

TOWNSHIP OF ABINGTON

(2) CODE ENFORCEMENT AND LAND DEVELOPMENT COMMITTEE

November 1, 2017
7:00 P.M.

CALL TO ORDER

ROLL CALL: SANCHEZ - DiPLACIDO - ZAPPONE - GILLESPIE -
BRODSKY

MINUTES:

Motion to approve the minutes of the October 4, 2017 Code Enforcement and Land Development Committee Meeting

CE-01-110117 Consider Roslyn VFW Waiver of Permit Fees
(Mr. Manfredi)

Motion to waive the Building Permit Fee of \$895.00 for the Roslyn VFW located at 1140 Easton Road, Roslyn Pa. 19001. The applicant will still be required to pay the Pennsylvania State Fee of \$4.00 and the permit and inspection fees of \$360.00 to the Engineering Department of the Township of Abington for the required on-site storm water management permit and inspection fees.

CE-02-110117 Consider a Fee Waiver from the Requirement Set Forth by Resolution 14-035 for the Abington School
(Mr. Manfredi)

Motion to waive the Land Development Application fee and the required escrow deposit. As per the Resolution #14-035, "see attached" the application fee for a submission of this type is \$1,000.00 and an escrow fee of \$10,000.00 is required for staff review time and processing the application.

TOWNSHIP OF ABINGTON

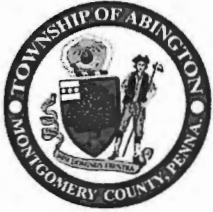
(2) CODE ENFORCEMENT AND LAND DEVELOPMENT COMMITTEE

CE-03-110117 Consider a Request for Zoning Ordinance No. 2145 Text Amendment by Hightop Real Estate Group
(Mr. Manfredi & Mr. Clarke)

Motion to advertise the date of December 14, 2017 for the Board of Commissioners of the Township of Abington to hold a public hearing on the zoning text amendment filed by Hightop Real Estate & Development Group known as proposed Ordinance #2145, amending Article X MS-H Main Street High Intensity/Density District to add Old York Road Revitalization Modifications for Apartment Building Use

CE-04-110117 Consider Ordinance No. 2147 Zoning Text Amendment by Philadelphia Presbytery Homes
(Mr. Clarke & Mr. Manfredi)

Motion to schedule and advertise a formal hearing of the Board of Commissioners of the Township of Abington on Thursday, December 14, 2017 for the zoning text amendment known as Proposed Ordinance #2147 filed by Philadelphia Presbytery Homes for the proposed development of the Rydal Waters Property, amending the Zoning Ordinance of the Township of Abington, Relating to Provisions of the SNR Senior Neighborhood Residential, Riparian Corridor, Steep Slope and Open Space Districts.



CODE ENFORCEMENT AND LAND DEVELOPEMENT COMMITTEE

BOARD ACTION REQUEST

11-01-2017

DATE

Code Enforcement

DEPARTMENT

CE - 01-110117

AGENDA ITEM NUMBER

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$19,700.

Yes

No

AGENDA ITEM:

Consider Roslyn VFW Waiver of Permit Fees

EXECUTIVE SUMMARY:

The Executive Committee of the Roslyn Veterans of Foreign Wars {VFW} has requested that the Board of Commissioners of the Township of Abington waiver the \$895.00 building permit and review fees for the free standing accessory building proposed to be constructed at 1140 Easton Road, Roslyn, Pa. The VFW is a tax exempted community organization that serves the Roslyn and surrounding community.

A waiver of this permit fee may result in a request of what is projected to be an electrical permit submission at a later date. No other utilities are proposed to be installed with this accessory building. The proposed structure is an open air gazebo of 2,100 square feet that conforms to all the dimensional requirements of the Main Street Village District and Section 2103.A, Use A-16 of the Zoning Ordinance of the Township of Abington.

PREVIOUS BOARD ACTIONS:

None

RECOMMENDED BOARD ACTION:

Motion to waive the Building Permit Fee of \$895.00 for the Roslyn VFW located at 1140 Easton Road, Roslyn Pa. 19001. The applicant will still be required to pay the Pennsylvania State Fee of \$4.00 and the permit and inspection fees of \$360.00 to the Engineering Department of the Township of Abington for the required on-site storm water management permit and inspection fees.

ORDINANCE NO. 1952

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON AMENDING THAT CERTAIN PROVISION OF ORDINANCE 1795 CODIFIED AS SECTION 62-2.E OF THE CODE OF ABINGTON TOWNSHIP, IN ORDER TO INCREASE THE FEES TO BE CHARGED FOR NEW CONSTRUCTION, ADDITIONS, ALTERATIONS, REPAIRS AND ACCESSORY USES ON RESIDENTIAL, COMMERCIAL OR INSTITUTIONAL BUILDINGS OR PROPERTY IN THE TOWNSHIP OF ABINGTON; AND REPEALING ALL PRIOR INCONSISTENT ORDINANCES OR INCONSISTENT PARTS OF PRIOR ORDINANCES.

The Board of Commissioners of the Township of Abington does hereby **ENACT** and **ORDAIN** as follows:

Section 1. That certain provision of Ordinance 1795 codified as section 62-2.E of the Code of Abington Township is hereby amended by deleting the current language in its entirety, and replacing it with the following language:

§ 62-2. Amendments.

* * *

E. There shall be added a new Section 112.3, to be titled "Fees," which shall provided as follows:

Section 112.3. Fees.

Section 112.3.A. New Construction Permit Fees for Residential and Institutional Uses. There shall be a fee charged for new construction permits for residential and institutional uses including, without limitation, single family detached dwelling units, single family semi-detached dwelling units, two family detached dwelling units, two family semi-detached dwelling units, farm buildings, student dormitories, child nurseries, kindergartens, elementary and secondary schools, colleges, fire stations, police stations, libraries, convents, rectories, churches, monasteries, or parks, calculated on the basis of square footage or the proposed structure as follows:

For up to 1,000 square feet:	\$ 360.00
For each 1,000 square feet or fraction thereof, in addition to the initial 1,000 square feet:	\$ 180.00

Section 112.3.B.

(i) New Construction Permit Fees for Commercial Buildings, Apartment Buildings, Hospitals, Nursing Homes, Convalescent Homes, Retirement Homes, Clubs, Lodges and Fraternal Organizations. There shall be a fee charged for new construction permits for commercial buildings, apartment buildings, hospitals, nursing homes, convalescent homes, retirement homes, clubs, lodges and fraternal organizations, including, but not limited to, retail stores, mercantile stores, drug stores/pharmacies, food stores, clothing stores, audio-video stores, appliance stores, hardware stores, pet stores, mini-marts, video rental stores, barber shop, beauty parlor, hair salon, clothes cleaning and pressing shops, personal service shops, restaurants, fast food establishments, office buildings, agencies, studios, tailor shops, shoe shops, bakeries, electronic repair shops, public parking lots, banks, financial brokerages, funeral parlors, frozen food lockers, self-service laundromats, indoor or outdoor places of amusement, animal hospitals, newspaper establishments, printing establishments, rooming or boarding houses, motor vehicle repair stations, hotels, motels, public garage, private garages for a commercial use, contractors' shops, and research laboratories, calculated on the basis of square footage of the proposed structure as follows:

For up to 1,000 square feet:	\$ 850.00
For each 1,000 square feet or fraction thereof, in addition to the initial 1,000 square feet:	\$ 180.00
For each 1,000 square feet or fraction thereof, in addition to the initial 10,000 square feet:	\$ 100.00

(ii) Permit Fees for Additions to Buildings Identified In Section 112.3.B.(i). There shall be a fee charged for additions to those buildings identified in Section 112.3.B.(i) based on the square footage of the proposed addition as follows:

For up to 1,000 square feet:	\$ 370.00
For each 1,000 square feet or fraction thereof, in addition to the initial 1,000 square feet:	\$ 270.00

Section 112.3.C. Fees for Plan Reviews. A fee for plan reviews shall be charged to all applications for residential building permits, institutional building permits, and commercial building permits, including alterations, additions, and impervious surfaces, to be calculated as follows:

Residential Zones: R-1, R-2, R-3 and R-4:	\$ 50.00
Planned Cluster and Planned Development	\$ 50.00
Commercial:	\$ 250.00
Residential Occupancy	\$ 75.00
Commercial Occupancy	\$ 200.00

Section 112.3.D. Permit Fee for Repairs and/or Alterations to Residential and Institutional Buildings. A fee shall be charged for permits for repairs and/or alterations to residential and institutional buildings as identified in section 112.3.A, such fee to be calculated on the total cost of the repairs and/or alterations, exclusive of electrical costs or HVAC costs, as follows:

Up to \$500.00	\$ 25.00
From \$501.00 to \$1,000.00	\$ 40.00
From 1,001.00 to \$2,000.00	\$ 75.00
From \$2,001.00 to \$3,000.00	\$ 110.00
From \$3,001.00 to \$4,000.00	\$ 145.00
From \$4,001.00 to \$5,000.00	\$ 180.00
For each \$1,000.00 or fraction	

thereof above \$5,000.00 \$ 35.00

Section 112.3.E. Permit Fees for Repairs and/or Alterations to Commercial and Other Buildings. A fee shall be charged for permits for repairs and/or alterations to commercial and other buildings as identified in Section 112.3.B.(i) calculated on the total cost of said repairs and/or alterations, exclusive of electrical and HVAC costs, as follows:

Up to \$2,000.00 \$ 250.00

For each \$1,000.00 or
fraction thereof above
\$2,000.00: \$ 35.00

Section 112.3.F. Permit Fees for Demolition of Buildings. A fee for a permit for the demolition of any building shall be calculated on the basis of the square footage of the building being demolished as follows:

Up to 1,000 square feet: \$ 75.00

For each 1,000 square feet
or fraction thereof above
1,000 square feet: \$ 20.00

Section 112.3.G. Permit Fees For Additions to Residential and Institutional Buildings. A fee shall be charged for permits for additions to residential and institutional buildings as identified in section 112.3.A, such fee to be calculated on the basis of the square footage of the proposed addition as follows:

For each 100 square feet or
fraction thereof: \$ 40.00

Section 112.3.G. Permit Fees for Liquid Storage Tanks. A permit fee for liquid storage tanks, including but not limited to oil tanks, gasoline tanks, diesel fuel tanks, and kerosene tanks shall be calculated on the capacity of the tank as follows:

For each 1,000 gallons
or fraction thereof: \$ 30.00

Section 112.3.H. Permit Fees for Accessory Buildings For Residential, Institutional, Commercial and Other Buildings.

A permit fee for any accessory building shall be calculated on the basis of the square footage of the floor space of the proposed accessory building, calculated as follows:

Up to 144 square feet	\$ 25.00
For each 50 square feet or fraction thereof above 144 square feet:	\$ 15.00

Section 112.3.I. Permit Fees for Detached Garages for Residential and Institutional Uses. A permit fee for detached garages for residential and institutional uses as identified in Section 112.3.A shall be calculated on the square footage of the proposed garage, calculated as follows:

For each 100 square feet or fraction thereof:	\$ 40.00
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Section 112.3.J. Permit Fees for Signs. A permit fee for signs, including signs affixed to a post, pole, wall or roof, for painted signs on a wall surface and for both illuminated and non-illuminated advertising signs on windows shall be calculated on the basis of square footage of the area of the proposed sign as follows:

Up to 10 square feet:	\$ 50.00
For each one square foot or fraction thereof above 10 square feet:	\$ 15.00

Section 112.3.K. Permit Fees for Heating, Ventilation and Air Conditioning. A permit fee for the installation, repair, and replacement of heating, ventilating and air conditioning in all use categories shall be calculated on the estimated cost of the work as follows:

Up to \$500.00	\$ 25.00
From \$501.00 to \$1,000.00:	\$ 35.00
For each additional \$1,000.00	

or fraction thereof above
\$1,000.00: \$ 10.00

Section 112.3.L. Permit Fees for Impervious Surfaces. A permit fee for the installation, repair and replacement of any impervious surface in all use categories shall be calculated on the basis of area of the proposed impervious surface to be installed, repaired or replaced, as follows:

Up to 250 square feet: \$ 50.00
For each 100 square feet or
fraction thereof above 250
square feet: \$ 10.00

Section 112.3.M. Use and Occupancy Certificate. A use and occupancy permit, either temporary or permanent, is required upon completion of any building or structure prior to occupancy.

(i) **Temporary Use and Occupancy Permit.** A temporary use and occupancy permit may be issued if all but punch list items have been completed. The fee for a temporary use and occupancy permit shall be calculated as follows:

For up to 30 days: \$ 30.00
For 31 to 60 days: \$ 60.00
For each day over 60 days: \$ 100.00

(ii) **Permanent Use and Occupancy Permit.** A permanent use and occupancy permit will be issued when, upon inspection, the Code Enforcement Department determines that the building or structure passes all township code requirements. The fee for a permanent use and occupancy permit shall be calculated as follows:

Residential and institutional
buildings and structures: \$ 75.00
Residential rental units: \$ 50.00
Commercial and apartment
buildings: \$ 100.00 to 200.00

Section 112.3.N. Special Inspection and Repeat Inspection Fees. A special inspection fee and a repeat inspection fee shall be charged when a special inspection is requested and a re-inspection is necessary due to failure to comply with the requirements of the Building Construction Code of the Township of Abington or failure to correct defects after initial inspection, and shall be calculated as follows:

Special Inspection Fee:	\$ 50.00
First Repeat Inspection:	\$ 30.00
Second Repeat Inspection:	\$ 40.00
Third Repeat Inspection:	\$ 60.00
Each repeat inspection after the third repeat inspection:	\$ 100.00

Section 112.3.N. Zoning Review Fee. A zoning review fee shall be charged upon application for a building permit for all additions, new construction, and accessory structures in all use categories. The fee shall be calculated on the basis of the square footage of the proposed floor area as follows:

Up to 50 square feet:	\$ 10.00
51 to 100 square feet:	\$ 15.00
101 to 200 square feet:	\$ 25.00
For each additional 200 square feet or fraction thereof above 200 square feet:	\$ 25.00

Section 112.3.O. Electrical Permit. An application fee shall be paid at the time of submission of an application for an electrical permit, and shall be calculated based on the price quoted to perform the electrical work as follows:

Up to \$500.00	\$ 15.00
From \$501.00 to \$1,000.00	\$ 30.00

From \$1,001.00 to \$1,500.00:	\$ 45.00
From \$1,501.00 to \$2,000.00	\$ 60.00
For each \$1,000.00 or fraction thereof over \$2,000.00:	\$ 15.00

Section 2. 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 enforcement of any of the remaining portions of this Ordinance.


Section 3. 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 4. Effective Date. This Ordinance shall become effective as of the date of enactment.

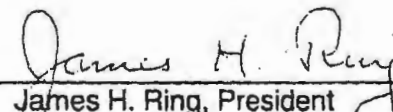
ENACTED and ORDAINED this 13th day of December, 2017.

TOWNSHIP OF ABINGTON

Attest:



 Burton T. Conway, Secretary

By: 

 James H. Ring, President
 Board of Commissioners



CODE ENFORCEMENT AND LAND DEVELOPEMENT COMMITTEE
BOARD ACTION REQUEST

11-01-2017

DATE

Code Enforcement

DEPARTMENT

CE - 02-110117

AGENDA ITEM NUMBER

FISCAL IMPACT

Cost > \$10,000.

Yes No

PUBLIC BID REQUIRED

Cost > \$19,700.

Yes No

AGENDA ITEM:

Consider a Fee Waiver for the Requirement Set Forth by Resolution 14-035 for the Abington School

EXECUTIVE SUMMARY:

Application and review fees charged to the School District of Abington are paid for by the same residents we serve.

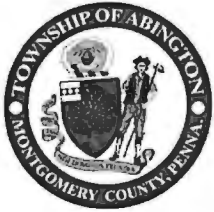
Request a waiver of the Land Development Application fee {\$1,000.00} & a waiver of the required escrow fee {\$10,000.00} A waiver of these two fees will result in a future request for a waiver of the building, electrical, plumbing, heating, air conditioning, fire protection, storm water management permit fees and the sanitary sewer connection fees. At this time, this office is not in a position to estimate the above listed permit costs.

PREVIOUS BOARD ACTIONS:

None

RECOMMENDED BOARD ACTION:

Motion to waive the Land Development Application fee and the required escrow deposit. As per the Resolution #14-035, "see attached" the application fee for a submission of this type is \$1,000.00 and an escrow fee of \$10,000.00 is required for staff review time and processing the application.



TOWNSHIP OF ABINGTON

Office of the Township Manager

Richard J. Manfredi
Township Manager

FISCAL NOTE

AGENDA ITEM NUMBER: CE-02-110117

DATE INTRODUCED: 10/20/2017

FISCAL IMPACT AMOUNT: \$11,000.00

FUND: 01-4325

FISCAL IMPACT:

YES

NO

FISCAL IMPACT	
Cost > \$10,000.	
Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>

SUMMARY

Request a waiver of the Land Development Application fee {\$1,000.00} & a waiver of the required escrow fee {\$10,000.00}

ANALYSIS

A waiver of these two fees will result in a future request for a waiver of the building, electrical, plumbing, heating, air conditioning, fire protection, storm water management permit fees and the sanitary sewer connection fees. At this time, this office is not in a position to estimate the above listed permit costs.

ABINGTON TOWNSHIP
RESOLUTION NO. 14-035

A RESOLUTION OF ABINGTON TOWNSHIP,
COUNTY OF MONTGOMERY, COMMONWEALTH OF PENNSYLVANIA,
ESTABLISHING AN ESCROW FEE SCHEDULE FOR SUBDIVISION AND LAND
DEVELOPMENT APPLICATIONS

WHEREAS, the Township of Abington ("Township") 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 §503 of the Municipalities Planning Code, 53 P.S. §10503, the Township is permitted to require an Applicant or his/her designee to reimburse the Township for reasonable and necessary costs associated with the review and processing of Subdivision and/or Land Development Applications, including legal and engineering costs; and

WHEREAS, Chapter 146 - "Subdivision and Land Development," of the Abington Township Code of Ordinances allows the Board of Commissioners to establish an escrow fee schedule related to Subdivision and Land Development matters within the Township and require the deposit of an escrow fee fund for payment of the above named professional fees; and

WHEREAS, the Board of Commissioners of Abington Township believes it is in the best interests of the Township to establish a fee schedule that will hereafter be applicable to all Subdivision and Land Development matters currently pending or hereafter submitted to the Township.

NOW, THEREFORE, BE IT RESOLVED, for the reasons set forth above, the Township establishes the following required application fees and minimum escrow review fee deposits, which shall be submitted concurrently with any application for Subdivision or Land

Development within the Township of Abington:

<u>Type of Application</u>	<u>Minimum Escrow Deposit</u>	<u>Application Fee</u>
Residential Subdivision Application - maximum of four (4) proposed lots	\$2,500.00	\$300.00
Residential Subdivision Application - five (5) or more proposed lots	\$5,000.00	\$500.00
Residential Land Development Application - four (4) or fewer lots	\$2,500.00	\$300.00
Residential Land Development Application - five (5) or more lots	\$5,000.00	\$500.00
Non-Residential Subdivision or Land Development Application	\$10,000.00	\$1,000.00

BE IT FURTHER RESOLVED, that failure to submit the above listed required escrow deposit shall deem an application incomplete. No application shall be processed or reviewed unless and until all of the above fees have been paid.

BE IT FURTHER RESOLVED, that a nonrefundable 15% administrative fee shall be automatically deducted from all escrow deposits.

BE IT FURTHER RESOLVED, that the applicant or his/her agent shall reimburse to the Township from such escrow the reasonable and necessary professional expenses incurred by the Township in the review and approval process of the application and plan, including but not limited to, fees for the services of the Township Engineer related to the review and consideration of the application and plan, and fees for the services of the Township Solicitor related to the

review and decision process of the application and plan at the rates and costs set forth below:


<u>Service</u>	<u>Rate</u>
Township Solicitor	\$225.00/hour
Township Engineer	\$110.00/hour
Advertising costs	billed at cost
Recording fees	billed at cost
Inspection fees (building inspector, zoning officer, Fire Marshall)	\$60.00/hour


BE IT FURTHER RESOLVED, that, upon demand by the Township Manager, or his designee, the escrow fund shall be replenished by the applicant or his/her agent when it has been drawn to within 10% of its initial amount and a decision has not been rendered on the plan by the Board of Commissioners or upon submission of any revised Subdivision or Land Development Plan.

I HEREBY CERTIFY that this Resolution was adopted by Abington Township at its public meeting held on the 11th day of December, 2014.

ATTEST:

ABINGTON TOWNSHIP


Michael LeFevre
Township Secretary


Wayne C. Luker, President
Board of Commissioners



CODE ENFORCEMENT AND LAND DEVELOPEMENT COMMITTEE

BOARD ACTION REQUEST

11-01-2017

CE - 03-110117

DATE

AGENDA ITEM NUMBER

Code Enforcement

DEPARTMENT

FISCAL IMPACT

Cost > \$10,000.

Yes

No

PUBLIC BID REQUIRED

Cost > \$19,700.

Yes

No

AGENDA ITEM:

Advertisement Date

EXECUTIVE SUMMARY:

The applicant has submitted the application fee of \$2,000.00. This fee will pay the advertising cost and the costs of the stenographer for the hearing. Staff recommends a date of December 14, 2017 for this formal hearing.

PREVIOUS BOARD ACTIONS:

The proposed zoning text amendment was presented to the Planning Commission of the Township of Abington on Tuesday, October 24, 2017. The formal recommendation of the Planning Commission is expected to be issued on Wednesday, November 15, 2017 .

The proposed zoning text amendment has also been forwarded to Montgomery County Planning Commission for their review and comment. As of the date of this request, MCPC complete review comments have not been received.

RECOMMENDED BOARD ACTION:

Motion to advertise the date of December 14, 2017 for the Board of Commissioners of the Township of Abington to hold a public hearing on the zoning text amendment filed by Hightop Real Estate & Development Group known as proposed Ordinance #2145.

ORDINANCE NO. 2113

**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 X MS-H MAIN STREET HIGH INTENSITY/DENSITY DISTRICT TO ADD OLD YORK ROAD REVITALIZATION MODIFICATIONS FOR APARTMENT BUILDING USE

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 Section 1007.P. to the MS-H Main Street High Intensity/Density District (Article X):

§ 1007.P. MS-H Main Street High Intensity Density District Old York Road Revitalization Modifications.

1. Modifications – The intent of the Old York Road Revitalization Modifications is to provide for and encourage the revitalization and redevelopment of existing commercial properties in the Township by adding an apartment building use as a permitted use in order to encourage and support the availability of multi-family housing for the Township community and workforce. The modifications set forth in subsection 3 hereof are permitted if and only if a proposed apartment building meets the eligibility standards set forth in subsection 2 hereof.

2. Eligibility Standards for Modifications– In addition to the bonuses permitted pursuant to § 1007.O.1 and .2, modifications shall be available for Sites (as defined in § 201) that have lot frontage on Old York Road and meet the following criteria at the time the land development application is submitted pursuant to Chapter 146, if developed as an apartment building use:

- a. the Site has a minimum lot frontage of 150' and a maximum lot frontage of 200' on Old York Road;
- b. the Site is within both 25' of a SEPTA bus stop and .5 miles of a SEPTA train station;
- c. Parcels immediately adjacent to the Site and within the MS-H Main Street High Intensity Density District contain active operating businesses;
- d. the Site has not been redeveloped within the prior 5 years of submission of the land development application;

- e. the Site is not in compliance with applicable stormwater management requirements at the time the land development application is filed.

3. Modifications– If the Site meets the eligibility standards set forth in § 1007.P.2, the following modifications supersede any contrary zoning ordinance provisions, including, but not limited to, dimensional standards (§ 1006), design regulations (§ 1007), parking standards (Article XXIII), landscape standards (Article XXIV), and general standards (Article XXI):

- a. Dimensional Standards (§ 1006/Figure 10.19) – the following modifications are permitted:

- (1) Maximum density for apartment building – 28 units per 20,000 sf of gross site area
- (2) Maximum height for apartment building – 55’
- (3) Building setback from abutting parcels within the R-1, R-2, R-3, or R-4 District, minimum - 20’
- (4) Yard setback, rear, minimum – 20’
- (5) Window area (minimum) street facing façades, ground floor – 25%

- b. Design Guidelines - the following sections do not apply:

- (1) Section 1007.C. (Sloped roof)
- (2) Section 1007.E (Trash, Storage, Tanks and Loading)
- (3) Section 1007.H (Building Façade)

- c. Parking (Article XXIII) – the following section does not apply:

- (1) Section 2312 (Loading)

- d. Landscaping (Article XXIV) – in addition to the applicable landscaping required pursuant to Article XXIV, the following landscaping is required:

- (1) When the site is immediately adjacent to a residential use, the rear yard shall comply with Section 2403.B.4.a.4 (high intensity buffer).

4. Additional Modifications – Upon request of the Applicant, the Commissioners may modify any other Zoning Ordinance provisions including but not limited to the Dimensional Standards set forth in § 1006/Figure 10.19, Design Guidelines set forth in § 1007, parking standards set forth in Article XXIII, general regulations set forth in Article XXI and landscaping set forth in Article XXIV.

SECTION II. APPLICABILITY. The provisions hereof shall supersede any ordinances or parts of ordinances which are inconsistent herewith.

SECTION III. SEVERABILITY. If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

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

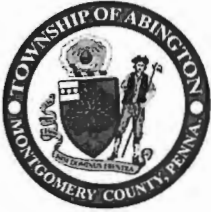
ENACTED AND ORDAINED this _____ day of _____, 2017 by the Board of Commissioners of Abington Township.

BOARD OF COMMISSIONERS
ABINGTON TOWNSHIP
MONTGOMERY COUNTY, PENNSYLVANIA

ATTEST:

By: _____

By: _____, Manager



CODE ENFORCEMENT AND LAND DEVELOPEMENT COMMITTEE

BOARD ACTION REQUEST

11-01-2017

DATE

Code Enforcement

DEPARTMENT

CE - 04-110117

AGENDA ITEM NUMBER

FISCAL IMPACT	
Cost > \$10,000.	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
PUBLIC BID REQUIRED	
Cost > \$19,700.	
Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

AGENDA ITEM:

Philadelphia Presbytery Homes - Zoning Text Amendment Submission

EXECUTIVE SUMMARY:

The required application fee has been received. The application fee will be used for the advertisement of the proposed zoning text amendment and the cost associated with the public hearing. A copy of the ordinance amendment is attached.
Motion to advertise a hearing date of December 14, 2017 and advertise the approved date.

PREVIOUS BOARD ACTIONS:

This zoning text amendment will be heard by the Planning Commission of the Township of Abington on Wednesday, November 15, 2017. Their recommendation will be forwarded for your review and consideration.

This proposal has been forwarded to Montgomery County Planning Commission for review and comment. Their staff review letter will be available for your review and consideration.

RECOMMENDED BOARD ACTION:

Motion to schedule and advertise a formal hearing of the Board of Commissioners of the Township of Abington on Thursday, December 14, 2017 for the zoning text amendment known as Proposed Ordinance #2147 filed by Philadelphia Presbytery Homes for the proposed development of the Rydal Waters Property.

TOWNSHIP OF ABINGTON
ORDINANCE NO. 2147

AN ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE TOWNSHIP OF ABINGTON, RELATING TO PROVISIONS OF THE SNR SENIOR NEIGHBORHOOD RESIDENTIAL, RIPARIAN CORRIDOR, STEEP SLOPE AND OPEN SPACE DISTRICTS.

WHEREAS, the Board of Commissioners of the Township of Abington is empowered to amend the Township's Zoning Ordinance regulating the use and control of land within the Township; and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that it is the interest of the health, safety and welfare of the community that the Township's Zoning Ordinance be amended in certain respects: and

WHEREAS, the Board of Commissioners of the Township of Abington has determined that such amendments as set forth herein are consistent with the community development goals for Abington Township and the Pennsylvania Municipalities Planning Code.

NOW THEREFORE, the Board of Commissioners of the Township of Abington does hereby enact and ordain, that the Township's Zoning Ordinance shall be amended as follows:

Section 1. Article II: Definitions, Section 201. Specific Definitions: Steep Slope is amended as follows:

Steep Slope: Natural or man-made areas of land where the average slope exceeds 15%, measured over a ten foot (10') horizontal distance. Steep Slope does not include areas which were previously approved by the Township as part of a land development or subdivision application, and/or were created as the result of such approved plans.

Section 2. Article XV: Riparian Corridor Conservation District, Section 1502. Establishment And Width Determination Of The Riparian Corridor Conservation District: is amended as follows:

Add as second paragraph: The Riparian Corridor Conservation District does not include: a) existing roads or streets to the full width of such road or street, including any adjacent sidewalks, curbs, retaining structures, utilities and/or headwall of existing culvert structures; b) existing stormwater management basins, including all basin slopes or berms; or c) public walkways or trails which are unpaved, or are eight (8) feet or less in width.

Section 3. Article XXI: Use Regulations, Section 2103.E. Use E-15: Senior Living Community, is amended as follows:

Senior Living Community: A residential development consisting of Use H-7: Single-Family Detached Dwelling Unit and Use H-10: Twin Dwelling Unit (Single-Family Semi-

Attached), exclusively restricted to the principal occupant being 62 55 years of age or older and ~~one~~ up to two other adults, neither with dependent children, and a live-in nurse or similar care giver whose presence is required to care for a permitted occupant.

Section 4. Article XXVI: General Regulations, Section 2601.K. Open Space Standards, is amended as follows:

Open Space Standards. Where proposed, or where required by zoning district, the creation of open space in conjunction with land development or subdivision shall meet the following requirements:

1. Open Space Standards.
 - f. Open space shall be visible or partially visible from dwelling units, ~~and~~ roadways, and sidewalks or recreational trails/walkways.

Section 5. Appendices: Comprehensive Use Matrix, H Residential Uses, is amended as follows:

Use Code H-10 Twin Dwelling Unit (Single Family Semi-Attached), for SNR District, change from N to Y.

Section 6. Severability.

If any section, subsection, or clause of this ordinance shall be deemed to be unconstitutional or otherwise invalid, the validity of the remaining sections, subsections, and clauses shall not be affected.

Section 7. Conflicting Ordinances Repealed.

All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 8. Effective Date.

This ordinance shall become effective and shall be enforced on and after _____, 2017.

ENACTED AND ORDAINED the ____ day of _____, 2017.

TOWNSHIP OF ABINGTON

Attest:

_____, Secretary

By: _____
_____, President
Board of Commissioners

The stated meeting of the Code Enforcement and Land Development Committee of the Board of Commissioners of the Township of Abington was held on Wednesday, October 4, 2017 at the Township Administration Building, Abington, PA., with Commissioner Sanchez presiding.

CALL TO ORDER: 7:03 p.m.

ROLL CALL: Present: Commissioners SANCHEZ, ZAPPONE, GILLESPIE

Excused: DiPLACIDO, BRODSKY

Township Manager MANFREDI

Assistant Township Manager WEHMEYER

Township Solicitor CLARKE

Also Present: Commissioners LUKER, KLINE, MYERS, SCHREIBER, BOWMAN, KALINOSKI

MINUTES: Commissioner Sanchez made a MOTION, seconded by Commissioner Gillespie to approve the minutes of the September 6, 2017 Code Enforcement and Land Development Committee Meeting.

MOTION was ADOPTED 3-0.

Commissioner Sanchez announced that the Code Enforcement and Land Development Committee had no business at this time.

Commissioner Sanchez asked for any general comments relating to Code Enforcement and Land Development.

Lora Lehmann, 1431 Bryant Lane, asked do the speaking rules say that answers to her questions are supposed to be immediate at the meeting or soon after. She also asked for the speaking rules and Robert's Rules of Order to be available to the public.

Commissioner Sanchez replied the rule is that it may be answered at the meeting if it is readily available or forthcoming soon.

Code Enforcement Committee

October 4, 2017

ADJOURNMENT: 7:08 p.m.

Respectfully submitted,

Richard J. Manfredi, Township Manager/Secretary

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