

**BOROUGH OF CONSHOHOCKEN**

**MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_ 2018**

**AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF CONSHOHOCKEN, CHAPTER 27 ZONING, PART 24 SP-4 SPECIALLY PLANNED DISTRICT FOUR, BY AMENDING THE REGULATIONS RELATING TO HEIGHT; REPEALING PRIOR INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.**

**WHEREAS**, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the citizens of the community of the Borough of Conshohocken; and

**WHEREAS**, the Borough Council of the Borough of Conshohocken has adopted a comprehensive Borough Zoning Ordinance, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code; which same Ordinance is intended to provide for the orderly development and redevelopment of the Borough; and

**WHEREAS**, the Borough Council of the Borough of Conshohocken has determined that amending the SP-4 Specially Planned District Four, as provided herein, is consistent with the objectives of the Borough of Conshohocken Comprehensive Plan Update, and specifically including, but not limited to, sustaining and enhancing the economic vitality of the Borough, and encouraging development projects utilizing Leadership in Energy and Environmental Design (LEED) design elements.

**NOW THEREFORE**, be it **RESOLVED** and it is hereby **RESOLVED** by the Council of the Borough of Conshohocken as follows:

**SECTION 1.**

The Borough of Conshohocken Zoning Ordinance, Part 24 *SP-4 Specially Planned District Four*, subsection section 27-2203.A(12) is amended by adding a new section, section 27-2203.A(12)(a) as follows:

- (a) The maximum building height, as measured from the average grade, may be increased to a maximum height of 190 feet, provided the additional height is necessary to accommodate mechanical equipment (including elevators), architectural improvements designed to camouflage the mechanical equipment, and other features related to the mechanical equipment, to advance Leadership in Energy and Environmental Design (LEED) design elements and sustainability objectives, so long as such features are (a) set back from the primary façade of the building a distance of

no less than 20 feet; (b) not visible from the rights-of-way immediately adjacent to the building; and (c) architectural features used to screen the mechanicals shall be consistent with the design, materials, quality, and finish of the remainder of the building.

## **SECTION 2.**

The Borough of Conshohocken Zoning Ordinance, Part 24 *SP-4 Specially Planned District Four*, is amended by repealing section 27-2203.A(14) in its entirety and replacing it with the following:

- (14) **Maximum Wall Height:** The following regulations shall apply in Unified Developments:
- (a) Except as provided for in subsection (b), the visible portion of retaining walls shall not exceed 10 feet in height.
  - (b) The visible portion of a retaining wall may be increased to exceed ten (10) feet in height, up to a maximum of thirteen (13) feet in height, if the visible portion greater than ten (10) feet abuts a loading and/or service area internal to the Unified Development.
  - (c) Any visible portion of retaining walls in excess of five feet shall be designed with articulation or other features to mitigate wall height issues.

## **SECTION 3. REPEALER**

Any and all other Ordinances or parts of Ordinances in violation or in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

## **SECTION 4. SAVINGS CLAUSE**

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, non-enforceable or unconstitutional, the Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, non-enforceable, or unconstitutional portion, part or provision of this Ordinance.

## **SECTION 5. EFFECTIVE DATE**

This Ordinance shall become effective immediately.

ORDAINED and ENACTED an ordinance of the Borough of Conshohocken this \_\_\_\_\_  
day of \_\_\_\_\_, 2018.

BOROUGH OF CONSHOHOCKEN

\_\_\_\_\_  
COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

\_\_\_\_\_  
SECRETARY

Approved this \_\_\_\_\_ day of \_\_\_\_\_, 2018

\_\_\_\_\_  
YANIV ARONSON, MAYOR