

AGENDA

AMBLER BOROUGH PLANNING COMMISSION

I. CALL TO ORDER **December 27, 2022 (7:00 PM)**

II. ROLL CALL

III. APPROVAL OF: October 25, 2022 Minutes

IV. NEW BUSINESS:

1. Review the Zoning Amendment the Borough Solicitor has prepared changing the parking setback requirement in an R-3 Zoning District

V. OLD BUSINESS:

1. Review the Borough Sign Ordinance amendment the Borough Solicitor has prepared regarding architectural elements and other inconsistencies.

VI. ADJOURNMENT

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER _____

AN ORDINANCE OF THE BOROUGH OF AMBLER AMENDING THE PARKING SETBACK AND LANDSCAPING REQUIREMENTS IN THE R3 ZONING DISTRICT, 27-807, BY ALLOWING EXISTING SETBACKS TO REMAIN IN THE EVENT OF REDEVELOPMENT OF EXISTING BUILDINGS; CONTAINING SEVERANCE AND REPEALER CLAUSES; EFFECTIVE UPON THE APPROVAL OF THE MAYOR

As an incentive for the preservation of the existing inventory of buildings within the Borough, Ambler Borough Council amends the Borough zoning ordinance as follows:

1. At codified ordinance 27-807(5), "Parking", consisting of parking setback and landscape provisions applicable to single family attached housing in the R3 zoning district, the existing language in sub-paragraphs "B" and "C" is hereby amended as follows:

"B. The following parking setback and landscape requirements apply in the following circumstances:

- i. When there is land development consisting of new construction on a vacant lot, or;
 - ii. When any existing principal building is demolished and a new building or buildings is/are erected, then:
 - a. Parking spaces shall be set back 15 feet from any district boundary line, and 25 feet from the nearest road ultimate right-of-way;
 - b. Where there is parking for ten or more cars, ten percent of the parking area shall consist of landscaping compliant with the parking lot landscaping standards in the Subdivision and Land Development Ordinance.
 - iii. The foregoing setback and landscaping requirements do not apply to land development that consists of the renovation or remodeling of existing principal buildings where no principal building is razed or demolished. For purposes of this ordinance, a "principal building" is the home, office, school, institution, store, or other structure that houses a use recognized by the zoning ordinance, and does not include accessory uses or detached garages.
 - iv. When there is land development that consists of the renovation or remodeling of the existing structures on a lot, without the razing or demolition of any principal structure, existing parking setbacks (from any district boundary line or nearest road ultimate right-of-way as set forth above) may continue and the landscaping requirement shall not apply.
 - v. When a principal building is deemed unsafe for human habitation and must be razed as a matter of public safety, new land development on the lot ~~may continue with the parking setbacks as they existed at the time of razing/demolition.~~ must comply with the setback provisions herein.
2. Should any portion of this ordinance be found invalid by a court of competent jurisdiction, then such invalid portion shall, to the extent possible, be severed from the remainder, which shall continue in full force and effect.
 3. Any existing ordinance inconsistent with the terms of this ordinance shall, to the extent of such inconsistency, be deemed repealed upon enactment of this ordinance.

4. This ordinance is effective when approved by the Mayor, and otherwise on the earliest applicable date as set forth in section 3301.3 of the Pennsylvania Borough Code.

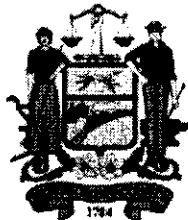
SO ORDAINED this _____ day of _____, 20__.

Glynnis Siskind, Council President

Attest: _____
Mary Aversa, Secretary

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

December 12, 2022

Glenn Kucher, Zoning Officer & Planning Coordinator
Ambler Borough
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC #22-0289-001
R3 Parking Setback
Ambler Borough

Dear Mr. Kucher:

We have reviewed the above-referenced zoning ordinance amendment in accordance with Section 504 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on December 1, 2022. We forward this letter as a report of our review.

BACKGROUND

The Borough proposes to amend language in the R3 Residential District containing regulations for single-family attached developments in the district. The current ordinance requires that parking areas of three or more spaces be set back 15 feet from zoning district boundaries and 25 feet from road ultimate-right-of-ways. Any parking area of 10 or more spaces requires that 10% of the lot be landscaped.

The proposed text amendment changes these requirements so that they only apply to new construction, and would not apply for the reuse of an existing building. However, the setbacks would apply to any parking area, not only those with three or more spaces. When existing principal buildings are being reused, the existing parking setbacks would apply for any parking on site.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the borough's proposal, however, in the course of our review we have identified a number of key issues that we believe should be resolved prior to zoning amendment adoption. Our comments are as follows:



REVIEW COMMENTS

APPLICABILITY OF ZONING CHANGES

- A. Size of Parking Area. The existing ordinance applies specific setbacks from zoning district boundaries and roadway ultimate rights-of-way only to parking areas containing three or more spaces. Thus, any off-street parking that is just one or two spaces does not have to comply with these setbacks. We suggest the borough continue to use this threshold for when these setback requirements apply in the revised ordinance.
- B. Necessary Demolition. The proposed ordinance amendment would not apply the setback requirements in the case of a building that is demolished due to public safety concerns. We suggest that if a building must be demolished for any reason, that the applicant be required to build to current code. The proposed exceptions generally support preservation and reuse of historic buildings. Where there are no longer buildings present, we suggest that providing an exception to the requirements is not helpful to the borough's planning goals.

NEW REQUIREMENTS

- A. Existing Parking Setbacks. The proposed changes allow reused principal buildings to continue using "existing parking setbacks." We suggest that the borough consider elaborating on what that means. Is it the area inside existing garages? Any location of an existing driveway? Measured how and from where? Does a setback from one street imply that the same setback can be used from a different street in the case of a corner lot? Clarifying this in the ordinance will assist with interpretation and enforcement.
- B. Design Standards. When requirements for setbacks are removed, it is worth considering whether any type of standards should replace them. We suggest some ideas for consideration.
 - 1. Ensuring that any parking that requires driving over the sidewalk be required to maintain a good walking environment with level sidewalks and continued use of concrete materials for sidewalk areas across driveways.
 - 2. If parking areas of three or more spaces require driving across sidewalks, require different paving for the parking area and the sidewalk.
 - 3. Consider requiring some type of landscape buffering of parking areas of three or more spaces from the development.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve Ambler Borough's planning objectives for infill development and adaptive reuse.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality. Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,

A handwritten signature in black ink, appearing to read "Chloe Mohr". The signature is fluid and cursive, with the first name "Chloe" written in a larger, more prominent script than the last name "Mohr".

Chloe Mohr, AICP, Senior Community Planner
Cmohr@montgomerycountypa.gov – 610-278-3739

c: Mary Aversa, Manager, Ambler Borough
Joseph E. Bresnan, Esq., Borough Solicitor
Robert Lagreca, Chair, Ambler Planning Commission

THE BOROUGH OF AMBLER, MONTGOMERY COUNTY, PA

ORDINANCE NUMBER ____

AN ORDINANCE AMENDING THE BOROUGH ZONING ORDINANCE, SECTIONS 27-2003 (DEFINITIONS), AND 27-2007 (SIGNS IN NON-RESIDENTIAL ZONING DISTRICTS), REMOVING ARCHITECTURAL ELEMENT SIGNS AS A SEPARATE TYPE OF PERMITTED SIGN, REMOVING FLUSH WALL SIGNS TIED TO THE ARCHITECTURAL DESIGN OF THE BUILDING, CLARIFYING THAT THE SIZE LIMIT FOR PROJECTING SIGNS IS FIVE SQUARE FEET FOR EACH SIGN FACE, AND MAKING OTHER CHANGES TO THE WORDING OF THE ORDINANCE CONSISTENT THEREWITH; EFFECTIVE UPON APPROVAL OF THE MAYOR OR THE EARLIEST DATE OTHERWISE APPLICABLE; CONTAINING SEVERANCE AND REPEALER CLAUSES

WHEREAS, it has been determined that an applicant for a sign permit is entitled to a larger sign if it can be demonstrated that the sign is an "architectural element sign", a problem that is compounded by the subjectivity inherent in determining whether a particular sign is compatible with the architecture of the building,

Ambler Borough Council does hereby ORDAIN as follows:

1. In ordinance 27-2003, "Definitions", the definition of "Architectural Element Sign" is hereby deleted from the ordinance.
2. Ordinance 27-2007.C(1) is amended as follows:
 - a. In 27-2007(1)(e), the following language is deleted: "One flush wall sign which is part of the architectural design of the building, including windows and doors, not to exceed 15% of the wall area or 50 square feet total, whichever is smaller. Such signs shall not protrude outside the architectural element or structural wall of which it is a part." The remaining language in that section shall remain in full force and effect.
 - b. The language in 27-2007(f) is deleted in its entirety and (f) shall be marked as reserved for future use.
3. Ordinance 27-2007(i) is amended as follows:
 - a. The first two sentences of subparagraph (i) are deleted and replaced with the following language: "The maximum area for projecting signs is five square feet per sign face. Signs shall not project more than three feet from the building wall."
4. The existing language in ordinance 27-2007.C(5) is deleted entirely and is replaced with the following language:

Small additional projecting wall signs shall be permitted. Applicants for a permit for this sign shall submit a sign program for review and comment by the Borough Planning Commission. Additional Regulations:

 - (a) Logo or Image. In the interest of increasing the variety and quality of commercial signs, small projecting signs shall include a logo or image as a design element (the sign shall not be comprised exclusively of words on a plain background).
 - (b) Size. Small projecting wall signs shall be limited to 2.25 square feet (for example, 18 inches by 18 inches).
 - (c) Sign Projection. Small projecting wall signs may not project more than two feet from the building wall.
 - (d) Sign Clearance. A minimum clearance of seven feet required between the bottom of the sign and the sidewalk.
 - (e) No projecting sign shall exceed a sign height of 15 feet above the existing grade or project above any cornice, parapet wall, roof line or building facade.

5. The language in ordinance 27-2007.C(6)(o) is deleted and is replaced with the following: "A small projecting sign."

This ordinance is effective when approved by the Mayor or in the absence of mayoral approval on the earliest date applicable under the Pennsylvania Borough Code.

In the event that a court of competent jurisdiction declares any portion of this ordinance to be invalid, then to the extent possible the invalid portion shall be severed from the remainder of the ordinance, which shall remain in full force and effect.

Any existing ordinance which is inconsistent with the terms of this ordinance is, to the extent of such inconsistency, repealed.

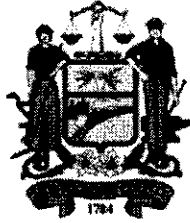
SO ORDAINED this ____ day of _____, 2023.

Glynnis Siskind, Council President

Attest: _____
Mary Aversa, Secretary

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

December 13, 2022

Glenn Kucher, Zoning Officer & Planning Coordinator
Ambler Borough
131 Rosemary Avenue
Ambler, PA 19002

Re: MCPC # 22-0290-001
Plan Name: Wall Signs
Ambler Borough

Dear Mr. Kucher:

We have reviewed the above-referenced zoning ordinance amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on December 1, 2022. We forward this letter as a report of our review.

BACKGROUND

The Borough proposes to amend language in the sign ordinance to eliminate "Architectural Element Signs" as a sign type. The revisions also remove regulations related to the size of an Architectural Element Sign.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the borough's proposal to clarify the sign ordinance, however, in the course of our review we have identified a number of key issues that we believe should be resolved prior to zoning amendment adoption. Our comments are as follows:

REVIEW COMMENTS

WALL SIGN SIZE

- A. With the elimination of the Architectural Element Sign, signs that formerly would have been considered Architectural Element Signs will now most likely be considered "Wall Signs." However, the existing size limit for an Architectural Element Sign is 50 square feet. When that is removed, the remaining regulations only allow Wall Signs of 5 square feet in area. We strongly recommend that size be adjusted, as 5 square feet is too small for the primary sign type used by most businesses.

PROJECTING SIGNS

- A. Types of Projecting Signs. In addition to the revisions related to Architectural Element Signs, some minor edits relate to projecting signs. The borough's sign ordinance defines two types of projecting signs: 1) Projecting Sign, and 2) Small Additional Projecting Wall Sign. Proposed revisions to 27-2007.C.(5) parts (a) through (c) and 27-2007.C.(6)(o)6 seem to confuse the two types. The term "Small additional projecting wall sign" is proposed to be changed to "small projecting sign" in these three parts. Without changes to the term in the definition and other places throughout the ordinance, these changes just add confusion to the ordinance. We support changing the names of these sign types to clarify the two, however, it needs to be done comprehensively throughout the ordinance, not just in these four subparts.

FIGURE IN ORDINANCE

- A. The proposed revisions would delete §27-2007.C.(5) in its entirety. This section begins with an illustration. We ask the applicant to clarify whether the figure is to be retained, deleted, or edited.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve clarity in Ambler Borough's sign ordinance.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality. Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Chloe Mohr, AICP, Senior Community Planner
CMohr@MontgomeryCountyPA.gov – 610-278-3739

- c: Mary Aversa, Manager, Ambler Borough
Joseph E. Bresnan, Esq., Borough Solicitor
Chair/Chairperson, Municipal Planning Commission