option an architectural

element such as a plaza, or a landscaped area shall be located between the building(s) and the ultimate right of way.

D. Hotel, motor court/motel, tourist home, and bed and breakfast.

- (1) These uses shall only serve temporary guests. A facility that is routinely inhabited by persons for periods longer than 30 days shall be considered a boardinghouse and regulated as such.
- (2) Recreational facilities shall be limited to guests. All pools must be appropriately fenced or be entirely indoors.
- (3) Public restaurants are allowed within a hotel or motor court/motel by special exception approval only and shall meet all requirements generally applicable to restaurants. Drive-throughs are not allowed. Guest-only restaurants are permitted by right in any of these uses.
- (4) Meeting rooms are permitted as an accessory use to hotels. Total capacity of all the rooms shall limited to forty (40) persons. Capacities above 40 persons shall be regulated as an auditorium and must be approved by special exception only.

E. Theater.

- (1) A theater shall have no more than 1,000 seats or a freestanding capacity of 500 persons.
- (2) The property upon which the theater structure is located must be adjacent to a semicontrolled access highway and must directly access such highway.
- (3) A pedestrian circulation plan, including sidewalks, bikeways, bike paths, and other facilities, shall be submitted to the Township for review and approval. Such pedestrian facilities shall be placed and designed to adequately separate vehicular movements from pedestrian traffic within the site.
- (4) A traffic impact study must be submitted which clearly identifies the proportion of the development traffic attributed to the theater and shall demonstrate that the use will not adversely impact traffic safety and/or traffic levels of service in the surrounding neighborhoods.
- (5) A patron pickup and dropoff area shall be provided adjacent to the building facade containing the main theater entrance in a location which does not interfere with the vehicular or pedestrian circulation that would otherwise be required.

F. Car wash.

- (1) On-lot traffic circulation channels and parking areas shall be clearly marked and a ten (10) vehicle stacking area shall be provided. Vehicles waiting to be washed or waiting to be picked up after washing shall not interfere with traffic circulation on the site or on neighboring properties or streets.
- (2) Water used in the operation shall be collected and recycled, and shall not flow into any storm sewers.
- (3) Water from the car wash operation shall not flow onto sidewalks or streets.
- (4) Any car wash that is located within 200 feet of an existing residence shall not operate between the hours of 10:00 p.m. and 7:00 a.m.
- (5) Any chemicals that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.

G. Life-care facility.

- (1) Support facilities shall be limited to the following:
 - (a) Limited retail facilities, e.g., barber shop, beauty parlor, commissary, gift shop, newsstand, optician, pharmacy, snack bar/coffee shop, thrift shop, theatre, post office, and other similar uses or any combination thereof. Such facilities shall be for use of residents and their guests only. There shall be no separate outside entrances to any of the permitted service facilities, and no outside advertising is permitted.
 - (b) Kitchen and food preparation facilities and congregate dining areas.
 - (c) Auditoriums, places of worship, activity and craft rooms, libraries, lounges, reading rooms, recreational rooms, fitness facilities, swimming pools, and other similar recreational/social facilities to provide services to the residents.
 - (d) Parking garages and/or lots for resident vehicles, staff vehicles, guest vehicles, and other vehicles providing transportation services to residents.
 - (e) Medical offices, examination rooms, therapy rooms, and treatment facilities.
 - (f) Laboratories and dispensaries.
 - (g) Administrative offices, staff training facilities, staff lounges, staff residences, and maintenance facilities.

- (2) Independent living areas within a Life-Care facility shall consist of private residential dwelling units and common facilities which provide services such as meals, laundry, housekeeping, social recreational activities, and transportation. Each such dwelling unit shall be limited to no more than two bedrooms.
- (3) The proposed site of a Life-Care facility should have direct access to a collector or higher classification street and should not have driveway access to local or residential streets whenever possible.
- (4) All rooms in the Life-Care facility shall be provided with sprinkler systems for fire protection and shall contain and be served by wet charged stand pipes to the top floor.
- (5) Care shall be taken to locate emergency and service entrances where they are not offensive to adjoining neighbors.
- (6) Existing residential areas shall not be infringed upon by significant increases in traffic volumes from the proposed facility as determined by the Board of Supervisors.
- (7) A Life-Care facility shall comply with all state regulations and licensing requirements.

ARTICLE VII ZONING MAP

The Zoning Map of the Lower Providence Township Zoning Ordinance, incorporated into Chapter 143 of the Code of Ordinances of the Township of Lower Providence under §143-8, is hereby amended to include the RPW Ridge Pike West District as shown on the map attached to this Ordinance Amendment as Exhibit "A". More specifically, the following parcels, identified by their respective Montgomery County (Pennsylvania) Board of Assessment Tax Property Identification Number, shall be rezoned to be included in their entirety in the RPW Ridge Pike West District:

430011842004	430011851004	430011830007	430012088001
430011860004	430011845001	430012130004	430011794007
430005425004	430011839007	430012127007	430011791001
430005431007	430012142001	430005428001	430012079001
430012106001	430012133001	430005422007	430011788004
430005293001	430011827001	430012115001	430005296007
430012154007	430012124001	430011821007	430012151001
430012157004	430011818001	430011863001	430003988001
430011857007	430012112004	430012097001	430012094004
430011854001	430012103004	430003937007	430011803007
430012148004	430012136007	430011800001	430011848007

430012145007	430012091007	430012109007	430003940004
430012139004	430011797004	430012106001	430012100007
430011836001	430012085004	430011815004	430011804006
430011833004	430012121004	430011812007	430012082007
430011809001	430012118007	430002779004	
430011806004	430011824004	430005077001	

In addition, the following parcels, identified by their respective Montgomery County (Pennsylvania) Board of Assessment Alternate Identification Number, shall be rezoned to be included in their entirety in the RPW Ridge Pike West District: 43041 036, 43040 027, and 43035 030.

ARTICLE VIII REPEALER

All other Township ordinances or parts of ordinances which are inconsistent herewith are hereby repealed but only to the extent of such conflict.

ARTICLE IX SEVERABILITY

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

ARTICLE X EFFECTIVE DATE

This Ordinance shall become effective five (5) days after final enactment.

ENACTED AND ORDAINED this 21st day of July, A.D., 2016.

**LOWER PROVIDENCE TOWNSHIP
BOARD OF SUPERVISORS:**

Jason Sorgini, Chairman

ATTEST:

Colleen Eckman
Colleen Eckman, Vice Chair

Patrick T. Duffy


















Peter MacFarland
Peter MacFarland

Jill Zimmerman
Jill Zimmerman

EXHIBIT A

Lower Providence Township
Ridge Pike West District

Planning Districts

-  RPW Ridge Pike West District
-  RPW Parcels
-  RPB Ridge Pike Business District
-  R-1 Residential
-  R-2 Residential
-  R-3 Residential
-  R-4 Residential
-  R-5 Residential
-  MHP Mobile Home Park
-  VC Village Commercial
-  MU Mixed Use
-  PBO Professional Business Office
-  GC General Commercial
-  HC Highway Commercial
-  LI Light Industrial
-  IP Industrial Park
-  IND Industrial

0.05 0.1 0.2 Miles

