

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER 1090

**AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING BOTH THE C-COMMERCIAL AND RSC-RETAIL SERVICE COMMERCIAL ZONING DISTRICTS TO PERMIT AUTOMOBILE SALES AS A CONDITIONAL USE; ESTABLISHING STANDARDS FOR SUCH CONDITIONAL USE; LEAVING THE REMAINDER OF THE ORDINANCES IN FULL FORCE AND EFFECT; EFFECTIVE UPON ADOPTION**

WHEREAS, the Borough zoning ordinance, as presently written, makes no express provision for the sale of automobiles, and

WHEREAS, the law requires that a zoning ordinance allow for every legally permissible use of the land regulated by such ordinance, and automobile sales being a legal use, and

WHEREAS, Ambler Borough Council does wish to amend the Borough zoning ordinance by granting the sale of automobiles as a conditional use, subject to certain specific standards and criteria,

NOW THEREFORE, Ambler Borough Council does hereby ORDAIN as follows:

1. Ordinance 922, as amended, and as codified at Title 27, Part 13, Section 1302.3, is hereby amended as follows. A new sub-paragraph "D" is added to 1302.3 which shall read as follows:

D. Motor Vehicle Sales, defined as the sale and repair of motor vehicles, including new and used cars, trucks, motorcycles and recreational vehicles, having both indoor and outdoor display areas and which may provide vehicle maintenance and repair services. In addition to the conditional use criteria set forth in this Part 13 and elsewhere in the Borough zoning ordinance, motor vehicle sales are also subject to the following conditional use criteria:

- a. Minimum lot size (regardless of minimums set forth elsewhere): One acre.
- b. The sale of gasoline is prohibited.
- c. Vehicles for sale or on site for repair may not be stored on any public street or within any public right of way.
- d. Vehicles displayed outdoors must be displayed only at ground level and not on any type of platform. They may not be parked so closely together as to prevent easy access to the interior in an emergency.
- e. Service and repair of motor vehicles must take place entirely within an enclosed building.
- f. There shall be no customer or employee parking or vehicle display within the front yard setback.
- g. Display lots and parking lots shall be bounded by a landscaped buffer, and there shall be a landscape buffer along any property line that separates the motor vehicle sales from any residential or institutional use. Buffering shall be in accordance with section 100.4 of appendix "B" attached to the Borough Subdivision and Land Development Ordinance.
- h. Motor vehicle sales require a 20 foot front and rear yard setback and a ten foot side yard.
- i. These requirements are not exclusive and the use shall comply with all other applicable Borough ordinance provisions including lighting, landscaping, and excessive noise.

2. Ordinance 922, as amended, and as codified at Title 27, Part 29, Section 27-2903, is hereby amended as follows: 27-2903.2, "Special Exception Uses", is hereby deleted in its entirety. In its place there shall be a new 27-2903.2, "Conditional Uses", which shall read as follows:

Conditional Uses. The following uses are permitted as conditional uses, subject to all of the applicable general criteria for conditional uses set forth in the Borough zoning ordinance, and additionally subject to the criteria herein set forth:

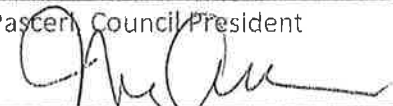
- A. Any use of the same general character as any of the uses hereinbefore permitted by right, provided they meet the intent of the district.
- B. Business or professional offices or general office buildings.
- C. Motor Vehicle Sales, defined as the sale and repair of motor vehicles, including new and used cars, trucks, motorcycles and recreational vehicles, having both indoor and outdoor display areas and which may provide vehicle maintenance and repair services. In addition to the conditional use criteria set forth in this Part 13 and elsewhere in the Borough zoning ordinance, motor vehicle sales are also subject to the following conditional use criteria:
  - a. Minimum lot size (regardless of minimums set forth elsewhere): One acre.
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  - d. Vehicles displayed outdoors must be displayed only at ground level and not on any type of platform. They may not be parked so closely together as to prevent easy access to the interior in an emergency.
  - e. Service and repair of motor vehicles must take place entirely within an enclosed building.
  - f. There shall be no customer or employee parking or vehicle display within the front yard setback.
  - g. Display lots and parking lots shall be bounded by a landscaped buffer, and there shall be a landscape buffer along any property line that separates the motor vehicle sales from any residential or institutional use. Buffering shall be in accordance with section 100.4 of appendix "B" attached to the Borough Subdivision and Land Development Ordinance.
  - h. Motor vehicle sales require a 20 foot front and rear yard setback and a ten foot side yard.
  - i. These requirements are not exclusive and the use shall comply with all other applicable Borough ordinance provisions including lighting, landscaping, and excessive noise.

SO ORDAINED this 17<sup>th</sup> day of November, 2015. This ordinance is effective upon adoption.



Salvatore Gasca, Council President

ATTEST:

  
Mary Aversa, Secretary