

ORDINANCE NO. \_\_\_\_\_

**CHELTENHAM TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**AN ORDINANCE PURSUANT TO THE FIRST CLASS TOWNSHIP CODE AND THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AMENDING CHAPTER 295, THE ZONING CODE OF CHELTENHAM TOWNSHIP, TO REZONE A PROPERTY, AMEND THE USES IN THE MU-1 MIXED USE ZONING DISTRICT AND TO ESTABLISH REGULATIONS FOR A CONVENIENCE STORES WITH FUEL SALES.**

**WHEREAS**, convenience stores have evolved and now inherently include the sale of gasoline;  
and

**WHEREAS**, it would benefit the health and welfare of the Township to allow convenience stores with gas in the MU-1 Mixed Use Zoning District, and

**NOW, THEREFORE, BE IT ENACTED and ORDAINED** that the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania approve and it is hereby enacted and ordained by the authority of the same as follows:

**SECTION 1: ZONING MAP AMENDMENT.** The Code and the official Cheltenham Township Zoning Map are hereby amended to rezone Tax Parcel No. 31-00-27910-00-4, also known as 20 West Waverly Road, from R-3 Residential to MU-1 Mixed Use Zoning District.

**SECTION 2: AMENDMENT TO ARTICLE III – MU-1 MIXED USE DISTRICT,** Section 295-1301 Permitted Uses A. is hereby amended to permit Use B-9: Convenience Store.

**SECTION 3: AMENDMENT TO ARTICLE IV – USE REGULATIONS,** is hereby amended whereby Section 295-405 category of permitted uses B.9 “Use B-9: Convenience Store.” is deleted in its entirety and replaced with the following:

Use B-9: Convenience Store: A convenience store is an individual store or a group of stores on one (1) lot where retail trade intended for quick sale and carry-out and/or the sale of gasoline products, other petroleum fuels and/or alternative fuels for vehicles is the principal use. Such use does not specialize in a particular product, but offers an array of different items including, but not limited to take-out coffee, tobacco and tobacco related products, dairy products, delicatessen, dry goods, prepared foods for eat in or carry out, pre-packaged food, grocery items, newspaper items, and similar product lines including the sale of fuel products.

(a) The following accessory uses shall be permitted inside, provided two (2) additional parking spaces per use can be provided:

(1) Automated teller machines and financial services.

(2) Legal lottery sales.

(b) Separate and distinct ingress and egress patterns shall be provided on the lot.

- (6) Driveway entrances shall be no greater than 35 ft. when crossing sidewalks, unless otherwise required by PennDOT or other governmental entity.
- (7) Off-street parking may not exceed twice the minimum required.
- (8) Loading must be in a designated area and may be located between a building and a right-of-way.
- (9) Trash enclosures may be located within a front yard. However, all trash enclosures shall be set back at least 5 ft. from a side or rear property line. When visible from a public street, the structure shall be constructed of brick or stone exterior, with wooden or decorative access gates.
- (10) The general parking regulations in Section 295-2301.C shall not apply.

**SECTION 4. AMENDMENT TO ARTICLE XXVI – SIGNS, Section 295-2405 “Signs requiring a permit.” is hereby amended to add the following to Section 295-2405.A.(3):**

(c) Convenience Store signs. Each Convenience Store is permitted to have one on-site free-standing sign and/or monument sign per frontage, one canopy sign, two gas pump spanner signs and one parallel wall sign per entrance with the following limits on area, height and illumination:

<b>Sign Type</b>	<b>Maximum Area (square feet)</b>	<b>Maximum Height (feet)</b>	<b>Illumination</b>
Free-standing	50	20	Internal/external
Monument	50	12	Internal/external
Canopy	10		Internal/external
Spanners	8		Internal/external
Parallel wall sign	70	Not to exceed eaves line or top of parapet wall of principal, whichever is lower	Internal/external
Parallel wall sign (Second wall sign if second entrance)	38	Not to exceed eaves line or top of parapet wall of principal, whichever is lower	Internal/external

**SECTION 5.** All ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

**SECTION 6.** The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or on the provisions of the Cheltenham Township Code.

**SECTION 7.** This Ordinance shall become effective immediately after its legal enactment.

**ENACTED** and **ORDAINED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_.

**ATTEST:**

**BOARD OF COMMISSIONERS OF  
CHELTENHAM TOWNSHIP**

\_\_\_\_\_