

PLYMOUTH TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 1701

AN ORDINANCE OF PLYMOUTH TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, PURSUANT TO ARTICLE VI OF THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AMENDING THE PLYMOUTH TOWNSHIP CODE APPENDIX B, ZONING ORDINANCE, TO AMEND ARTICLE XI, SECTION 1100, OF THE ZONING ORDINANCE TO PERMIT NEW HIGH-RISE AND MID-RISE APARTMENT BUILDINGS IN THE SHOPPING CENTER DISTRICT BY CONDITIONAL USE, SUBJECT TO SPECIFIC DEVELOPMENT REQUIREMENTS.

The Council of Plymouth Township, Montgomery County, Pennsylvania, does hereby enact and ordain the following:

WHEREAS, Article XXII of the Plymouth Township Zoning Ordinance and Section 609 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 106909, authorize the Township of Plymouth to enact amendments to the Plymouth Township Zoning Ordinance; and

WHEREAS, an applicant has proposed to amend use regulations for mid-rise apartments and high-rise apartments in the SC Zoning District, subject to certain regulations; and

WHEREAS, the Council of Plymouth Township has determined that it is in the best interests of the municipality to adopt this Ordinance amending the Plymouth Township Zoning Ordinance; and

WHEREAS, the Council of Plymouth Township has determined that this Ordinance is generally consistent with the Township's Comprehensive Plan; and

WHEREAS, a public hearing was held for the purpose of considering this amendment to the Plymouth Township Zoning Ordinance; and

WHEREAS, the Council of Plymouth Township, after a public hearing, and after receipt of recommendations from the Plymouth Township Planning Agency and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended to modify the regulations for mid-rise apartments and high-rise apartments within the SC Zoning District, under certain conditions, and finds that such ordinance modifications are in accordance with the spirit and the intent of the Plymouth Township Zoning Ordinance and Comprehensive Plan.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Council of Plymouth Township, Montgomery County, Pennsylvania that the Plymouth Township Zoning Ordinance is hereby amended as follows:

(1) **TEXT AMENDMENT.**

SECTION 1100 of the Zoning Ordinance is hereby amended to revise subsection 1100.Q., to read as follows:

- Q. Mid-rise apartments and high-rise apartments, only when (i) an existing building, previously or currently used for office purposes, is being converted into mid-rise apartments or high-rise apartments, or (ii) an existing building, previously or currently used for office purposes, is being demolished and rebuilt as mid-rise or high-rise apartments in the same location. Any mid-rise or high-rise apartment use must be authorized as a conditional use. The development of mid-rise apartments and high-rise apartments pursuant this subsection shall be subject to the provisions of Article XXXVI of this ordinance and the specific development standards of Section 1101.2.

SECTION 1100 of the Zoning Ordinance is hereby amended to delete, in its entirety, subsection 1100.S.

SECTION 1101 of the Zoning Ordinance is hereby amended to revise subsection 1101.L to read as follows:

- (1) Buildings or structures devoted or intended for devotion to uses of the nature specified in Paragraphs A through S, inclusive, in Section 1100 other than high-rise apartment buildings, mid-rise apartment buildings, hotels, motels, motor courts, and office buildings – forty (40) feet, except that the height of any such building or structure may be increased to a maximum of sixty-five (65) feet provided that for each foot of height in excess of forty (40) feet there shall be added to each yard requirement one (1) corresponding foot of width or depth;
- (2) Buildings or structures devoted or intended for devotion to uses for high-rise apartments or hotels shall not exceed one hundred (100) feet in height, except when an existing building is being converted to high-rise apartments and the height of the existing building already exceeds one hundred (100) feet. Buildings or structures devoted or intended for devotion to uses for mid-rise apartments, motels or motor courts shall not exceed seventy-five (75) feet in height, except when an existing building is being converted to mid-rise apartments and the height of the existing building already exceeds seventy-five (75) feet.
- (3) Buildings or structures devoted or intended for devotion to uses for offices as in Paragraph N of Section 1100 – one-hundred-twenty (120) feet.

SECTION 1101.2 of the Zoning Ordinance is hereby amended to revise subsection 1101.2.C to read as follows:

1101.2.C Project Density.

- (1) The maximum density for an office building being converted to apartment use shall be 30 units per gross acre, based only upon the acreage of the property proposed for redevelopment, with no more than 50 units in any one (1) mid-rise apartment

building, and no more than 150 units in any one (1) high-rise apartment building. For the purpose of calculating density and the maximum number of allowable units, the area of a lot subject to redevelopment shall be the area existing on the date of enactment of this ordinance amendment.

- (2) The maximum density for a newly constructed building replacing an existing office building shall be 65 units per gross acre, based only upon the acreage of the property proposed for redevelopment. The total number of units on any such redeveloped property shall not exceed 275 apartments. For the purposes of calculating density and the maximum number of allowable units, the area of a lot subject to redevelopment shall be the area existing on the date of enactment of this ordinance amendment.

SECTION 1101.2.D of the Zoning Ordinance is hereby amended to revise subsection 1101.2.D to read as follows:

1101.2.D Shopping Center District Density. In addition to the project density specified in Subsection 1101.2.C above, a maximum of 150 apartment units shall be permitted on any property subject to conversion from office to apartment use, and a maximum of 275 apartment units shall be permitted on any property subject to redevelopment with newly constructed apartments. A maximum of 425 apartment units shall be permitted within any one qualifying SC Zoning District. In the event multiple applications are pending before the Township which, if granted, would exceed the 425 unit maximum, the applications will be considered in the order in which preliminary approval is granted. When preliminary approval of an application would cause the number of approved apartment units to exceed 425 units in the SC Zoning District, the application shall be denied. Conditional Use approval for apartment units shall be conditioned upon compliance with the unit maximum at the time of preliminary plan approval.

SECTION 1101.2.M of the Zoning Ordinance is hereby created and shall read as follows:

1101.2.M Modifications by Conditional Use. As part of a conditional use approval, Council may permit a deviation of the requirements of Section 1101 where good cause is shown and in no instance shall any deviation exceed a one percent (1%) variation from the required standard. Council shall not grant full relief from any standard.

2. **SEVERABILITY.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The Council hereby declares that it would have passed this Amendment and each Section or part thereof, other than the part declared invalid, if the Council had advanced knowledge that any part would be declared invalid.

3. **REPEALER.** Any resolution, ordinance or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed and the provisions of this Ordinance shall prevail.
4. **RATIFICATION.** In all other respects, the provisions of the Plymouth Township Zoning Ordinance, as amended, shall remain in full force and effect.
5. **EFFECTIVE DATE.** This Zoning Ordinance Amendment shall become effective on the 31st day after adoption.

ENACTED and ORDAINED this 10th day of June, 2024.

PLYMOUTH TOWNSHIP COUNCIL

Attest: Karen B. Weiss

Name: Karen B. Weiss

Title: Township Manager



By: Karen R. Bramblett, Chair