

Ordinance 25-03

MUNICIPALITY OF NORRISTON
A HOME RULE MUNICIPALITY
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 25-03

AN ORDINANCE OF THE MUNICIPAL OF NORRISTOWN, MONTGOMERY COUNTY, PENNSYLVANIA, TO AMEND CHAPTER 320 TITLED "ZONING" OF THE GENERAL LAWS OF NORRISTOWN TO ESTABLISH A NEW "MIXED USE OVERLAY DISTRICT" WITH PROVISIONS RELATING TO PERMITTED USES, DIMENSIONAL AND DEVELOPMENT STANDARDS, PARKING REQUIREMENTS, AND OTHER CRITERIA APPLICABLE IN SAID NEW OVERLAY DISTRICT; AND PROVIDING A SEVERABILITY CLAUSE AND A REPEALER CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the Municipality of Norristown is a Home Rule Municipality organized operating in accordance with the Charter of the Municipality of Norristown as permitted by the Home Rule Charter and Optional Plans Law, 53 Pa. C.S. 2901 *et seq.*

WHEREAS, the Pennsylvania Municipalities Planning Code, 53 P.S. § 10604 *et seq.*, permit a municipality to enact amendments to its existing Zoning Ordinance for the purpose of promoting and protecting the public health, safety, morals, and general welfare, and of facilitating the coordinated and practical community development and proper density of population, and of accommodating reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses; and

WHEREAS, in accordance with the Charter and Pennsylvania law, Municipal Council has the authority to enact and amend at any time it deems proper the provisions of the Municipality's General Laws including those provisions relating to zoning and zoning districts; and

WHEREAS, after due consideration at an advertised public meeting, Municipal Council has determined it is in the best interest of the Municipality and consistent with the Municipality's existing Comprehensive Plan and Pennsylvania Law to amend its Zoning Ordinance as codified under Chapter 320 to create a new Mixed Use Overlay District with corresponding provisions as set forth herein.

NOW, THEREFORE, be it **ORDAINED** that Norristown Municipal Council amends its General Laws as follows:

SECTION 1. **ADOPTION OF MIXED-USE OVERLAY DISTRICT.** Chapter 320, titled "Zoning," is hereby amended to add a new Article XXXIII titled "Mixed-Use Overlay (MUO) District" with all of the provisions, sections, and subsections as set forth in Exhibit "A" attached hereto.

SECTION 2. **SEVERABILITY.** In the event that any section, sentence, clause, or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this Ordinance.

Ordinance 25-03

SECTION 3. **REPEALER.** All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.


SECTION 4: **EFFECTIVE DATE**
This Ordinance shall take effect and be in force from and after its approval as required by the law.

ENACTED AND ORDAINED this 21st day of May, 2025.

Seal:

**Municipality of Norristown
Municipal Council**

Attest:


Leonard Lightner
Municipal Administrator

By:


Rebecca Smith
Council President

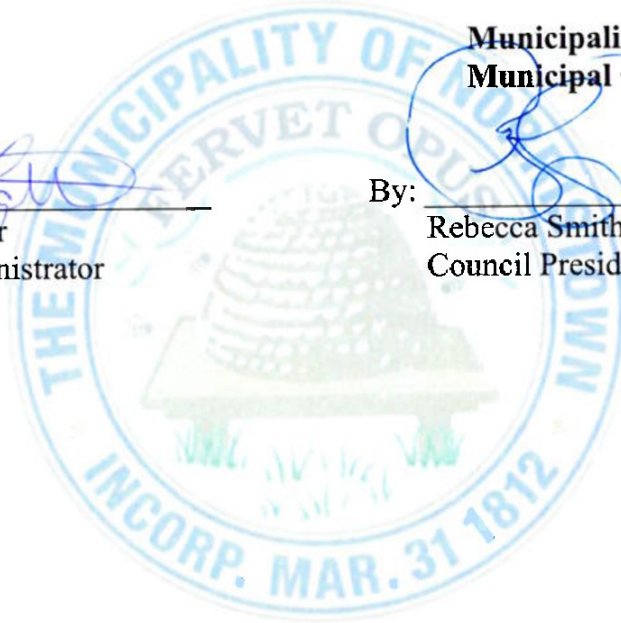




EXHIBIT "A"

Article XXXIII

"Mixed-Use Overlay (MOU) District"

Article XXXIII Mixed-Use Overlay (MOU) District

§ 320-390 Applicability.

The Mixed-Use Overlay (MUO) District shall apply to a mapped area located within the established Institutional Zoning area boundary, as created by the Norristown Municipality, as located within the Municipal boundary of Norristown Municipality, Montgomery County, Pennsylvania, as of the date of the adoption of this article, and the following regulations shall apply in addition to those of the underlying zoning district. The minimum tract size shall be 10 acres.

§ 320-191 Legislative intent.

The purpose of the Mixed-Use Overlay District is to encourage, and permit uses that are compatible and complementary with the historic character of the community and areas surrounding the Institutional Zoning District, to assist in its revitalization, and which are in accordance with the goals and objectives of the redevelopment plan, the Norristown economic redevelopment strategy and other applicable policies. A mix of uses in the form of residential, commercial, grocery, restaurant, office/research/technology and other pedestrian-oriented uses in an urban character of design are permitted and encouraged. In particular, uses that traditionally accompany and strengthen the commercial/residential core are permitted, such as office, cultural, residential, educational, entertainment, recreational and related uses. A mix of uses in a single building is encouraged in order to create a central neighborhood core. Parking lots shall be separated and buffered from streets and sidewalks by decorative fences and landscaping. New construction and planning should utilize traditional building materials and the accepted principles of traditional neighborhood development (TND) to the greatest extent possible. All development within this overlay shall be in accordance with an approved master plan and shall be developed in accordance with the Pennsylvania Unified Planned Communities Act. Traditional lot lines shall not be required to convey individual parcel ownership.

§320-392 Use regulations.

A. Use Category Construction. The permitted uses in the Mixed-Use Overlay District are organized into five main categories. The categories are Residential, Retail, Commercial, Service, and Ancillary uses. Within 18 months of construction completion of any use category, the construction of an additional use category from those outlined herein must commence unless otherwise allowed by the Municipality, which requirement shall continue through completion. The intent of this requirement is to ensure that the full plan is developed.

B. Permitted uses. A building may be erected, altered or used and a lot may be used or occupied for any of the following purposes and no other unless determined to be substantially similar to the below uses by conditional use:

(1) Residential Uses

- (a) Mid-rise apartment houses
- (b) Mixed Use Apartments over Retail
- (c) Residential mixed uses
 1. Townhomes
 2. Stacked Townhomes
 3. Twin/Duplex
- (d) Garden Style Apartments (no more than 3 stories and a maximum of 32 units per building).

(2) Retail Uses

- (a) Retail establishments, including department stores for the sale of new dry goods, variety and general merchandise, books, magazines, clothing, food, medical supplies, drugs, pets, flowers and floral arrangements, furnishings or other household supplies and the sale and repair of jewelry, watches, clocks, optical goods or musical, professional, medical and/or scientific instruments. Convenience stores, super centers, discount stores (i.e. dollar stores) smoke shops, are all expressly prohibited.
- (b) Restaurants, tearooms, delicatessens, luncheonettes, coffee shops, retail bakers, confectionery or ice cream shops, bars, taverns or other places serving food or beverages, with outdoor dining/seating shall be permitted as an accessory use.
- (c) Antique stores.
- (d) Tailors, barbers, beauty salons, shoe repair, dressmaking or similar shops.
- (e) Retail dry cleaning.

(3) Commercial Uses

- (a) Business offices, medical and professional offices, government offices and office buildings. Notwithstanding the foregoing, client social service uses are only permitted by amendment of the master plan and approval the client social service use by special exception.
- (b) Banks, savings and loan associations and financial institutions; drive-through windows and drive-through ATM uses are permitted provided they are located adjacent to a grocery store or similar commercial area in the project as identified on the Master Plan and/or as shown in any conditional use application. Walk-up ATMs may be located anywhere in the Mixed-Use Overlay as identified on the Master Plan and/or as shown in any conditional use application.
- (c) Technology, research, development, and computer-based uses, including, but not limited to, data centers, medical research, life-

science, university research facilities, business “incubators”, and similar uses.

- (d) Any use listed in § 320-192A, which contains a gross floor area in excess of 10,000 square feet.
- (e) Job printing and photocopying.
- (f) Flex Industrial/Light Assembly. Notwithstanding, Flex Industrial/Light Assembly being permitted, any Warehouse uses greater than 100,000 square feet used exclusively for the storage or distribution and/or redistribution of materials and goods manufactured or assembled offsite are prohibited.
- (g) Full Service Hotels

(4) Service Uses

- (a) Indoor theaters and performing arts centers.
- (b) Studios for dance, music, photography or marital arts.
- (c) Private schools or colleges (such as a barber school or business or technical college).
- (d) Art galleries.
- (e) Daycare Centers
- (f) Commercial gymnasiums, indoor sports fields/centers, climbing gyms, community recreational spaces, etc. of at least 5,000 sq ft.
- (g) Indoor sport facilities that are court based.

(5) Ancillary Uses and Other Uses

- (a) Accessory uses on the same lot with and customarily incidental to any principal use permitted by this section, including no-impact home-based businesses and surface parking lots.
- (b) Public transit stations or terminals.
- (c) Parking garages as a principal use
- (d) Signs. Unless otherwise noted, when erected and maintained in accordance with the provision of Article XXVII, Signs.
- (e) Any municipal use including storage yards or similar facilities.

§ 320-393 Dimensional criteria.

The residential, commercial and mixed-use components of any proposed project shall be designed pursuant to the Pennsylvania Uniform Planned Communities Act, and there shall be no traditional lot lines. Moreover, all portions of any proposed project will be governed by unit/homeowner associations, in such configuration as any proposed developer and Norristown shall agree.

A. All uses.

(1) Lot area. The minimum tract size shall be 10 acres, but there shall be no minimum unit/parcel size.

(2) Unit/Parcel Width. Each unit/parcel shall have a width of at least 20 feet at the street line, or where the building may be measured under the Uniform Planned Community Act.

(3) Base height. Except as otherwise provided in this section, the base maximum height of any building or structure erected or used in this district shall be 5 stories or 65 feet to the highest occupiable floor height, whichever is less.

(4) Floor area ratio. A maximum floor area ratio (FAR) of 0.7 shall be allowed

(5) The off-street parking regulations, including requirements for a minimum number of parking spaces, of Article XXVI shall apply in the MUO Mixed-Use Overlay District.

§ 320-394 General development regulations.

A. Building bulk.

(1) Building Length – The maximum horizontal length of any side of an elevation shall not exceed the following:

- a. Mixed-Use Multi-Family Building – 250 feet in length
- b. Townhouse – 200 feet in length
- c. Retail/Commercial – 250 feet in length
- d. Flex/Tech/Office – 350 feet in length
- e. All others – 200 feet in length

All buildings shall have a setback, architectural treatment, or change in materials to divide long elevations at a minimum every 72 feet in length

(2) Parking garages that are defined as multi-story stand alone or attached structures and principal buildings may be attached. Parking garages should be screened from the street by a building to the greatest extent feasible. The overall building length can be increased to an amount equal to the garage length to ensure the garage is fully screened. When the garage is not screened and the overall building length would exceed the provisions of § 320-394A(1) the garage shall be separated from the principal building by a minimum horizontal distance of 30 feet, although the two may be connected via enclosed pedestrian passageways (no more than 20 feet wide or two stories high) above the ground floor level or a roofed but unenclosed passageway on the ground level. Podium parking within a building shall be consistent with provisions as outlined in §320-243.

(3) The minimum distance between adjacent principal buildings shall be:

Townhomes:

Side to Side – 20 Feet

Back to Back – 30 Feet

Front to Front – 40 Feet

Apartment/Mixed Use Buildings:

Side to Side – 30 Feet

Back to Back – 50 Feet

Front to Front – 50 Feet

Commercial Buildings –

Side to Side – 30 Feet

Back to Back – 40 Feet

Front to Front – 40 Feet

B. Park and Adjoining land access and open space.

(1) Minimum area. A minimum of 15% of the land area in the aggregate of the entirety of the overall site within this district shall be provided and maintained as permanent open space. The open space shall be a key component integrated into the basic design of the built environment that implements the above purpose and not be left over pieces of land at the periphery of the developed area.

(a) The land area devoted to open space shall be inclusive of buffer areas between properties, storm water management areas, and dedicated public space. Open Space and or Buffer Areas may not be modified except through an amendment of the Master Plan.

(b) Public gathering spaces and other areas usable by the public shall be planned and set aside within the boundaries of the development.. These spaces include open greens, parks, trails, and plazas that are accessible through the planned pedestrian network of the overall development. All phases of the plan shall be interconnected through a cohesive pedestrian network.

(c) A pedestrian network plan and open space plan shall be prepared and shown as part of the master plan submission.

(2) All public amenities shall be maintained to an acceptable standard as determined by the Code Enforcement Officer as per Municipal standards.

(3) Public access. Subject to the provisions of the Recreational Use of Land and Water Act, 68 P.S. § 477-1 et seq.:

(a) The landowner shall not charge a fee for entry to the public areas;

(b) There shall be twenty-four-hour public and emergency access every day for walking, sitting, fishing and similar passive use recreational activities to all of the shown on the Master Plan as “public” or “proposed public”.

§ 320-395 Application and review of development proposals.

The Mixed-Use Overlay shall require a Tentative Sketch Plan in accordance with the Master Plan requirements outlined in § [320-270](#) excluding the impact statements required for conditional use under § [320-270A\(5\)](#). The impact statements and pedestrian circulation framework shall be supplied concurrent with the preliminary plan submission and shall demonstrate the development of the parcel is consistent with the proposed program of the approved Master Plan.

§ 320-396 Design.

A. Prior to the issuance of Preliminary Plan Approval, all development proposals shall be submitted to the Design Review Board with the following information:

- (1)** Preliminary architectural elevations shall be submitted with any special exception application or land development application, whichever occurs first. Such elevations shall be prepared by a registered architect. Such elevation shall illustrate the general design, character and materials for sides of buildings visible from public streets, waterways and open space lands available for public use.
- (2)** The details of the architectural designs may be modified after preliminary plan, provided the overall designs and types of materials conform with the approved plans.
- (3)** The architectural designs of all buildings should provide a variety of rooflines and treatments when viewed from public streets, parks and open space lands available for public use. Buildings shall not have the exterior appearance of large monolithic structures. Instead, large buildings shall have the appearance of connected smaller buildings. Building walls shall not have an unbroken single appearance for more than 72 feet on the average in horizontal length. Instead, variations in materials, height, colors, textures, overhangs, setbacks no less than 8 inches and average of 16 inches over the length of the facade, display windows and/or entranceways shall be used to provide visual interest.
- (4)** In no case shall the horizontal length of a building or other structure, building height, building separation or other bulk requirements exceed the provisions of this article.

(5) The architectural design of a building's vertical height shall be broken with variations in materials, colors, textures, setbacks, fenestration and architectural detailing.

(6) The sides of buildings visible from public streets, parks and open space lands available for public use shall not have a dissonant architectural theme. All buildings within a single project should have a complimentary architectural character.

(7) To the extent practical rooftop heating, ventilation and air-conditioning equipment shall be screened from view from public streets and open space lands available for public use in a manner that is consistent with the architectural design.

(8) All buildings and roofs shall avoid harsh color schemes. However, companies will not be required to abandon their legally protected trademarks, logos, color schemes and trim colors, provided they are appropriately integrated into an aesthetically pleasing overall design.

(9) A coordinated design scheme shall be presented that will promote attractive sign designs among tenants. A detailed design shall be presented for freestanding signs for the development during the subdivision/land development process.

(10) Loading and unloading docks, dumpsters and exterior compactors shall be located, designed and screened in a manner that minimizes their visibility from adjacent public streets, waterways and open space lands available for public use and dwellings. Dumpsters stored in alleyways and parking areas must be screened on four sides by a permanent structure and designed using durable materials that blend with the environment. They should further be screened where appropriate with vegetation and landscaping consistent with the overall landscape design. Dumpster locations shall be noted on the tentative sketch plan and approval for their locations shall be obtained during the conditional use process.

(11) Continuous fencing and landscape buffering not less than 10' in width shall be added between any use and any existing Norristown State Hospital property.

§ 320-397 Off-street parking and loading.

A. The off-street parking and loading regulations of Article **XXVI**, Off-Street Parking and Loading, shall not apply. Instead, the provisions of this section shall apply subject to the approval of the Municipal Council.

(1) A parking needs analysis study, "The Parking Study" shall be provided by the applicant concurrent to the preliminary plan submission. The parking study shall be based on the Institute of Traffic Engineers standards and be prepared by a professional traffic engineer licensed in the State of Pennsylvania. It must demonstrate to the satisfaction of the Municipal Council that the parking requirements for all proposed uses are adequately met, considering provisions for shared and off-peak uses, the needs of the proposed uses and programming for joint use facilities.

(2) Required parking may be provided in joint use parking fields or podium garage structures.

(3) In the event to any revisions or amendments to the Master Plan, new parking calculations and tables shall be provided prior to approval of any amendment to the Master Plan demonstrating compliance with municipal ordinances.

(4) Sufficient loading areas complying with Municipal requirements shall be provided to serve nonresidential uses. They shall be designed and located in order to prevent the obstruction of local traffic and pedestrian patterns in the neighborhoods.

§ 320 -398 through § 320-399. (Reserved)

