

ORDINANCE NO. 2162

**ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA**

AN ORDINANCE OF ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE ABINGTON TOWNSHIP ZONING ORDINANCE OF 2017, AS AMENDED, BY AMENDING ARTICLE VII AO APARTMENT-OFFICE DISTRICT, ADDING H-12 SENIOR APARTMENT UNITS AS A USE PERMITTED BY CONDITIONAL USE IN AO APARTMENT-OFFICE DISTRICT; BY AMENDING ARTICLE XXI USE REGULATIONS, ADDING H-12 SENIOR APARTMENT UNITS AS A USE; AND BY AMENDING ARTICLE XXIII PARKING AND TRANSPORTATION TO INCLUDE USE H-12 SENIOR APARTMENT UNITS

BE IT ORDAINED AND ENACTED by the Board of Commissioners of Abington Township, Montgomery County, as follows:

SECTION I. ZONING TEXT AMENDMENT. The Abington Township Zoning Ordinance, as heretofore amended, is hereby amended to add the following use, permitted by conditional use approval following a hearing before the Board of Commissioners, to the AO Apartment-Office District (Article VII):

Use H-12 Senior Apartment Units

A. Section 700. Intent: E. –To provide a wider range of housing options for senior citizens at locations in the Township where medical facilities, access to arterial highways and public transportation options are readily available.

B. Section 703. Other District Regulations: H. – Special Regulations for **H-12 Senior Apartment Units.**

1. A hospital situated in Abington Township shall be located within 2,000 feet.
2. The tract shall have 300 feet of uninterrupted frontage on each of two public roads, at least one of which must be a primary road as defined in the township Subdivision and Land Development ordinance.
3. Access to public transportation, rail station or bus stop, shall be within 400 feet.
4. The tract shall not have more than one dwelling that was last used as a single family home.

C. Figure 7.5. AO Apartment-Office District: Dimensional Requirements

Type	Density	Tract	Lot		
		Minimum Area	Minimum Area	Minimum Width	Minimum Depth
H-12 Senior Apartment Units	20 DU/Ac. of gross acre of land. Density Bonuses are permitted per Use Regulations	5 Ac.	5 Ac.	300 ft.	100ft.

Setbacks				Lot Coverage		
Front Yard Minimum	Side Yard Minimum	Rear Yard Minimum	Parking	Building Coverage Maximum	Impervious Coverage Maximum	Green Area Minimum
15 ft.*	25 ft. From a Residential Zoned Property: 50 ft.	25 ft. From a Residential Zoned Property: 50 ft.	Front yard: 25 ft. Side yard: 15 ft.	45%	60%	40%

Building			Other
Maximum Height	Minimum Separation	Maximum Length	Comments
50 ft., 40 ft for portions of buildings within 100 ft. of residential district boundary	50 ft.	160 ft. (up to 380 ft. w/required break and offsets**)	<p>*Maximum Front Yard Setback: Frontage on Old York Road shall have a maximum front yard setback of 25 ft.</p> <p>**Maximum Building Length Adjustment: Building facades greater than 160 ft. long but less than 300 feet long shall have at least one offset of 5 ft. in depth for every 100 ft. of building length, facades greater than 300 ft in length shall have one break in the facade creating a courtyard of no less than 400 sf and at least one offset of 5 ft. in depth for every 100 ft. of building length. A minimum of 40% of the courtyard shall be landscaped with trees, grass, shrubs, groundcover and/or vegetated planters.</p>

SECTION II. ZONING TEXT AMENDMENT. The Abington Township Zoning Ordinance, as heretofore amended, is hereby amended to add the following to the Use Regulations (Article XXI):

Use H-12: Senior Apartment Units: A senior apartment/condominium development is a residential building or buildings, each containing at least three, separate dwelling units, with units arranged in a variety of combinations, including side-by-side, over and under, or back-to-back with another dwelling unit. The regulations for this use category do not apply to townhouses or duplexes with a condominium form of ownership. The units shall be age restricted in compliance with the Federal Fair Housing Act. For the purpose of this Ordinance, the use of each unit of condominium real estate shall require a use permit and is subject to other regulations of the Township.

1. The base density for a Senior Apartment Unit development shall be 20 units per gross acre of land. To encourage higher quality environments, green technology and sustainable design features, increases in the base density and/or impervious coverage are permitted in accordance with the following table. Density increases are cumulative and may be combined up to a maximum density of 26 units per gross acre of land. Bonuses for an increase in density and/or impervious cover shall be approved by the Board of Commissioners as part of the conditional use hearing for the proposed H-12 use.

Bonus Feature	Bonus Feature Standard	- Bonus
Enhanced Building Materials	The use of decorative masonry for more than 40% of non-glazed sections of all proposed building facades. Decorative materials shall be contextual, based on; materials, color and texture of the surrounding buildings and structures. The use of ordinary concrete blocks (i.e., non-decorative) shall not qualify.	1.5 DU/AC Additional
Improved Public Space	The creation and maintenance of an improved public space. The minimum size of the improved space shall be no less than 2,000 sf. and shall be open to non-residents.	1DU/AC Additional
Common Open Space	The creation of an improved outdoor landscaped area, or urban garden (as per the regulations at Section 1105.C.7), open to all residents of the development. For each 5,000 sf. provided an additional 2% of impervious coverage and 2% reduction in green space shall be permitted, up to a maximum of 6% additional impervious.	Up to 6% additional impervious cover
Structured Parking	A minimum of 60% of the required total parking is located in structured parking below grade, or above ground structured parking wrapped by occupied space.	2 DU/AC Additional
Decorative Streetscape	The installation of enhanced paving and street furniture such as decorative lighting, benches, trash containers and other items. The proposed streetscape shall be generally in accordance with the MS regulations of Article XXV with the conceptual design approved by the Board of Commissioners as part of the conditional use hearing.	1 DU/AC
Alternative Energy Sources	Install a solar, wind or other renewable power-generation facility that is designed to provide at least 10% of the expected annual energy use for the building. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities; with such facilities being permitted to be installed within a building setback if	0.5DU/AC

	located in an open-air surface parking lot approved as part of the conditional use hearing.	
Green Roof	Install a green roof covering at least 25% of the total roof area. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities.	0.5 DU/AC
Energy Efficient Buildings & Construction	Building designs, materials, systems and construction techniques that produce an Energy Star score of at least 85, and employ recycling efforts with respect to the demolition of any buildings.	0.5 DU/AC
Community / Historic Heritage Preservation	Completion of improvements to preserve an on-site or off-site community historic or cultural asset, along with an educational program related to such improvements (such as, by way of example, a self-guided walking tour of an improved historical facility), as approved by the Board of Commissioners as part of the conditional use hearing.	2.0 DU/AC
Off-site Traffic Improvements	The provision of or contribution to off-site traffic and/or pedestrian improvements as approved by the Board of Commissioners as part of the conditional use hearing.	2.0 DU/AC

2. The dwelling units may share outside access and internal hallways, lobbies and similar facilities.
3. Each dwelling unit shall be contained on one floor of the building.
4. Except as permitted under condominium law, the dwelling units cannot be individually lotted, but must share a lot or parcel on which the building is located
5. The building and grounds shall be under one operating unit, such as a rental or condominium ownership, to insure a centralized management arrangement.
6. Parking spaces shall be located as conveniently as possible to the dwelling units and may be located in common or shared areas.
7. Dimensional requirements unless otherwise specified in the zoning district containing the use, shall be as follows:
 - a. The minimum lot area per Senior Apartment Unit development shall be 5 acres.
 - b. The maximum lot area per Senior Apartment Unit development shall be 8 acres.
 - c. The minimum floor area per dwelling unit shall be calculated according to the following ratios:

Figure 21.11

Minimum Floor Area/Dwelling Unit

Unit Size	Minimum Floor Area/DU
Efficiency	400 s.f.
1 Bedroom	500 s.f.
2 Bedroom	650 s.f.
3 Bedroom	800 s.f.

8. Use of an apartment/condominium unit for any business activity is not permitted, except as expressly permitted by Use A-15: No-Impact Home-Based Business.

9. On a parcel(s) proposed to be re-developed which contains man-made steep slopes, up to 50% of precautionary slopes, may be disturbed and up to 50% of prohibitive slopes may be disturbed provided that the Applicant demonstrates that such disturbance does not create an increased erosion risk on said slopes.
10. Accessory Uses:
 - a. A-6 Clubhouse
 - b. A-13 Fences and Walls
 - c. A-15 No-Impact Home-Based Business
 - d. A-24 Swimming Pool
 - e. A-25 Tennis and Sports Courts
11. Landscape and buffering shall be provided in accordance with Article 24, except as specified herein.
 - a. In lieu of Section 2403.B.3.a, a buffer area of varying width may be utilized provided that the average buffer width over the length of the property line is in excess of 15 feet.
 - b. The requirement of Section 2403.B.3.f shall not apply if a fence or wall is constructed in accordance with section 2500.A.1.
 - c. The landscape requirements of Section 2402.A related to parking lot landscaping shall not apply to structured parking.
12. A declaration shall be recorded against the property, in a form acceptable to counsel for the Applicant and the Township and at the time of recording the record plans for the project, to (a) confirm that the units are deed restricted in accordance with the Federal Fair Housing Act, and (b) prohibit school-age children from residing in the units.

SECTION III. ZONING TEXT AMENDMENT. The Abington Township Zoning Ordinance, as heretofore amended, is hereby amended to add the following to the Parking and Transportation (Article XXIII):

Use H-12 Senior Apartment Units

Section 2304. Parking Use Requirements: H. 12. – Use H-12: Senior Apartment Units: 1.5 Spaces per dwelling unit.

- a. Parking spaces may be reduced to 9 feet x 18 feet.
- b. Tandem parking, consisting of two parking spaces end to end, may be used for occupants of the same residential unit. Such tandem parking spaces shall measure 9 feet x 36 feet.

SECTION IV. COMPREHENSIVE USE MATRIX TABLE. The Comprehensive Use Matrix Table located in the Appendix shall be revised as follows: Under Residential Uses a new row shall be added for Use H-12, Senior Apartment Units, to allow such use by Conditional Use in the AO zoning district. See attached table.

SECTION V. EFFECTIVE DATE. This Ordinance shall become effective five (5) days from enactment.

Code	Use	Class (for MS Districts)	AO	BC: Lots < 1 Ac	BC: Abington Towne Center	BC: Foxcroft	BC: Huntingdon Valley	BC: Noble	BC: Willow Grove Park	CS	LP Overlay	MS-H	MS-L	MS-VC	R1	R2	R3	R4	RC	SI-G	SI-W
H Residential Uses																					
								CU (but not in Triangle NOTE 1)													
H-1	Apartment/Condominium Building	1	Y	N	CU	CU	N		N	N	N	Y	Y	Y	N	N	N	N	N	Y	N
H-2	Apartment/Condominium Campus	N/A	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
H-3	Boarding House	1	Y	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N
H-4	Duplex Dwelling Unit (Multifamily Semi-Attached)	1	Y	N	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	Y	N
H-5	Estate Dwelling Unit (Single-Family)	N/A	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N
H-6	Mobile Home Development	N/A	N	N	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	N	N	N
H-7	Single-Family Detached Dwelling Unit	N/A	Y	N	N	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y		N
H-8	Single-Family Detached Cluster Development	N/A	N	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	N	N	N	N
H-9	Townhouse Dwelling Unit (Single-Family Attached)	1	Y	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N
H-10	Twin Dwelling Unit (Single-Family Semi-Attached)	1	Y	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	Y	N
H-11	Village Dwelling Unit	1	N	N	N	N	N	N	N	N	Y	Y	Y	N	N	N	N	N	N	N	N
H-12	Senior Apartment Units	N/A	CU	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N
J Mixed Uses																					
J-1	Mixed-Use Building	1	N	N	Y	Y	Y	Y	N	N	N	Y	Y	Y	N	N	N	N	N	SE	SE
	Other Uses, Not Expressly Permitted NOTE 18	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	N	SE	N

NOTES:

1= "Triangle" refers to property fronting east side of Old York Road, south of the Fairway.

2 = Drive-through permitted for retail except restaurants.

3= When accessory to Duplex, Single-Family Detached, Townhouse, or Twin.

4= When accessory to Residential Uses.

5= When accessory to Office Uses.

6= Permitted as accessory use for clients and their guests, permitted as principal use by CU.

7= In the LP District, accessory uses are permitted as they are in the R-1 District; open space uses are permitted as per §601.M Open Space Standards.

8= Noncommercial antennas are permitted.

9= Permitted as accessory use by-right, and principal use by special exception.

10 = When lawfully existing prior to adoption of the RC District.

11= Accessory use to Single-Family Detached Dwelling Unit.

12= Consult solicitor as to whether this use must be provided.

13= When located in mixed-use building.

14= Roof-mounted antennas only.

15= Drive-Through for restaurant/food = Class 2; Drive-Through for bank/drug store= class 1.

16= Accessory use to Places of Worship.

17= When located on the first floor of office or apartment/condominium uses.

18 = Any one individual use not specifically prohibited that complies with Article VI General Regulations and all other applicable sections of this ordinance. §2001.2.A requiring that a Special Exception be specifically authorized does not apply.