

**BOROUGH OF JENKINTOWN
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2022-2

AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF JENKINTOWN, CHAPTER 181, ZONING, TO AMEND ARTICLE XII, GATEWAY COMMERCIAL DISTRICT, SECTION 181-59, DIMENSIONAL STANDARDS TO MODIFY BUILDING COVERAGE, IMPERVIOUS COVERAGE, AND FRONT YARD SETBACK, AND SECTION 181-61, DESIGN STANDARDS TO MODIFY BUILDING FAÇADE REQUIREMENTS, PARKING AND DRIVEWAY STANDARDS, PLANTING REQUIREMENTS, LIGHTING STANDARDS, AND SCREENING REQUIREMENTS.

WHEREAS, the Borough of Jenkintown (“Borough”), pursuant to the Borough Code, 8 P.a. C.S.A. §§ *101et seq.*, and the Pennsylvania Municipalities Planning Code, 53 P.S. §§ 10101 *et seq.*, is authorized to make and adopt Ordinances that revise or amend the Borough’s Zoning Ordinance; and

WHEREAS, the Borough Planning Commission discussed at its January 18, 2022, and February 15, 2022, meetings possible revisions as contained herein and was provided a copy of this Ordinance at least 30 days in advance of the public hearing for review and comment; and

WHEREAS, the Borough, after due consideration of the proposed ordinance at an advertised public meeting, has determined that the health, safety, and general welfare of the residents of Jenkintown Borough will be served by this amendment to the Borough Zoning Ordinance.

NOW THEREFORE, be it, and it is hereby **ORDAINED** by the Jenkintown Borough Council, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

SECTION 1. The Code of the Borough of Jenkintown, Chapter 181, Zoning, Article XII, Gateway Commercial District, Section 181-59, Dimensional Standards, is hereby amended and modified as follows:

- A. Permitted uses, class one conditional uses, and class two conditional uses shall meet the following dimensional standards (see Table 3).

Table 3 [Dimensional Standards for Gateway District, Option A]

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Maximum building coverage for Permitted Uses: 45%

Maximum impervious coverage for Permitted Uses: 70%. Maximum impervious coverage may be increased to 80% provided the requirements of the Stormwater Management Ordinance under Article XII utilizing Peak Rate Controls for District B are satisfied.

Minimum front yard setback for Permitted Uses: 20 feet; 15 feet if lot is a corner lot or has multiple street frontages

SECTION 2. The Code of the Borough of Jenkintown, Chapter 181, Zoning, Article XII, Gateway Commercial District, Section 181-61, Design Standards, is hereby amended and modified as follows:

A. Building design standards. All buildings shall meet the following standards:

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(2) Intentionally deleted.

(3) If the primary building frontage façade exceeds 100 feet, it shall include design elements to break up the façade no less than every 100 feet. The design elements incorporated into the primary building frontage façade shall include any one or a combination of the following: (i) awnings, porches, canopies, towers, balconies, bays, changes in building materials, gables, planted trellises; (ii) offsets of three feet or more (continuous from grade to roofline); or (iii) transparency (windows). Notwithstanding, the ground floor of the primary building frontage façade shall include some form of transparency along 35% of its linear footage. The upper floors of the primary building frontage façade shall include some form of transparency along 25% of its linear footage. For buildings with secondary building frontage facades, the design elements shall be included and shall wrap around on the ground floor of the secondary building frontages for a minimum distance of at least 25% of the length of the secondary building frontage facade as measured from the corner intersection of the primary and secondary frontages.

(a) Any part of a building façade located within 15 feet of the curb line of a walkable street shall include design elements such as: arcades, awnings, canopies, colonnades, display windows, entry elements, green walls, storefronts, trellis elements, or other such elements or features along no less than 60% of the horizontal building length that is located within the 15-foot area. Where display windows are provided, such elements shall be within the standard pedestrian view range above the finished grade level.

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C. Parking and driveway standards. Ground surface parking lots shall be landscaped according to the following regulations:

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(3) Planting islands shall be a minimum of 9 feet wide by 18 feet long or measure a total of 162 square feet in area and contain at least one shade tree. Notwithstanding, planting islands may contain pedestrian walkways and if, as a result, a shade tree may not be accommodated within the planting island, then the shade tree(s) may be planted elsewhere on the site.

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(5) A perimeter planting area of at least 5 feet in width shall be provided between property perimeter curb line (or property line if there is no curb) and building/parking areas, which may be reduced or eliminated to provide pedestrian or vehicle connections to the building/parking areas. A perimeter planting area of at least 10 feet in width shall be provided along property lines adjacent to residential zones.

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(10) Parking areas containing 50 or more cars shall have a minimum driveway length of 50 feet provided between the road ultimate right-of-way line and the first parking space or uncontrolled internal driveway intersection. Parking areas containing less than 50 cars shall have a minimum driveway length of 20 feet provided between the road ultimate right-of-way line and the first parking space or internal driveway intersection.

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E. Lighting standards.

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(2) Where abutting property is residentially zoned or exists as a residential use, non-residential uses shall direct luminaires toward the proposed development and shall be appropriately shielded so that no incidental lighting greater than 0.2 footcandles, measured horizontally at grade, shall fall onto the abutting residentially zoned or used property. The luminaires used for the purpose of illuminating parking or pedestrian surfaces shall have an up-light rating of U0 per the Luminaire Classification System (LCS), as defined by the Illuminating Engineer's Society (IES).

(3) No ground surface parking lot lighting standard or fixture shall exceed 25 feet in height from the grade level of ground surface parking and no pedestrian lighting standard shall exceed 16 feet in height from the grade level of ground surface

parking. For elevated parking lots or structured parking lots such as parking garages or roof top parking areas, no parking lot lighting standard or fixture shall exceed 20 feet in height from the top grade level of the elevated or structured parking surface and no pedestrian lighting standard shall exceed 16 feet in height from the top grade level of the elevated or structured parking surface, provided that no parking light standard or pedestrian light standard is located along the perimeter of the elevated or structured parking surface.

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(5) Luminaires shall be specified, placed, and oriented so as not to create a nuisance to adjacent residential properties. Fixtures situated within 20' of an adjacent residential property line shall additionally meet the following:

(a) Luminaires shall be oriented perpendicular and away from adjacent residential property lines, and appropriately shielded or controlled to reduce back-light emanating toward the residential property

(b) Luminaires with a back-light rating of B1 per the IES's LCS criteria must be situated at least one-and-a-half times the luminaire's mounting height from the adjacent residential property line.

(c) Luminaires with a back-light rating of B0 per the IES's LCS criteria must be situated at least one-half the luminaire's mounting height from the adjacent residential property line.

(d) No luminaire with a back-light rating of B2 or greater per the IES's LCS criteria will be permitted within 20' of the adjacent residential property line.

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G. Other requirements.

(1) Loading docks, utility meters, HVAC equipment, trash dumpsters and other service functions shall be incorporated into the overall design theme of the building so that the architectural design is continuous and uninterrupted by ladders, towers, fences and equipment. These areas shall be located and screened as much as possible so that the visual and acoustic impacts of these functions are mitigated and not in uninterrupted sight from adjacent properties and public streets. All trash dumpsters or refuse collection areas shall be screened through a combination of low walls, fencing or hedges.

SECTION 3. Nothing in this Ordinance or in Chapter 181 of the Code of the Borough of Jenkintown, as hereby amended, shall be construed to affect any lawsuit or proceeding in any Court, any rights acquired or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 181 prior to the adoption of this amendment.

SECTION 4. SEVERABILITY. The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the

remaining sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Council that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

SECTION 5. REPEALER. All ordinances or resolutions or parts thereof inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 6. EFFECTIVE DATE. This Ordinance shall take effect and be in force from and after its approval as required by law.


ORDAINED AND ENACTED by the Borough Council of the Borough of Jenkintown, Montgomery County, Pennsylvania this 23 day of February, 2022.

ATTEST:

JENKINTOWN BOROUGH COUNCIL



GEORGE LOCKE, MANGER



JAY CONNERS
BOROUGH COUNCIL PRESIDENT

APPROVED:



GABRIEL LERMAN, MAYOR