

BOROUGH OF CONSHOHOCKEN
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF CONSHOHOCKEN, MONTGOMERY COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF CONSHOHOCKEN, CHAPTER 27 ZONING, BY CHANGING THE ACCESSORY USE REGULATIONS OF PART 8 GENERAL REGULATIONS; FURTHER AMENDING THE DIMENSIONAL STANDARDS OF PART 10 BR-1 BOROUGH RESIDENTIAL DISTRICT ONE AND PART 11 BR-2 BOROUGH RESIDENTIAL DISTRICT TWO; REPEALING PRIOR INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; PROVIDING A SAVINGS CLAUSE; AND SETTING AN EFFECTIVE DATE.

WHEREAS, the Borough Council of the Borough of Conshohocken is duly empowered by the Borough Code to enact certain regulations relating to the public health, safety and welfare of the citizens of the community of the Borough of Conshohocken; and

WHEREAS, the Borough Council of the Borough of Conshohocken has adopted a comprehensive Borough Zoning Ordinance, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code; which same Ordinance is intended to provide for the orderly development and redevelopment of the Borough; and

WHEREAS, from time to time, the Borough Council of the Borough of Conshohocken identifies amendments to the Borough's Zoning Ordinance required to serve the best interest of the Borough and its residents; and

WHEREAS, the Borough Council of the Borough of Conshohocken desires to amend the Borough's Zoning Ordinance as set forth hereinbelow, and believes the amendment is in the best interest of the Borough and its residents.

NOW THEREFORE, be it **ORDAINED** and it is hereby **ORDAINED** by the Council of the Borough of Conshohocken as follows:

SECTION 1.

Part 8 *GENERAL REGULATIONS*, Section 27-811 *Accessory Uses* is hereby amended by repealing subsections B and C in their entirety and replacing them with the following provisions:

- B. **Setback Requirements.** Accessory structures may be erected within the side or rear yard, not closer than three feet to the rear or side lot line unless the abutting owner or owners provide written consent to allow said structure to be built up to the side or rear lot line, and provide a maintenance easement of four feet in width to permit the owner of the accessory structure to maintain this structure. However, where an accessory structure is located on an alley, the side facing the alley shall be set back at least five feet from the edge of the cart way. Prior to construction of any accessory structure, the property lines shall, to the satisfaction of the Borough, be confirmed and staked by a professional land surveyor registered with the Commonwealth of Pennsylvania to permit the Borough to confirm that the setback requirements of this section will be met.

- C. **Size Limit for Accessory Buildings.**
 - (1) Any freestanding building used for an accessory use shall not exceed 350 square feet in area or 15 feet in height if the structure has a peak roof or 10 feet in height if it has a flat roof.
 - (2) Notwithstanding the provisions of subsection C(1), a private garage designated solely for the parking of vehicles shall be permitted to be a maximum of 450 square feet in area, provided the following criteria are met:
 - (a) The purpose of the expanded size for garages is to permit adequate space for the parking of at least two vehicles. Use of the garage shall be limited to the parking of vehicles.
 - (b) The garage shall comply with the height limitations of subsection C(1).
 - (3) Provided the requirements of sections C(2)(a) and C(2)(b) of this subsection are met, the additional 100 square feet (or increment thereof) permitted by section C(2) shall be excluded from the applicable impervious surface coverage and building coverage requirements.

SECTION 2.

Part 10 *BR-1 BOROUGH RESIDENTIAL DISTRICT ONE*, Section 1005 *Permitted Use Dimensional Standards* is hereby amended by repealing subsections F and G in their entirety and replacing them with the following provisions:

- F. The maximum building coverage shall not exceed 35% of the lot area. Building coverage for private garages shall be subject to the provisions of Section 27-811.C.
- G. The maximum impervious coverage shall not exceed 60% of the lot area. A maximum of two permanent rear off-street parking spaces per single-family dwelling measuring nine feet by 18 feet may be excluded from the impervious coverage calculation. Such spaces will be subject to review by the Borough Engineer to determine that there are no adverse effect related to drainage and stormwater management. The cost of the engineering review will be born by the homeowner. Impervious coverage for private garages shall be subject to the provisions of Section 27-811.C.

SECTION 3.

Part 10 *BR-2 BOROUGH RESIDENTIAL DISTRICT TWO*, Section 1105 *Permitted Use Dimensional Standards* is hereby amended by repealing subsections G and H in their entirety and replacing them with the following provisions:

- G. The maximum building coverage shall not exceed 40% of the lot area. Building coverage for private garages shall be subject to the provisions of Section 27-811.C.
- H. The maximum impervious coverage shall not exceed 60% of the lot area. A maximum of two permanent rear off-street parking spaces per single-family dwelling measuring nine feet by 18 feet may be excluded from the impervious coverage calculation. Such spaces will be subject to review by the Borough Engineer to determine that there are no adverse effect related to drainage and stormwater management. The cost of the engineering review will be born by the homeowner. Impervious coverage for private garages shall be subject to the provisions of Section 27-811.C.

SECTION 4. REPEALER

Any and all Ordinances or parts of Ordinances in violation or in conflict with the terms, conditions and provisions of this Ordinance are hereby repealed to the extent of such irreconcilable conflict.

SECTION 5. SAVINGS CLAUSE

The terms, conditions and provisions of this Ordinance are hereby declared to be severable, and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, non-enforceable or unconstitutional, the Council hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, non-enforceable, or unconstitutional portion, part or provision of this Ordinance.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective immediately.

ORDAINED and ENACTED an ordinance of the Borough of Conshohocken this _____ day of _____, 2021.

BOROUGH OF CONSHOHOCKEN

COLLEEN LEONARD, COUNCIL PRESIDENT

ATTEST:

SECRETARY

Approved this _____ day of _____,
2021

YANIV ARONSON, MAYOR