

Borough of Rockledge

Contained in this document:

Ordinances 632, 634, 635 and 637

THE BOROUGH OF ROCKLEDGE, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 632

AN ORDINANCE AMENDING THE BOROUGH ZONING ORDINANCE, 27-1200, TO PERMIT BILLBOARDS AND TO IMPOSE VARIOUS REGULATIONS UPON THE SIZE, APPEARANCE, AND PLACEMENT OF THEM, AND LEAVING THE REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION

DECLARATION OF LEGISLATIVE INTENT

Rockledge Borough Council has a duly adopted and comprehensive zoning ordinance, which includes the regulation of signage.

The Borough sign ordinance presently prohibits billboards and other off site advertising other than civic announcements.

Pursuant to the Municipalities Planning Code, the Borough has elected to avail itself of the self-cure provision set forth therein, 53 PS 10609.2 and by resolutions adopted November 14, 2012 and November 28, 2012, has declared the zoning ordinance invalid to the extent that it prohibits billboards.

The purposes of this ordinance are:

1. To preserve and promote the public health, safety, and welfare of Rockledge Borough. It is the finding of Council that the current state of the law requires the Borough to either defend its exclusion of billboards in the event of challenge, such process being lengthy, at great cost, and with an uncertain outcome, or make provision for Billboards in a manner that recognizes the status presently given to billboards by the law. It is the finding of Borough Council that signs any larger or more intrusive than as permitted herein would be inconsistent with the small town feel of the Borough, would be counter-productive to its successful revitalization efforts, and would be a burden upon those living residentially in close proximity to the business district.
2. To curb the deterioration of natural beauty and community environment.
3. To enhance and protect the physical appearance of Rockledge Borough, thereby protecting and enhancing property values.
4. To ensure billboards are provided for at reasonable locations within the Borough and located safely and appropriately where they can be viewed by motorists with the least distraction and degradation of driving performance.
5. To preserve pedestrian and traffic safety.
6. To reasonably regulate the time, place and manner of billboards by placing reasonable limits on the size, total number, separation from other similar signs, height, illumination, brightness, frequency of display changes, and other similar aspects in order to minimize possible adverse impacts on nearby public and private property, including roadways by balancing potential harms to Rockledge Borough against individual freedom of speech and expression.
7. To promote quality, appearance, and safety of all billboards.

NOW THEREFORE, Council does hereby ORDAIN as follows:

1. 27-1203 of the Borough Codified Ordinance is amended at subsection 27-1203.3.B by removing the existence language therein and replacing it with the following sentence: "Internally illuminated signs are prohibited except as provided in 27-1206(2)D, regarding off-premises signs."
2. Section 27-1204, "Prohibited Signs" is hereby amended by amending the first sentence thereof as follows: the sentence which reads "The following types of signs or illumination of signs is prohibited in the Borough" is amended so that it now reads, "The following types of signs or illumination of signs, except where the sign meets the criteria for off-premises signage as set forth in section 27-1206, is prohibited in the Borough."
3. 27-1206, "Signs Requiring A Permit", is amended by the addition of a new section, 27-1206.2.D, "Off-Premises Signs", such new section "D" to contain the following language: "Off-premises signs, including billboards, are permitted in the HB-Highway Business Zoning District, subject to the criteria set forth herein.

a. Posts at either end of sign face – the sign may be designed so there is one post at either end of the sign face. There may be a total of two posts, unless the sign is comprised of two angled, vertical sign faces (in compliance with the regulations for a double-faced sign), in which case there are a total of three posts permitted. Each support post must be at least eight inches thick and have some architectural treatment.

b. Height. The maximum overall height of a sign structure shall not exceed thirty-five feet measured from the elevation of the centerline of the grade of the road directly in front of the sign to the highest portion of the sign structure.

c. Consistency in general appearance. If, at the time of an application for a sign, there is already in existence any sign erected as an off-premises sign, then any new sign shall be generally designed to have an appearance similar to, and consistent with, the existing sign in terms of color, embellishments, and style.

d. Size. The overall size of any one side of the sign (display face, exclusive of columns) may not exceed 135 square feet.

f. Maximum size of sign area devoted to advertising messages: 135 square feet.

g. Positioning of Sign Faces. Only one sign face shall be visible from any one direction as determined from the perspective of person driving past the sign in a vehicle. No sign may ever have more than two faces.

h. Setback. A sign shall be set back from the front, side or rear lot line a minimum distance equivalent to the height of the sign structure, or, a minimum ten feet from the front, side or rear lot lines, whichever is greater. Further, there is a minimum setback of 25 feet from the tract boundary, 50 feet from any building that contains a residential use, 25 feet from any other building that does

not include a residential use, and, the off-premises sign must be at least 650 feet from any other off-premises sign.

i. Roof installations prohibited. No billboard structure, billboard or digital billboard shall be located on a roof of any building.

j. Wall mountings prohibited. No sign shall be attached to the external wall or otherwise affixed to any part of any residential or commercial building, nor shall it extend over any public property or borough right-of-way.

k. Interference prohibited. No sign shall be erected in or located where any portion of its surface or supports will interfere in any way with the free, unobstructed use of any fire escape, exit or standpipe. Signs are not permitted on sewer rights-of-way, water, electric or petroleum pipelines. No sign shall block the view from the roadway of any existing business, logos, or sign, or limit or reduce the lighting and ventilation requirements of any Borough ordinance or other applicable code, ordinance or regulation.

l. Application. Application for an off-premises sign shall be accompanied by a site plan and contain all of the applicable requirements set forth in the Rockledge Borough Zoning Code, as amended. Application for an off-premises sign shall be accompanied by a certification under seal by a professional engineer that the existence of the sign, as proposed, will be in accordance with all federal, state and local laws, codes and professional standards. If the applicant or entity operating the sign does not own the underlying property in fee simple, the applicant in a special exception hearing must establish that it has entered into an agreement with the landowner that incorporates sufficient provision to ensure that the provisions of this ordinance will be adhered to, to ensure that the billboard or digital billboard will be appropriately maintained, and to ensure that there are appropriate mechanisms for remediating the land and removing said sign in the event the sign used is abandoned.

m. Abandoned signs. A sign which has been discontinued for a period of 90 consecutive days, regardless of any intent to resume or not to abandon, shall be presumed to be abandoned and shall constitute an illegal billboard and shall not be deemed to be a nonconforming sign.

n. Criteria for signs using L.E.D, digital or similar technology. This section applies to signs whose content may be changed by electronic process through the use of intermittent light or lights, including light emitting diodes (LED) liquid crystal display, and plasma image display:

1. Civic Message. Civic announcements beneficial to the community of Rockledge and its surrounding townships shall be displayed for five percent of the time the sign is illuminated. Such messages shall be supplied to the operator of the sign by the Borough Manager or designated staff. Community messages shall consist of announcements affecting the public health, safety, and welfare; announcements by the Borough, County, or other government entity, civic institutions, charitable, cultural, athletic, social, fraternal, or religious organizations. Rockledge-based events and Rockledge-related information should receive priority over announcements regarding events or organizations based outside the Borough.

2. Messages may not be changed more than once every 5 seconds, and the screen must completely fade-out before a new message appears. The fade-in/fade-out mode where the message appears on the sign, dissolves, and another message takes its place is required.

3 Other modes of displaying messages are prohibited. Modes which cause the message to flash are prohibited.

4. Where text is displayed on a background, the text shall be brighter than the background (i.e., dark text shall not be displayed on a bright background).

5. Each complete message must fit on one screen (i.e., no scrolling or incomplete messages permitted)

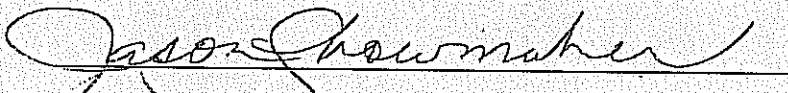
6. The letter height in electronic messages must be at least 10".


7. No sign image shall be interactive, display interactive messages or 3-dimensional images; nor shall any sign or any part of a billboard structure produce sound of any kind. No billboard sign shall flash, scroll, fade, revolve, move, have intermittent lighting or movable characters or animated parts.

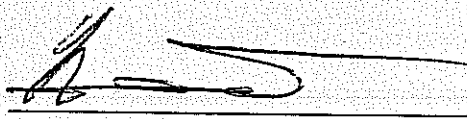
8. Signs having internal illuminance shall have a pixel pitch or equivalent resolution of not greater than twelve (12) millimeters. The light source shall be equipped to automatically adjust brilliance levels based on ambient light conditions. White or light color backgrounds shall not exceed fifty percent (50%) of the surface area of the sign face of the sign. The sign and the lighting thereof shall be effectively shielded so as to prevent beams or rays of light from being directed at any portion of the traveled way or neighboring residential properties and shall not be of such intensity or brilliance as to cause glare or impair the vision of the driver of the vehicle or pedestrian, or which interferes with a driver's operation of a motor vehicle.

THIS ORDINANCE IS EFFECTIVE ON THE DATE OF ADOPTION. All portions of the Borough Zoning Ordinance not modified by this ordinance remain in full force and effect.

SO ORDAINED THIS 14th DAY OF May, 2012.


Jason Showmaker, Council President

ATTEST: 
Grace Metzinger, Secretary

APPROVED: 
Harold Praediger, Mayor

THE BOROUGH OF ROCKLEDGE, MONTGOMERY COUNTY, PA

ORDINANCE # 633

AN ORDINANCE OF THE BOROUGH OF ROCKLEDGE AMENDING THE BOROUGH ZONING MAP PURSUANT TO 27-2001 OF THE BOROUGH CODIFIED ORDINANCES, TO RE-ZONE THE PROPERTIES AT 600, 608,612,620,701,706 AND 707 HUNTINGDON PIKE FROM HB-HIGHWAY BUSINESS TO ROR-RETAIL OFFICE RESIDENTIAL, LEAVING THE REMAINDER OF THE ORDINANCES IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION

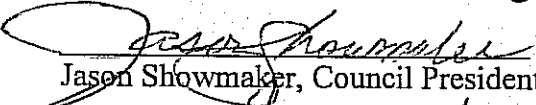
WHEREAS, it is the finding of the Rockledge Borough Council in consultation with the Borough and County planning commissions that a northward expansion of the ROR Zoning District would be consistent with the recently completed Borough revitalization plan, and

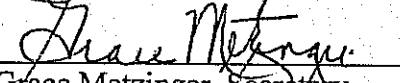
WHEREAS, Council further finds that a re-zoning of the parcels identified herein would place reasonable and beneficial limitations upon the erection of off-premises signs, while still permitting such use,

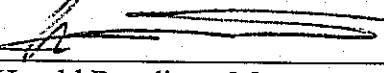
NOW THEREFORE, Council ORDAINS as follows:

1. The Borough Codified Ordinance, Title 27, at section 27-2001, "Zoning Map Amendments" is modified as follows: the parcels known and identified by the mailing addresses of 600, 608,612,620,701,706, and 707 Huntingdon Pike, previously zoned as HB-Highway Business, are hereby all zoning ROR-Retail Office Residential.
2. This ordinance is effective upon adoption.

SO ORDAINED this 11th day of June, 2012.


Jason Showmaker, Council President

ATTEST: 
Grace Metzinger, Secretary

APPROVED: 
Harold Praediger, Mayor

27-91

THE BOROUGH OF ROCKLEDGE, MONTGOMERY COUNTY, PA
ORDINANCE NUMBER 634

**AN ORDINANCE OF THE BOROUGH OF ROCKLEDGE AMENDING
THE SIGNAGE CHAPTER OF THE BOROUGH ZONING ORDINANCE
TO PERMIT INTERNALLY ILLUMINATED SIGNS, ESTABLISHING
CRITERIA FOR INTERNAL ILLUMINATION, AND LEAVING THE
REMAINDER OF THE ORDINANCE IN FULL FORCE AND EFFECT;
EFFECTIVE UPON ADOPTION**

WHEREAS, the Borough of Rockledge regulates signage in the Borough zoning ordinance and

WHEREAS, the Borough ordinances presently prohibit internally illuminated business signage, requiring such signs to be illuminated from an external source, and

WHEREAS, after prohibiting internally illuminated signs for many years after having previously permitted internal illumination, and having had the opportunity to weigh the positives and negatives of internal and external illumination of signage, Borough Council finds that internally illuminated signs are more readily visible while having only a minimal negative impact upon the aesthetics of the areas in which they are permitted,

NOW THEREFORE, Rockledge Borough Council does ORDAIN as follows:

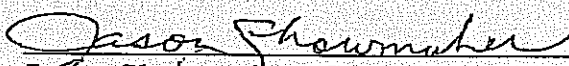
1. Ordinance 469A, presently codified at 27-1203 of the Borough Codified Ordinances, is amended at paragraph "3" in the following particular respects:
 - a. The first sentence is amended so that it shall now read: "Sign Lighting. Permitted signs may be illuminated by external lighting (lighting directed toward the sign) or, in the ROR and HB zoning districts, by internal lighting (light source within the sign), with the following regulations: "
 - b. Sub-paragraph "B" is amended by deleting the existing language and replacing it with the following:
Internally illuminated signs are permitted in the ROR and HB Districts(see sub-section D for additional requirements for inert gas signs) provided that they are constructed with an opaque background and

translucent lettering, or with a colored background and letters or symbols that are lighter than the background, and provided that they comply with sub-paragraph C regarding spillover.

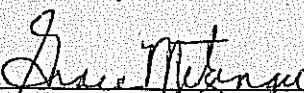
2. Ordinance 469A, as currently codified at 27-1204, "Prohibited Signs" is amended at sub-paragraph "H" by deleting the existing words "internally-illuminated signs" and replacing it with the words "(this sub-section H is reserved for future use)."
3. Ordinance 469A, as currently codified at 27-1206(2)(B)(2)(k), "Sign Regulation Matrix" is modified at Matrix "3" in the following respect: All references therein to illumination are removed.

The remainder of the signage ordinance remains in full force and effect, unaffected by the present amendment, except that, to the extent that any other section of the ordinance states or implies that it prohibits internal illumination, it shall be read as permitting such illumination and shall be read in a way that effectuates the remainder of the language in the ordinance. This ordinance is effective upon adoption.

SO ORDAINED this 30th day of July, 2012.



Jason Showmaker, Council President

ATTEST: 

Grace Metzinger, Secretary

**THE BOROUGH OF ROCKLEDGE, MONTGOMERY COUNTY, PA
ORDINANCE NUMBER 635**

**AN ORDINANCE OF THE BOROUGH OF ROCKLEDGE ALLOWING
ADDITIONAL DIRECTORY SIGNAGE ON CERTAIN MULTI-
TENANTED LOTS HAVING STOREFRONTS THAT DO NOT FACE THE
PRIMARY ROADWAY TO WHICH THE PROPERTY IS SITUATED;
LEAVNG THE REMAINDER OF THE ORDINANCE IN FULL FORCE
AND EFFECT; EFFECTIVE UPON ADOPTION**

WHEREAS, Rockledge Borough regulates signage generally through its zoning ordinance at Title 27, Part 12 of the codified ordinances, and

WHEREAS, such regulation of signage also addresses signage issues unique to multi-tenanted lots, such as shopping centers, and

WHEREAS, Council has determined that the existing ordinance, while allowing generally for the signage needs of multi-tenanted lots, does not address the needs of legally existed and permitted businesses that are not located in such a way that the storefront faces the parking lot in which the primary directory sign is located, placing such businesses at a disadvantage relative to the intended purposes of business-oriented signage,

NOW THEREFORE, Council does hereby amend 27-1206 of the Borough codified ordinances (ordinance 469A and amendments thereto) in the following particular respects:

1. At "27-1206(2)(B)(m),2)", the following sentence is added to the existing language: "Where a second directory sign is permitted in accordance with Matrix 3, the sign directing persons to uses located in the rear of the property may at its option re-state the name of the shopping center but shall in any event include a reference to the named businesses having an entrance in the rear of the building.
2. 27-1206, Matrix "3", where the matrix identifies shopping centers with greater than 200 feet of frontage, under the column "Directory Sign" the existing language is deleted in its entirety and replaced with the following:

May identify name and/or address under which lot operates, as well as tenants. May be monument or freestanding. Monument sign area max 120 square feet per side, max sign height including base 20 feet; freestanding

sign, max height 16 feet, max sign area 96 square feet. In event of uses with an entrance(s) in rear of multi-tenanted use, second directory sign (freestanding), is permissible when located as nearly as possible to secondary road taking traffic to rear of property; shall have arrow or words to indicate rear entrances; maximum area 16 square feet; bottom of sign must not obstruct site lines/triangles; must otherwise comply with sign ordinance.

This ordinance is effective upon adoption. The remainder of the ordinance remains in full force and effect.

SO ORDAINED this 27th day of August, 2012.

Jason Showmaker
Jason Showmaker, Council President

ATTEST: Grace Metzinger
Grace Metzinger, Secretary

APPROVED: Harold Praediger
Harold Praediger, Mayor

THE BOROUGH OF ROCKLEDGE, MONTGOMERY COUNTY, PA
ORDINANCE NUMBER 637

AN ORDINANCE OF THE BOROUGH OF ROCKLEDGE REPEALING IN ITS ENTIRETY ORDINANCE 469A SECTIONS 800 THROUGH 804, INCLUSIVE, BEING THE ORDINANCE THAT ESTABLISHED THE ROR-RETAIL/OFFICE/RESIDENTIAL DISTRICT, CODIFIED AT TITLE 27, CHAPTER 8 OF THE BOROUGH CODIFIED ORDINANCES, AND ADOPTING A NEW RETAIL/OFFICE/RESIDENTIAL DISTRICT WITH ZONING CRITERIA FOR THE NEW DISTRICT SET FORTH THEREIN; AMENDING THE DEFINITIONS SECTION OF THE ZONING ORDINANCE, TITLE 27 CHAPTER 2, BY ADDING DEFINITIONS OF "FOOTCANDLE" AND "FULL CUTOFF" TO EFFECTUATE CERTAIN LIGHTING REQUIREMENTS IN THE ZONING ORDINANCE; MODIFYING THE PARKING REQUIREMENTS FOR RETAIL STORES AS SET FORTH IN CHAPTER 13 OF TITLE 27, TO REQUIRE ONE PARKING SPACE FOR EVERY 150 SQUARE FEET OF RETAIL FLOOR AREA; MAKING VARIOUS MINOR CORRECTIONS AND ADDITIONS TO THE LANDSCAPE PLANTING REQUIREMENTS ATTACHED AS EXHIBIT "B" TO TITLE 22 REGULATING SUBDIVISION AND LAND DEVELOPMENT; EFFECTIVE UPON ADOPTION.

I. Rockledge Borough Council does hereby ORDAIN that Ordinance 469A, sections 800 through 804, inclusive, comprising Chapter 8 of Title 27 of the Borough Codified Ordinances, establishing a Retail/Office/Residential zoning district and establishing criteria for that district, is hereby REPEALED in its entirety effective upon the date of adoption and further, Council does ORDAIN that simultaneously with the repeal of said ordinance, the following ordinance is hereby adopted in its place and to be codified as previously as Chapter 8 of Title 27. This ordinance does not involve any change of the zoning map and the boundaries of the ROR district are the same as heretofore. In the event of any inconsistency in any substantive provision herein with any substantive provision of other parts of the Borough's zoning ordinances, within the ROR district the provisions herein shall be deemed controlling.

§27-801. Legislative Intent

In expansion of the Declaration of Legislative Intent contained in §27-103 of this Chapter, the Community Development Objectives contained in §27-105 of this Chapter, the Borough of Rockledge Comprehensive Plan, and the Borough of Rockledge Revitalization Plan it is hereby declared to be the intent of this Part to establish reasonable standards for land use and performance, and furthermore it is the specific intent to:

- A. Encourage development and redevelopment of retail sales and service establishments, business and professional offices, housing, and mixes of the same in buildings and sites.
- B. Locate such uses only in areas of the Borough with high traffic volumes, access to mass transit, and adjacent similar uses with regard to type and intensity.
- C. Promote development that is aesthetically pleasing, durable, and environmentally benign by establishing reasonable performance standards that encourage architectural harmony, consistency, appropriate scale, streetscape amenities, appropriate landscaping, effective stormwater management, and pedestrian safety.
- D. Promote walking in the community through building design, outdoor public spaces, landscaping, shared parking, and interconnected pedestrian facilities.
- E. Reduce adverse impacts on adjacent and nearby residential properties through effective buffering and site design.

§27-802. Permitted Uses

The uses permitted in the ROR--Retail/Office/Residential District are listed in this Section along with certain restrictions that apply to them:

- A. Class 1 Uses: On lots less than 25 feet wide and/or less than 2,500 square feet in area, the permitted uses listed in Class 2, below, may be permitted only when authorized by the Zoning Hearing Board as a special exception, pursuant to the criteria contained in §27-807 and §27-1609.
- B. Class 2. On lots a minimum of 40 feet wide and 4,000 square feet in area, the following uses are permitted, in compliance with the performance standards contained herein.
 - (1) Retail specialty shops with low volume such as for gifts, antiques, flowers, books, jewelry, music, clothing, tobacco, crafts, beverages, produce, bakery, dry goods, or prepared foods.
 - (2) Personal service shops such as barber, hairdresser, tailor, beauty salon, shoe repair, dressmaking.

- (3) Business offices such as financial advisors, brokers, real estate, travel, employment agencies, contractors, insurance, advertising, mailing, copying, telephone answering, computer specialty offices.
- (4) Professional offices such as lawyers, engineers, architects, planners, doctors, dentists.
- (5) Studios for visual and performing arts such as dance, art, music, live theatre, film, and photography.
- (6) Single-family detached dwelling or two-family building.
- (7) Single-family attached dwelling unit
- (8) Multi-family development, subject to the requirements of §27-806
- (9) A residential conversion as defined in §27-202.
- (10) Accessory uses in compliance with §27-409 and §27-410 of this Chapter.
- (11) Family day care home or group day care home, as defined herein, when authorized by the Zoning Hearing Board as a special exception, pursuant to the requirements of §27-1609; provided, that not more than one day care facility shall be permitted on one lot, and further provided that a lot used for a group day care home shall be a minimum of 6,000 square feet in area.
- (12) Restaurants excluding those with drive through service.
- (13) A mix of any permitted use on one lot or in a single structure according to the standards of §27-805.

C. Class 3. On lots a minimum of 50 feet wide and 6,500 square feet in area, the following uses are permitted, in compliance with the performance standards contained herein.

- (1) All Class 2 permitted uses.
- (2) General retail stores with larger volumes such as hardware, grocers, pharmacies, convenience stores, and housewares, excluding those permitted under 27-902, Permitted Uses in the HB Highway-Business District, sub-Sections 27-902(A), (B), (C) and (D).
- (3) Fitness centers and similar exercise facilities.
- (4) Financial institution, excluding those with drive-through service.
- (5) Multi-family development, subject to the requirements of §27-806.

(6) Day care center, when authorized by the Zoning Hearing Board as a special exception, pursuant to the criteria contained in §27-1609, provided that a minimum of 2/3 of the lot area and floor area of the building(s) are used exclusively for Day Care Center purposes.

(7) A mix of any permitted use on one lot or in a single structure, subject to the requirements of §27-805.

D. Class 4. On lots a minimum of 100 feet wide and 19,000 square feet in area, the following uses are permitted, in compliance with the performance standards contained herein:

(1) All Class 2 and 3 uses.

(2) Financial institutions or restaurants with drive-through service, subject to the following:

(a) For financial institutions a minimum of eight car stacking shall be required for each drive-up window or drive-up automated teller machine. Exiting traffic shall make right turns only.

(b) For restaurants, a minimum of six car stacking shall be required for each drive-up window. Exiting traffic shall make right turns only.

E. No impact home-based business.

§27-803 Performance Standards

The standards of this Section shall govern the development, redevelopment and use of land in the ROR Retail/Office/Residential District.

A. Minimum lot size shall be 2,500 square feet.

B. Minimum lot width shall be 25 feet.

C. Build-to-zone for new buildings— New buildings shall be constructed with at least 75% of the front facade at ground level set back between 6 feet and 20 feet from the legal right of way of Huntingdon Pike. No part of the front facade shall be closer than 6 feet from the legal right of way. In the case of corner lots, both facades shall be located within this range, using the legal right of way for the side street as appropriate. Buildings may, as an option, be set back between 20 feet and 36 feet from the legal right of way provided that the front yard area is designed as a landscaped area, with or without seating and not for the display of goods.

D. Side yard —The minimum side yard shall be 5 feet, excepting the portion or structures that share a wall with neighboring properties. Side yard areas shall satisfy the requirements of §100.4 Buffers and Screens of the Subdivision and Land Development Code as appropriate.

- E. Rear yard – The minimum rear yard shall be 25 feet. Rear yard areas shall satisfy the requirements of Chapter 22 Subdivision and Land Development, Appendix “B” Landscape Planting Requirements, §100.4 Buffers and Screens. Parking areas may be setback 15 feet from rear lot lines in which case the landscape buffer width shall be reduced to 15 feet.
- F. Building height – The heights of buildings shall be a maximum of 35 feet or three stories high.
- G. Building footprint – The maximum footprint for new or expanded buildings inclusive of the original structure and addition shall be 10,000 square feet.
- H. Building coverage – The maximum building coverage shall be 70%.
- I. Impervious coverage – The maximum impervious coverage shall be 80%.
- J. Any use, existing or proposed, in the District shall satisfy the nuisance standards of §27-1003 to §27-1012 of this Chapter.

§27-804 Building and Site Design Standards

- A. Building design standards – New and expanded buildings shall meet the following design standards:
 - (1) Building orientation and entrances:
 - (a) The front façade of buildings shall be oriented towards Huntingdon Pike with an every day public entrance in the front façade.
 - (b) Corner properties shall have a front façade facing Huntingdon Pike, and may also include a second front façade facing the side street.
 - (c) When buildings are located on corners, the entrance can be located on the corner with an appropriate building articulation, such as a chamfered corner, turret, canopy, or other similar building feature.
 - (2) Walls and windows:
 - (a) Blank walls shall not be permitted along any exterior wall facing a street. Walls or portions of walls where windows are not provided shall have architectural treatments that are similar to the front façade, with respect to materials, colors, and details.
 - (b) Windows:
 - i. The ground floor front façades of buildings shall consist of a minimum of 40 percent window area and a maximum of 75 percent, with views provided through these windows into the business. Ground floor windows shall be a maximum of 12 to 30 inches above the sidewalk.

- ii. Upper story windows of front façades shall comprise a minimum of 30 percent window area in the façade above the ground floor and a maximum of 75 percent.
- iii. Smoked, reflective, or black glass in windows on the ground floor of buildings is prohibited.

(3) Massing:

- (a) Buildings shall be similar in height and size or articulated and subdivided into massing that is more or less proportional to adjacent structures and maintains the existing architectural rhythm.
- (b) The massing of any façade should generally not exceed 50 feet maximum (horizontal dimension). Shop fronts may be broken down even further. Massing variations every 30 feet or less is preferred.
- (c) Nonresidential and mixed use buildings must have at least a 3- to 5-foot break in depth in all street façades for every 50 feet of continuous façade. Such breaks may be met through the use of bay windows, porches, porticos, building extensions, towers, recessed doorways, and other architectural treatments.

B. Pedestrian design standards:

- (1) Sidewalks, with a minimum width of five feet located between the curb and build-to-zone, connecting to sidewalks on neighboring tracts are required.

C. Lighting standards

- (1) For the lighting of predominantly horizontal surfaces such as, but not limited to, parking areas, roadways, driveways, pedestrian areas, and locations for merchandise, luminaires shall be aimed straight down and shall meet the most current IESNA (Illuminating Engineering Society of North America) full cutoff criteria. Luminaires shall not be mounted in excess of 20 feet above finished grade of the surface being illuminated.
- (2) For the lighting of predominantly non-horizontal surfaces such as, but not limited to, facades, landscaping, fountains, and displays, luminaires shall be installed and aimed so as to not project light into the windows of neighboring properties, past the object being illuminated, skyward, or onto a public roadway.
- (3) The illumination projected from any use onto a residential district shall at no time exceed 0.2 footcandles, measured line-of sight at any time and from any point on the receiving residential property. For all other tract boundaries the maximum light density permitted shall be 0.5 footcandles.

(4) Parking facility and pedestrian lighting (except for safety and security applications) for commercial, institutional, and office uses in the District shall be extinguished no later than one-half hour after the close of business.

§27-805 Standards for Mixed Use Development

A. Density – The maximum number of residential units permitted on a lot with a mix of uses, whether located in a single structure or not, shall be the same as calculated elsewhere in this Part.

B. Where a mix of uses is proposed in a single structure, except for authorized home occupations and no-impact home-based businesses, any residential use shall not be permitted on the first floor of the structure.

§27-806 Standards for Multi-family Development

A. Density – One dwelling unit per 2,000 square feet of net lot area, rounded down to the nearest whole number.

B. Outdoor use area – When 4 or more dwelling units are proposed on a lot, a minimum of 10% of the net lot area shall be designed as an outdoor use area for the development's residents. This area could be designed as a patio with seating, landscape plants, and or lighting.

C. Landscaped area – In addition to parking lot landscaping, street trees, and buffer and screening requirements of Chapter 22 Subdivision and Land Development, Appendix "B" Landscape Planting Requirements, §100.2, §100.3, and §100.4, on lots with 4 or more dwelling units proposed, a minimum of 10% of the net lot area shall be landscaped containing lawn, trees, and shrubs. This required landscape area may be integrated with the outdoor use are requirement of §27-806 B., satisfying both requirements.

§27-807 Criteria for Class 1 Special Exceptions

A. The proposed use will not attract large volumes of vehicular traffic.

B. The proposed use will utilize an existing building for its purpose or a new building of similar scale and character to adjacent building.

C. The proposed use will receive deliveries or pick-ups only by means of automobiles or small trucks.

§27-808 Special Requirements for Off-Street Parking

In addition to Part 13 Off-Street Parking and Loading, §27-1301 to §27-1309, the following standards shall apply to properties located in the ROR District:

A. Parking area setbacks

- (1) From tract boundaries with residential districts - 15 feet
- (2) From rear lot line - 15 feet
- (3) From side lot line - 5 feet
- (4) Driveways may be located front yard areas to provide access to parking lots.
- (5) Parking area setbacks shall be landscaped as property line buffers or site element screens, as appropriate, according to the standards of Chapter 22 Subdivision and Land Development, Appendix "B" Landscape Planting Requirements, §100.4 Buffers and Screens.

B. Reduction of parking spaces and shared parking

- (1) The off street parking requirements of Part 13 §27-1301 to §27-1309 can be reduced when authorized as an exception according to the following chart and the standards of §27-1609:

Uses	Monday – Friday	Saturday	Sunday	8am – 6pm	6pm - Midnight	Midnight – 8am	8am – 6pm	6pm - Midnight
Residential	60%	100%	100%	80%	100%	100%	100%	100%
Office	100%	10%	5%	5%	5%	5%	5%	5%
Commercial	90%	80%	5%	100%	60%	5%	5%	5%
Restaurant	60%	100%	5%	60%	100%	5%	5%	5%
Entertainment	40%	100%	5%	80%	100%	5%	5%	5%
Church	10%	30%	5%	100%	30%	5%	5%	5%

- (2) The parking requirement of each use shall be calculated separately and multiplied by the percentage shown in each cell. The total minimum number of spaces required on any site shall be the largest sum of any column from the above chart.

C. Driveway access controls

- (1) No more than two driveway access points either of which may be no wider than 24 feet, shall be permitted per property.
- (2) Properties that share parking according to the standards of this section shall not have more than two access points among the sharing properties.

D. Parking lot design requirements

- (1) Parking is not permitted in the front yard or between buildings and Huntingdon Pike.
- (2) Parking may be located in the side yard provided that spaces are set back at least ten feet from the furthest point distant from the street of the front facade of the building.

E. Access and stacking capacity controls

- (1) For financial institutions a minimum eight car stacking shall be required for each drive-up window or drive-up automated teller machine. Exit driveways shall be designed to allow right turns only.
- (2) For restaurants, a minimum of six car stacking shall be required for each drive-up window. Exit driveways shall be designed to allow right turns only.

II. Borough Council, in order to effectuate and implement changes made even date herewith to the chapter of the zoning ordinance pertaining to the ROR zoning district, hereby amends Ordinance 469A, section 201 as amended subsequently by ordinances 558 section 1 and 590 section 1, and being Chapter 27, Part 2 of the Borough Codified Ordinances, "Definitions", and in particular, the following two definitions are added to said ordinance:

FOOTCANDLE – Unit of light density incident on a plane (assumed to be horizontal unless otherwise specified), and measurable with an illuminance meter.

FULL CUTOFF – Attribute of a luminaire from which no light is emitted at or above a horizontal plane drawn through the lowest light-emitting portion of the luminaire and nor more than 10% of the lamp's intensity is emitted at or above an angle 10 degrees below the horizontal plane, at all lateral angles around the luminaire.

III. Borough Council, in order to effectuate and implement changes made even date herewith to the chapter of the zoning ordinance pertaining to the ROR zoning district, hereby amends Ordinance 469A, section 1301, and section 1305, codified at Title 27 Part 13, sections 1302 and 1306, respectively, "Required Off Street Parking Capacity" and "Design Requirements for Nonresidential Parking Lots", as follows:

a. Section 1302 of the codified ordinance is modified by deleting the parking requirement listed therein for the “retail stores” use and replacing it with the following requirement:

“1 space per 150 square feet of gross sales floor area, including those areas occupied by shelves and displays accessible to customers.”

b. Section 1306 is modified by deleting the existing language in paragraph “F” and replacing it with the following:

“A buffer strip 15 feet in width shall be provided along each property line abutting a residential district. The landscaping requirements of Chapter 22 Subdivision and Land Development, Appendix ‘B’ Landscape Planting Requirements, §100.4 Buffers and Screens shall apply.”

c. Paragraph “H” of section 1306 is deleted in its entirety.

IV. Borough Council does hereby ORDAIN to amend Ordinance 590 which is codified as Appendix “B” to Title 22 of the Borough Codified ordinances, “Landscape Planting Requirements”, in the following particular respects:

- a. In Section 103, paragraph 3.A(1), the reference to Butler Pike is deleted and replaced with “Huntingdon Pike”.
- b. Section 100.4, paragraph “4” is amended by deleting all of the existing language at that paragraph and replacing it with the following:

“4. Site Element Screens

A. Site element screens shall be provided along tract boundaries in setback areas where the following site elements are within 100 feet of the tract boundary.

- (1) Parking lots of three or more stalls
- (2) Dumpsters, trash disposal or recycling areas
- (3) Service or loading docks
- (4) Outdoor storage or sales yard
- (5) Vehicle storage
- (6) Single family attached rear yards
- (7) Multifamily rear yards

B. Screen Location. The site element screen shall be placed between the site element and the property line and shall be designed as a year-round screen to block views to the maximum extent possible.

C. Site Element Screen Design Criteria: Site element screens shall be planted with one tree for every 25 feet of buffer length and one shrub for every 6 feet of buffer length. At least 75% of the plants selected must be evergreen.”

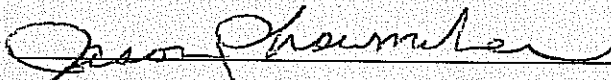
c. Section 100.6 is amended by replacing the approved materials list with the list of approved materials attached to this ordinance and to be read as though set forth in their entirety in the body of this ordinance.

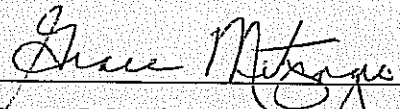
V. Borough Council does hereby ORDAIN to amend Ordinance 590, Codified at Title 22, Part 2, the “Definitions” section of the Subdivision and Land Development Ordinance in the following particular respects:

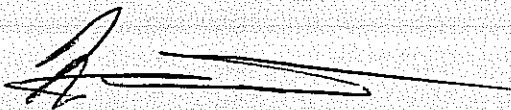
a. “STREET CLASSIFICATIONS”: In paragraph B(1), the reference to Butler Pike is deleted and replaced with “Huntingdon Pike”. In paragraph B(2), the sentence, “Bethlehem Pike is a minor arterial” is hereby deleted.

b. “STREET CLASSIFICATIONS”: In paragraph C, subsection (1) is amended by deleting the sentence, “Tennis Avenue, North Main Street between Tennis and Butler Avenue and North Spring Garden from the Borough boundary to Tennis Avenue are classified as major collectors, and replacing it with the sentence, “Shady Lane, Cedar Road, Church Road, and Fox Chase Road are classified as major collectors.” Subsection (2), “minor collectors”, is deleted.

SO ORDAINED this 29th day of April, 2013. Effective upon adoption.


Jason Showmaker, Council President

Attest: 
Grace Metzinger, Secretary

APPROVED: 
Harold Praediger, Mayor