

ORDINANCE NO. 06-09-01

**AN ORDINANCE AMENDING THE
MARLBOROUGH TOWNSHIP ZONING
ORDINANCE TO PERMIT PLACE OF WORSHIP
USES BY CONDITIONAL USE IN THE R-1
RESIDENTIAL DISTRICT AND PROVIDING
CRITERIA AND CONDITIONAL USE STANDARDS
FOR THE PLACE OF WORSHIP USE**

**MARLBOROUGH TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

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

WHEREAS, the Board wishes to amend Article XII of the Zoning Ordinance which governs the R-1 Residential Zoning Districts to permit a Place of Worship uses by conditional use.

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:

Section 1. Zoning Ordinance, Article XII, Section 1201.B.5 shall be added to read as follows:

"5. Place of worship, pursuant to the standards of Section 836, herein."

Section 2. Zoning Ordinance, Article VIII, Section 836 shall be added to read as follows:

"Section 836. Place of Worship

All places of worship shall meet the following criteria, subject to additional conditions imposed by the Board of Supervisors:

- A. Classification of Uses. All Places of Worship shall comply with the following dimensional standards according to their class of use:
 1. Class One Uses. Places of worship with less than 150 seats with none of the following: community center, school, day care center, cemeteries or recreational fields.
 2. Class Two Uses. Places of Worship that include any one of the

following additional uses and/or criteria:

- a. Place of worship with 150 or more seats
- b. Community center
- c. School
- d. Day care center
- e. Recreational fields and facilities

B. Dimensional Standards (Class One Use)

1. Minimum Developable Lot Area: 2 acre
2. Minimum Lot Width: 150 feet.
3. Minimum Building Setback:
 - a. From ultimate right-of-way: 75 feet.
 - b. From all other property lines: 50 feet.
4. Maximum Building Height: 35 feet. Spires and steeples for places of worship shall be exempt from the height limitations, provided the height of such feature shall not exceed the building height by more than twenty-five (25) percent.
5. Maximum Building Coverage: 10 percent.
6. Maximum Impervious Coverage: 35 percent.
7. Minimum Vegetation, Trees or Landscaping: 30 percent.
8. Minimum Distance Between Buildings: 25 feet.
9. Minimum Parking Area Setback:
 - a. From Ultimate Right-of-Way: 25 feet.
 - b. From Buildings: 20 feet.
 - c. From Property Lines: 25 feet.

C. Dimensional Standards (Class Two Use)

1. Minimum Tract Size: 10 acres.
2. Minimum Width at Building Setback Line: 400 feet.
3. Minimum Street Frontage: 200 feet.

4. Minimum Building Setback:
 - a. From Ultimate Right-of-Way: 100 feet.
 - b. From All Other Property lines: 100 feet.
 5. Maximum Building Height: 45 feet. Church spires and steeples shall be exempt from the height limitations, provided the height of such feature shall not exceed the building height by more than twenty-five (25) percent.
 6. Maximum Horizontal Building Dimension: 400 feet.
 7. Maximum Building Coverage: 5 percent.
 8. Maximum Impervious Coverage: 20 percent.
 9. Minimum Vegetation, Trees or Landscaping: 50 percent.
 10. Minimum Distance Between Buildings: 40 feet.
 11. Minimum Parking Area Setback:
 - a. From Ultimate Right-of-Way: 100 feet.
 - b. From Buildings: 20 feet.
 - c. From Property Lines: 50 feet.
- D. Development Standards (for Class One and Class Two Uses unless otherwise noted):
1. Traffic and Access. The applicant shall demonstrate to the Township Engineer and the Board of Supervisors that satisfactory provisions are made to prevent traffic congestion and hazards to the surrounding area. Provisions shall be made for safe and efficient ingress and egress to and from the development. The Board of Supervisors may require a Traffic Impact Study for any use in this district when they determine, after consulting with the Township Engineer, that such a study is necessary to demonstrate the adequacy of the access points and streets for accommodating the traffic generated by the proposed use. Existing residential areas shall not be infringed upon by significant volumes of traffic from the proposed use.
 2. Water. If expected demand for water is in excess of 500 gallons per day, the applicant shall demonstrate to the Board of Supervisors that a well on the site will not adversely effect

existing water supply systems in the area.

3. Neighborhood Impact. The impact of the proposed use on the surrounding properties and neighborhood shall be considered. The use shall not adversely effect the general welfare or orderly development of the general neighborhood in which it is proposed. The scale, form, and appearance of structures and open space should be compatible with the general character of the residential area. The applicant is encouraged to present evidence on the need for the proposed use including data on the location of other similar uses in the Township and surrounding areas.
4. Landscaped Buffers and Screens. In order to enhance the aesthetic character of the community, suitable vegetation shall be planted along streets, between lots, and between zoning districts as follows:

- a. Buffer and Screen Planting. Screening buffers shall be provided when places of worship abut property used or zoned for residential or other institutional uses.

The screen buffer area shall contain hedge, evergreens, shrubbery or suitable vegetation of sufficient planted density to provide a total visual screening consistent with the topography, the existing vegetation, and the use of adjacent land. Whenever possible, the owner shall make every effort to retain existing natural screening, such as vegetation and topography. Screening buffers must be developed in accordance with Section 420.3 of the Subdivision and Land Development Ordinance.

- b. Light Buffer Planting. Light buffer planting shall be provided when places of worship abut non-residential uses and districts and must be developed in accordance with Section 420.4 of the Subdivision and Land Development Ordinance.

- c. Heavy Buffer Planting. Class Two Uses require heavy buffer planting and must be developed in accordance with Section 420.5 of the Subdivision and Land Development Ordinance.

5. Accessory Residential Uses. Residential uses may be

permitted only as accessory uses, incidental to the institutional functions of a place of worship.

6. Accessory Outdoor Recreation Uses (Class Two Uses Only). No outdoor play areas shall be located closer than 50 feet to any property or street line, and outdoor play areas shall be located behind main buildings and shall be sufficiently screened to protect the neighborhood from excessive noise and other disturbances. Outdoor play areas include playgrounds and ball fields for group activity.
7. Lighting. Exterior lighting of buildings or grounds shall not be located more than 12 feet above grade, shall be screened so as not to permit the source of illumination to be seen from off the premises, shall not cast measurable illumination off of the subject property and shall not create a nuisance or intrusion to the privacy of adjacent property owners or to the public.
8. Hours of Operation. For non-religious activities, hours of operation shall be limited as authorized by the Board of Supervisors.

E. Conditional Use Criteria.

In addition to any requirements listed in Sections 815 Conditional Use Application, the conditional uses may be authorized by the Board of Supervisors in accordance with the criteria below:

1. A Community Impact Analysis shall be submitted to the Township containing the following information for review by the Township Planning Commission and the Board of Supervisors:
 - a. The compatibility of the proposed development with land uses that are adjacent to the site, and consistency with the Upper Perkiomen Valley Regional Comprehensive Plan.
 - b. The impact of the proposed development on sensitive natural areas including floodplains, steep slopes, woodlands, waterways, recreational areas, and conservation areas.
 - c. The impact of the development on: public utilities,

including sewage disposal, water supply, solid waste disposal, storm drainage, and electrical utilities; and the provision of police and fire protection.

- d. A traffic impact study shall be submitted as required by Section 827.
 - e. Documentation of on-site or off-site improvements proposed to alleviate any projected negative impacts of the development.
 - f. Compliance with all applicable requirements of Section 836A. through D.
2. The use shall not generate noise, noxious odors, air pollution or glare, or result in pedestrian- vehicular conflict or other safety hazards to people or property. Outdoor recreation facilities shall only be permitted where the noise generated by the use will have a minimal impact on nearby residential uses.
3. Outdoor storage, waste disposal, and loading areas shall be screened from streets and adjacent uses to preserve the character of the surrounding area. Such activities shall be located to the rear of structures. The location and design of parking areas shall be in harmony with preserving the general appearance and character of the area.

Section 3. 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.

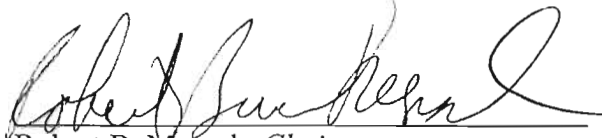
Section 4. Severability. Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

Section 5. Effective Date. This Ordinance shall become effective immediately upon enactment.

ORDAINED AND ENACTED by the Board of Supervisors of the Township of Marlborough this 13 day of September, 2006.

**BOARD OF SUPERVISORS
MARLBOROUGH TOWNSHIP**

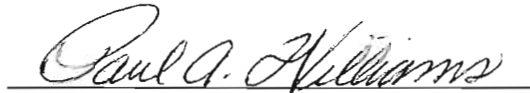



Robert B. Mensch, *Chairman*


Carl A. Ascoli, *Vice Chairman*


Sharon M. Young, *Member*

Attested by:


Paul A. Williams, *Secretary*