

**TOWNSHIP OF ABINGTON
MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2150

**AN ORDINANCE AMENDING CHAPTER 162, "ZONING," AT ARTICLE XXI –
"USE REGULATIONS," AND THE USE MATRIX APPENDIX; REPEALING AND
REPLACING CHAPTER 162 – "ZONING," AT
ARTICLE XXVIII – "WIRELESS COMMUNICATIONS";
AND REPEALING ORDINANCES #1793 AND #1800**

WHEREAS, the Township of Abington is a Township of the First Class, duly organized and existing pursuant to the applicable laws of the Commonwealth of Pennsylvania; and

WHEREAS, pursuant to section 1502.44 of the First Class Township Code of the Commonwealth of Pennsylvania, 53 P.S. §56544, the Board of Commissioners has the authority to enact and amend provisions of the Abington Township Code ("Code") at any time it deems necessary for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that Chapter 162 – "Zoning," should be amended at Article XXI – "Use Regulations," Section 2103 – "Categories of Permitted Uses," and at the Use Matrix Appendix; and that Article XXVII – "Wireless Communications," should be repealed and replaced, and Ordinances #1793 and #1800 should be repealed in their entirety for the health, safety, morals, general welfare, cleanliness, beauty, convenience and comfort of the Township and the inhabitants thereof.

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

1. Chapter 162 – “Zoning,” shall be amended at Section 2103 – “Categories of Permitted Uses,” to delete the following uses:

Use A-2D Telecommunications Towers

Use A-2F Roof or Structure Mounted Telecommunications Equipment.

2. Chapter 162 – “Zoning,” shall be amended at Section 2103 – “Categories of Permitted Uses,” to add the following uses:

Use A-2D.1 Tower-Based Wireless Communication Facility: Wireless communications facilities that include the installation of a new tower to support the transmission equipment.

Use A-2D.2 Alternative Tower Structure/Non-Tower Based Wireless Communication Facility: Man-made trees, clock towers, bell steeples, light poles and similar alternative-design mounting structures that camouflage or conceal the presence of antennas or towers.

Use A-2D.3 Monopole with a diameter of less than 10 feet as measured at its base

1. A tower which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennas and connect appurtenances.
2. Such Monopoles may be placed within the ROW, subject to the provisions of Article XXVIII.

Use A-2D.4 Monopole with a diameter of 10 feet or more, as measured at its base:

1. A tower which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennas and connect appurtenances.
2. Such Monopoles may not be placed within the ROW and must conform to the standards set forth in Article XXVIII.

Use A-2D.5 Distributed antenna systems (DAS): a network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area of the structure, also known as small cell networks.

1. When placed on an existing utility pole, DAS units shall not increase the height of the pole to more than 45 feet, to a maximum of 50 total feet, including all antennas and associated equipment.

DAS units or facilities may be placed on any existing utility pole in the Township, provided that the Applicant complies with all standards set forth in Article XXVIII.

2. When a new pole is proposed to be placed in the ROW, the maximum height of the pole may not exceed 45 feet, to a maximum of 50 total feet, including all antennas and associated equipment. New poles may not be placed within 25 feet of an existing utility pole.
3. For purposes of this section, replacement of an existing utility pole with a new pole that is identical to the existing pole in height and diameter for the purposes of placement of DAS units shall be considered placement on an existing pole.
4. Where possible, all accessory equipment shall be pole mounted rather than ground mounted and shall not cause any pedestrian obstructions or sight line interference for vehicular traffic.

Use A-2D.6. Micro-Wireless Facility. A network of Wireless Communications Facilities that are placed or strung on existing cable between existing utility poles in compliance with the National Electrical Safety Code by an entity that holds a franchise to access and occupy the public rights of way.

3. Chapter 162 – “Zoning,” shall be amended at the Use Matrix Appendix, as follows:
 - a. References to Uses A-2d – “Telecommunications Towers,” and A-2F “Roof or Structure Mounted Telecommunications Equipment” shall be deleted.
 - b. Use A-2D.1 – “Tower-Based Wireless Communication Facility,” shall be added, and permitted by conditional use approval in the following Zoning Districts: AO, BC: Abington Town Center; BC: Foxcroft; BC: Huntingdon Valley; BC: Noble; BC: Willow Grove Park; MS-H; MS-L.
 - c. Use A-2D.2 – “Alternative Tower Structure/Non-Tower Based Wireless Communication Facility,” shall be added and permitted by right in the following Zoning Districts: AO; BC: Lots < 1 acre; BC: Abington Town Center; BC: Foxcroft; BC: Huntingdon Valley; BC: Noble; BC: Willow Grove Park; MS-H; MS-L; MS-VC; RC.
 - d. Use A-2D.3 – “Monopole with a diameter of less than 10 feet,” shall be added and shall be permitted by conditional use in the following Zoning Districts: AO; BC Lots < 1 Acre; BC: Abington Town Center; BC: Foxcroft; BC: Huntingdon Valley; BC: Noble; BC: Willow Grove Park; CS; RC; SI-G; SI-W; MS-H; MS-L.
 - e. Use A-2D.4 – “Monopole with a diameter of 10 feet or more,” shall be added and shall be permitted by conditional use approval in the following Zoning Districts: AO, BC: Abington Town Center; BC: Foxcroft; BC: Huntingdon

Valley; BC: Noble; BC: Willow Grove Park; MS-H; MS-L.

- f. Use A-2D5 – “Distributed antenna systems (DAS)” shall be added and permitted in all Zoning Districts.

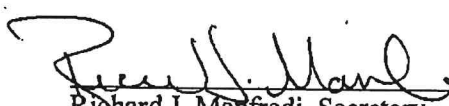
Use A-2D6 – Micro-Wireless Facilities shall be added and permitted in all Zoning Districts.

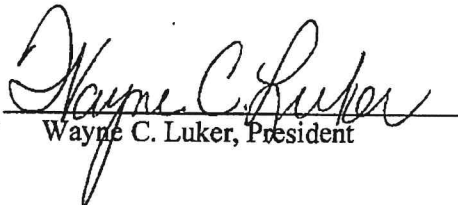
4. Chapter 162 – “Zoning” shall be amended to repeal the existing provisions set forth at Article XXVIII – “Wireless Communications,” and replace them with the provisions set forth at Exhibit “A” hereto.
5. Ordinances #1793 and #1800 of the Township of Abington are hereby repealed.
6. This Ordinance shall become effective five (5) days after enactment.

ORDAINED AND ENACTED this 8th day of March 2018.

TOWNSHIP OF ABINGTON
BOARD OF COMMISSIONERS

Attest:


Richard J. Manfredi, Secretary

By: 
Wayne C. Luker, President