

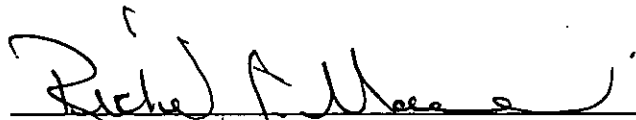
ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2215

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], BY AMENDING AND RESTATING ARTICLE III [R1 LOW-DENSITY RESIDENTIAL DISTRICT], ARTICLE IV [R2 LOW-MEDIUM-DENSITY RESIDENTIAL DISTRICT], ARTICLE V [R3 MEDIUM-DESNTITY RESIDENTIAL DISTRICT], ARTICLE VI [R4 MEDIUM-HIGH-DENSITY RESIDENTIAL DISTRICT], AND THE USE MATRIX APPENDIX TO REFINE THE PROVISION OF THE E-10 [LIFE CARE FACILITY (CONTINUING CARE)] AND E-12 [NURSING HOME] USES

CERTIFICATION

I, RICHARD J. MANFREDI, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. 2215



Richard J. Manfredi, Township Manager
6/13, 2024

ENACTED: 6/13/2024

ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 2215

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], BY AMENDING AND RESTATING ARTICLE III [R1 LOW-DENSITY RESIDENTIAL DISTRICT], ARTICLE IV [R2 LOW-MEDIUM-DENSITY RESIDENTIAL DISTRICT], ARTICLE V [R3 MEDIUM-DESNTITY RESIDENTIAL DISTRICT], ARTICLE VI [R4 MEDIUM-HIGH-DENSITY RESIDENTIAL DISTRICT], AND THE USE MATRIX APPENDIX TO REFINE THE PROVISION OF THE E-10 [LIFE CARE FACILITY (CONTINUING CARE)] AND E-12 [NURSING HOME] USES

WHEREAS, The Board of Commissioners of Abington Township is duly empowered by the First Class Township Code, 53 P.S. § 55101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Abington Township;

WHEREAS, The Board of Commissioners of Abington Township has adopted a comprehensive zoning ordinance, known as The Revised Abington Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Abington Township;

WHEREAS, the First Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Commissioners to make, amend and adopt amendments to The Revised Abington Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

WHEREAS, the Board of Commissioners of Abington Township has determined that certain amendments to The Revised Abington Township Zoning Ordinance, as amended, are required for the orderly administration of the laws of Abington Township; and

WHEREAS, the Board of Commissioners has determined that the Code of the Township of Abington should be amended to refine where the E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] Uses are provided within Abington Township for the maintenance of peace, good government, health and welfare of the Township and its residents.

NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED by the Board of Commissioners of Abington Township that the Township’s Code is amended as follows:

SECTION 1. Amendment to Chapter 162 [Zoning], Article III [R1 Low-Density Residential District] to remove provisions for Uses E-10 and E-12.

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article III [R1 Low-Density Residential District] is hereby restated and amended, as follows:

Section 301. PERMITTED USES:.

By reference, Uses E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] shall be marked with an “N”, corresponding to “Not Permitted” in the Comprehensive Use Matrix Appendix, as further provided in this Ordinance.

Section 302. DIMENSIONAL REGULATIONS:

The struck-through language (~~example~~) shall be deleted from Figure 3.1 as indicated:

MINIMUM LOT DIMENSIONS			
	Lot Area	Lot Width	Lot Depth
All uses except those specified below	1 Acre	200'	100'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	5 Acres	300'	300'
MINIMUM YARD DIMENSION			
	Front	Side (2)	Rear
All uses except those specified below	50' (the front yard on one side of a corner lot may be reduced to a depth of not less than 40')	20'	30'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	100'	50'	50'
COVERAGE			
	Maximum Building Area	Maximum Impervious	Minimum Green Area
All uses except those specified below	20%	25%	75%
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40%	70%	30%
BUILDING			
	Maximum Height	Maximum Length	Minimum Separation for Residential Dwellings
All uses except those specified below	35'	150'	40'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40'	160'	30'
MINIMUM OPEN SPACE			
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	50% of gross site area		

SECTION 2. Amendment to Chapter 162 [Zoning], Article IV [R2 Low-Medium-Density Residential District] to remove provisions for Uses E-10 and E-12.

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article IV [R2 Low-Medium-Density Residential District] is hereby restated and amended, as follows:

Section 401. PERMITTED USES:

By reference, Uses E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] shall be marked with an “N”, corresponding to “Not Permitted” in the Comprehensive Use Matrix Appendix, as further provided in this Ordinance.

Section 402. DIMENSIONAL REGULATIONS:

The struck-through language (example) shall be deleted from Figure 4.1 as indicated:

MINIMUM LOT DIMENSIONS			
	Lot Area	Lot Width	Lot Depth
All uses except those specified below	15,000 sq.ft.	100'	100'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	5 Acres	300'	300'
MINIMUM YARD DIMENSION			
	Front	Side (2)	Rear
All uses except those specified below	40 ft (the front yard on one side of a corner lot may be reduced to a depth of not less than 30 ft)	15'	30'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	100'	50'	50'
COVERAGE			
	Maximum Building Area	Maximum Impervious	Minimum Green Area
All uses except those specified below	25%	35%	65%
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40%	70%	30%
BUILDING			
	Maximum Height	Maximum Length	Minimum Separation for Residential Dwellings
All uses except those specified below	35'	150'	30'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40'	160'	30'
MINIMUM OPEN SPACE			
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	50% of gross site area		

Note: A scrivener’s error appears in Figure 4.1, as published, labeling the uses as “E-7: Life Care Facility and E-9: Nursing Home,” which is inconsistent with the Zoning Ordinance.

SECTION 3. Amendment to Chapter 162 [Zoning], Article V [R3 Medium-Density Residential District] to remove provisions for Uses E-10 and E-12.

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article V [R3 Medium-Density Residential District] is hereby restated and amended, as follows:

Section 501. PERMITTED USES:

By reference, Uses E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] shall be marked with an “N”, corresponding to “Not Permitted” in the Comprehensive Use Matrix Appendix, as further provided in this Ordinance.

Section 502. DIMENSIONAL REGULATIONS:

The struck-through language (example) shall be deleted from Figure 5.1 as indicated:

MINIMUM LOT DIMENSIONS			
	Lot Area	Lot Width	Lot Depth
All uses except those specified below	10,000 sq. ft.	75'	100'
Uses E-10: Life Care Facility and E-12: Nursing Home	5-Acres	300'	300'
MINIMUM YARD DIMENSION			
	Front	Side (2)	Rear
All uses except those specified below	30' (the front yard on one side of a corner lot may be reduced to a depth of not less than 20')	12'	30'
Uses E-10: Life Care Facility and E-12: Nursing Home	100'	50'	50'
COVERAGE			
	Maximum Building Area	Maximum Impervious	Minimum Green Area
All uses except those specified below	30%	40%	60%
Uses E-10: Life Care Facility and E-12: Nursing Home	40%	70%	30%
BUILDING			
	Maximum Height	Maximum Length	Minimum Separation for Residential Dwellings
All uses except those specified below	35' max.	100' max.	24' min.
Uses E-10: Life Care Facility and E-12: Nursing Home	40'	160'	30'
MINIMUM OPEN SPACE			
Uses E-10: Life Care Facility and E-12: Nursing Home	50% of gross site area		

SECTION 4. Amendment to Chapter 162 [Zoning], Article VI [R4 Medium-High-Density Residential District] to remove provisions for Uses E-10 and E-12.

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article VI [R4 Medium-High-Density Residential District] is hereby restated and amended, as follows:

Section 601. PERMITTED USES:

By reference, Uses E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] shall be marked with an “N”, corresponding to “Not Permitted” in the Use Comprehensive Matrix Appendix, as further provided in this Ordinance.

Section 602. DIMENSIONAL REGULATIONS:

The struck-through language (example) shall be deleted from Figure 3.1 as indicated:

MINIMUM LOT DIMENSIONS			
	Lot Area	Lot Width	Lot Depth
All uses except those specified below	7,500 s.f.	50'	100'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	6 Acres	300'	300'
MINIMUM YARD DIMENSION			
	Front	Side (2)	Rear
All uses except those specified below	20' (the front yard on one side of a corner lot may be reduced to a depth of not less than 15 ft)	10'	25'
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	100'	60'	60'
COVERAGE			
	Maximum Building Area	Maximum Impervious	Minimum Green Area
All uses except those specified below	40%	55%, but: 50% for existing nonconforming lots < 7,500 s.f.	45%, but: 50% for existing nonconforming lots < 7,500 s.f.
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40%	70%	30%
BUILDING			
	Maximum Height	Maximum Length	Minimum Separation for Residential Dwellings
All uses except those specified below	35' max.	100' max.	20' min.
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	40'	160'	30'
MINIMUM OPEN SPACE			
Uses E-10: Life Care Facility (Continuing Care) and E-12: Nursing Home	50% of gross site area		

**SECTION 5. Amendment to Chapter 162 [Zoning],
Comprehensive Use Matrix Appendix to change
the designations for Uses E-10 and E-12 in the
R1, R2, R3, and R4 Zoning Districts.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Comprehensive Use Matrix Appendix is hereby restated and amended to change the designation of Uses E-10 [Life Care Facility (Continuing Care)] and E-12 [Nursing Home] to remove the designation marked with a "CU", corresponding to "Conditional Use" and to mark the uses with an "N", corresponding to "Not Permitted", for the columns labeled as "R1," "R2," "R3", and "R4," corresponding to the R1 Low-Density Residential District, R2 Low-Medium-Density Residential District, R3 Medium-Density Residential District, and R4 Medium-High-Density Residential District, respectively.

SECTION 6. Repeal and Ratification.

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. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

SECTION 7. Severability.


Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and effect, and for this reason the provisions of this Ordinance shall be severable.

SECTION 8. Effective Date.

This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 13th day of JUNE 2024, by the Board of Commissioners of the Township of Abington.

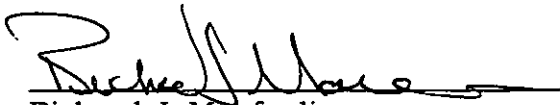
**TOWNSHIP OF ABINGTON
BOARD OF COMMISSIONERS**



THOMAS HECKER
President

[Seal]

Attested by:



Richard J. Manfredi
Township Manager & Secretary