

ORDINANCE NO. _____

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING THE POTTSTOWN BOROUGH ZONING ORDINANCE TO CREATE A BUSINESS OVERLAY DISTRICT IN PORTIONS OF THE TRADITIONAL TOWN NEIGHBORHOOD TO ESTABLISH TRANSITIONAL LAND USES ADJACENT TO THE HM - HEAVY MANUFACTURING DISTRICT.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

SECTION 1. Section 300, Establishment of Districts, of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown (hereinafter referred to as “Pottstown Borough Zoning Ordinance”), as amended, is hereby amended to read as follows:

Pottstown is divided into zoning districts listed in the chart below. Zoning districts of Pottstown neighborhoods that were mostly built more than 50 years ago are grouped together in a Conservation District overlay. Commercial areas adjacent to historic neighborhoods, and entryways to Pottstown’s historic areas, are grouped together in a Gateway District overlay. Special rules also apply to areas in the Keim Street Gateway, Business Overlay and for the Pottstown Airport District.

Conservation	NR TTN D	Neighborhood Residential Traditional Town Neighborhood Downtown
Gateway	NB DG GE GW P	Neighborhood Business Downtown Gateway Gateway East Gateway West Park
Contemporary	FO HB HM	Flex-Office Highway Business Heavy Manufacturing

Special Overlay

Airport Overlay
Keim Street Gateway Overlay
Business Overlay

SECTION 2. The definition of “Light Manufacturing” as set forth in § 1400, Definitions, of Part 14, Definitions, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

LIGHT MANUFACTURING

The production or processing of materials by the employment of small machines, soldering irons, stamping machines, kilns, aluminum bending devices, and the like. Such activity is not likely to produce noises, odors, or other emissions detectable by a person having normal senses, when experienced from off the premises. For purposes of the BO District, Light Manufacturing shall mean:

1. Manufacture and assembly of small electrical appliances and parts such as lighting fixtures, fans, electronic measuring and controlling devices, radio and television receivers, and home electronic equipment, not including electrical machinery.
2. Manufacture of boxes, containers, bags and other packaging products from previously prepared materials, but specifically excluding the manufacture of paper from pulp.
3. Manufacture, assembly and packaging of jewelry, watches, clocks, optical goods and professional and scientific instruments.
4. Manufacture, compounding, processing, packaging, or treatment of bakery goods, confections, candy and dairy products.
5. Printing, publishing, lithographing, binding and similar processes.
6. Scientific research laboratory or other experimental testing establishment.

SECTION 3. A new Section 346, Business Overlay District, is hereby created within Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, shall provide as follows:

Section 346. BO - Business Overlay

1. Intent: To provide for a low intensity, light industrial use that complements the residential neighborhood providing for a transitional land uses within, and between, the TNN - Traditional Town Neighborhood and HM - Heavy Manufacturing District.
2. Applicability: The Business Overlay shall apply to any lot, or group of contiguous lots, which are in common ownership with a lot area of 2 acres, or less, for a permitted use and with a lot area greater than 2 acres but less than 3 acres for a conditional use. Qualifying lot(s) shall be situated entirely within the TTN - Traditional Town Neighborhood District and front along the south-side of Queen Street west of Madison Street as well as those lot(s) east of Madison Street to South Keim Street and extending to HM - Heavy Manufacturing District boundary with all, or a majority, of the lot(s) being within 200 feet of the HM - Heavy Manufacturing District. The Business Overlay shall extend 200 feet from Center Avenue between South Keim Street and Moser Road with the overlay extending southerly to the HM - Heavy Manufacturing District boundary.
3. Uses: Within the limits of this overlay, the following uses shall be permitted:
 - A. Permitted Uses - In addition to other permitted uses in the Traditional Town Neighborhood District, the following additional use shall be permitted - Light Manufacturing Facility, building or addition thereto, so long as the total size of the facility is not greater than 20,000 square feet. All material storage shall be done within an enclosed building or accessory structure/shed.
 - B. Conditional Uses - In addition to other conditional uses permitted in the Traditional Town Neighborhood District, a Light Manufacturing facility, building or addition shall be permitted by conditional use if greater than 20,000 square feet.
 - C. Accessory Uses - In addition to all other accessory uses permitted in the Traditional Town Neighborhood District, non-residential storage sheds with a maximum size of 400 square feet, which shall be located only within the rear or side yard.

4. Dimensional Requirements: Requirements for lot area, building setbacks and building size:

Standard	Size
Minimum lot area	1 acre (Permitted Use)
Maximum lot area	2 acres (Permitted Use)
Maximum lot area	3 acres (Conditional Use)
Minimum open space	10%
Minimum lot width	75 feet
Minimum lot depth	85 feet
Maximum lot depth	200 feet
Maximum building coverage	75%
Maximum building height	35 feet (Permitted Use)
Maximum building height	50 feet (Conditional Use)

5. Design Guidelines: Pursuant to Sections 306-308 and 314-317 shall apply except that any new building, or an existing building with a new addition, may be of any size so long as the applicant demonstrates to the satisfaction of Borough Council that the building architecture is compatible with the neighboring existing buildings within the neighborhood.
6. Parking: Parking provisions pursuant to Part 6 shall apply, except, up to twenty-percent (20%) of the total required off-street parking spaces may be held in reserve as provided by Section 7 below.
7. Reserve Parking: At the discretion of Borough Council, and upon demonstrating sufficient off-street parking facilities are provided, not more than 20% of the total required parking may be held in reserve provided public transportation, pedestrian-ways and/or bicycle facilities are available, and provided, to justify the reduction and/or reservation of required off-street parking.
8. Bicycle Facilities and Parking Reduction: Bicycle hitches, racks or lockers shall be provided. At the discretion of Borough Council, and in addition to the reserve parking stipulated in Section 7 above, the applicant may further reduce the total required off-street parking by one (1) space for every five (5) on-site bicycle parking spaces provided. Such further parking reduction shall not exceed five percent (5%) of the total required parking.
9. Alley Improvements: As recommended by the Borough Engineer and Public Works Director, improvements to existing abutting alleys.

SECTION 4. Section 401, Conditional Uses, of Part 4, Conditional Uses, of Chapter 27, Zoning, of the Code of Ordinance of the Borough of Pottstown, as amended, is hereby amended to add the following additional conditional use:

33. Light Manufacturing Facility.

1. The Applicant shall demonstrate that the scale, location and intended use of building(s), and the relationship of the proposed use to existing streets and adjacent properties, and physical features will be compatible with existing buildings regarding:
 - a) Building form, either horizontal or vertical.
 - b) Building base, body and cap.
 - c) Scale.
 - d) Texture and pattern of exterior materials.
 - e) Proportion of walls to openings.
 - f) Noise, odor and other emissions when detectable by a person having normal senses, when experienced from off the premises.
2. The applicant shall demonstrate to Borough Council that proposed lighting shall be shielded and reflected away from adjacent residential properties and streets and shall conform to the standards for illumination set forth in this Chapter.
3. All material storage shall be done within an enclosed building or accessory structure/shed within the rear or side yard.
4. The Borough shall require a traffic study to ensure the proposed development will not adversely impact pedestrian, bicycle, and automobile traffic within 1,000 feet of the property.
5. The Borough may, at its discretion, attach other reasonable conditions as may be deemed necessary to protect adjacent residential properties.

SECTION 5. Section 402, Conditional Uses, of Part 4, Conditional Uses, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to add the following additional Existing Building Conditional Use:

7. Light Manufacturing Facility, subject to satisfying the objective criteria set forth in Section 401(33)(1-10).

SECTION 6. Section 403, Large Lot Conditional Uses, of Part 4, Conditional Uses, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to add the following additional Large Lot Conditional Use within the Business Overlay:

C. Light Manufacturing Facility, subject to satisfying the objective criteria outlined in Section 401(33)(1-10).

SECTION 7. 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 part of the remaining provisions, sentences, clauses, sections, or parts of this ordinance. It is hereby declared as the intent of the Burgess and Town Council of the Borough of Pottstown that this ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof, had not been included herein.

SECTION 8. Reenactment. All other parts of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

SECTION 9. Effective Date. This ordinance is effective immediately upon enactment.

ENACTED and **ORDAINED** this ____ day of _____, 2021

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

BY:

Dan Weand, President

ATTEST:

Virginia L. Takach, Secretary

Approved this ___ day of
_____, A.D., 2021.

Stephanie Henrick, Mayor