

ORDINANCE NO. 606

AN ORDINANCE OF THE TOWNSHIP OF UPPER PROVIDENCE, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING CHAPTER 300 (ZONING), BY AMENDING SECTION 300-90 TO ADD A DEFINITION OF "STACKED TOWNHOME" UNDER DWELLING TYPES AS SUBSECTION C.(3) AND TO ADD A DEFINITION OF "RESTAURANT, FAST CASUAL"; SECTION 300-524.A(2) TO AMEND THE REQUIREMENTS FOR A FINANCIAL INSTITUTION, STUDIO AND OFFICE USE; SECTION 300-524.A(4) AND SECTION 300-524.B(4) TO ALLOW FOR VARIOUS TYPES OF RESTAURANTS; SECTION 300-524.A(13) AND SECTION 300-524.B(7) TO REMOVE THE AREA LIMITATION FOR INDOOR FITNESS, RECREATION AND ENTERTAINMENT USES; SECTION 300-525.A(1) TO REMOVE THE PROHIBITION ON TRANSFER OF OWNERSHIP; SECTION 300-525.B TO PERMIT THE MAXIMUM HEIGHT IN A COMMUNITY SHOPPING CENTER TO BE 55 FEET; SECTION 300-525.C(8) TO AMEND THE OFF-STREET PARKING REQUIREMENTS APPLICABLE TO COMMUNITY AND REGIONAL SHOPPING CENTERS; AND BY ADDING A NEW SECTION 300-529 TO ESTABLISH A RESIDENTIAL USE GROUP (RUG-4) OPTION IN THE CRSC COMMUNITY AND REGIONAL SHOPPING CENTER DISTRICT; AND BY AMENDING THE ZONING MAP TO INCLUDE MONTGOMERY COUNTY TAX PARCEL NUMBER 61-00-00226-20-8 AS PART OF THE CRSC COMMUNITY AND REGIONAL SHOPPING CENTER DISTRICT.

WHEREAS, in furtherance of the community development objectives contained in Section 300-2 of the Code of Upper Providence Township, Section 300 (Zoning) contains provisions for planned community-level retail commercial centers to serve the shopping and service needs of the Township's population growth; and

WHEREAS, Upper Providence Township is required to provide for a variety housing types; and

WHEREAS, Upper Providence Township desires to provide for the most beneficial relationship among the residential, commercial, industrial and recreational areas of the Township as set forth in Section 300; and

WHEREAS, Upper Providence desires to encourage the redevelopment of existing vacant office properties in the Township and to provide appropriately sited uses on said properties; and

WHEREAS, Upper Providence Township desires to establish provisions to allow for single-family attached residential dwellings other than in a traditional townhouse layout; and

WHEREAS, Upper Providence Township desire to provide a mixed use development option in the Community and Regional Shopping Center District to encourage the development of such housing options; and

WHEREAS, Upper Providence Township desires to amend the Upper Providence Township Zoning Map to rezone a property located at the intersection of Black Rock Road and S. Collegeville Road in furtherance of such development objectives in the Township.

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Upper Providence Township, Montgomery County, and it is hereby enacted and ordained by the authority of same, as follows:

Section I: Amendment to the text of Chapter 300, "Zoning" of the Code of the Township of Upper Providence, Montgomery County, Pennsylvania.

1. Amend Section 300-90 to add a definition of "Stacked Townhome" under the definition of "Dwelling Types" as Subsection C.(3) to read as follows:

(3) Stacked Townhome. A residential structure contained in one building envelope, containing two dwelling units attached to each other, vertically separated by floor/ceiling assembly and/or horizontally separated by a wall assembly, with either shared or separate ingress points.

2. Amend Section 300-90 to add a definition of "Restaurant, Fast Casual" to read as follows:

Restaurant, Fast Casual. A restaurant with a limited menu, limited service, or self-service format, whose food is made to order and is fresher and higher quality and has more complex flavors than fast-food restaurants, and whose décor is more upscale, unique, or highly developed.

3. Amend Section 300-524.A.(2) to read as follows:

(2) A financial institution, studio and office for professional use or general business activity.

4. Amend Section 300-524.A(4) to read as follows:

(4) A restaurant (including live entertainment), catering service, when coincidental to a restaurant use, a fast-casual restaurant and a coffee shop.

5. Amend Section 300-524.A.(13) to read as follows:

(13) Indoor fitness, recreation, or entertainment uses.

6. Section 300-524.B.(4) and Section 300-524.B(7) are deleted in their entirety.

7. Amend Section 300-525.A.(1) to read as follows:
  - (1) Ownership. The tract of land to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of the entire tract, and it shall be agreed that the tract will be developed under single direction in accordance with an approved plan.
8. Amend Section 300-525.B, Maximum height for a Community Shopping Center to be 55 feet.
9. Amend Section 300-525.C.(8) to read as follows:
  - (8) Off-street parking and loading facilities. A CRSC development shall provide a minimum of 4 parking spaces for each 1,000 square feet of gross leasable area (GLA) or fraction thereof.
10. Add a new Section 300-529 to read as follows:

**§ 300-529 Residential Use Group-4 (RUG-4).**

  - A. Legislative intent. In expansion of the statement of community development objectives contained in § 300-2 of this chapter, it is hereby declared to be the intent of this article with respect to the CRSC Community and Regional Shopping Center District to establish reasonable controls and standards of performance for stacked townhome uses in the Route 29 corridor in proximity to the Township's municipal and recreational facilities.
  - B. Tract Requirements and Permitted Uses.
    - (1) RUG-4 shall be permitted on parcels of land zoned CRSC Community and Regional Shopping Center that meet the following criteria:
      - (a) The entire tract is located within the CRSC District.
      - (b) An RUG-4 uses shall be developed in conjunction with a community or regional shopping center and the entire tract shall have a total minimum area of 25 gross acres.
      - (c) A maximum of 8 gross acres of the tract may be used for RUG-4 development.
      - (d) Common areas and facilities. The provision of certain facilities serving the entire CRSC and RUG-4 development, such as parking lots, interior pedestrianways, driveways or alleys, lighting facilities, landscape planting areas, buffers, open space, recreation facilities, etc. are hereby

encouraged and may be located either on individual lots, planned community units or condominium units, or in common areas. In cases where they are provided in common areas, provisions satisfactory to the Board of Supervisors must be made for their perpetual maintenance and care. The use of these facilities may be restricted for particular residents or users of the facilities, where practical, and may be maintained by the developer, a condominium association or similar instrument.

(2) In an RUG-4, a building may be erected, altered or used and a tract may be used or occupied for any of the following uses and no others:

(a) Stacked townhomes.

(b) Recreational uses. In addition to accessory uses customarily incidental to residential use, appropriate accessory uses may be developed in conjunction with the residential use, which may include the following:

(i) Indoor or outdoor recreation facilities, clubhouse or similar use limited to use by the residents of the residential buildings.

(ii) Common open space.

(c) Adaptive reuse of an existing building for either a use permitted in Section 300-505.B.(2) of the Neighborhood Convenience Commercial District or as a community meeting space for the development using the RUG-4 provisions herein, or as a community space available for rental by local organizations.

(3) Development regulations. The following development regulations shall apply to development under the RUG-4 option:

(a) Stacked townhomes shall have a setback of 5 feet from internal development roads, 40 feet from side or rear property lines, and 50 feet from public road right of ways.

(b) Building coverage may not exceed 25% of the total tract area.

(c) Impervious coverage may not exceed 75% of the total tract area.

(d) Stacked townhome buildings may not exceed 170 feet in length.

(e) Building separation may not be less than 20 feet.

(f) No parking shall be located closer than 20 feet to a tract boundary or external road right of way.

(g) Two off-street parking spaces shall be required for each stacked townhome dwelling.

(4) Landscaped planting. Landscaping shall be considered an integral part of any RUG-4 and shall follow the requirements of Chapter 270 of this Code, Subdivision and Land Development.

(5) Buffer area. Stacked townhomes use in an RUG-4 development shall provide a permanent landscaped Buffer Type 4, as described in Section 270-68.D of Chapter 270, Subdivision and Land Development, against side or rear property lines. Existing mature trees or woodland areas may be utilized in place of required plantings, as approved by the Township. Tract buffer area requirements may be included within the required tract setbacks.

Section II: Amendment to the Zoning Map of Upper Providence Township: The Upper Providence Zoning Map, which is adopted as part of the Upper Providence Township Code, Chapter 300 (Zoning), as amended, in Section 300-7 is hereby amended as shown on the Zoning Map, which is attached hereto as Attachment "A", which shall designate Tax Parcel No. 61-00-00226-20-8 as being included in the CRSC Community and Regional Shopping Center District.


Section III: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent of such conflict.

Section IV: If any provision or part of this ordinance is for any reason held invalid, the remaining provisions and parts of this ordinance shall not be affected thereby. If the application of this ordinance or any of its provisions or parts to any persons, property or circumstances is held invalid, the application of this ordinance to other persons, property or circumstances shall not be affected thereby.

Section V: This ordinance shall become effective five (5) days from date of adoption.

ENACTED AND ORDAINED THIS 17<sup>th</sup> DAY OF JUNE, 2024.

UPPER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS

By:   
Helene Calci, Chairperson

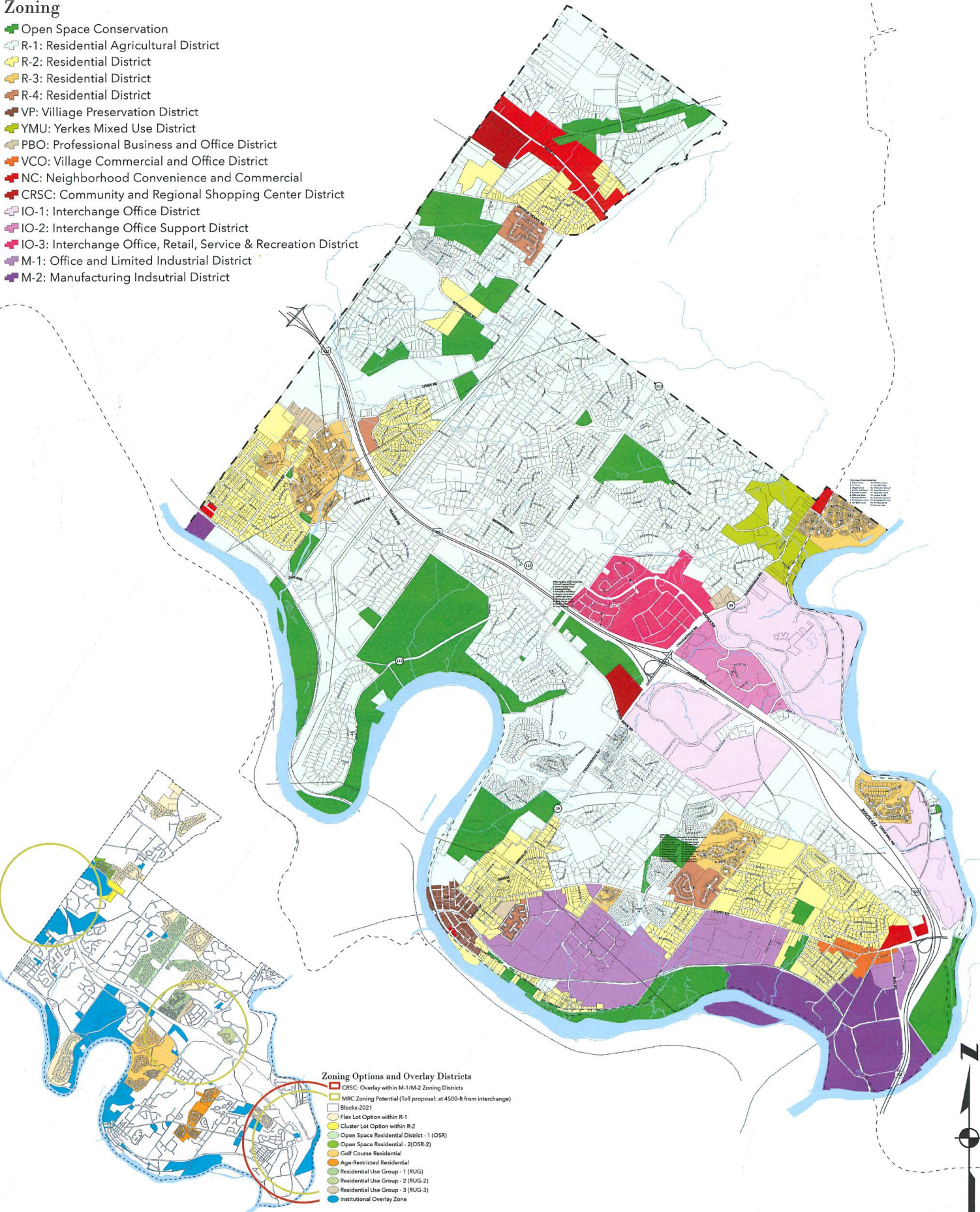
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


  
Township Secretary

ATTACHMENT "A"

# Zoning

-  Open Space Conservation
-  R-1: Residential Agricultural District
-  R-2: Residential District
-  R-3: Residential District
-  R-4: Residential District
-  VP: Villiage Preservation District
-  YMU: Yerkes Mixed Use District
-  PBO: Professional Business and Office District
-  VCO: Village Commercial and Office District
-  NC: Neighborhood Convenience and Commercial
-  CRSC: Community and Regional Shopping Center District
-  IO-1: Interchange Office District
-  IO-2: Interchange Office Support District
-  IO-3: Interchange Office, Retail, Service & Recreation District
-  M-1: Office and Limited Industrial District
-  M-2: Manufacturing Indsutrial District



- Zoning Options and Overlay Districts**
-  CRSC: Overlay within M-1/M-2 Zoning Districts
  -  MRC Zoning Potential (Toll proposal: at 4500-ft from interchange)
  -  Blocks-2021
  -  Flex Lot Option within R-1
  -  Cluster Lot Option within R-2
  -  Open Space Residential District - 1 (OSR)
  -  Open Space Residential - 2(OSR-2)
  -  Golf Course Residential
  -  Age-Restricted Residential
  -  Residential Use Group - 1 (RUG)
  -  Residential Use Group - 2 (RUG-2)
  -  Residential Use Group - 3 (RUG-3)
  -  Institutional Overlay Zone

**Revisions:**

**Notes:**

1. Zoning Ordinance is current up to and including map amendments made by Ordinance #606 dated June 17, 2024. Base parcel data and other physical features represented on the maps may be updated as new information is obtained. Changes will be listed within the Revision notes of the title block.
2. Certain use and development options permitted in the Zoning Ordinance may be applied to specific properties. Consult the Zoning Ordinance text and/or the Township Planning and Zoning Administrator to determine if any have been applied to specific properties.
3. The Public Works Title is illustrated on this map with a dashed line and is merely representational. The Title and associated easements are under the jurisdiction of Montgomery County.
4. Map prepared by Grace Planning Associates and ConiferGeo, in consultation with Upper Providence Township Officials. Base map created from most recent LIDAR data, 15000 Digital Aerial Photography and Montgomery County tax maps of Upper Providence Township.
5. Parcels included within the Institutional Overlay Map should be verified against the parcel numbers listed within §205-79.1.C of the Township's Zoning Ordinance.

**Inset Scale: 1" = 2,500'**

0 2,500 5,000 7,500

Feet

**Map Scale: 1" = 1,000'**

0 1,000 2,000 3,000

Feet

Prepared by:  
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**Zoning Map**  
 Adopted by Ordinance #606  
 Date Adopted: June 17, 2024

Zoning Map