

ORDINANCE NO. 412

AN ORDINANCE AMENDING THE CODE OF EAST NORRITON TOWNSHIP SPECIFICALLY CHAPTER 205, KNOWN AS THE EAST NORRITON TOWNSHIP ZONING ORDINANCE, BY AMENDING ARTICLE II, SECTION 205-5, DEFINITIONS, TO ADD PERSONAL CARE HOME, AND AMENDING ARTICLE XXV, THE RR -RETIREMENT RESIDENTIAL DISTRICT, BY AMENDING SECTION 205-152. , PERMITTED USES, TO ADD PERSONAL CARE HOMES, AS THE SOLE USE OF A PROPERTY OR IN CONJUNCTION WITH OTHER PERMITTED OR SPECIAL EXCEPTION USES; BY AMENDING SECTION 205-152, SUBSECTION C., USES PERMITTED BY SPECIAL EXCEPTION; BY AMENDING SECTION 205-153., SUBSECTION C., TO PERMIT A MINIMUM DISTRICT SIZE OF SEVEN (7) ACRES; AND BY ADDING A NEW SUBSECTION D TO READ AS FOLLOWS: WHENEVER THERE IS A COMBINATION OF USES BY RIGHT AND SPECIAL EXCEPTION USES ON A DEVELOPMENT TRACT IN THIS DISTRICT, THE MINIMUM AREA DEVOTED TO PERMITTED USES SHALL BE THREE (3) ACRES.

The Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania, under and by virtue of authority granted by the Second Class Township Code and the Municipalities Planning Code, do hereby enact and ordain:

SECTION 1. ARTICLE II, Section 205-5, "DEFINITIONS" is hereby amended to add the following definition:

PERSONAL CARE HOME -- any premises, licensed by the Commonwealth of Pennsylvania, in which food, shelter, and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours for four or more senior citizens who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility but who do require assistance of supervision in such matters as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration. Also known as "Assisted Living."

SECTION II. Amend ARTICLE XXV, the R-R Retirement Residential District, as follows:

A. Amend Section 205-152. Permitted Uses., by adding the following Section B.1:

- B.1. Personal care homes, as the sole use of a property or in conjunction with other permitted or special exception uses, subject to the standards in this Section. Wherever there is a conflict between the standards herein and the general requirements of the R-R district, the standards herein shall apply:
- (1) The minimum lot area devoted to this use shall be three (3) acres.
 - (2) The maximum height of a personal care building shall be thirty-five (35) feet.
 - (3) The minimum setback from an abutting street ultimate right-of-way shall be fifty (50) feet. A low intensity buffer shall be installed in this area in accordance with the requirements of Section 175-22.1., Subsection C.(4) of Chapter 175, Subdivision and Land Development.
 - (4) Property line buffers shall be provided in accordance with the requirements of Section 175-22.1, Subsection C. of Chapter 175, Subdivision and Land Development.
 - (5) Personal care homes shall be served by public water and sewer.
 - (6) Parking shall be provided in accordance with Article XVIII, Section 205-102., Subsection B(2)(p) of this chapter.
 - (7) The maximum number of beds/residents in a personal care home shall be based upon applicable regulations of the appropriate regulation agencies of the Commonwealth of Pennsylvania, as well as the maximum building area, impervious surface ration and height permitted in this district.
 - (8) The maximum number of residents in a single room/unit in a personal care home shall be based upon the maximum number of beds in the room/unit and any applicable regulations of the appropriate regulatory agencies of the Commonwealth of Pennsylvania. In no case shall the number of residents in a single room/unit exceed the number of permanent beds in that room/unit.
 - (9) The maximum horizontal dimension of a building used as a personal care home shall be three hundred (300) feet.
 - (10) The provisions of Section 205-156., Subsection F. herein, shall apply with the understanding that the term "owner of an individual dwelling unit", as used in said section shall be construed to also mean "resident of a personal care home".

- B. Amend Section 205-152., Subsection B., Permitted Uses, by deleting Subsection B. and replacing with the following:
- B. Accessory uses to retirement residential communities and personal care homes will be specifically restricted to serve only residents of the retirement residential community or personal care home, as applicable, and their invited guest and shall be limited to the following:
- (1) Auditoriums, activity rooms, craft rooms, library, lounges and similar facilities for members of the retirement residential community or personal care home, as applicable, and invited guests.
 - (2) Office and retail facilities designed to serve only the members of the retirement residential community or personal care home, as applicable, such as, but not limited to, doctors' office, pharmacy, a fitness center, gift shop, coffee shop, post office, bank, travel agent, beauty shop and barbershop.
 - (3) Guard station and/or mechanical entrance gate.
 - (4) Off-street automobile parking or parking garage and off-street delivery and loading facilities as may be required for the use of occupants, staff and visitors to the facility.
- C. Amend Section 205-152., Subsection C., by deleting this section and replacing with the following:
- Uses permitted by special exception.
- (1) Adult Day Care
 - (2) Any uses permitted by right or by conditional use in the RP-Residential and Professional Zoning District are permitted when authorized by special exception, subject to the provisions in the zoning code applicable to the RP Zoning District except that Group Day Care Home(s) and Day Care Center(s) are prohibited.
 - (3) Special exception uses shall be subject to the applicable parking requirements contained in Article XVIII of this chapter.
 - (4) Buffering along an abutting street shall be provided in accordance with low intensity buffer provisions of Section 175-22.1., Subsection C(4) of Chapter 175, Subdivision and Land Development.
- D. Amend Section 205-153., Subsection C., to read as follows:
- (3) Minimum district size equals seven (7) acres.

E. Add a new Subsection D to Section 205-153 to read as follows:

- (4) Whenever there is a combination of uses by right and special exception uses on a development tract in this district, the minimum area devoted to permitted uses shall be three (3) acres.

SECTION III. Amend ARTICLE XVIII, Parking and Loading, by adding the following to Section 205-102., Subsection B.(2):

- (p) Personal care homes (assisted living); one (1) space for every two (2) beds

SECTION IV. Severability.

If any section, subsection, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such provision shall be separate, distinct, and independent and such holding shall not affect the validity of the remaining portions of this ordinance.

SECTION V. Ratification

This Ordinance shall in no other way affect, amend or modify the said Zoning Ordinance contained in Chapter 205 of the Code of East Norriton Township.

ENACTED AND ORDAINED by the Board of Supervisors of East Norriton Township, Montgomery County, Pennsylvania this 9th day of November 1999.

BOARD OF SUPERVISORS
EAST NORRITON TOWNSHIP

BY: Joseph A. Rouca Jr.
Chairman

ATTEST:

Helmut J. H. Roswald
Secretary

