

**TOWNSHIP OF ABINGTON MONTGOMERY
COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2186

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE
TOWNSHIP OF ABINGTON, PROVIDING FOR AND REGULATING A
COLLEGE/UNIVERSITY CAMPUS USE IN THE CS COMMUNITY SERVICE
DISTRICT**

WHEREAS, the Board of Commissioners of the Township of Abington has the authority pursuant to section 601 of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601, and section 1502.1 of The First Class Township Code, 53 P.S.

§56502.1, to enact and amend land use ordinances;

WHEREAS, the Township of Abington is home to highly respected educational institutions of higher learning which significantly contribute to and enhance the vibrancy, appeal, and culture of the Township;

WHEREAS, section 900.A of the Zoning Ordinance states that the intent of the CS Community Service District is to “[p]rovide for the education, medical, municipal, religious, and recreational needs of the Township community....”

WHEREAS, the Zoning Ordinance does not expressly provide for a college or university campus use that recognizes the uniqueness of these institutions and promotes the redevelopment of land currently used for college or university purposes within the Township; nor does the Zoning Ordinance provide appropriate design and regulatory standards for college and university facilities that will mutually benefit the Township and the institution;

WHEREAS, the CS Community Service District of the Township seeks to provide for the educational needs of the Township community, allowing reasonable and measured growth of facilities and physical plant, while addressing the compatibility with nearby properties by minimizing potential impacts caused by traffic, noise, and lighting;

WHEREAS, permitting reasonable and controlled development of current college and university facilities will help to ensure the vitality of these institutions and provide continuing and significant community and economic benefits to the Township; and

WHEREAS, the Board of Commissioners has determined that the amendment of the zoning ordinance is appropriate and necessary to promote the development and redevelopment of land used for college and university purposes in the Township.

NOW, THEREFORE, the Board of Commissioners does hereby ENACT and ORDAIN as follows:

Section 1. The Comprehensive Use Matrix in the Appendix to the Zoning Ordinance, referred to in section 901 of the Zoning Ordinance, shall be amended by the addition of Use E-18, *University Campus*, as a permitted use in the CS Community Service District

Section 2. Section 902 of the Zoning Ordinance, *Dimensional Requirements* in Community Service Districts, shall be amended to read as follows:

SECTION 902. DIMENSIONAL REQUIREMENTS: *See Figure 9.4 CS
Community Service District: Dimensional Requirements.*

A. The Dimensional Requirements for a Use E-18 University Campus shall be as follows:

1. The maximum building coverage shall be 25%.
2. The maximum impervious coverage shall be 45%.
3. The minimum green area shall be 55%.
4. The maximum building height shall be 45 feet, subject to the exceptions set forth in section 2601.G, *Height Exceptions*. Building height may be increased to 55 feet, if the front or other yard setback along a public street exceeds 100 feet, if fire access lanes are provided for the structure, consistent with recommendations of the township fire marshal, and if a high-intensity buffer is

used along property lines adjacent to a residential zoning district. For properties greater than 25 acres, new building facades may exceed a length of 160 feet provided that they include minimum 10-foot deep horizontal building offsets at least once every 100 horizontal feet of façade length. However, in no case shall a new building façade exceed a length of 300 feet.

5. The site must have direct access to a public street.

- B. Where any dimensional or other requirements in the zoning ordinance, *e.g.*, *Figure 9.4 CS Community Service District: Dimensional Requirements*, conflict with the dimensional requirements set forth in this section and section 2103.E-18, the specific requirements of this section and section 2103.E-18 shall apply.

Section 3. Section 2103.E of the Zoning Ordinance, *Community Service Uses (Institutional Uses)*, shall be amended by the addition of a new Use E-18, *University Campus*, which shall read as follows:

Use E-18: University Campus: A college or university comprising one or more buildings, lots, parcels, facilities and uses that provides academic instruction or support to individuals enrolled therein, and that are authorized to award associate, baccalaureate, or post-baccalaureate degrees. This use shall comprise accessory and ancillary uses to serve the needs of the institution's students, faculty, and staff, including, but not limited to: academic facilities, performance facilities, recreational/athletic facilities, social facilities, eating/dining facilities, administrative facilities, support facilities, health facilities, parking facilities, and retail facilities. The following additional standards shall apply and shall supersede any conflicting requirements in the Zoning Ordinance:

A. Architectural standards:

1. Building elevations/renderings shall be submitted to determine compliance with these criteria. Views presented shall include those of each new building façade visible from the street, as viewed from the street. Views of new parking areas from the street shall also be provided, where visible from the street.
2. It is recommended that all new buildings and expansions be compatible with the architectural theme of existing buildings and structures on-campus and on abutting streets. Factors for consideration include, but are not limited to:
 - a. Colors
 - b. Materials
 - c. Style and pitch of roof
 - d. Use of differentiated materials
 - e. Wall-to-window-and-door ratio
 - f. Architectural features and trim
 - g. Door accentuation
3. Security features, including lighting, shall be non-intrusive relative to nearby residential uses.
4. New mechanical, and HVAC facilities shall be screened from public view, consistent with §2403 Buffers and Screens, Subsection C.
5. Submission of a master facilities plan is required for two or more new non-accessory buildings, 80,000 square feet of new floor area, or a new outdoor facility area of at least 2 acres, unless a plan has been submitted within the past 3 years. The master facilities plan shall meet the requirements of a tentative sketch plan. In addition to the requirements of a tentative sketch plan in the SALDO, the applicant shall show:
 - a. Proposed driveways and parking areas.
 - b. Student and faculty count.
 - c. Approximate building heights.
 - d. Floor area of existing and proposed buildings.
 - e. Proposed timeline for building construction.

- f. Building and impervious coverage data.
 - g. Elevations for building within 300 feet of a residential use (showing façade[s] facing public street or residential use within 300 feet).
6. Setback from residential Uses. The following uses shall be set back at least 100 feet from the lot line of a property on which a residential use is located: (1) organized activities such as graduation ceremonies or camp activities; and (2) active recreation fields or structures. Additionally, organized activities such as graduation ceremonies or camp activities will require administrative review and approval by the township. The Township's approval shall not be unreasonably withheld. The Township shall have 20 business days from the receipt of the request for its review . If the Township does not respond with that time period, the request will be considered approved.
7. Traffic Study
- a. Purpose. The Traffic Impact Study will enable the Township to assess the impact of the proposed development on the transportation system in the Township. The purpose of the impact study is to insure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access between the site and the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development.
 - b. A Traffic Impact Study shall be prepared by a qualified traffic engineer and/or transportation planner with previous traffic study experience. Procedures and standards for a Traffic Impact Study are as set forth in the SALDO (if such provisions are incorporated to the SALDO at the time of the proposed land development). The applicant may provide funds to the Township to enable the Township to hire a traffic engineer of its choice to conduct the study, if this procedure is deemed appropriate and approved by the Township.
 - c. A Traffic Impact Study prepared in accordance with the guidelines of the Pennsylvania Department of Transportation as part of an application for a state highway occupancy permit may be submitted to the Township in fulfillment of this requirement.

- d. In preparing the Traffic Impact Study, the most recent edition of the Trip Generation Handbook of the Institute of Transportation Engineers shall be used.
- e. A traffic study is required for a new building or other improvement which meets any of these standards:
 - (i) It generates an average of 3,000+ trips/day.
 - (ii) It generates 100 or more vehicle trips entering or exiting in an hour.
 - (iii) It generates 100 or more additional vehicle trips in a redevelopment site.
 - (iv) It generates an increase in peak hour traffic greater than 5% of the existing volume in surrounding residential communities.
 - (v) Daily trip generation rates are greater than 500 trips per 1,000 s.f. of GLA.

B.

C. Excavation in, or disturbance of ~~–~~ steep slope areas within the steep slope conservation district shall utilize engineered slope stabilization, retaining walls, and/or foundation walls and shall comply with the provisions of Article XVI: Steep Slope Conservation District. The landowner shall submit an erosion and sedimentation control plan during land development, and any such construction shall be completed to the satisfaction of the Township engineer.

D. Existing parking lots shall not be subject to the landscaping requirements of § 2402.A.2. Parking areas on the same lot are not required to be interconnected. A 12-foot buffer is permitted for new vehicle parking located within a yard along a public street and within a screening buffer required by section 2403.B provided that enhancements to the portion less than 15 feet are made by providing 20% more evergreen shrubs and (if applicable) evergreen trees otherwise required for the buffer.

E. There shall be provided one (1) off-street loading berth per building or facility that is erected with a gross floor area over twenty thousand (20,000) square feet where the principal use of the building requires the regular receipt or distribution of materials or merchandise by vehicles.

- F. In the event of a conflict or inconsistency between any zoning regulation governing a Use E-18: *University Campus* and any other zoning regulation in the Abington Township Zoning Ordinance, the specific regulation for Use E-18 shall apply and control.

Section 4. Section 2304, *Parking Use Requirements*, subsection E, *Community Service (Institutional) Uses*, shall be amended to add the following:

- 18. Use E-18: University Campus:** A “parking space” shall be at least 9 feet x 18 feet in size. The computation of required parking spaces shall include both on-site and off-site parking spaces. A University Campus use shall have one (1) parking space for every classroom, plus one (1) space for every two and a half (2.5) students who regularly attend classes on campus, plus one (1) space for every ten (10) fixed auditorium seats, plus one (1) space for every three hundred (300) square feet of gross office area. The required number of parking spaces may be reduced by a maximum of thirty percent (30%) if the college or university provides and makes available all of the following:
1. a regularly scheduled shuttle service, which shall include service to a commuter rail station;
 2. a ride-share program; and
 3. to the extent such programs are readily available, car-share and bike share services.

Section 6. The Comprehensive Use Matrix in the Appendix to the Zoning Ordinance, referred to in section 901 of the Zoning Ordinance, shall be amended by changing Use E-14, *School or College – Public/Private*, to Use E-14, *School – Public/Private*.

Section 7. Section 2103.E of the Zoning Ordinance, *Community Service Uses (Institutional Uses)*, Use E-14, *School or College – Public/Private*, shall be amended by amending the name of the use category and the introductory paragraph as follows:

Use E-14: School – Public/Private: A facility, building, lot, parcel, use, or group of facilities, buildings and uses that provides a broad educational curriculum

to individuals enrolled therein, and is licensed by the State Department of Education, including private and public kindergartens, elementary, junior and senior high schools:...

Section 8. Section 2304, *Parking Use Requirements*, subsection E, *Community Service (Institutional) Uses*, subsection 14 shall be amended as follows:

14. **Use E-14: School - Public/Private:** Elementary and secondary schools require 1 parking space for every classroom plus 1 space for every 4 students in tenth grade or higher, plus 1 space for every 10 fixed auditorium seats.

Section 9. 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.

Section 10. Severability. In the event that any section, sentence, clause, 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 the validity of the remaining portions of this ordinance.

Section 11. Effective Date. This Ordinance shall be effective as of the date of enactment.

ENACTED and ORDAINED this _____ day of _____,
2021.

TOWNSHIP OF ABINGTON

Attest:

Richard J. Manfredi
Township Manager & Secretary

By: _____
John L. Spiegelman, President
Board of Commissioners