

**BOARD OF SUPERVISORS
LOWER GWYNEDD TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2026-_____

AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP ZONING CODE BY MODIFYING CERTAIN PROVISIONS OF CHAPTER 1271, ENTITLED “LOWER PIKE OVERLAY DISTRICT” AND CHAPTER 1295, ENTITLED “WIRELESS TELECOMMUNICATIONS TOWERS AND ANTENNAS”; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; AND PROVIDING SEVERABILITY AND EFFECTIVE DATE CLAUSES.

BE IT ORDAINED AND ENACTED by the **LOWER GWYNEDD TOWNSHIP BOARD OF SUPERVISORS** (the “**Board**”), Montgomery County, Pennsylvania, as is hereby ordained and enacted by the authority of the same as follows and shall be incorporated into the Code:

SECTION 1. LEGISLATIVE INTENT. The purpose of this Ordinance is to modify certain standards for the siting, design, permitting, maintenance and use of wireless communications facilities in Township, so as not to delay the availability of reliable cell coverage to the Township’s residents and businesses, and to improve 911 emergency coverage, while also protecting the public by minimizing the adverse visual effects of such facilities through the standards set forth herein.

SECTION 2. AMENDMENT. Title Six of the Code, entitled “Zoning” is hereby amended as follows:

A. Section 1271.02, entitled “Permitted Uses”, is hereby amended to read as follows:

§ 1271.02 Permitted uses.

In the Lower Pike Overlay District, a lot may be used for any of the following purposes and no other:

- (a) Townhouse dwellings.
- (b) Office.
- (c) Retail/personal service without drive-through or drive-up facilities.
- (d) Restaurant without drive-through or drive-up facilities.
- (e) Any combination of the above uses.

- (f) Municipal use.
- (g) Any use permitted by right in the underlying district.
- (h) A wireless communication facility, on a vacant lot or in combination with a use permitted in (b), (c), (d) and (f) above, situated within 2,000 feet of the intersection of Norristown Road, Bethlehem Pike and Sumneytown Pike, when the applicant demonstrates to the satisfaction of the Board of Supervisors that, in the Board's sole discretion, the proposed facility is necessary to close a gap in coverage and meets the standards for a Wireless Communications Facility set forth in Chapter 1295.

B. Section 1295.02(j) is deleted in its entirety and replaced with the following:

Stealth. "Stealth" means any wireless communications facility which is designed to enhance compatibility with adjacent land uses, including, but not limited to, architecturally screened and/or landscaped antenna arrays and equipment facilities and support structures.

C. Section 1295.04(d) entitled, "Inventory of Existing Sites" shall be deleted in its entirety.

D. Section 1295.04(e)(1) shall be deleted in its entirety and replaced with the following:

(1) *Support structures shall either maintain a galvanized steel finish or, subject to any applicable standards of the FAA, be painted or otherwise colored so as to reduce visual obtrusiveness.*

E. Section 1295.04(h) shall be deleted in its entirety and replaced with the following:

(h) *Building Codes; Safety Standard. To ensure structural integrity of support structures, the owner of a support structure shall ensure that it is maintained in compliance with standards contained in any applicable federal, state or local building codes and the applicable standards for support structures. If, upon inspection, the Township concludes that a support structure fails to comply with such codes and standards and constitutes a danger to persons or property, then, upon written notice being provided to the owner of the support structure, the owner shall have 30 days to bring such support structure into compliance with such standards. Failure to bring such support structure into compliance within said 30 days shall constitute grounds for requiring the removal of the support structure and associated wireless communications facility at the owner's expense.*

F. Section 1295.05(a)(3)A shall be deleted in its entirety and replaced with the following:

A. The erection, construction, installation or use of a new support structure, with an antenna array or microfacility which, when combined, shall not be more than 150 feet in height and which is erected, constructed, installed or used on those specific lands designated by the Board of Supervisors on the Official Township Zoning Map, which may be amended from time to time, or otherwise allowed by this Code.

G. Section 1295.05(b)(1)A shall be deleted in its entirety and replaced with the following:

A. General Standard for All Wireless Communications Facilities. Subject to the further restrictions of Subsection 1295.05(b)(1)B.2, the maximum height of any wireless communications facility shall be 150 feet, except those otherwise restricted to height restrictions applicable to attached wireless communications facilities.

H. Section 1295.05(b)(2)C shall be deleted in its entirety and replaced with the following:

C. Setback requirements may be modified by the Board of Supervisors where the Board finds that placement of a wireless communication facility with support structure in a particular location will reduce its visual impact (for example, if location adjacent to trees may provide a partial visual screen.)

I. Section 1295.05(b)(4)C., shall be deleted in its entirety and replaced with the following:

C. Wireless communications facilities with support structure shall be designed so as to blend in with the existing surroundings to the extent feasible, including the use of compatible colors to help camouflage or conceal the presence of antennas or support structures.

J. Section 1295.05(b)(4)E., shall be deleted in its entirety and replaced with the following:

E. The applicant shall provide evidence satisfactory to the Board of Supervisors that the stealth design of the wireless communication facility effectively minimizes its visual impact and blends with its surroundings or reasons why stealth technology would be inappropriate or ineffective in the proposed location for the facility.

K. Section 1295.05(b)(5), shall be deleted in its entirety and replaced with the following:

(5) Effort to Locate on Existing Structures. Before making application for any wireless communication facility to be located on a new support structure, the applicant shall demonstrate that a good faith effort was made to mount an antenna array or microfacility, whichever is applicable, on an existing structure.

The applicant shall submit proof that it contacted the owners of tall structures within a one-mile radius of the site proposed, asked for permission to install the facility on those structures, offered market compensation to such owners and was denied. These structures would include smokestacks, water towers, tall buildings, existing or proposed support structures of other cellular communications companies, high-tension power line towers, other communications towers (fire, police, etc.) and other tall structures; or a sworn affidavit that no such tall structures or other communications towers exist within the area proposed to be served by the telecommunications facility.

L. Section 1295.07(c) shall be deleted in its entirety.

M. A new Section 1295.11(c) shall be added to the Code as follows:

(c) Wireless Communications Facilities proposed on property owned or otherwise controlled by Lower Gwynedd Township, shall be permitted as of right without the need for conditional use approval when the applicant demonstrates to the satisfaction of the Board of Supervisors, in the Board's sole discretion, that the proposed facility is necessary to close a gap in coverage and meets the standards for a Wireless Communications Facility set forth in Chapter 1295.

SECTION 3. SEVERABILITY. The provisions of this Ordinance shall be severable and, if any of the provisions hereof shall be held to be invalid or unenforceable, the remaining provisions of this Ordinance shall remain in effect.

SECTION 4. REPEALER. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance area here b repealed insofar as some affect this Ordinance.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective immediately.

ENACTED AND ORDAINED by the Lower Gwynedd Township Board of Supervisors at a public hearing this 24th day of February, 2026.

ATTEST:

LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS

MIMI GLEASON, TOWNSHIP MANAGER

By: _____
DANIELLE A. DUCKETT, CHAIRPERSON