

ORDINANCE NO. 2183

AN ORDINANCE OF THE BURGESS AND TOWN COUNCIL OF THE BOROUGH OF POTTSTOWN AMENDING VARIOUS PARTS OF CHAPTER 27, ZONING, OF THE CODE OF ORDINANCES OF THE BOROUGH OF POTTSTOWN, IN ORDER TO PERMIT OUTDOOR DINING AREAS THROUGHOUT THE BOROUGH AND THE CREATION OF A REIMAGINED AND REVITALIZED DOWNTOWN (CONSERVATION) DISTRICT THROUGH THE PRESERVATION AND ENHANCEMENT OF POTTSTOWN'S HISTORIC CENTRAL BUSINESS DISTRICT WITH A WIDE RANGE OF RETAIL, BUSINESS, PROFESSIONAL, GOVERNMENTAL, AND URBAN RESIDENTIAL USES, AND BY PROVIDING DEFINITIONS FOR CERTAIN USES WHICH SHALL BE RELOCATED OUT OF THE DOWNTOWN (CONSERVATION) DISTRICT BUT PERMITTED IN OTHER SPECIFIC DISTRICTS.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Burgess and Town Council of the Borough of Pottstown, Montgomery County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by the authority of same as follows:

**SECTION 1.** Section 320, Downtown (Conservation), of Part 3, Districts, of Chapter 27, Zoning, of the Code of Ordinances of the Borough of Pottstown, as amended, also known as the Pottstown Borough Zoning Ordinance, is hereby repealed in its entirety and shall be replaced with the following:

1. Intent. To preserve and enhance Pottstown's historic central business district with a wide range of retail, business, professional, governmental, and urban residential uses.
2. Definitions. The following definitions shall be applicable to the Downtown District only, and, with respect to the Downtown District only, shall supersede any definitions in conflict herewith.

**Art Gallery.** A public or private facility that is operated as an exhibition space for individual art pieces not mass produced, consisting of one or more of the following: paintings, drawings, etchings, sculptures, or photographic prints; may include the sale or loan of the individual art pieces or the sale of related objects and services. An art gallery shall not exceed 3,000 square feet.

**Artist (Individual) Studios and Artisan Industrial.** Spaces used by artists for the creation of art or the practice of their artistic endeavors, where no individual or group instruction takes place, as well as uses that produce consumer goods by hand manufacturing, involving the use of hand tools and small-scale, light mechanical equipment in a completely enclosed building with no outdoor operations, storage or regular commercial truck parking/loading.

**Commercial or Trade School.** Such use shall include post-secondary trade schools, as well as career or vocational schools licensed by the State Board of Private Licensed Schools.

**Grocery Store or Supermarket.** A retail store principally devoted to the sale of food goods and associated household products customarily incidental to food shopping activity.

- a. Outdoor sales areas are permitted provided the area is enclosed by fencing or screening, directly adjoins the principal building, is not located in a front or buffer yard, and the outdoor area is factored into the total number of required parking spaces.
- b. When proposed in a detached building, the following standards shall apply:
  - i. The site shall have a minimum of two (2) ingress/egress locations.
  - ii. In addition to required load/unload zones, the premises shall define a customer pickup area sufficient to maintain at least four (4) vehicles without interference to the normal flow of traffic.
  - iii. Cart return areas shall be defined on the premises for each vehicle parking aisle, without reduction to required parking areas. If carts are not required by the proposed use, carts areas shall be maintained as green space in reserve.



**Health and Fitness Center.** A building, facility or structure, which through membership and/or compensation, offers facilities and programs operated by a non-governmental agency for athletic, health or recreational workout and training, including but not limited to gymnasiums, exercise and weight rooms, game courts, locker rooms, jacuzzi and sauna, reduction and tanning salons, weight control programs, classes, group instruction, and accessory pro and health food snack shops.

- a. If outdoor courts are provided, they shall comply with approved playing size standards exclusive of any required buffer areas.
- b. If outdoor playing courts are provided, a 25-foot-wide screening buffer is required to surround the playing area, which shall be landscaped according to the standards of this Chapter.
- c. When additional parking is not proposed beyond the base parking standard to accommodate additional uses, accessory uses of any type, including restaurants, retail areas and classrooms, are collectively limited to ten (10) percent of the gross floor area of the building.

**Hotel/Motel.** A facility offering transient lodging accommodations on a daily or weekly basis to the general public, having access to the accommodations only through a central lobby, and providing additional services such as restaurants, meeting rooms and recreational facilities.

- a. Accessory uses other than a restaurant located on the ground floor, shall be limited in use to paying guests of the hotel. The use must have access to a major collector or higher classification highway.
- b. The maximum permitted density for hotel/motel lodging shall be 32 overnight guest rooms per acre.
- c. The length in occupancy per transient guest shall be at least one (1) night and no more than 30 nights in a six-month period beginning at the first day of occupancy.

**Library or Museum.** Such use shall include a library or museum open to the public or connected with a permitted educational use, conducted as a non-profit operation, and not conducted as a private, gainful business; provided, however, that any retail activity is incidental to the primary purpose of the library or museum.