

LEGAL NOTICE

NOTICE IS HEREBY GIVEN that the Burgess and Town Council of the Borough of Pottstown shall hold a public hearing on Monday, April 12, 2021 at 7:30pm during its regularly scheduled meeting on an ordinance which, if enacted, would amend various parts of Chapter 22, Subdivision and Land Development, and Chapter 27, Zoning, of the Code of Ordinances of Pottstown Borough, in order to effectuate various ordinance amendments recommended by the Ordinance Review Committee. Please refer to the Borough's website for more information on whether the meeting will be conducted remotely or in the Council Meeting Room, Pottstown Borough Hall, 100 E. High Street, Pottstown, Montgomery County, Pennsylvania.

A synopsis of the proposed ordinance is as follows:

SECTION 1. This section of the ordinance amends Section A408(19), "Certificates and Assurances" of Appendix 4, Plan Requirements, of Chapter 22, Subdivision and Land Development, of the Code of Ordinances of the Borough of Pottstown (hereinafter referred to as the "SALDO"), as amended, to require a certification by the Borough Engineer on final plans.

SECTION 2. This section of the ordinance amends Section 508(1), "Design and Quantity of Parking Lot Trees," of Part 5, Design, of the SALDO, as amended, to now require one (1) tree per every four (4) parking spaces along parking areas.

SECTION 3. This section of the ordinance amends Section 510, "Screening," of Part 5, Design, of the SALDO, as amended, to update permissible fence and wall materials including permitting the use of composite designed to look like wood, and require that all non-residential trash storage be screened by a solid wall and secured by a solid gate.

SECTION 4. This section of the ordinance amends Section 511, "Buffering," of Part 5, Design, of the SALDO, as amended, to require buffering where any nonresidential use abuts a residential use or where the Heavy Manufacturing, Gateway, Highway Business, and Flex Office districts abut any other district and also to update permissible fence and wall materials including permitting the use of composite designed to look like wood.

SECTION 5. This section of the ordinance amends Section 200, "Permits Required," of Part 2, Applications, of the Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown (hereinafter the "ZO"), as amended, to create a new subsection establishing that permit fees shall be adopted by resolution by Council and may be amended thereafter also by resolution.

SECTION 6. This section of the ordinance relocates the chart presently within Section 304(A)(1), "Conservation District - Review Procedure," of Part 3, Districts, of the ZO, as amended, to a new section A304, "Conservation District - Review Procedure," within Appendix A3, Districts; update the chart to reflect a height requirements of four (4) feet for Front Fences for Existing Buildings and four (4) feet for Front Fences for New Buildings; and update permissible fence and wall materials including permitting the use of composite designed to look like wood.

SECTION 7. This section of the ordinance deletes and repeals subsection F of Subsection 31, "Massage Therapy Center," of Section 401, "Conditional Uses," of Part 4, Conditional Uses, of the ZO, as amended.

SECTION 8. This section of the ordinance relocates the chart presently within Section 326(2), "Demolition," of Part 3, Districts, of the ZO, as amended, to a new

section A326, "Gateway District Summary Chart," within a newly created appendix, A14, entitled, Demolition; update the chart to reflect a height requirements of four (4) feet for Front Fences for Existing Buildings and four (4) feet for Front Fences for New Buildings; and update permissible fence and wall materials including permitting the use of composite designed to look like wood.

SECTION 9. This section of the ordinance amends Section 314, "Fences and Walls," of Part 3, Districts, of the ZO, as amended, to increase the height of Front Yard fences and walls to four (4) feet; update permissible fence and wall materials including permitting the use of composite designed to look like wood; require that all fences be erected with the finished side facing outward, towards the adjacent property or street; prohibit screening and buffering within the right-of-way; and require that all screening and buffering be constructed in order to maintain permissible sight distance for vehicular and pedestrian traffic.

SECTION 10. This section of the ordinance amends Section 331, "Fences and Walls," of Part 3, Districts, of the ZO, as amended, to increase the height of Front Yard fences to four (4) feet and also to update permissible fence and wall materials including permitting the use of composite designed to look like wood.

SECTION 11. This section of the ordinance amends subsection 26, "Utility Company Operational Facility," of Section 401, "Conditional Uses," of Part 4, Conditional Uses, of Chapter 27, of the ZO, as amended, to clarify language for appropriate fencing.

SECTION 12. This section of the ordinance amends subsection A3 of subsection 27, "Automotive Repair Station," of Section 401, "Conditional Uses," of Part 4, Conditional Uses, of the ZO, as amended, to read as follows: "Outdoor storage shall be limited to vehicles only. Fencing or walling, at least six (6) feet high in height, shall be used to screen the outdoor use area so that no vehicles can be viewed from High Street, and the fencing or wall shall be solid and constructed of wood, vinyl or composite designed to look like wood, brick, stone, or stucco over concrete block (capped with brick, slate or stone)."

SECTION 13. This section of the ordinance amends subsection A3 of subsection 28, "Trade School (Automobile or Machine Training Only)," of Section 401, "Conditional Uses," of Part 4, Conditional Uses, of the ZO, as amended, to read as follows: "A solid fence six (6) feet high shall screen the outdoor area adjacent to the automobile storage station, so no vehicles can be seen from any street. The fence shall be constructed of brick, stone, wood, vinyl designed to look like wood, composite designed to look like wood, or stucco over concrete block (capped with brick, slate or stone). At least three (3) feet in front of any portion of the fence facing a street shall be dedicated to plantings, including one shade tree for every ten (10) feet of fence or fraction thereof. If plantings are required, then the Applicant shall also submit a landscaping plan to be approved by Council."

SECTION 14. This section of the ordinance amends subsection A of subsection 5, "Solid Waste Storage Unit," of Section 507, "Accessory Uses," of Part 5, General Regulations, of the ZO, as amended, to read as follows: "Solid waste storage units shall be enclosed by a fence or wall used to screen the unit from public view, and the fencing or wall shall be solid and constructed of wood, vinyl designed to look like wood, composite designed to look like wood, brick, stone, or stucco over concrete block (capped with brick, slate or stone)."

SECTION 15. This section of the ordinance amends subsection 3 of Section 508, “Outdoor Storage,” of Part 5, General Regulations, of the ZO, as amended, to read as follows: “Solid waste storage units shall be enclosed by a fence or wall used to screen the unit from public view, and the fencing or wall shall be solid and constructed of wood, vinyl designed to look like wood, composite designed to look like wood, brick, stone, or stucco over concrete block (capped with brick, slate or stone).”

SECTION 16. This section of the ordinance amends subsection 5, “Distance Between Murals,” of Section 713, “Special Regulations for Murals,” of Part 7, Signs, of the ZO, as amended, to read as follows: “Distance Between Murals. New murals shall not be located within 300 feet of any two or more existing murals, a distance to be measured from each existing mural.”

SECTION 17. Severability.

SECTION 18. Reenactment.

SECTION 19. Effective Date.

At the conclusion of the public hearing, Council intends to adopt and enact the proposed ordinance. Pottstown Borough provided a complete copy of the proposed ordinance to the Montgomery County Law Library and the Pottstown Mercury. A complete copy of the proposed ordinance also will be posted on the Borough’s website and made available for inspection without charge at the Pottstown Borough Hall, 100 E. High St., Pottstown, PA 19464, during normal business hours, subject to COVID-19 restrictions. A copy of the proposed ordinance may be obtained for a charge not greater than the cost thereof.

**THE BURGESS AND TOWN COUNCIL
OF THE BOROUGH OF POTTSTOWN**

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