

**ORDINANCE NO. 330  
LIMERICK TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

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**AN ORDINANCE AMENDING THE LIMERICK TOWNSHIP ZONING ORDINANCE, ARTICLE IX, SUPPLEMENTAL REGULATIONS, CHAPTER 184, FOR THE PURPOSE OF ADDING REGULATIONS FOR SECTION 71.B(7) REGARDING "NO-IMPACT HOME BASED BUSINESSES", AND AMENDING ARTICLE II, WORD USAGE; DEFINITIONS; ABBREVIATIONS, CHAPTER 184, SECTION 10, DEFINITIONS, TO ADD IN ALPHABETICAL ORDER A DEFINITION FOR "NO-IMPACT HOME BASED BUSINESS" AND TO ALSO AMEND THE DEFINITION OF "LAND DEVELOPMENT" IN THE LIMERICK TOWNSHIP ZONING CODE AND AMENDING ARTICLE VIII, GENERAL STANDARDS, CHAPTER 184, SECTION 53 A. AND B., REQUIREMENTS FOR LAND USE PROPOSALS, AND AMENDING AND RESERVING THE LIMERICK TOWNSHIP ZONING ORDINANCE ARTICLE XXXI, LLI INTERCHANGE OVERLAY DISTRICT, CHAPTER 184, SECTION 223, SIGNS PERMITTED IN INTERCHANGE OVERLAY DISTRICT SUBSECTION "A" THROUGH "F" AND ADDING TO ARTICLE XII, SIGNS, CHAPTER 184, SECTION 94.1 ENTITLED "SIGNS PERMITTED IN LLI INTERCHANGE OVERLAY DISTRICT" AND REPEALING AND RESERVING ARTICLE XXI, ENTITLED IO INTERCHANGE OFFICE DISTRICT IN ITS ENTIRETY, FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE DISTRICT AND AMENDING THE LIMERICK TOWNSHIP ZONING ORDINANCE TABLE OF CONTENTS FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE DISTRICT REFERENCE AND RESERVING ARTICLE XXI AND AMENDING ARTICLE I, GENERAL REGULATIONS; DISTRICTS ESTABLISHED, SECTION 184-4A, ESTABLISHMENT OF DISTRICTS FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE DISTRICT REFERENCE AND AMENDING ARTICLE IX, SUPPLEMENTAL REGULATIONS, SECTION 184-76.3A FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE REFERENCE AND AMENDING ARTICLE XXVI, INSTITUTIONAL REGULATIONS, SECTION 184-183, WHERE PERMITTED FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE REFERENCE.**

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**WHEREAS**, the Board of Supervisors has met the procedural requirements of 53 P.S. Section 10101, et. seq. of the Pennsylvania Municipalities Planning Code, for the adoption of the proposed Ordinance, including holding a Public Hearing; and

**WHEREAS**, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for Limerick Township, and it is hereby ordained and enacted by the authority of the same, to wit:

§1. CODE AMENDMENTS.

A. ARTICLE IX, SUPPLEMENTAL REGULATIONS, CHAPTER 184, IS AMENDED TO ADD SECTION 71.B(7) TO READ AS FOLLOWS:

§184-71.

B. Uses accessory to dwellings.

(7) No-impact home-based business, as defined in the Limerick Township Zoning Code, Article II, Chapter 184, Section 10.

B. ARTICLE II, WORD USAGE; DEFINITIONS; ABBREVIATIONS, CHAPTER 184, SECTION 10, DEFINITIONS, IS HEREBY AMENDED TO ADD IN ALPHABETICAL ORDER A "NO-IMPACT HOME BASED BUSINESS" DEFINITION TO READ AS FOLLOWS:

§184-10. Definitions.

NO IMPACT HOME BASED BUSINESS – “No-impact home-based business,” a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employees other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.

(7) The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.

(8) The business may not involve any illegal activity.

**C. ARTICLE II, WORD USAGE; DEFINITIONS; ABBREVIATIONS, CHAPTER 184, SECTION 10, DEFINITIONS, IS HEREBY AMENDING THE DEFINITION OF "LAND DEVELOPMENT" TO READ AS FOLLOWS:**

**§184-10. Definitions.**

LAND DEVELOPMENT- Any of the following activities:

(1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- (i) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
- (ii) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

(2) A subdivision of land.

(3) The following are specifically excluded from land development:

- (i) The conversion of an existing single-family detached dwelling or single family semi-detached dwelling into not more than three residential units, unless such units are intended to be a condominium;
- (ii) The addition of an accessory building, including farm buildings, on a lot or lots subordinate to an existing principal building; or
- (iii) The addition or conversion of buildings or rides within the confines of an enterprise which would be considered an amusement park. For purposes of this subclause, an amusement park is defined as a tract or area used principally as a location for permanent amusement structures or rides. This exclusion shall not apply to newly acquired acreage by an amusement park until initial plans for the expanded area have been approved by proper authorities.

**D. ARTICLE VIII, "GENERAL STANDARDS" CHAPTER 184, SECTION 53 A. AND B. "REQUIREMENTS FOR LAND USE PROPOSALS" IS HEREBY AMENDED TO READ AS FOLLOWS:**

**§184-53. Requirements for land use proposals.**

In addition to complying with the specific requirements in other applicable Articles of this Zoning chapter, proposals shall comply with the following additional Regulations:

- A. Subdivision and/or land development proposals are further regulated by the Limerick Township Chapter 155, Subdivision and Land Development.
- B. The following activities are regulated by the Limerick Township Chapter 155, Subdivision and Land Development:
  - (1) Addition of one or more buildings (except for residential accessory buildings including farm buildings) to a lot which contains an existing building.
  - (2) Division of one or more building(s) into spaces for leasehold, ownership or other forms of tenancy.
  - (3) Additions of any parking spaces to a nonresidential building lot.

**E. ARTICLE XXXI, LLI INTERCHANGE OVERLAY DISTRICT, CHAPTER 184, SECTION 223, "SIGNS PERMITTED IN INTERCHANGE OVERLAY DISTRICT" SUBSECTION "A" THROUGH "F", IS HEREBY AMENDED AND RESERVED TO READ AS FOLLOWS:**

**§184-223. Reserved.**

- A. Reserved.
- B. Reserved.
- C. Reserved.
- D. Reserved.
- E. Reserved.
- F. Reserved.

**F. ARTICLE XII, SIGNS, CHAPTER 184, SECTION 94.1 ENTITLED "SIGNS PERMITTED IN LLI INTERCHANGE OVERLAY DISTRICT", IS HEREBY ADDED AND SHALL READ AS FOLLOWS:**

**§184-94.1. Signs Permitted in LLI Interchange Overlay District.**

- A. Freestanding signs along expressway right-of-way: one for every 1,000 feet of frontage along the right-of-way with a maximum of two such signs per development. Each sign may have a maximum area of 300 square feet, with a maximum height of 25 feet

(measured from the grade at the expressway right-of-way line at the point closest to the sign location). All freestanding signs shall be setback 500 feet from property lines of any existing dwellings or any residential district.

- B. Freestanding signs at vehicular entries or at the intersection of public roads serving as an entry to a development: One at each entry or intersection, with a maximum area of 200 square feet per sign and a maximum height of 20 feet.
  - C. Freestanding signs for individual buildings within the development separated from other buildings: One per building with a maximum area of 100 square feet per sign, and a maximum height of 20 feet.
  - D. Wall signs permitted for each building face: A maximum area equal to 25% of the area of the building face; provided, however, that in no case shall the signage on any single building face exceed 400 square feet.
  - E. Marquee or canopy signs: Maximum of 100 square feet per street frontage; graphic treatment on such signs shall be permitted but not be computed as part of sign area.
  - F. All other signs will be in accordance with Article XII, Signs, of Chapter 184 of the Limerick Township Zoning Ordinance.
- G. ARTICLE XXI, IO INTERCHANGE OFFICE DISTRICT, IS HEREBY REPEALED IN ITS ENTIRETY AND SHALL READ AS FOLLOWS:**

**ARTICLE XXI  
Reserved.**

§184-146. Reserved.

§184-147. Reserved.

§184-148. Reserved.

§184-149. Reserved.

§184-150. Reserved.

§184-151. Reserved.

§184-152. Reserved.

§184-153. Reserved.

- H. ARTICLE XXI AMENDING THE LIMERICK TOWNSHIP ZONING ORDINANCE TABLE OF CONTENTS FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE DISTRICT REFERENCE IS HEREBY RESERVED TO READ AS FOLLOWS:**

ARTICLE XXI

Reserved.

§184-146. Reserved.

§184-147. Reserved.

§184-148. Reserved.

§184-149. Reserved.

§184-150. Reserved.

§184-151. Reserved.

§184-152. Reserved.

§184-153. Reserved.

**I. ARTICLE I, GENERAL REGULATIONS; DISTRICTS ESTABLISHED, SECTION 184-4A, ESTABLISHMENT OF DISTRICTS, FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE DISTRICT REFERENCE, IS HEREBY AMENDED TO READ AS FOLLOWS:**

**§184-4. Establishment of districts.**

A. For the purpose of this chapter, the Township is hereby divided into the following Districts, which are designated as follows:

|      |                           |
|------|---------------------------|
| R-1  | Residential-Agricultural  |
| R-2  | Low Density               |
| R-3  | Medium Density            |
| R-4  | Medium-High Density       |
| R-5  | Village Residential       |
| MHP  | Mobile Home Park          |
| VC   | Village Commercial        |
| HC   | Highway Commercial        |
| O/LI | Office/Limited Industrial |
| LLI  | Limited Light Industrial  |
| HI   | Heavy Industrial          |
| RB   | Retail Business District  |

**J. ARTICLE IX, SUPPLEMENTAL REGULATIONS, SECTION 184-76.3A, "DRIVE-THROUGH RESTAURANTS", FOR THE PURPOSE OF ELIMINATING THE IO INTERCHANGE OFFICE REFERENCE, IS HEREBY AMENDED TO READ AS FOLLOWS:**

**§184-76.3. Drive-through restaurants.**

- A. Drive-through restaurants will only be permitted in the LLI Interchange Overlay District by conditional use approval, the Highway Commercial District Class II and Class III; the Retail Business District as a conditional use; and, as part of a Planned Commercial Center. Drive-through restaurants will not be permitted in any other district.

**K. ARTICLE XXVI, INSTITUTIONAL REGULATIONS, SECTION 184-183, "WHERE PERMITTED", FOR THE PURPOSE OF ELIMINATING THE IO INDUSTRIAL OFFICE REFERENCE, IS HEREBY AMENDED TO READ AS FOLLOWS:**

**§184-183. Where permitted.**

The institutional uses listed under §184-184 below will be permitted as conditional uses in all residential districts, all commercial districts, and the Office/Limited Industrial District in compliance with the requirements listed below:

- A. The tract shall be at least 10 acres in size and have direct access to an arterial or collector street.
- B. The proposed use shall be served by public sewer and water service.
- C. A traffic study shall be performed in compliance with §184-84 herein. Mitigation of traffic impacts on surrounding roads may be required by the Board of Supervisors.
- D. For uses listed under §184-184C below, the applicant shall guarantee occupancy only by persons 62 years or older, their spouses or companions, or by persons 55 years or older if the housing meets the criteria of the Civil Rights Act of 1968, as amended, or any succeeding legislation.
  - (1) The guaranty shall be in a form acceptable to the Board of Supervisors, upon recommendation by the Township Solicitor.
  - (2) The guaranty shall be a covenant running with the land, applicable to the Applicant and his heirs, successors and assigns.
  - (3) If, at any time, elderly residents cannot be guaranteed, the property may be converted to another permitted institutional use or a use permitted in the underlying district.
- E. Although the tract may be subdivided for financial purposes, the development shall be designed with unified standards for building design, landscaping, lighting and access to interior roads. These standards shall be submitted in the form of protective covenants which shall be binding upon developers of individual lots.

§2. **REPEALER.**

All Ordinances or parts of Ordinances 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.

§3. **REVISIONS.**

The Limerick Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

§4. **SEVERABILITY.**

In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

§5. **EFFECTIVE DATE.**

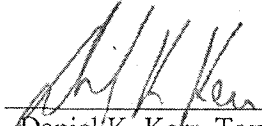
This amendment shall become effective five (5) days after date of adoption.

§6. **FAILURE TO ENFORCE NOT A WAIVER.**


The failure of Limerick Township to enforce any provision of this Ordinance shall not constitute a waiver by Limerick Township of its rights of future enforcement hereunder.

**ENACTED and ORDAINED** by the Board of Supervisors of Limerick Township, Montgomery County, Pennsylvania, this 19<sup>th</sup> day of June, 2012.

**ATTEST:**

  
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Daniel K. Kerr, Township Secretary

**LIMERICK TOWNSHIP  
BOARD OF SUPERVISORS**

By:   
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Kara Shuler, Chairperson