

**BOROUGH OF CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. _____

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 15 SP-1 AND SP-2 – SPECIALLY PLANNED DISTRICTS ONE AND TWO, PART 16 SP-3 – SPECIALLY PLANNED DISTRICT THREE, AND PART 22 SP-4 – SPECIALLY PLANNED DISTRICT FOUR TO REMOVE RESIDENTIAL USES FROM THE SP-1, SP-2, SP-3, AND SP-4 ZONING DISTRICTS; REPEALING PRIOR INCONSISTENT ORDINANCES OR PART OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code, 8 Pa.C.S. § 101, *et seq.*, 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, 53 P.S. § 10101; which same Ordinance is intended to provide for the orderly development and redevelopment of the Borough; and

WHEREAS, the Borough has performed a comprehensive review of its housing stock, and, at the same time, has performed a comprehensive analysis of emergency management within the Borough, including specifically within that area of the Borough located on or near the Schuylkill River, both east and west of Fayette Street;

WHEREAS, based on the aforementioned analysis, the Borough Council has determined that amending the SP-1, SP-2, SP-3, and SP-4 zoning district regulations, as provided herein, to remove residential uses as permitted uses in any of the specially planned districts is in the best interest of the Borough.

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

SECTION 1.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 15 *SP-1 and SP-2 –Specially Planned Districts One and Two*, section 27-1501 *Declaration of Legislative Intent*, is hereby amended by repealing the existing section in its entirety, and replacing it with the following:

§ 27-1501. Declaration of Legislative Intent.

It shall be the purpose of the Specially Planned District Nos. 1 and 2 (hereinafter "SP-1 District" or "SP-2 District") to provide for the orderly development of a major business and commerce areas of the Borough of Conshohocken, in accordance with the objectives, policies, and proposals of the Comprehensive Plan and other approved Borough plans including, but not necessarily limited to the Redevelopment Plan and the Floodplain Conservation District Regulations. The development of these districts shall be directed by the plans and redevelopment proposals heretofore shown in the Comprehensive Plan and studies, which may subsequently follow and be approved. The logical and timely development of land for business purposes is herein a stated purpose of these districts. In addition, it is a purpose of these districts to recognize the unique relationship of the districts to the entrance to the Borough and of the districts to the bordering natural resources, including the river and views of the hills beyond the river. The districts propose to permit a uniformity of design and to ensure the orderly arrangement of buildings, land uses, and parking areas, and all construction hereafter proposed for these areas shall be related to this objective. The purpose of these districts is also to encourage a mix of uses, a variety of heights, additional employment, and to provide for the protection of the storage capacity and flow of floodwaters. The architectural and design arrangements of buildings are encouraged to conform to the general character and plans of the SP Districts 1 and 2.

SECTION 2.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 15 *SP-1 and SP-2 –Specially Planned Districts One and Two*, section 27-1502 *Use Regulations*, is hereby amended by deleting subsection Q in its entirety.

SECTION 3.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 15 *SP-1 and SP-2 –Specially Planned Districts One and Two* is hereby amended by repealing section 27-1511 *Dimensional and Design Standards – Residential* in its entirety.

SECTION 4.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 16 *SP-3 – Specially Planned District Three*, is hereby amended by repealing section 27-1601 *Declaration of Legislative Intent* in its entirety, and replacing it with the following:

§ 27-1601. Declaration of Legislative Intent.

In expansion of the declaration of legislative intent and statement of community development objectives contained in Part 1 of this Chapter, the specific intent of this district is to:

- A. Provide for the orderly and planned development and redevelopment of a major business and heavy industrial area of the Borough.
- B. In addition, it is the purpose of this district to recognize the unique relationship of this district to the entrance to the Borough and to the bordering natural resources, including the river and views of the ridgelines beyond.
- C. It is the further purpose of this district to extend the character of development in the adjoining SP-1 and SP-2 Districts while accommodating existing and future industrial, manufacturing, fabricating and processing activities as well as other appropriate commercial land uses.
- D. Provide performance standards, setback regulations and buffering requirements to minimize traffic congestion, noise, glare, pollution, and safety hazards, and in general to ensure compatibility between the type

and scale of office and industrial development and that such development will cause minimal negative impacts on surrounding neighborhoods.

SECTION 5.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 16 *SP-3 – Specially Planned District Three*, section 27-1602 *Use Regulations*, is hereby amended by deleting subsection Q in its entirety.

SECTION 6.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 16 *SP-3 – Specially Planned District Three*, section 27-1603 *Conditional Uses*, is hereby amended by deleting subsection 4 in its entirety.

SECTION 7.

Chapter 27 *Zoning* of the Borough of Conshohocken's Code of Ordinances, Part 16 *SP-3 – Specially Planned District Three*, section 27-1604 *Conditional Use Standards*, is hereby amended by deleting subsection 4 in its entirety.

SECTION 8.

Chapter 27 of the Borough of Conshohocken's Code of Ordinances, Part 22 *SP-4 – Specially Planned District Four*, section 27-2202 *Use Regulations*, subsection P is hereby repealed in its entirety and replaced with the following:

- P. Unified development (defined below). As part of a unified development, in addition to any other approval required under the Pennsylvania Liquor Code, a restaurant or tavern with a liquor license in a unified development shall require conditional use approval from Borough Council; provided, however, no such conditional use approval shall be required, and such restaurant use shall be permitted by right, for a restaurant with a liquor license that is located in a building used as a hotel, or in all or any portion of an historic building being renovated for use as a restaurant or tavern and any addition connected thereto.

SECTION 9.

Chapter 27 of the Borough of Conshohocken’s Code of Ordinances, Part 22 *SP-4 – Specially Planned District Four*, section 27-2206 *Required Off-Street Parking Capacity and Dimensional Standards for a Unified Development* subsection 1.A(4) is hereby amended by removing “Residential (multifamily)” from the “Shared Parking Credit Schedule”.

SECTION 10. **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 11. **SEVERABILITY 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 12. **EFFECTIVE DATE**

This Ordinance shall become effective on the earliest date permitted under Pennsylvania law.

ORDAINED and **ENACTED** an ordinance of the Borough of Conshohocken this _____ day of _____, 2022.

BOROUGH OF CONSHOHOCKEN

COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

SECRETARY


Approved this _____ day of _____,
2022

YANIV ARONSON, MAYOR

I, Michael E. Peters, Esquire, a shareholder with the law firm of Eastburn and Gray, P.C., Solicitor for the Borough of Conshohocken, Montgomery County, PA, hereby attest that the attached is a true and correct copy of the following ordinance, and that I am authorized to make this attestation on behalf of the Borough:

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 15 SP-1 AND SP-2 –SPECIALLY PLANNED DISTRICTS ONE AND TWO, PART 16 SP-3 – SPECIALLY PLANNED DISTRICT THREE, AND PART 22 SP-4 – SPECIALLY PLANNED DISTRICT FOUR TO REMOVE RESIDENTIAL USES FROM THE SP-1, SP-2, SP-3, AND SP-4 ZONING DISTRICTS; REPEALING PRIOR INCONSISTENT ORDINANCES OR PART OF ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; AND SETTING AN EFFECTIVE DATE.

Date: 3.21.2022



Michael E. Peters, Esquire

[SEAL]