

ORDINANCE NO. 2238

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN, MONTGOMERY TOWNSHIP, PENNSYLVANIA AMENDING SECTION 1400, DEFINITIONS, OF PART 14, DEFINITIONS, OF CHAPTER 27, ZONING, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, AS AMENDED, TO DELETE CERTAIN EXISTING DEFINITIONS, REVISE CERTAIN DEFINITIONS AND TO ESTABLISH A DEFINITION FOR A NEW TERM "SPECIALTY FOOD STORE" IN ADDITION TO OTHER MINOR MODIFICATIONS TO THE ZONING ORDINANCE.

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 1400, Definitions, of Part 14, Definitions, of Chapter 27, Zoning, of the of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to delete the following defined terms:

Automotive Service Station  
Personal Care Home

**SECTION 2.** Section 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 revise the definitions of the following terms:

NEIGHBORHOOD CONVENIENCE STORE – A direct retail store which is principally devoted to the quick sale of limited selection of prepackaged food items, food products, and beverages intended for off premise consumption, as well as a variety of convenience items such as good and household products customarily incidental to food shopping activity, over the counter medications, tobacco products, gambling and skill items and activities, and reading materials. A neighborhood convenience store shall be limited to 3,000 square feet or less of floor area. Except

within the Downtown district, a neighborhood convenience store may also operate gas, dispensing operations as an accessory use.

GROCERY STORE/SUPERMARKET – A direct retail store with at least 7,500 square feet of floor area which is principally devoted to the sale of fresh and prepackaged food and beverages primarily intended for off premise consumption, as well as goods and household products customarily incidental to food shopping activity, and that may include as accessory uses such as a pharmacy, florist, coffee shop or other similar secondary use. A grocery store may also operate gas dispensing operations as an accessory use.

CONTINUING CARE HOME – A building or structure or any part thereof which provides for housing and medical care, nursing care, or counseling on the premises for occupants who suffer from illness or infirmity but do not require hospitalization, and which does not otherwise meet the definition of a “criminal housing facility,” “group home,” “treatment center,” or other similarly defined use provided for herein, as determined by the Zoning Officer. Such housing shall include, but is not limited to, nursing homes, intermediate care facilities, skilled nursing facilities, and assisted living facilities.

**SECTION 3.** Section 320(2), Downtown, Definitions, of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, to delete and eliminate the following defined term:

Grocery Store and/or Supermarket

**SECTION 4.** Section 320(2), Downtown, Definitions, of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to add the following additional definition:

SPECIALTY FOOD STORE – A direct retail store catering to niche markets with specific dietary needs or culinary preferences, primarily selling products not commonly found in standard convenience or grocery stores. Specialty Food Stores shall be distinguished by their specialized inventory and can include a variety of food categories such as meats, seafood, dairy products, spices and artisanal items. These stores shall primarily sell gourmet, nutritional or ethnic food including fresh and prepackaged specialty food products and non-alcoholic beverages limited to off premise consumption. They may also offer related products clearly incidental to the sale of food and beverage items. The sale of convenience items such as lottery tickets, games of chance, alcohol and tobacco products is prohibited. These stores shall range in size from 1,500 to 4,000 square feet to ensure a focused yet diverse selection of products.

**SECTION 5.** Section 320(3), Downtown, Permitted Uses, of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to read as follows:

f. Eliminate “Grocery Store and/or Supermarket” and replace with “Specialty Food Store.”

**SECTION 6.** Section 337(2), Highway Business, Permitted Uses, of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to delete and eliminate the following defined term:

Automotive Service Station

**SECTION 7.** Section 601, Off-Street Parking Standards, of Part 6, Parking, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, is hereby amended to revise Section 601.4(B) as follows:

Group Home – two spaces

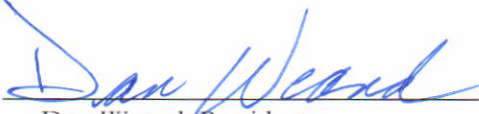
**SECTION 8. Severability.** If any sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any part of the remaining provisions, sentences, clauses, sections, 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.

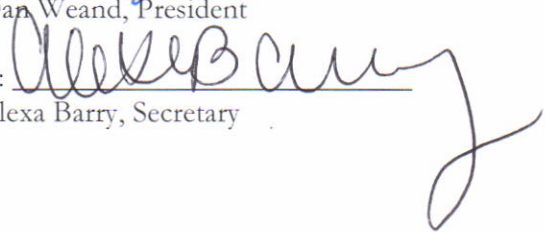
**SECTION 9. Reenactment.** All other provisions of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, also known as the Pottstown Borough Zoning Ordinance, are hereby re-enacted and reordained and shall remain in effect as previously adopted.

**SECTION 10. Effective Date.** This ordinance shall become effective immediately upon enactment.

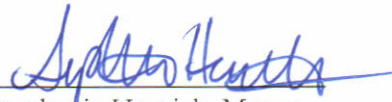
ENACTED and ORDAINED this 13<sup>th</sup> day of January, 2025.

THE BURGESS AND TOWN COUNCIL  
OF THE BOROUGH OF POTTSTOWN

BY:   
Dan Weand, President

ATTEST:   
Alexa Barry, Secretary

Approved this 13 day of  
January, 2025

  
Stephanie Henrick, Mayor