

**ORDINANCE NO. 06-06-01**

**AN ORDINANCE AMENDING THE  
MARLBOROUGH TOWNSHIP ZONING  
ORDINANCE TO REVISE THE  
REGULATIONS FOR THE GC-GENERAL  
COMMERCIAL DISTRICT**

**MARLBOROUGH TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**WHEREAS**, the Board of Supervisors ("Board") of the Township of Marlborough is desirous of amending its Zoning Ordinance ("Zoning Ordinance") to ensure the continued protection of the health safety and welfare of the Township; and

**WHEREAS**, the Board wishes to clarify and amend the legislative intent, permitted uses, conditional uses, regulations, and dimensional standards contained in Article XVI of the Zoning Ordinance which governs the GC-General Commercial District.

**NOW, THEREFORE, IT IS HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Marlborough that the Zoning Ordinance be amended as follows:

**I. ORDINANCE AMENDMENTS**

**Section 1600.** Zoning Ordinance, Article XVI, Section 1600 [Declaration of Legislative Intent] shall be amended to provide that the specific intent of this Article is to 1) provide development standards promoting compatibility between commercial uses and near by areas; 2) limit the scale of new commercial development; 3) minimize conflict between commercial developments and nearby areas; and 4) avoid congestion/ hazardous traffic conditions and allow for pedestrian access from the Perkiomen Trail and Village of Perkiomenville.

**Section 1601.** Zoning Ordinance, Article XVI, Section 1601 [Permitted Uses] shall be amended to provide that on any lot in the GC District any one or combination of the uses contained in this Section are permitted provided the building footprint for any individual building does not exceed 4,000 square feet. Additionally, the following permitted uses have been deleted from this Section: convenience store, drive in bank or financial institution; drive in or fast food restaurant, Indoor theater, Indoor place of Amusement, Passenger Station for Public Transportation, Motor Vehicle Sales, Automotive Service Station, Car Wash.

**Section 1601.5** Zoning Ordinance, Article XVI, Section 1601.5 [Conditional Uses] shall be added to this Article to permit the following uses when approved by the Board of Supervisors as a conditional use:

- A. Auction
- B. Indoor Flea Market
- C. Open-air Market
- D. Any Section 1601 Permitted Use that has a building footprint greater than 4,000 square feet.
- E. Conversion or expansion of an existing residential structure to any Section 1601 Permitted Use

Additionally, this Section provides that the Board of Supervisors reserves the right to place any reasonable restrictions upon any conditional use, including, but not limited to, hours of operation, buffering, parking/vehicular access, traffic generation, use of temporary structures, and use of public water or sewer.

**Section 1605** Zoning Ordinance, Article XVI, Section 1605 [Dimensional Standards] shall amend the dimensional standards for Single use on an individual lot as follows: 1) a maximum building coverage of 15 percent; 2) a maximum impervious coverage of 40 percent; 3) 20 feet minimum, 30 feet maximum building setbacks from the ultimate right-of-way line; 4) 50 feet minimum building setback from an abutting residential or institutional property; 30 feet minimum building setback from an abutting commercial or industrial

property; 5) minimum parking setback of 30 feet from an abutting residential or institutional property line; 6) minimum parking setback of 15 feet from an abutting commercial or industrial property line; 7) no parking setbacks shall be required with parking agreements; 8) parking in front yard setback is prohibited; 9) a maximum building width of 50 feet at the building line and 75 feet from the right of way line.

Additionally, the dimensional standards for multiple uses on an individual lot shall be amended as follows: 1) the building and impervious coverage requirements shall be the same as the dimensional standards for Single uses on individual lots; 2) a 20 feet minimum, 50 feet maximum building setback shall be required from the ultimate right-of-way line; 3) parking in required front yard setbacks shall be prohibited; and 4) a maximum building width of 50 feet at the building line and 100 feet from the right of way line.

## **II. REPEAL AND RATIFICATION**

All ordinances or parts of ordinances 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. Any other terms and provisions of the ordinances of the Township of Marlborough that are unaffected by this Ordinance are hereby reaffirmed and ratified.

## **III. SEVERABILITY**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

## **IV. EFFECTIVE DATE**

This Ordinance shall become effective immediately upon enactment.

**ORDAINED AND ENACTED** by the Board of Supervisors of  
the Township of Marlborough this 14<sup>th</sup> day of June, 2006.

**BOARD OF SUPERVISORS  
MARLBOROUGH TOWNSHIP**



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**ROBERT B. MENSCH, Chairperson**

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**CARL A. ASCOLI, Vice Chairperson**

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**SHARON M. YOUNG, Member**

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Attested by:

A handwritten signature in black ink, appearing to read 'Paul A. Williams', written over a horizontal line.  
**PAUL A. WILLIAMS, Secretary**