

AMBLER BOROUGH, MONTGOMERY COUNTY, PA
ORDINANCE NO. 1147

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING CHAPTER 27, PART
27 OF THE BOROUGH CODIFIED ORDINANCES, "REDEVELOPMENT OVERLAY
DISTRICT" BY REPLACING THE EXISTING LANGUAGE WITH NEW LANGUAGE THAT
INCLUDES CHANGES TO PERMITTED USES, ARCHITECTURAL STANDARDS,
DIMENSIONAL STANDARDS, PARKING REQUIREMENTS, SIDEWALKS AND
STREETSCAPE REQUIREMENTS, AND IMPOSES AN ACTIVE STOREFRONT
REQUIREMENT; INCLUDING SEVERANCE AND REPEALER CLAUSES AND AN
EFFECTIVE DATE

Ambler Borough Council, having received important and worthwhile input from the Montgomery County Planning Commission, and wishing to keep the overlay district vibrant and useful for the parcels that meet its criteria, hereby amend Chapter 27 of the Borough zoning ordinance, Part 27, Redevelopment Overlay, as follow. The existing language at Chapter 27, Part 27 is deleted in its entirety and is replaced with the following language:

§27-2701. Statement of Intent.

It is the intent of this District to:

- A. Encourage new development and uses that can stimulate economic revitalization.
- B. Reestablish the rail corridor as a primary location for employment opportunities within the Borough.
- C. Provide for expanded uses and flexible standards, recognizing the uniqueness of the corridor area, and the need for affordable housing in the community.
- D. Provide for additional review procedures at the initial stage of conceptual development to ensure the proposal meets the intent and purpose of the RO district.
- E. Preserve the historical character of the structures in the rail corridor and their relationship to the rest of the Borough.
- F. Promote a sense of connectivity and cohesion between a development/redevelopment project and the Butler Avenue downtown corridor through the continuation of a streetscaping treatment and adherence to architectural design principles that promote the seamless integration of development/redevelopment with the established character of the corridor.
- G. Encourage the use of the passenger rail line to minimize vehicular traffic within the corridor.
- H. Ensure that pedestrian connections to the Borough Commercial District, public transportation, naturalized trails and open space areas are included in all development plans.

- I. Ensure consistency and integration of site improvements, access and parking, landscape and lighting, complimentary land uses and architectural treatments to result in a redevelopment area meeting the intent of this District.
- J. Encourage preservation and reuse of existing structures where they may have historical significance in the Borough's past as an industrial center for the region.

§27-2702. Definitions.

The following words and terms, when used in this Part, shall have the following meanings, unless the context clearly indicates otherwise, and shall supersede any other definition within this Chapter in regards to this subject:

BUILDING FRONTAGE - The length of a building facade measured in a single straight parallel line with the abutting street(s).

BUILDING STEPBACK -- A setback or horizontal offset in the facade of the building above the lower levels.

FACADE ARTICULATION - The visible expression of architectural or landscape elements through form, structure, or materials that break up the scale of buildings and spaces to achieve human scale.

CHILD DAY CARE CENTER — a facility in which care is provided for seven or more children at any one time in a facility not located in a family residence.

COMMUNICATIONS DEVICE — a tower or satellite antenna facility, roof mounted, that includes, but is not limited to, radio and television communication, microwave communication, telephone communication and similar wireless communication devices. This term shall not include radio transmission facilities for use by ham radio operators or two-way local radio facilities. The device must be associated with and supportive of a principal use contained within the building on which the device is located.

FACADE — the principal vertical surface of a building, which is set along a frontage line.

GROSS TRACT AREA — the total measurement of a land area prior to any deductions.

MULTI-USE FACILITY — a building or group of buildings, which houses more than one principal use that are owned and operated independently of each other or as an accessory use to a principal use.

PARKING GARAGE/STRUCTURE — a building designed and used for the storage of automotive vehicles operated as either a business enterprise with a service charge or fee, or in conjunction with a primary use for the parking of privately owned vehicles.

PUBLIC AMENITY — a feature that increases the attractiveness or value of a project, specifically central plazas, parkland, courtyards and public parking. The features should be designed so as to be complimentary to the physical and visual character of the Borough. Features should incorporate appropriate scale, design, materials and lighting.

RESTAURANT, WITH BUSINESS MEETING PLACE — an establishment that serves food and beverages primarily to persons seated within the building and which specializes in business meeting space, with centralized meeting table and group communications and audio/visual facilities to support business meeting functions. Additionally, the establishment may provide additional table dining facilities within the building. These establishments may also provide outdoor dining table facilities immediately adjacent to the building containing the proposed restaurant.

STREETSCAPE -- The area that is between the buildings on either side of a street, including the public or private street right-of-way, which defines its character. The elements of a streetscape include building frontage/facade, landscaping, sidewalks, street paving, street furniture, signage, architectural elements such as awnings, and street lighting.

TRANSIT-ORIENTED DEVELOPMENT EFFECTIVE TRACT AREA-The aggregate Net Lot Area of the parcels involved in a Transit-Oriented Development including any land subdivided off an adjoining parcel and merged in ownership with the proposed Transit-Oriented Development or land immediately adjacent to the Transit-Oriented Development Parcel on which the Transit-Oriented Development Applicant benefits from a recorded, perpetual, irrevocable easement of use and access as permitted by the borough.

TRANSPORTATION IMPACT STUDY (TIS)— an assessment of present and future transportation system conditions, conducted in accordance with §27-2705.C., Transportation Impact Study.

VERGE - a strip separating a sidewalk from the curb consisting of grass, landscaping, street furniture, or decorative paving.

§27-2703. Use Regulations.

Where the Redevelopment Overlay zone has been imposed, the land use regulations and development standards of the underlying zones shall remain in full force except as expressly set forth in this Chapter to the contrary. Additionally, the Redevelopment Overlay District provides for the following additional uses, which are permitted either by right or by condition use in the specified underlying zones:

- A. **Parking Garage/Structure.** Permitted by right in all of the underlying zones within the Redevelopment Overlay District. Multi-level parking garage may be constructed as a principal use or in combination with other permitted uses on any lot of a size and configuration, which shall meet the standards in this Section provided, however, that when a parking garage is constructed as part of a TOD Transit-Oriented Development, the dimensional standards set forth at Section 27-2703.E(4)(b) shall apply to the parking garage.

- (1) **Dimensional Regulations.**

- (a) **Height** Maximum four garage levels above ground. Below ground levels may be approved with adequate safety and security provisions.
 - (b) **Parking Spaces.** Nine feet by 18 feet.
 - (c) **Drives.** One-way - 20 feet; two-way - 22 feet.
 - (d) **Setbacks.** Joint use with other permitted uses in separate structure, 10 feet.
 - 1) **Principal Use.** Property lines -10 feet.
 - 2) **Principal Use.** Street right-of-way -15 feet.

- (2) **Development Standards,**

- (a) Multi-level parking garages may be developed as a shared parking and/or multi-use facility with documentation of shared use agreement. Such structures are permitted attached to another structure containing one or more allowed principal uses when said uses utilize the parking garage to meet the parking requirements of the use(s).
- (b) Multi-level parking garages may be permitted in combination with other permitted uses.
- (c) Parking garages that front on either Main Street or Butler Avenue shall be required to have active nonresidential uses at a minimum depth of 40 feet throughout the building frontage on the ground floor. Entrances to ground level nonresidential uses shall be located on the front facade.
- (d) Garages shall include adequate lighting on all levels, but shall limit light spill to adjacent properties and uses. Protection and shielding of adjacent residential uses shall be a priority.
- (e) Garage structures shall be landscaped, including buffers, as required for all uses in the RO District. Emphasis shall be placed on larger evergreen and deciduous trees to soften and buffer the upper levels of multi-level garage structures.

B. Child Day Care Center. Permitted by conditional use in the underlying OC Office Campus District.

(1) Dimensional Regulations. The dimensional standards of Part 16 apply, except if otherwise noted in this Section or herein.

- (a) **Location.** Child day care centers shall only be located within a multi-use building complex. The center does not have to be operated as an accessory use but may be operated independently of any other use in the building as a principal use.

(2) Conditional Use Standards.

- (a) **General Standards.** The provisions of this Section pertain to day care service for children by care givers. In child day care centers, subject to Pennsylvania Code, Title 55, Public Welfare Chapter 3270, Child Day Care Centers (9/16/2000). Day care service for children shall include out-of-home child day care service for part of a 24 hours day for children under 16 years of age by care givers, excluding care given by relatives.

- 1) **Registration and Licensing.** Child Day Care Centers as defined in this Section, must hold an approved and currently valid Department of Public Welfare (DPW) license. In addition, all child day care centers must comply with all current DPW regulations, including those standards governing adequate indoor space, accessible outdoor play space and any applicable State or local building and fire safety codes.
- 2) **Inspection.** The operator of a child day care center will allow appropriate representatives of the Borough to enter the property at reasonable times to inspect such use for compliance with the requirements of this Section and all other applicable Borough and State ordinances.

- 3) General Safety. Operators of child day care centers shall comply with the provisions of the Pennsylvania Code, Title 55, Public Welfare, Chapter 3270, Child Day Care Centers as it pertains to the health and safety of the children attending the center.
 - 4) Hours of Outside Play. Outside play shall be limited to the hours between 8:00 a.m. and sunset, as defined by the National Weather Service.
 - 5) Outdoor Play Area. An outdoor play area, are required by DPW regulations, shall be provided for any proposed child day care center.
 - i) Onsite Outdoor Play Area. An onsite outdoor structured play area or areas of high outdoor activity shall be located in yard areas that provide adequate separation, safety and protection from adjoining uses properties and roadways. Whenever possible, the onsite outdoor play area shall not be located adjacent to a public street or private drive or accessway. The outdoor play area should be located immediately adjacent to the child day care center.
 - ii) Offsite Outdoor Play Area. In accordance with DPW standards, a child day care center may utilize offsite play areas in lieu of or as a supplement to an onsite play area. These standards permit the use of offsite play area, which are located within 1/2 mile distance of the facility, measured from the property line of the facility. When the use of an offsite play area is proposed, the applicant shall inform the Borough about the means of transportation that will be used to access the offsite play area. For reasons of safety, when children will be walked to an offsite play area, the route to the offsite play area shall not involve the crossing of arterial or major collector streets. Pedestrian access on sidewalks or improved walkways shall be required.
 - 6) Transportation Impact Study. For any proposed child day care center, a Transportation Impact Study shall be required in accordance with §27- 2705.C.
- (b) Development Standards. The following standards shall apply to all proposed day care centers;
- 1) Onsite Parking for Employees and Clients. A minimum of one onsite parking space for every five children shall be provided, plus an additional one space per employee.
 - 2) Drop-Off Area Location and Design. Whenever possible, the drop-off area shall be located immediately adjacent to the facility. The drop-off area should be designed in such a way that pedestrians do not cross vehicular traffic lanes in any parking area or driveway. The drop-off area may be designed either as a part of the onsite parking area or the required drop-off spaces may be designed as a part of the driveway providing direct access to the day care facility. No parking is permitted

in the drop-off area and the drop-off areas shall not interfere with other traffic patterns. When the drop-off area is incorporated into a driveway, the drop-off spaces shall be located within a vehicle turnout area 12 feet in width exclusive of the driveway through traffic land(s). The dropoff area shall be covered, the covering of which shall not be subject to setbacks.

- 3) Landscaping. Landscaping shall be provided in compliance with applicable Sections of the Borough's landscape planting requirements in order to create a vegetative buffer from adjacent uses, as well as to create an aesthetically pleasing environment.
 - i) Buffer standards for lots on which a proposed day care center is located:
 - a) Vegetative Buffers. A vegetative screen buffer may be required when deemed necessary by the Borough Council to meet the intent and goals of this Part. Criteria to be considered will include, but not be limited to, the nature and type of adjacent uses, lot size of the subject property, as well as the adjacent properties and the distance to adjacent buildings. The following standards shall apply to buffers when required by the Borough:
 - b) Buffers shall contain combinations of evergreen and deciduous vegetation. The planted buffer shall be a minimum of six feet in width and six feet in height at the time of installation. Earthen berms may be provided in combination with vegetative material. Earthen berms shall not exceed four feet in height nor exceed a maximum slope of 3:1.
 - c) Continued maintenance of vegetative buffers is required and shall be the responsibility of the operator of the facility.
 - d) Opaque fences or walls used to meet the following requirement for fencing of outdoor play areas may be used in place of part of the required vegetative buffer material at the approval of the Borough Council.
 - ii) Landscaping in Outdoor Activity Areas. Existing or proposed planting material shall be suitable in and around areas used by children. No thorny, poisonous or other hazardous plants shall be allowed in areas used by children. In open areas, emphasis shall be given to providing shade to selected sections of the outdoor activity areas.

- 4) Fencing of Outdoor Play Area. In order to physically contain the activity of children in the outside play area, a minimum of four feet high fence shall be erected along the perimeter of the outside play area. When applicable, the fence may be located along property lines, but will not be exclusive of the required vegetative buffers. Natural barriers such as hedgerows, dense vegetation, etc., may be substituted for fencing if it can be demonstrated that such barriers can effectively contain the activity of the children.
- 5) Play Equipment Setback. Play equipment in designated onsite play areas shall be located at least 10 feet from an abutting property line.
- 6) Entrance/Exit Accessibility. When located in a multi-use building complex, day care center entrances/exits shall provide direct access to the child day care center. Waking through other significant portions of the building is not permitted.
- 7) Soundproofing. When co-located in any building employing noisy operations, the Borough Council may require soundproofing of the child day care center to protect the children.

C. Restaurant With Business Meeting Space. Permitted by conditional use in the underlying OC Office Campus District and RSC Retail and Service Commercial District.

(1) Dimensional Requirements. The dimensional standards of Part 16 apply, except if otherwise stated.

(2) Conditional Use Standards.

- (a) For the consumption of food and beverages without drive-in service. Service shall be limited to table and/or sit-down counter facilities only.
- (b) Restaurants may be developed as stand-alone uses or as part of a multiuse building.
- (c) Restaurants shall have space, exclusive of any main dining areas, which can be used for the sole purpose of business meeting space. The space shall have a minimum capacity of 10 people and a maximum capacity of 30 people.
- (d) The use shall have direct access onto a driveway or public street.
- (e) Additional buffers:
 - 1) Front Yard:
 - i) Minimum width, 15 feet.
 - ii) Minimum landscape details:
 - a) For each 30 feet of frontage on a public right of-way, one 3 1/2 inch caliper deciduous tree shall be planted.
 - b) Parking areas shall be screened from the street by a four foot high evergreen hedge.
 - 2) Side and rear yard:
 - i) Minimum width, 15 feet.
 - ii) Minimum Landscape Details. An evergreen planting screen shall be used to provide an adequate visual barrier. The plant material used shall be a minimum height of four feet at the time

of planting and shall be planted in a staggered arrangement in order to provide an immediate effect.

(f) Outdoor Seating. A restaurant may provide outdoor seating, provided pedestrian circulation and building access is not impaired and the following standards are met:

- 1) Removable enclosures, such as planters, shall be used to define the area.
- 2) The outdoor area must be physically separated from public or parking areas by a railing, fence, deck, planting boxes or a combination thereof.
- 3) The outdoor area must not infringe on any public sidewalk, parking area or right-of-way
- 4) The outdoor area cannot infringe or encroach on the minimum number of required parking spaces or further reduce available parking.
- 5) Tables, chairs and related furniture must be removable and indoor storage provided for extended periods of nonuse (e.g., winter months).
- 6) Extended awnings, canopies or umbrellas may be used to provide cover and shade.
- 7) Additional trash receptacle shall be provided and maintained.
- 8) No additional signage beyond what is allowed for the use is permitted.

(g) Service. Areas for loading and unloading of delivery trucks and other vehicles and for the servicing of refuse collection, fuel and other services shall be provided and shall be adequate in size. A schedule for periodic disposal of solid waste material shall be required. All solid waste material shall be stored in covered containers. No solid waste shall be stored closer than within five feet of any property line. Provided, however, that no solid waste storage is to be closer than 30 feet to any outdoor principal use. Loading and refuse collection areas shall be shielded from the direct view of any adjacent property by walls, plantings or a combination thereof which measure a minimum of six feet in height. Such shielding shall be maintained at all times.

D. Communication Device. Permitted by conditional use in the underlying OC Office Campus District, C Commercial District, I Industrial District, and RSC Retail and Service Commercial District.

(1) Dimensional Regulations. The height of communications devices shall not exceed 10 feet in height above the actual building height of the building on which the communication devices are proposed. These devices must be screened from public view.

(2) Conditional Use Regulations.

(a) Communication devices shall be limited to those associated with and supportive of a principal permitted use contained within the building. It shall be located with other rooftop utilities as specified in §2703 P.S.

(b) Any applicant proposing communications devices to be mounted on a building or other structure shall submit evidence from a Pennsylvania registered professional engineer certifying that the proposed installation will not exceed the structural capacity of the building or other structure, considering wind and other loads associated with the communications devices location.

- (c) Any applicant proposing communications devices to be mounted on a building or other structure shall submit detailed construction and elevation drawings indicating how the communications devices are to be mounted on the structure.
- (d) Communications devices shall comply with all applicable standards established by the Federal Communications Commission (FCC).
- (e) Communications devices shall not cause radio frequency interference with other communications facilities located in the Borough or other radiodependent devices,
- (f) The owner or operator of communications devices shall be licensed, if applicable, by the Federal Communications Commission (FCC) to operate these communications devices.

E. TOD Transit-Oriented Development.

(1) Intent. The intent of the Borough in permitting development pursuant to this section is as follows:

- (a) To provide for an intensity and type of land use that is compatible with and supportive of the use of public transportation;
- (b) To recognize that, by having land use patterns that encourage use of public transit opportunities, traffic in the community can be reduced and travel choices for residents can be expanded;
- (c) To encourage redevelopment of obsolete properties whose prior or present uses adversely impair the property or surrounding properties;
- (d) To provide for flexibility in lot sizes, setbacks, and other area and bulk requirements so that imaginative and innovative designs can be developed;
- (e) To provide a mix of residential and commercial land uses that are consistent in character and to promote mixed-use development that is consistent in character between its residential and nonresidential components;
- (f) To encourage the provision of an accessible pedestrian environment and to promote a pedestrian orientation of buildings and streets;
- (g) To encourage development that has open and recreational spaces as focal points;
- (h) To foster well-designed vibrant public and private gathering spaces that create a sense of place and encourage social interaction; and
- (i) To encourage the provision of additional amenities that benefit the public health, safety, and welfare, such as moderate-income housing, adequate open space, efficient roadways, safe bicycle and pedestrian connections, stormwater management, and green building practices,

(2) Definitions.

ARTISANAL MANUFACTURING - The on-site production, display, and sale of hand-fabricated or hand-manufactured parts and custom or craft consumer goods based on the skill and knowledge of the artisan and the use of hand tools or small-scale, light mechanical equipment. This involves activities such as small bakeries, candy or soap making, coffee roasters, breweries, distilleries, or the custom production of artisan products such as apparel, cabinetry, glass working, jewelry making, metal working, pottery, sculpture, wood working, and leather working

BUILD-TO LINE - A line established within a given lot, which is a certain distance from the curb line, along which the building shall be built

FRONTAGE OCCUPATION - The percentage of the street frontage that is occupied by a building.

GREEN ROOF - An engineered, multilayered roofing system sustaining the growth of plants on a rooftop while protecting the integrity of the underlying structure. The components of a green roof generally consist of, but may not be limited to, a waterproofing membrane, root barrier, drainage layer, retention layer, filter fabric, growing medium, and plants.

HEIGHT OF BUILDING — the vertical distance measured from the average elevation of the existing grade at the location of the building to the highest point of a flat or multi-level roof. For gable, hip or gambrel roofs, measured to the mean height between the eaves and ridge. Residential chimneys, parapet walls, mechanical penthouses, stairwells and elevator shafts, and similar projections not intended for human occupancy shall be excluded.

LEED - Leadership in Energy and Environmental Design, a certification system maintained by the U.S. Green Building Council, Inc. (GBCI). To achieve LEED certification, a project earns points by adhering to prerequisites and credits that address carbon, energy, water, waste, transportation, materials, health and indoor environmental quality. Projects go through a verification and review process by GBCI and are awarded points that correspond to a level of LEED certification: Certified (40-49 points), Silver (50-59 points), Gold (60-79 points) and Platinum (80+ points).

LOT – a designed parcel, tract, or area of land established by a plat or otherwise permitted by law and to be used, developed or built upon as a unit. Areas of land separated by a public street may be treated as a single lot when improved as a Transit-Oriented Development.

LOT LINE -- any property boundary line of a lot, further defined as follows:

- A. Front lot line is the line identical with the legal right-of-way line.
- B. Rear lot line is the line or lines most nearly parallel or concentric to the front lot line.
- C. Side lot lines are the lines most nearly perpendicular or radial to the front lot line. On a corner lot, the side lot line shall be the line or lines most nearly perpendicular or radial to the higher classification of street, where applicable. The remaining line shall be considered the rear lot line.
- D. On a lot which is comprised of areas of land separated by a public street and which is to be developed as Transit-Oriented Development, the lot lines, any build-to lines, and minimum building spacing shall be measured on each constituent area having frontage on one or more public street(s) provided that such measurements shall not be applied to preclude the creation of physical connections between several component o the single comprehensive plan of development.

MULTIFAMILY RESIDENTIAL DEVELOPMENT- A residential building containing at least three permanent dwelling units in a variety of combinations, including side-by-side, over and under, or back-to-back with another dwelling unit.

(3) TRANSIT-ORIENTED DEVELOPMENT (TOD) — Dense residential and commercial development near transit that is meant to increase the use of public transit and alternative modes of transportation. Transit-oriented development capitalizes on public transit access by transforming underutilized spaces into walkable and sustainable communities, with a mix of land uses, a vibrant public realm, and excellent connectivity to transit amenities. Use Regulations.

(a) Conditional Use Approval Required.

- 1) A TOD shall be permitted within the RO Redevelopment Overlay District when authorized as a conditional use by Borough Council.
- 2) In passing upon a conditional use application, Borough Council shall render a decision in accordance with the general conditional use criteria set forth in Part 4 of this Chapter, in addition to the specific criteria set forth in this Part.
- 3) In accordance with 5603(c)(2) of the Pennsylvania Municipalities Planning Code, the Borough may attach reasonable conditions and safeguards, in addition to those expressly set forth in the Borough ordinances, as it may deem necessary to implement the purposes of the Municipalities Planning Code and the Borough ordinances.

(b) Residential Use Required. A TOD shall provide a residential use in the form of multifamily residential development. The following standards shall apply:

- 1) Any building with a frontage on Butler Avenue or Main Street may only establish a residential use behind or above the required nonresidential component, in accordance with § 27-2703.E.3.(c)1 .
- 2) Any building or portion thereof that does not have a frontage on Butler Avenue or Main Street may include a residential use on the ground floor, provided that such complies with § 27-2703.E.3.(c)1. and provided that architectural elements that provide visual interest are provided along any façade abutting a public right-of-way. Examples of architectural treatments to comply with this requirement include: front stoops, porches, awnings, balconies, recessed entranceways, courtyards, trellises with plantings, or other similar architectural features.
- 3) The maximum residential density throughout a TOD shall be 50 dwelling units per acre of Transit-Oriented Development Effective Tract Area, as defined in this Chapter. See §2704, Development Bonus, for optional residential density bonus provisions, however, that in no case shall the residential density throughout a TOD be greater than 75 dwelling units per acre of the Transit-Oriented Development Effective Tract Area, as defined in this Chapter.

- 4) Minimum dwelling unit size: each dwelling unit shall have a minimum of 600 square feet, plus an additional 100 square feet per additional bedroom.

(c) Nonresidential Use.

- 1) Any building with a frontage on Butler Avenue or Main Street shall provide a ground floor nonresidential use, which shall occupy a minimum depth of 40 feet throughout the building's frontage on Butler Avenue and Main Street. Nothing herein shall be construed to limit the location of nonresidential use in upper stories of a mixed-use building.

- 2) Permitted nonresidential use may be any of the following uses or a combination thereof:

- a) Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.
- b) Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation.
- c) Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages, including:
 - a. outdoor dining; and
 - b. pedestrian takeout window.
- d) Personal service shop, including tailor, barber, beauty salon, shoe repair, dressmaking or other similar service.
- e) Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.
- f) Hotel or motel.
- g) Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.
- h) Artisanal manufacturing.

- (d) Accessory Uses. Accessory uses that are subordinate to and used for purposes customarily incidental to those uses provided within the TOD shall be permissible.

- (e) Parking Lot, in accordance with §27-2804, and/or Parking Garage/Structure, in accordance with §27-2703.A, may be constructed as part of a TOD when in compliance with the following:

- 1) Provision of a parking garage/structure internal to a building shall only be permissible when in compliance with § 27-2703.E.3.(c)1..

- (f) 2) Provision of a parking garage/structure internal to a building shall be permissible only in the event the façade located between the internal parking area and the public right-of-way is consistent with the overall building aesthetic. Such design may be achieved by mimicking a traditional storefront design or through the use of interchangeable public art displays that engage with pedestrians. Prohibited Uses. The following uses, as well as any use not specifically permitted, are specifically prohibited within a TOD Development:

- 1) Drive-through windows or facilities;
- 2) Automobile or other vehicle sale, service, or repair establishments;
- 3) Gasoline service station;
- 4) Self-service storage facilities; and
- 5) Sexually oriented businesses (see §27-411)
- 6) Any use prohibited in the Industrial District (see §27-1502.3.)

- (4) Conditional Use Standards. The following conditional use standards are in addition to the general conditional use criteria set forth in Part 4 of this Chapter:

(a) General:

- 1) A tract proposed for TOD must be zoned "OC," "RSC," or "I," and must be located within 800 feet of an active or proposed commuter rail station. The 800-foot requirement (for proximity to a commuter rail station) shall be measured from the nearest property line of the TOD to the nearest edge of the passenger platform of the commuter rail station.

- 2) Water and sewer. All Transit-Oriented Developments shall be serviced by public water and public sewer.
- 3) The lot to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of each lot under consideration.
- 4) A Transit-Oriented Development shall be designed to be compatible in use with the existing Borough development; and in its residential and nonresidential components in terms of architecture, building materials, massing and scale.
- 5) TOD applications shall be considered with recognition for the need to have a mix of uses in the vicinity of the rail station and Borough Council may decline such an application if, after proper consideration of the proposal, it is determined that such use, when considered cumulatively with other uses in the area of the rail station, would cause a particular use to be disproportionately represented in the train station area.

(b) Dimensional Standards.

- 1) Minimum lot area: 3 acres
- 2) Minimum lot width: 300 feet. Notwithstanding provisions to the contrary, in the case of corner lots, the lot width shall be met along one of the street frontages.
- 3) Minimum frontage occupation for buildings with street frontage on Butler Avenue or Main Street: 90%
 - a) The following elements shall be excluded from the frontage occupation calculation: gathering spaces, width of the minimum side setbacks, and one vehicular driveway per street frontage.
- 4) Maximum impervious coverage: 80%. The impervious coverage may be increased up to a maximum of 85% only in the event that any increase over 80% shall require mitigation by providing a green roof at a 2:1 ratio of green roof square footage to impervious coverage square footage. The applicant shall submit an operations and maintenance plan, which shall be reviewed and approved by the Borough Engineer, that ensures the system remains functional so long as the building remains in active use/occupancy.
- 5) Build-To Line: 15 feet
 - a) The build-to line may be increased by up to 15 feet, for a maximum build-to line of 30 feet, for all or part of the building frontage length, provided the additional setback area is used for additional sidewalk width, streetscaping, outdoor dining areas, or additional landscaping between the building and the sidewalk.
 - b) Permitted encroachments.
 - i) The following architectural features may extend up to three (3) feet beyond the build-to line: awnings or overhangs, bay or oriel windows, upper floor balconies, loggias, pergolas, and similar architectural elements.
 - ii) A gathering space, pursuant to §27-2703.E.(4)(f), may extend the full depth of a lot, provided that it does not occupy more than 25% of the property's street frontage.
- 6) Minimum Side Yard Setback: 10 feet
- 7) Minimum Rear Yard Setback: 20 feet
 - a) Rear yards adjacent to a railroad right-of-way may be reduced by 50% to a minimum setback of 10 feet.
- 8) Maximum building height:
 - a) For developments with underlying "RSC" or "I" zoning designation, the maximum height of any building shall be 65'.
 - b) For developments with underlying "OC" zoning designation, the following provisions shall apply:
 - (i) The average height of a building shall not exceed 65' and the maximum height of any portion of any building shall not exceed 75'. However, in cases where the building height exceeds 65' on portions of a building, the height of the building shall vary and have an average height of 65' measured from its lowest point to its highest; and
 - (ii) At a distance 400' or greater from the railroad right-of-way, the maximum height of a building or portion thereof shall not exceed 35'.
- c) Building setback required. The facade of any building exceeding three (3) stories or 35 feet shall be setback an additional 12 feet along street frontages. The required building setback may be reduced to a minimum of eight feet if the front build-to line is equal to or greater than 20 feet, as provided for in subsection §27-2704.E.(4)(b)5) above.
- 9) Minimum Building Spacing:
 - a) Corner to corner: 30 feet
 - b) Face to face: 40 feet

(c) Building Design Standards.

1) Overall design.

- a) All buildings within a single TOD project shall have a unified or complementary architectural character. Developments shall create focal points with respect to avenues of approach, or other buildings, and relate open space between all existing and proposed buildings.
- b) Blank walls shall not be permitted along any exterior wall facing a street, parking area, or walking area. Walls or portions of walls where windows are not provided shall have architectural treatments that are similar to the front facade, including materials, colors, and details.
- c) When flat roofs are proposed, a parapet wall or projecting cornice shall be included on the front facade(s).
- d) Convenient pedestrian connections shall be provided from all building entrances to parking areas, open space and recreational areas, and to the transit station intended to be served by the TOD.

2) Building materials.

- a) All facades of new buildings visible from a public or private street, parking area, or public gathering space shall consist of quality building materials, such as brick, stone, concrete, and glass, to create visual interest and enhance the quality of the development.
- b) The following building materials are prohibited: exterior insulation and finishing systems (EIFS); aluminum or vinyl siding or shutters; white, tan, or painted brick; concrete block; T-111 or other similar plywood siding.

3) Building orientation and entrances.

- a) Front facades of buildings shall be oriented toward Main Street or Butler Avenue, whichever immediately abuts the property frontage. Such entrances shall be usable and well-defined through the use of architectural features (e.g., utilizing porticos, pediments, colonnades, canopies, or overhangs).
- b) Each facade of a building with frontage along a public or private street, parking area, or public gathering space shall feature at least one clearly-defined and highly-visible pedestrian entrance with a direct sidewalk connection to the abutting street. A building with multiple street frontages may locate a pedestrian entrance on the corner of the building where the two streets intersect to fulfill this requirement.
- c) Storefront entrance doors shall be recessed a sufficient distance to allow doors to swing out without conflicting with pedestrian flow on the sidewalk.

4) Windows.

- a) The nonresidential component of a ground floor of any building along Butler Avenue and Main Street shall have a minimum transparent window area of 60%, with windows providing views of display areas or the inside of the building. Window areas shall be between 12 inches and eight feet off the ground.

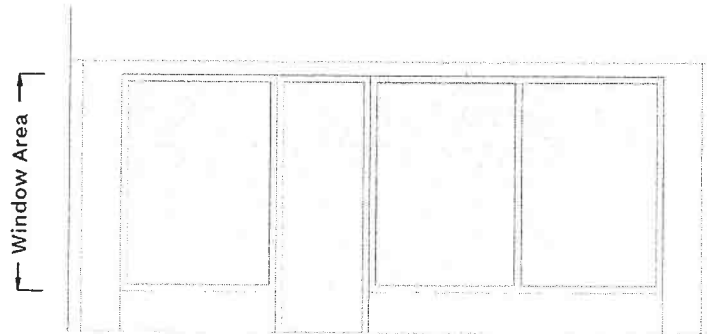


Figure 27-2703.C.1

b) For corner buildings with multiple frontages, the ground floor window transparency requirement pursuant to subsection a), above, shall wrap on to the ground floor of secondary frontages for a minimum distance equal to at least 40 feet along the secondary frontage, as measured from the corner of the primary and secondary frontages.

c) The upper floors of any building along a primary street shall have a minimum clear window area of 35%.

d) Smoked, reflective, or black glass in windows is prohibited.

5) Building Facade Elements. All buildings shall include a variety of architectural design elements to provide visual interest and to mitigate the apparent scale and mass of large buildings and facades. Any building facade along a public or private street, parking area, or public gathering space that is greater than 50 feet long shall be articulated with facade breaks of a minimum depth of three (3) feet for every 50 feet of building facade length. In addition to breaks in the facade, other architectural elements that provide facade articulation shall be utilized no less than every 50 feet on average:

- i) Masonry;
- ii) Concrete or Masonry plinth at the base of walls;
- iii) Belt courses of a different texture or color;
- iv) Projecting or decorative cornices;
- v) Quoins;
- vi) Decorative tile work;
- vii) Trellis containing planting;
- viii) Medallions;
- ix) Bay windows;
- x) Oriel windows;
- xi) Vertical articulation;
- xii) Stylized lighting fixtures;
- xiii) Porticos;
- xiv) Balconies;
- xv) Recessed entryways; and/or
- xvi) Building extensions.

(d) Street Furnishings Standards.

- 1) Location. Street furniture shall be located adjacent to the building facade, unless on-street parking is present, in which case street furniture may be located along the curb. Such amenities shall be maintained in perpetuity by the property owner.

2) Street Furnishings Required. At minimum, two (2) benches, one (1) bicycle rack, one (1) trash receptacle, and one (1) recycling receptacle shall be provided for every 300 feet of public street frontage. This requirement shall be exclusive of the requirements set forth in §2703- E(4)(d)3) below.

3) Additional Furnishings Required. In order to allow for flexibility and promote creative streetscaping design, the following options shall be provided based upon the scale of development described herein.

a) Building additions and new developments of 2,500 to 4,999 Gross Floor Area shall provide no less than four (4) points from either §2703-E(4)(d)4)a) or b) as set forth below. New Developments of 5,000 to 14,999 Gross Floor Area shall provide no less than one item from §2703-E(4)(d)4)a) and b), as set forth below, and shall provide no less than a cumulative total of eight (8) points.

b) New Developments of 15,000 Gross Floor Area and over, as well as any new building exceeding three (3) stories in height shall provide no less than one item from §2703-E(4)(d)4)a) and b), as set forth below, and shall provide no less than a cumulative total of twelve (12) points.

4) Street furnishing options and points. In order to allow for a flexible and adaptable streetscape design, the following options shall be allowable to fulfill the minimum requirements set forth in §2703-E(4)(d)3), above. Category A contains planting and greening elements. Category B includes street furnishings, amenities, and decorations.

a) Category A: planting and greening options.

- i) Hanging basket, one (1) point.
- ii) Window box, two (2) points,
- iii) In-ground planting area, two (2) points.
- iv) Street planter, two (2) points
- v) Roof garden or green roof, three (3) points.
- vi) Green wall, three (3) points.

b. Category B: street furnishings, amenities, and decorations.

- i) Bench, two (2) points.
- ii) Bicycle rack, two (2) points.
- iii) Trash and recycling receptacles (one of each), two (2) points.
- iv) Public art, such as a mural or sculpture, three (3) points.
- v) Public drinking fountain, three (3) points.
- vi) Public restroom, three (3) points.
- vii) Display fountain, three (3) points.
- viii) Clock tower, three (3) points.

(e) Parking Requirements.

1) Compliance with §27-2101, General Provisions, §27-2105, Handicapped Parking, and §27-2106, Off-Street Loading, shall be complied with; however, all other sections of Part 21 (§§27-2102, -2103, and -2104) shall be superseded by the regulations of this section.

2) Parking requirements by land use. Due to the anticipated use of transit by residents

and tenants of a TOD, a reduced parking requirement is appropriate. The minimum parking requirements based on land use are shown in Table 2703.1 below:

Land Use	Minimum Parking Requirement
Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.	One (1) parking space per 200 SF GFA on the first floor + one (1) parking space per 400 SF GFA on upper floors
Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation	One (1) parking space per 300 SF GFA
Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages.	One (1) parking space per 200 SF GFA
Personal service shop, including tailor, barber, beauty salon, shoe repair, dressmaking or other similar service.	One (1) parking space per 300 SF GFA
Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.	One (1) parking space per 300 SF GFA
Hotel or motel.	One (1) parking space per guest room + One (1) parking space per 800 SF of public meeting space
Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.	1/300 SF GFA
Artisanal manufacturing	One (1) parking space per 200 SF GFA on the first floor + one (1) parking space per 400 SF GFA on upper floors
Studio or One Bedroom Dwelling Unit	One parking space per dwelling unit
Two or More Bedroom Dwelling Unit	1.5 parking spaces per dwelling unit

Table 2703.1

- 3) Shared parking facilities. The off-street parking required for a mixed- use development may be provided in combined parking facilities, provided that the following standards are met:
 - a) The shared parking area(s) shall either be under common ownership or controlled by an access and parking easement agreement approved by the borough and recorded for each property affected by the shared parking.
 - b) The minimum number of parking spaces required shall be calculated according to the following formula:
 - 1) Multiply the minimum parking requirement for each individual use (as set forth in Table 2703.1, above, for each use) by the appropriate percentage (as set forth in Table 2703.2, below) for each of the six designated time periods and then add the resulting sums from each vertical column. The column total

having the highest total value is the minimum shared parking space requirement for that combination of land uses.

- ii) Calculate the minimum amount of parking required for each land use as if it were a separate use.
- iii) To determine peak parking requirements, multiply the minimum parking required for each proposed land use by the corresponding percentage in the table below for each of the six time periods.
- iv) Calculate the column total for each of the six time periods.
- v) The column (time period) with the highest value shall be the minimum shared parking requirement.

Category of Use*	Monday to Friday			Saturday & Sunday		
	Sam – Bpm	6pm -12am	12am -Sam	Sam - 6pm	6pm -12am	12am -Sam
Retail establishment for the sale of dry goods, variety and general merchandise, clothing, food, drugs, plants, furnishings or other household supplies, sale and repair of jewelry, watches, clocks, optical goods or musical, professional or scientific instruments.	70%	90%	5%	100%	70%	5%
Business or professional office or studio, bank or other financial institution, municipal use excluding dump, telephone central office, telegraph or other public utility office, passenger station for public transportation.	100%	10%	5%	10%	5%	5%
Restaurant, bar, tearoom, retail baker, confectionery or ice cream shops or places serving food or beverages.	60%	100%	10%	60%	100%	20%
Personal service shop, including tailor, barber, beauty salon, shoe repair,	70%	90%	5%	100%	70%	5%

dressmaking or other similar service.						
Indoor recreation or cultural facility, such as a bowling alley, theater, fitness center, or dance studio.	40%	100%	10%	80%	100%	50%
Hotel/Motel	75%	100%	100%	75%	100%	100%
Business services establishments, including copy centers, retail printing and duplication services, computer rental and copying centers, mailbox rental and shipping, cartage, express, and parcel delivery services.	70%	90%	5%	100%	70%	5%
Artisanal manufacturing.	70%	90%	5%	100%	70%	5%
Residential use	60%	100%	100%	80%	100%	100%

*NOTE: the most appropriate category of use shall be selected based upon the proposed use. The category of use shall fall within one of the uses permitted

- 4) Parking Study. In order to ensure that the parking provided for a TOD is adequate to meet the anticipated demand, a Parking Generation Study prepared and submitted by the applicant. The following provisions shall be met:
 - a) The Parking Generation Study shall be prepared by a qualified traffic engineer and/or transportation planner. All costs associated with the preparation of a Parking Generation Study shall be borne by the applicant. The study shall be conducted by a qualified transportation professional using the Institute of Transportation Engineers (ITE) Trip Generation Manual, 11th Edition, and the ITE Parking Generation Manual, 6th Edition, as applicable.
 - b) The Borough Engineer shall be provided an opportunity to review the proposed ITE land use codes selected by the transportation professional.
 - c) The study shall address the following:
 - i) Size and type of uses or activities on site;
 - ii) Composition of tenancy on site;
 - iii) Rate of parking turnover;
 - iv) Anticipated peak traffic and parking load;
 - v) Local parking habits; and
 - vi) Availability of public transportation.

- d) The findings of the study shall be submitted for review by the Borough Engineer; however, the study shall be considered complete and accurate unless proven otherwise by substantial evidence. In the event that the Parking Generation Study reveals a parking demand that differs significantly from the parking requirements of this section, the following options are available to the applicant:
 - i) If the anticipated parking demand exceeds the minimum parking requirement, the applicant shall be permitted the ability to provide up to the amount of parking spaces identified that exceed the minimum requirement.
 - ii) If the anticipated parking demand is lower than the minimum parking requirement, the applicant may have the reduced parking requirement authorized as a conditional use pursuant to §27-413, Conditional Uses.
 - e) In lieu of a standalone parking generation study, the applicant may instead opt to include parking generation figures within the Transportation Impact Study required by §27-2705.C., Transportation Impact Study.
- (f) Gathering space. Any TOD lot that exceeds 150 feet in frontage along Main Street or Butler Avenue shall provide no less than 5% of the Transit-Oriented Development Effective Tract Area as a gathering space designed as a pedestrian plaza, courtyard, square, or pocket park. Furthermore, the following provisions shall be met:
 - 1) The gathering space shall be integral to the development and designed as a focal point for the TOD.
 - 2) The gathering space shall be located at street level, and shall be located adjacent to the sidewalk.
 - 3) The gathering space shall be convenient and accessible by sidewalk or internal pedestrian path.
 - 4) No fence or wall shall be erected between the gathering space and the sidewalk.
 - 5) At minimum, two (2) benches, one (1) bicycle rack, one (1) trash receptacle, and one (1) recycling receptacle shall be provided for every 2,500 square feet of gathering space.
 - 6) A minimum of 30%, but no more than 70%, of the gathering space shall be permeable planting beds landscaped with a combination of trees, shrubs, perennials, grasses, and groundcovers that provide year-round visual interest and color.
 - 7) The gathering space shall provide shade by using one or more of the following elements: canopies, trellises, umbrellas, or similar elements.
 - 8) Up to 25% of the gathering space area may be used for natural features preservation or stormwater management, provided the stormwater management facilities are designed as a vegetated amenity, such as rain gardens.

- 9) Any paved surface within a gathering space shall be composed of high- quality, durable paving materials, such as unit pavers, paving stones, or concrete. The use of permeable paving is encouraged. A minimum of one (1) shade tree shall be provided per 250 square feet of paved surface within a public gathering space.
 - 10) The public gathering space shall be entirely open to the air and no portion of a building, other than a balcony, shall project over the public gathering space.
 - 11) No parking, loading, or vehicular access shall occur within a gathering space (excepting emergency vehicular access).
 - 12) Any other landscaping feature specifically required by this chapter shall not be included in the calculation of this requirement.
 - 13) An operations and maintenance plan, ensuring that all landscaping and manmade items are maintained in perpetuity and are replaced if they can no longer be feasibly maintained, shall be submitted to the borough for review and approval.
- (g) Application for Approval.
- 1) TOD shall be permissible as a conditional use in the Redevelopment Overlay District only, and application shall be made for such approval in accordance with the provisions of this subsection.
 - 2) Such applications shall be accompanied by a conditional use plan showing the relationship among the various components of the development. The conditional use shall be prepared at a scale appropriate to the size of the property and in sufficient detail to demonstrate that the plan complies with the requirements of this chapter. The conditional use plan shall be conceptual in nature and shall not be required to meet the provisions of a preliminary subdivision or land development plan. The applicant shall have the option, however, of submitting preliminary subdivision or land development plans concurrent with the conditional use application. The conditional use plan shall include the following elements:
 - i) An existing features plan shall be submitted which shall indicate the tract size, out bounds of the tract, topography, wetlands, woodlands, floodplains, recorded easements and rights-of-way and any other significant physical or man- made feature existing on the tract.
 - ii) A general land use plan, indicating the tract area and the general locations of the land uses included, shall be submitted. The total number and type of dwelling units and the amount of nonresidential square footage shall be provided. The residential density and the overall tract intensity (building and impervious coverage) shall be provided. The plan shall indicate the location of proposed uses within the development; the location and amount of common open

space, along with any proposed recreational facilities, such as but not limited to pedestrian pathways, community greens, community centers, etc.

- iii) Conceptual architectural renderings, showing the general design, scale and materials of proposed buildings within the TOD.
 - iv) Photo simulations depicting the massing of the proposed building(s) from at least three locations near the development site shall be provided. The provided photo simulations shall reflect the location and envelope of any proposed building, but need not reflect the conceptual architectural renderings as provided for in the immediately preceding subsection.
 - v) A conceptual utility plan shall be included which shall indicate the proposed location of sanitary sewer and water lines, along with a narrative indicating the feasibility of such facilities. The plan shall also show the approximate areas needed for stormwater management.
 - vi) As required under Subsection 27-2703E(4)(k) above, a traffic study shall be submitted which analyzes the likely impacts of the proposed development and makes traffic improvement recommendations in accordance with standard traffic engineering procedures.
- (h) Decision on conditional use request. In allowing a conditional use, Borough Council may attach reasonable conditions and safeguards as may be deemed necessary to implement the purposes of this chapter and ensure the protection of adjacent uses and streets from adverse impacts that may be determined from credible testimony.

§27-2704. Development Bonus.

When a Transit-Oriented Development provides for public benefits as defined herein, a residential density bonus of 25 additional dwelling units per acre (up to a total of 75 dwelling units per acre) shall be granted, by right, to the applicant in accordance with the provisions of this section:

- A. A development shall qualify for the bonus if one of the following options are provided.
 - a. The development receives LEED Gold certification.
 - i. The applicant shall designate a project administrator that shall be the sole point-of-contact for the borough throughout the LEED certification process. The individual shall be qualified for the role, either being a LEED certified professional or a design professional having a proven track record of successfully navigating the LEED certification process. The contact information and qualifications of the assigned individual shall be provided to the borough at the time of application.
 - ii. The applicant shall provide a complete BD+C: New Construction and Major Renovation checklist to the Borough Engineer. The development shall qualify for gold certification and, as such, shall score a minimum of 60 points on the BD+C: New Construction and Major Renovation checklist, Version 4. Furthermore, the

applicant shall submit documentation that provides evidence that supports the checklist findings to the Borough Engineer.

- iii. Proof of compliance required.
 1. The applicant shall successfully submit for precertification from USGBC, or
 2. The applicant shall undertake a "split review" whereby the design credits and prerequisites are reviewed and approved by USGBC in an initial phase of review, while the construction credits are reviewed in a second phase of review.
 3. Any approvals and correspondence shall be submitted to the borough for review.
 - b. The development provides a direct pedestrian connection across the SEPTA railroad tracks, which directly connects the northbound and southbound train station platforms. Any such connection must provide for more direct and efficient movement between the two platforms than existing conditions, which necessitate walking up to and along Butler Avenue.
- B. Alternatively, a development shall qualify for the bonus if three (3) of the following five (5) options are provided for as part of the TOD.
- a. The development generates no less than 10% of their anticipated energy use through on-site renewable energy generation.
 - i. The development shall generate at least 10% of their anticipated energy use through building-integrated solar energy generation and/or geothermal energy generation facilities.
 - ii. The applicant shall provide specifications and other supporting documentation to the Borough Engineer for review.
 - iii. The applicant shall submit an annual report to the borough that describes the energy generation and energy use of the development.
 - b. No less than 10% of all dwelling units are provided as income-restricted dwelling units.
 - i. Price and income guidelines for income-restricted dwelling units shall meet the rent and income limits defined by the Pennsylvania Housing Finance Agency (PHFA) for agency financed properties for Montgomery County in a given year.
 - ii. A mix of income limitations shall be provided for, ranging from 20% to 60% of the area median income. No more than 50% of income-restricted units shall allocated to any one income limitation (60%, 50%, 40%, 30%, or 20%).
 - iii. The income-restricted dwelling units shall remain income-restricted in perpetuity with a covenant that runs with the land.
 - iv. The applicant shall designate the property manager or another permanent staff member as the sole point-of-contact for the borough to contact for all matters related to income-restricted dwelling units. The contact information and qualifications of the assigned individual shall be provided to the borough at the time of application.
 - v. The applicant shall submit an annual report to the borough that demonstrates the continued occupancy of the units by qualified individuals, as defined herein. Personal information of tenants may be redacted as necessary.

- c. The development provides free-use public parking spaces to support visitors of Ambler in an amount equal to at least 10% of their nonresidential parking requirement.
 - i. Public parking areas shall be owned, operated, and maintained by the property owner.
 - ii. Public parking spaces may be one and the same as those allocated to a nonresidential parking requirement, provided that the parking spaces are available between the close of business on Friday through Sunday evening.
 - iii. Public parking shall be clearly delineated through pavement markings and/or signage.
 - iv. Public parking shall be located near the train station, commercial land uses, or public gathering spaces, where applicable.
 - v. Wayfinding signage between the public right-of-way and the public parking spaces shall be provided.
 - vi. Reasonable parking restrictions, such as metering and limiting overnight parking, shall be permissible provided that the borough is made aware of changes no less than seven (7) days in advance of enforcement. All enforcement shall be the sole responsibility of the property owner.
- d. The development provides an expanded gathering space. The development shall provide no less than 10% of TOD effective tract area as a contiguous public gathering space meeting the standards of §27-2703.E.(4)(f) and measuring at least 1,500 square feet in area.
- e. The development provides all required off-street parking within a parking structure(s) meeting the standards of §27-2703.A and §27-2703.E.(3)(e), and which is integrated/attached to the mixed-use TOD building.

§27-2705. General Regulations.

The following regulations apply to all development in the Redevelopment Overlay District:

- A. Utilities. All buildings shall be served by a public sanitary sewage disposal system and public water supply or any available public utilities. All utility lines and services shall be placed underground.
- B. Stormwater Facilities. Stormwater facilities and supporting calculations must be provided in accordance with the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22], Recognizing the intent of the Borough to encourage redevelopment and reuse and the need to protect the health, safety and welfare of property owners, employees and residents, the Borough may apply some flexibility in addressing stormwater and related issues. Developers are encouraged to utilize innovative stormwater control techniques such as porous pavements. Applicants and or landowners may challenge the official floodplain delineation in accordance with the procedures required by the Federal Emergency Management Agency, Federal Insurance Administration.
- C. Transportation Impact Study. A transportation impact study shall be completed for all development within the RO District in accordance with the provisions of this section, which shall supersede §22-310, Traffic Impact Study, of the Borough of Ambler Subdivision and Land Development Ordinance.
 - (1) Intent. A transportation impact study (TIS) is intended to enable Ambler Borough to assess the transportation impacts of a proposed development or redevelopment with the RO Redevelopment Overlay. Specifically, its purpose is to:
 - (a) Ensure a safe and efficient transportation network for all users, including drivers, pedestrians, bicyclists, and transit users.

- (b) Identify any transportation problems that may be created in the existing transportation system as a result of the proposed development.
 - (c) Identify solutions to potential problems and to present mitigation improvements to be incorporated into the proposal or into the transportation systems within the study area.
 - (d) Assist in the protection of air quality and the conservation of energy and to encourage the use of alternative transportation modes where available.
 - (e) Ensure that TIS submissions to the Municipality are consistent with the PennDOT Publication 282, Appendix A, "Policies and Procedures for Transportation Impact Studies," (July 2017).
- (2) Preparation of study. The transportation impact study shall be prepared by a qualified traffic engineer and/or transportation planner in accordance with PennDOT Publication 46, Traffic Engineering Manual. All costs associated with the preparation of a TIS shall be borne by the applicant. The procedures and standards for the transportation impact study are set forth below. The applicant may provide funds to the Borough to enable the Borough to hire a traffic engineer of its choice to conduct the study, if this procedure is deemed appropriate and approved by the Borough.
- (3) Coordination. Coordination with PennDOT or county highway occupancy permit (HOP) managers shall occur as appropriate. A TIS prepared in accordance with the guidelines of PennDOT as part of an application for a state HOP should be submitted to the Borough in fulfillment of the requirement for a TIS by Ambler Borough.
- (4) Vehicle Trip generation. The anticipated number of peak hour trips and trips per day shall be determined using the Institute of Transportation Engineers (ITE) "Trip Generation Manual," 11th Edition. The proposed use or development shall be identified using the appropriate ITE land use code. The appropriate ITE land use code shall be agreed upon by the applicant and the Borough.
- (5) Municipal scoping meeting. A municipal scoping meeting may be required to ensure that the parameters used in the TIS accurately reflect municipal conditions and expectations. The applicant should confirm the need for a municipal scoping meeting prior to submission. The municipal scoping meeting will address the number and locations of proposed access points, project schedule and phasing, intersections to be included in the analysis, specific ITE trip generation land use codes, pass-by volumes, modal splits, any trip adjustments to be used, and other area developments and programmed roadway improvements to be included in the future conditions analysis as well as potential opportunities to implement transportation demand management (TDM) activities. Agreement on all scoping parameters shall be obtained prior to initiation of the TIS. The municipal scoping meeting may be held in conjunction with the PennDOT or county scoping meeting.
- (6) If a municipal scoping meeting is not held, the applicant shall include in the study report, at minimum, the three intersections of a local street with Butler Avenue that are closest to the proposed development.
- (7) General requirements and standards. A Transportation Impact Study shall contain the following information:
- (a) General site description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed subdivision or land development, if the development is residential, types of dwelling

units and number of bedrooms shall also be included. A brief description of other major existing and proposed developments within the study area shall be provided. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they may affect the transportation needs of the site (i.e., number of senior citizens).

(b) Transportation facilities description. The description shall contain a full documentation of all aspects of the proposed internal and proposed and existing external transportation system. This description shall include proposed internal vehicular, bicycle, and pedestrian circulation; all proposed ingress and egress locations; all internal roadway widths and rights-of-way; roadway classifications; parking conditions; traffic channelization, traffic control and traffic calming devices; and any traffic signals or other intersection control devices at all intersections within or adjacent to the site. Data provided in the report should adequately document the following:

1. Traffic volume counts.
2. Land use context (in study area).
3. Sight distance and site access.
4. Photographs.
5. Pedestrian, bike, and transit facilities.

(c) Existing conditions scenario. Full documentation shall be provided to adequately describe and evaluate traffic conditions throughout the study area including, but not limited to, peak hourly volume, intersection turning movement counts, capacity and level of service analysis, and the past five years of crash analysis. Complete traffic counts encompassing and documenting the peak traffic and peak development generated hours shall be required for the three intersections of a local street with Butler Avenue that are closest to the proposed development.

(d) Background traffic. Projections of traffic volumes at the project opening year and design horizon shall be made by applying a growth factor to existing base traffic volumes. Planned and permitted developments that will impact the study area shall be evaluated for addition to future traffic volume. Existing traffic counts to be used for traffic volume projections should not be older than three years from the current year of the study, unless approved by the Borough Engineer.

(e) Traffic characteristics of the proposed development. The following characteristics of traffic generated by a proposed development shall be estimated based upon reasonable sources as agreed upon by the Ambler Borough and the applicant.

1. Trip generation - total volume of traffic arriving at and departing from a site. This shall include projected vehicular, pedestrian, and bicycle volumes, as well as transit ridership.
 2. Modal split - the form or type of transportation used to reach or depart from a site.
 3. Trip distribution - the arrival and departure pattern of traffic at a site.
 4. Traffic assignment - typical routes used to arrive at or depart from a site.
- (f) Future analysis. Future traffic volumes for the study area at the project opening year and design horizon year shall be projected in at least two scenarios: with and without the proposed development.
- (g) Level of service requirements. The TIS shall compare the operating LOS and delay for the design horizon year both with and without the development. An evaluation comparing the without development and with development scenarios shall be used to determine if the overall LOS has dropped. The impact of development on the level of service at all intersections within the study area shall be evaluated. This shall include the three intersections of a local street with Butler Avenue that are closest to the proposed development. Level of service below "C" shall be considered deficient and a mitigation analysis shall be performed.
- (h) Mitigation analysis. If level of service requirements are not realized, the study shall outline mitigation measures and demonstrate any changes to the level of service achieved by these measures. Any alternatives or suggested phasing of improvements shall be described. The mitigation measures may include recommendations such as roadway widening, changes in striping, turning lanes, deceleration lanes/tapers, changes to signalization, use of access management techniques, or a reduction in the proposed intensity of the use. The responsibility and timing of all recommended roadway improvements shall be described within the transportation impact study.
- (i) Street improvements. The study shall include recommendations for street improvements bordering the site that will be used to accommodate the traffic generated by the proposed subdivision or land development; and cost estimates for the associated recommendations. In any location where signalization is considered, so too shall the addition of a roundabout or miniroundabout be considered and studied.
- (j) Multiple phases. If the proposed subdivision or land development will occur in multiple phases, then calculations for the completion of each phase shall be provided in the study.
- (8) Time of submission. The transportation impact study shall be submitted to the Borough with the preliminary plan submission. Revisions to preliminary plans may constitute the need for re-submission of the transportation impact study for the revised conditions. An application which requires a TIS shall not be considered complete until the TIS is submitted.
- (9) Implementation. Borough Council shall review the transportation impact study to analyze its adequacy in solving any traffic problems that will occur due to the land development or subdivision. Borough Council may determine that certain improvements on and/or adjacent to the site, including those related to access or egress, are necessary requirements for land development or subdivision plan approval and may attach these as conditions to the approval. If Borough Council determines that such additional improvements are necessary, the developer shall have the opportunity to submit alternative improvement designs to obtain plan approval.

- (10) Emergency response organizations. The Borough shall submit all land development plans to the fire department, police department, and any other emergency response organization having jurisdiction within the area of the proposed development for review and comment. If requested by any emergency response organization, Borough Council may require the developer of a land development to provide emergency signal preemption for any traffic signals located within or immediately adjacent to the development.
- D. Access. Each development shall have physical access to a public street. Developers are encouraged to share access points and/or driveways.
- E. Streets. Streets proposed for dedication within the development shall be interconnected with each other and with streets on abutting properties and approved by Borough Council.
- F. Ownership and Maintenance of Common Open Space and Facilities. Ownership and maintenance of common open space and other common facilities shall be provided for in accordance with the regulations of §27-402 of this Chapter. All open space shall be permanently deed restricted from future subdivision and development.
- G. Solid Waste. All solid waste facilities shall be located no closer than five feet from any property line and a site element screen shall be provided in accordance with the landscape planting requirements of the Borough Subdivision and Land Development Ordinance [Chapter 22].
- H. Signs. All signs shall meet the requirements of Part 20.
- I. Lighting Facilities.
 - (1) All nonpublic sidewalk, walkway, parking and building lighting fixtures shall be of a style and design that is either consistent with or complementary to those utilized throughout the Redevelopment Overlay.
 - (2) Lamp posts for all existing and proposed streets shall match existing lamp posts utilized throughout the Redevelopment Overlay District. The specifications for existing lamp posts may be requested from the Borough Engineer.
 - (3) Strict adherence to §27-412, Lighting Criteria Applicable to All Zoning Districts, is required.
- J. Landscaping. Landscaping requirements in the RO District shall meet all provisions of the Borough's Subdivision and Land Development Ordinance [Chapter 22], except as modified or supplemented below:
 - (1) General standards.
 - (a) All areas of the site not devoted to buildings, parking, roadways, pedestrian pathways, and public gathering spaces or plazas shall be landscaped with trees, shrubs, ornamental plants and grasses, or other appropriate groundcover.
 - (b) All landscaping shall be guaranteed for a period of ten (10) years and any dead, diseased, or dying plant materials shall be replaced no later than the next planting season.
 - (c) Plant species shall be selected from §100.6, Recommended Plant Material List, where applicable.
 - (2) Street trees. Street trees shall be provided in accordance with §100.3, Street Trees.
 - (3) Foundation plantings.
 - (a) Foundation plantings shall be provided between a sidewalk and any building facade.
 - (b) Foundation plantings shall include a mix of shrubs, perennials, and ornamental grasses, and may be located either within an in-ground planting bed or within a permanent architectural planter.
 - (c) Notwithstanding the above, foundation plantings shall not be required where

the sidewalk is extended to the build-to line and directly abuts the facade of a building.

- (4) Planting buffer. All mixed-use or nonresidential developments shall provide a permanent landscaped planting area of at least 10 feet in depth (inclusive of curb, but not sidewalk, of up to one foot in width) along all property lines adjacent to a residentially zoned property. The buffer shall meet the requirements of §100.4. Buffers and Screens.

K. Pedestrian Design Standards. Public and private pedestrian access and circulation shall be included in all development proposals. Pedestrian access links shall be provided for all uses as specified on the Redevelopment Area Plan for access to open space areas and principal destinations such as the Ambler Borough Main Street Corridor, the SEPTA train station and the Wissahickon Conservation Corridor. The following standards shall apply throughout the RO:

- (1) Sidewalks within an unimpeded pedestrian pathway width of at least eight (8) feet shall be required along all existing and proposed streets and driveways within the RO.
- (2) Paved pedestrian walkways, sidewalks, trails or equivalent with a minimum width of five (5) feet shall connect road frontage sidewalks to building entries, parking area(s) and other significant destination areas (i.e., passenger rail station, major open space areas and/or historically or culturally important sites).
- (3) Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and transit stops. Unpaved walking trails may be substituted for paved sidewalks in cases where the developer has proven that such trails would be more appropriate to the development's surroundings (i.e., along a watercourse, connection to an existing trail network, etc.).
- (4) All pedestrian amenities shall be designed in accordance with the standards of the Americans with Disabilities Act.
- (5) Walkways between office buildings, retail establishments and housing areas shall facilitate "walkability." Direct pedestrian connections to public transit stops, the Downtown Commercial District and adjacent properties shall be accommodated within the overall land use plan.
- (6) Sidewalks and pedestrian access links shall be constructed of a hard, durable, all-weather surface. Alternative paving materials, such as high density concrete pavers, may be utilized but must be of a color and texture matching that existing elsewhere in the Borough's Main Street and/or development areas and must be approved by the Borough.
- (7) For frontages on Main Street and Butler Avenue, a four (4) foot wide verge shall be provided between the sidewalk and curbline which may be either landscaped or hardscaped. For frontages other than Main Street and Butler Avenue, a two (2) foot wide verge shall be provided between the sidewalk and curbline which may be either landscaped or hardscaped.
- (8) Crosswalks. Crosswalks shall be clearly delineated at all intersections and marked to the width of the largest contributing sidewalk or internal pedestrian pathway. In no case shall the width of the crosswalk be less than five (5) feet. Furthermore, pedestrian signalization shall be provided at intersections where traffic signals exist.

L. Bus stops.

- (a) The developer shall coordinate with SEPTA, or any other public transit provider, on providing or improving existing bus stops when a public bus transit route operates or has a stop located on a public or private street frontage directly abutting a development within the RO.

- (b) The developer shall coordinate with SEPTA on the stop design. The appropriate transit stop improvements and shelter shall be provided meeting the most

recent SEPTA Bus Stop Design Guidelines. Transit stops shall include, at a minimum, a shelter or enclosure, seating, and schedule information.

- (c) The developer shall sign a perpetual maintenance agreement with Ambler Borough demonstrating that the applicant is responsible for the maintenance of the bus shelter and associated amenities.

M. Application and Review of Development Proposals,

- (1) For all proposed developments in the RO District, a tentative conceptual sketch plan shall be submitted to the Borough Planning Commission, as defined in §22-302 of the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22] with the following Information also to be shown:

- (a) A conceptual site plan showing the location of all existing and proposed buildings, drives, roadways, proposed traffic patterns, parking lots and garages, pedestrian walkways and plazas and other constructed features on the lot, plus all designated open space and open space/recreational facilities, and all water, floodway/floodplains and topographic features. Surrounding existing features may be indicated with aerial photographic information, which can be obtained from the Borough.
- (b) Conceptual architectural plans for any proposed buildings or modifications to existing buildings shall be submitted in adequate detail to indicate building setback, footprint dimensions, building heights, building mass, entrances, loading/unloading areas and a schematic layout of building uses.
- (c) A preliminary landscape plan meeting the requirements of §100.7.1 of the Ambler Borough Subdivision and Land Development Ordinance [Chapter 22].
- (d) Schematic layout of utilities and stormwater facilities.
- (e) Any other pertinent data or evidence that Borough Council may require.

N. Building Design Standards and Guidelines. The following architectural design criteria shall be complied with in all development in the RO District, and thus provide a basis for the encouragement of innovative and sound design and development practices and ensure consistency of improvements and architectural elements throughout the development area. The following criteria shall be met at preliminary and/or final plan submission.

- (1) Preliminary architectural elevations shall be submitted with any conditional use application or land development application, whichever occurs first. A registered architect shall prepare such elevations. Such elevation shall illustrate the general design, character and materials for sides of buildings visible from public streets, the passenger rail line and open space lands available for public use.
- (2) The details of the architectural designs may be modified after conditional use approval and/or preliminary land development approval, provided the overall designs and types of materials conform to the approved plans.
- (3) The architectural designs of all buildings shall provide a variety of rooflines and treatments, when viewed from public streets, the passenger rail line and public open space. Buildings shall not have the appearance of a single monolithic structure. Instead, large buildings shall have the appearance of connected smaller buildings. Building walls shall not have unbroken single appearance for more than 50 feet on the average in horizontal length. Instead, variations in materials, colors, textures, overhangs, building recesses of at least 20 feet, display windows and/or entrance ways shall be used to provide visual interest.

- (4) The architectural design of a building's vertical height shall be broken with variations in materials, colors, textures, setbacks, fenestration and architectural detailing. All buildings within a development project shall have a unified or complementary architectural character. Developments shall create focal points with respect to avenues of approach, or other buildings, and relate open space between all existing and proposed buildings.
- (5) Screening of certain features.
 - (a) Rooftop equipment or features. Rooftop HVAC systems, elevator equipment, or any other mechanical or utilitarian protuberances shall be screened from view from adjacent buildings and from ground level using similar building materials and in a manner that is consistent with the architectural design of the building.
 - (b) Loading docks. Loading docks shall be incorporated into the overall site design. These areas shall be located and screened so that the visual and acoustic impact of these functions are fully contained and out of view of adjacent properties and public streets.
 - (c) Refuse collection facilities. Refuse collection areas shall be located with buildings wherever feasible; however, where indoor refuse collection and storage is not feasible, the refuse collection area shall be located to the rear of the building. All exterior refuse collection areas shall be screened from neighboring properties, public and private streets, parking areas, and public gathering spaces through a combination of low walls, fencing, or hedges.
- (6) Applicants are encouraged to use color schemes that contribute to the overall character of the Borough. 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.
- (7) 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
- 0. Demolition of Existing Structures. Demolition of existing structures shall require a demolition permit from the Borough. Proposed demolition of existing structures in the RO District must be included in all conceptual sketch plan submittals.

5.27-2706. Miscellaneous

- A. To the extent of any inconsistency between this ordinance and any earlier-adopted ordinance, the inconsistent language in the earlier ordinance is repealed to the extent of such inconsistency.
- B. In the event that a court of competent jurisdiction invalidates any portion of this ordinance, then to the extent possible, the invalid portion shall be severed from the remainder, which shall remain in full force and effect.
- C. This ordinance is effective on the earliest effective date recognized by section 3301.3(b) of the Pennsylvania Borough Code.

SO ORDAINED this 17 day of February, 2026.

Elizabeth Iovine
Elizabeth Iovine, Ambler Borough Council President

Attest: Kyle Detweiler
Kyle Detweiler, Secretary