

**WHITEMARSH TOWNSHIP  
MONTGOMERY COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF WHITEMARSH AMENDING CHAPTER 116, ZONING, OF THE CODE OF THE TOWNSHIP OF WHITEMARSH, MONTGOMERY COUNTY, PENNSYLVANIA, BY CREATING A NEW USE DEFINITION FOR SENIOR LIVING COMMUNITIES AND ESTABLISHING SPECIFIC REQUIREMENTS GOVERNING DEVELOPMENT OF SENIOR LIVING COMMUNITIES, AS A SPECIAL EXCEPTION, IN THE INSTITUTIONAL DISTRICT**

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**WHEREAS**, the Board of Supervisors of Whitemarsh Township desires to further the Township's goal of promoting the health, safety, morals, and general welfare by amending the Code of Whitemarsh Township (the "**Code**"), Chapter 116, Zoning, by establishing senior living communities as a permitted use in the I-Institutional District by special exception and establishing requirements for development of that use;

**WHEREAS**, the Whitemarsh Township Board of Supervisors ("**Board**") has determined that it is in the best interests of the municipality to adopt this ordinance amending the Zoning Ordinance of Whitemarsh Township;

**WHEREAS**, the Board has determined that this Ordinance is generally consistent with the Whitemarsh Township Comprehensive Plan;

**WHEREAS**, a public hearing was held for the purpose of considering this amendment to the Zoning Ordinance of Whitemarsh Township; and

**WHEREAS**, the Board, after the public hearing, and after receipt of recommendations from the Whitemarsh Township Planning Commission and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance of Whitemarsh Township be amended as set forth herein, and that such modifications are in accordance with the spirit and the intent of the Zoning Ordinance of Whitemarsh Township and the Whitemarsh Township Comprehensive Plan.

**NOW, THEREFORE, BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Whitemarsh Township, Montgomery County, Pennsylvania that the Zoning Ordinance of Whitemarsh Township is hereby amended as follows:

**SECTION 1.** Chapter 116, Zoning, Article II, Definitions and Word Usage, Section 116-11, Definitions, is amended to add:

Senior Living Community. An age-restricted community, inspected and licensed by the Pennsylvania Department of Human Services ("DHS") as either a Personal Care Home ("PCH") or Assisted Living Residence ("ALR"), whether for-profit or

non-profit, providing living accommodations for a mix of independent and assisted-living residents, which may or may not include memory care residents, as well as providing the following services and activities: 24-hour supervision, three meals a day often served in a group dining room, personal care services (help with bathing, dressing, toileting, etc.), medication management or assistance with self-administration of medicine, social services, supervision and assistance for persons with Alzheimer's or other dementias and disabilities, recreational and spiritual activities, exercise and wellness programs, laundry and linen service, housekeeping and maintenance, and arrangements for transportation.

**SECTION 2.** Chapter 116, Zoning, Article XXIV, Institutional Overlay District, Section 116-175, Special Exception Uses, is amended to add a new subsection "R" which shall read as follows:

R. Senior Living Community, subject to the following provisions:

1. Ancillary services provided to the community shall be available to residents and their guests only, and not to the general public.
2. Loading spaces, where required, shall be located no closer than 100 feet to a property line adjacent to any residential use existing at the time of application.
3. Trash/recycling dumpsters and/or trash compaction equipment, if exterior to the building, shall be contained within a three-sided trash enclosure, with a gated fourth side. Trash enclosures shall be located no closer than 100 feet to a property line adjacent to any residential use existing at the time of application and shall be constructed of any combination of opaque fence, wall, or similar enclosure, a minimum of 5 feet in height to the top of the enclosure.
4. Accessory structures, including but not limited to detached parking structures, shall not exceed 15 feet in building height and shall be designed in accordance with and constructed of materials consistent with the materials to be utilized on the primary structures of the Senior Living Community. Accessory structures shall be located no closer than 50 feet to any property line.
5. Buffer yards of a minimum of 50 feet in width shall be provided along all property lines not abutting a street. Buffer yards shall be planted with any combination of grass/ground cover, shrubs, trees, plant materials, and fencing, provided however, that non-grass/ground cover plantings shall be utilized for that portion of width sufficient to establish an effective visual screen to adjoining properties. The materials and layout of the required buffers shall be subject to Shade Tree Commission review and recommendation for approval at the time of land development.
6. Those portions of the site outside of required buffers and not otherwise designated for impervious development, shall be planted with any combination of grass/ground cover, shrubs, trees, other plant materials, and fencing, at the

discretion of the property owner. Walking trails and other outdoor amenities for the exclusive use of property residents and their guests shall be permitted within non-buffer green areas.

7. The architectural aesthetic of the facades shall deemphasize the mass of the building through the use of architectural features such as projecting and recessed elements, variations in roof lines, entry components, building offsets, windows, dormers and other devices that break or minimize the scale reducing the apparent overall bulk and volume of the structure. Breaks in the facades and roof lines shall occur not less frequently than every 100 feet. The exterior wall material of principal and accessory buildings shall be a combination of cementitious siding and trim, brick, vinyl siding, architectural simulated stone, and/or glass, with a consistent or complementary shape, color and texture as found within the adjacent community. The dominant exterior material of a primary front facade shall not be vinyl siding. The facade treatment of walls facing residential uses or residential zoning districts shall be similar to the primary front facade.
8. The minimum required parking shall be provided as follows:
  - a) 1 off-street parking space for every 1 independent living unit, plus
  - b) 1 off-street parking space for every 2 assisted living and/or memory care units, plus
  - c) 1 off-street parking space for every 2 employees or staff members
  - d) All required parking shall be provided on site, shall consist of all-weather, paved surfaces, and may be provided in any combination of surface and single-story garage parking spaces.
9. Except to the extent otherwise specifically provided herein, off-street parking and loading shall conform to applicable requirements of Article XXVI, Off-street Parking and Loading.

**SECTION 3.** Chapter 116, Zoning, Article XXIV, Institutional Overlay District, Section 116-176, Dimensional Requirements, is amended to strike and reserve existing subsection “A.2”, add a new subsection “A.3” and add a new subsection “B” to read as follows:

2. (Reserved)
3. Uses described in § **116-175R**:
  - a) Lot area: 15 acres.
  - b) Lot width: 200 feet.
  - c) Maximum building coverage: 20% of lot area
  - d) Maximum impervious coverage: 40% of lot area
  - e) Minimum building setback: 100 feet

- f) Minimum parking setback, including accessways, aisles, and drives, except for that portion of the driveway necessary to connect to the public street:  
50 feet
- B. Height requirements. The maximum height of any building erected or used for any use permitted in an Institutional District shall be 40 feet, provided however, that the building height of any portion of a Senior Living Community may be increased to a maximum of 3 stories and 45 feet if said portion is set back a minimum of 100 feet from any street frontage and property line abutting a residential zoning district.

**SECTION 4.** It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provision of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The Board of Supervisors hereby declares that it would have passed this Amendment and each Section or part thereof, other than the part declared invalid, if the Board of Supervisors had advanced knowledge that any part would be declared invalid.

**SECTION 5.** Any resolution, ordinance or part of any ordinance or resolution inconsistent herewith, and any amendments thereof, are hereby expressly repealed and the provisions of this Ordinance shall prevail.

**SECTION 6.** In the event of a conflict between the provisions of this Ordinance, and the provisions of the Zoning Ordinance of Whitmarsh Township, the provisions of this Ordinance shall control.

**SECTION 7.** In all other respects, the provisions of the Zoning Ordinance of Whitmarsh Township, as amended, shall remain in full force and effect.

**SECTION 8.** This Ordinance shall become effective five (5) days after adoption.

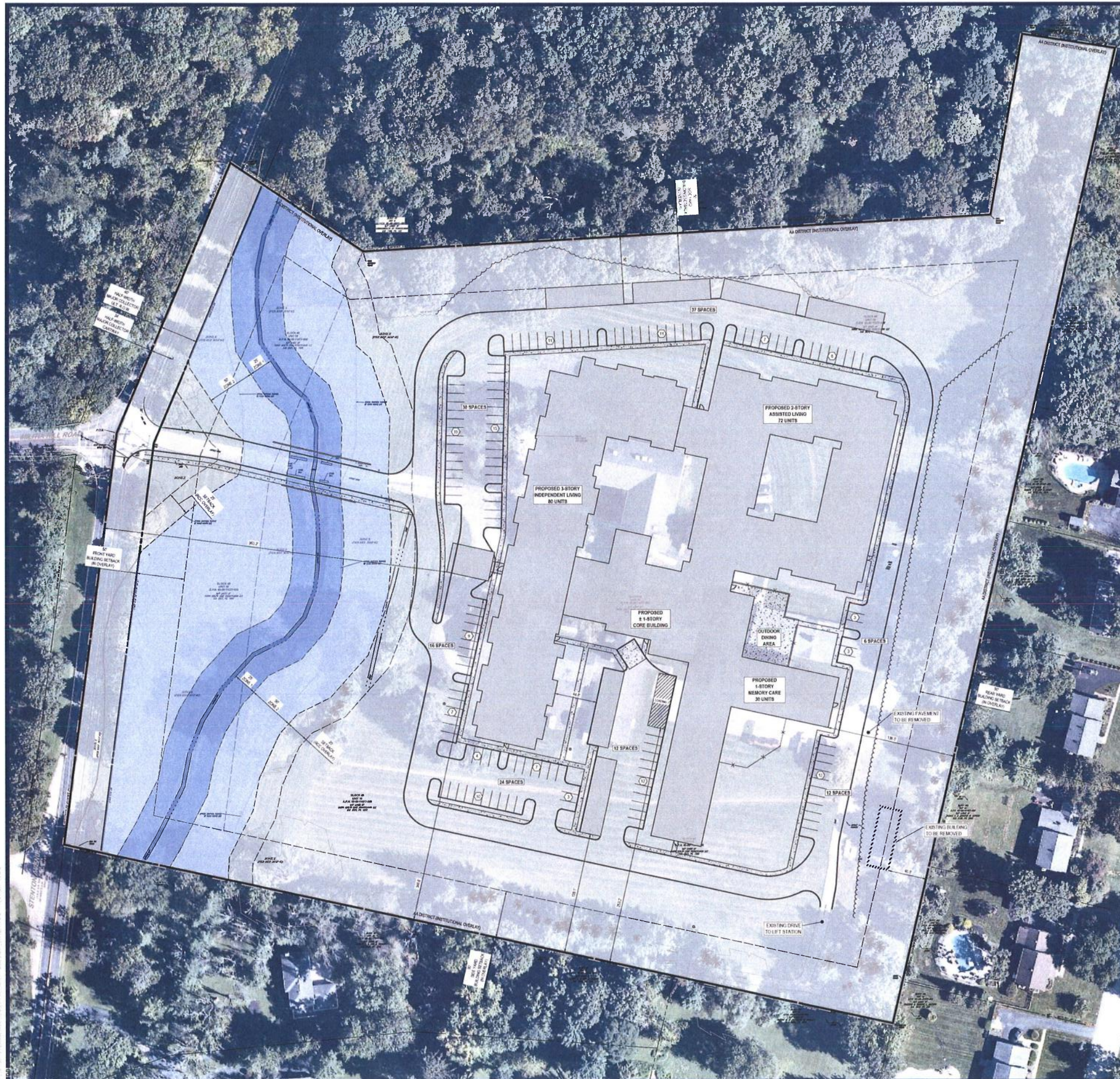
**ORDAINED and ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_, 2021.

**ATTEST**

\_\_\_\_\_

**WHITEMARSH TOWNSHIP  
BOARD OF SUPERVISORS**

**By:** \_\_\_\_\_



**CONCEPT PLAN GENERAL NOTES**

1. THIS PLAN REFLECTS SITE CONDITIONS AND INFORMATION BY A SURVEY PREPARED BY CONTROL POINT ASSOCIATES, INC.
2. THIS CONCEPT WAS PREPARED STRICTLY BASED UPON INFORMATION IDENTIFIED ABOVE.
3. THE CONCEPT REPRESENTED HEREIN IDENTIFIES A DESIRED CONCEPT RESULTING FROM LAYOUT PREFERENCES IDENTIFIED BY THE CLIENT COUPLED WITH A PRELIMINARY REVIEW OF ZONING AND LAND DEVELOPMENT REQUIREMENTS AND USABLE FEASIBILITY WITH RESPECT TO CITY, COUNTY, STATE, AND OTHER APPLICABLE APPROVALS ARE NOT WARRANTED AND CAN ONLY BE ADDRESSSED AFTER FURTHER EXAMINATION AND VERIFICATION OF SAME REQUIREMENTS AND PROCEEDMENT OF JURISDICTIONAL APPROVALS.
4. THIS CONCEPT PLAN IS PREPARED FOR CONCEPTUAL PRESENTATION PURPOSES ONLY AND IS NOT INTENDED FOR UTILIZATION AS A ZONING AND/OR CONSTRUCTION DOCUMENT. THE EXISTING CONDITIONS SHOWN HEREON ARE BASED UPON INFORMATION THAT WAS SUPPLIED TO OUR OFFICE AT THE TIME OF PLAN PREPARATION AND MAY BE SUBJECT TO CHANGE AND MUST BE UPDATED UPON PERFORMANCE OF ADDITIONAL DUE DILIGENCE.

**ZONING**

**EXISTING ZONING:** AA RESIDENTIAL DISTRICT (00 000 01)  
 INSTITUTIONAL OVERLAY  
 RIPARIAN CORRIDOR CONSERVATION OVERLAY DISTRICT  
 STEEP SLOPE OVERLAY DISTRICT  
 RIPARIAN CORRIDOR OVERLAY DISTRICT  
**PROPOSED USE:** SENIOR LIVING COMMUNITY (PERMITTED VIA SPECIAL EXCEPTION IN INSTITUTIONAL OVERLAY PER PROPOSED ZONING TEXT AMENDMENT)

**SITE CALCULATION**

**SITE AREA:** 730,991 SF  
**NET SITE AREA:** 26,800 SF

**116-176 INSTITUTIONAL OVERLAY DIMENSIONAL REQUIREMENTS (PER PROPOSED ZONING TEXT AMENDMENT)**

	REQUIRED	PROPOSED
ACTUAL LOT AREA	73,616 SQ. FT.	73,616 AC.
ACTUAL FRONT YARD	50 FEET	30.2 FEET
ACTUAL SIDE YARDS	50 FEET	50 FEET
ACTUAL REAR YARD	50 FEET	13.5 FEET
ACTUAL LOT WIDTH	200 FEET	71.5 FEET
MAX. BUILDING HEIGHT	40 FEET (2)	15 FEET

**116-175 AMENDMENT SPECIAL EXCEPTION USES REQUIREMENTS: SENIOR LIVING COMMUNITY**

	REQUIRED	PROPOSED
ACTUAL LOT AREA	73,616 SQ. FT.	73,616 AC.
ACTUAL BUILDING COVERAGE OF LOT AREA	30%	16.8%
ACTUAL IMPROVED COVERAGE OF LOT AREA	40%	31.3%
RELOCATING ZONES ADJACENT TO RESIDENTIAL USE	NO FEET	346.6 FEET
RELOCATING ZONES ADJACENT TO RESIDENTIAL USE	NO FEET	252.2 FEET

RE ACCESSORY STRUCTURES:  
 HEIGHT: 10 FEET / 10 FEET  
 YARD SETBACK (ALL SIDES ADJACENT TO RESIDENTIAL USE): 50 FEET / 10 FEET  
 YARD SETBACK (ALL SIDES ADJACENT TO NON-RESIDENTIAL USE): 50 FEET / 50 FEET

(1) EXCEPT IN THE CASE OF A SENIOR LIVING COMMUNITY USE, WHERE THE MINIMUM LOT AREA SHALL BE 1/4 ACRES.

(2) THE MAXIMUM HEIGHT OF ANY BUILDING ERECTED OR USED FOR ANY USE PERMITTED IN AN INSTITUTIONAL DISTRICT SHALL BE 40 FEET. PROPOSED HOME USES SHALL BE BUILT TO A MAXIMUM HEIGHT OF ANY PORTION OF A SENIOR LIVING COMMUNITY MAY BE INCREASED TO A MAXIMUM OF 15 STOREYS AND 150 FEET. SUCH PORTION IS SET BACK A MINIMUM OF 100 FEET FROM ANY STREET FRONTAGE AND PROPERTY LINE ADJUTING A RESIDENTIAL ZONE.

**ARTICLE XXXV RIPARIAN CORRIDOR CONSERVATION OVERLAY DISTRICT: 116-258 APPLICATION AND WIDTH DETERMINATION**

	REQUIRED	PROPOSED
1. PARALLEL STRIPE	ZONE 1: 25 FEET FROM EDGE OF BRIDGE/STREAM ZONE 2: 50 FEET FROM EDGE OF CURB TO THE EXTENT OF 100 FEET ZONE 3: 100 FEET FROM EDGE OF CURB TO THE OUTSIDE EDGE OF COMPLEX MIN. WIDTH: 10 FEET MIN. WIDTH: 10 FEET MIN. WIDTH: 10 FEET	16.8% 31.3% 346.6 FEET 252.2 FEET

**PARKING REQUIREMENTS (PER PROPOSED ZONING TEXT AMENDMENT)**

	REQUIRED	PROVIDED
2. DRIVE	MINIMUM 10' CLEARANCE FROM DRIVE TO DRIVE	10' CLEARANCE FROM DRIVE TO DRIVE
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**BOHLER**  
 SITE CIVIL AND CONSULTING ENGINEERING  
 PROGRAM MANAGEMENT  
 LAND SURVEYING  
 LAND DEVELOPMENT  
 SUSTAINABLE DESIGN  
 PERMITTING SERVICES  
 TRANSPORTATION SERVICES

**REVISIONS**

REV	DATE	COMMENT	CREATED BY
1	02-18-2021	PER CLIENT COMMENTS	AAK
2	03-30-2021	PER CLIENT COMMENTS	JPA
3	5/27/2021	UPDATED SITE PLAN PER NEW BUILDING	JPA
4	7/21/2021	UPDATES PER TEXT AMENDMENT	JPA

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 1-800-342-1778  
 www.call811.org

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PROJECT No.: PC201183  
 DRAWN BY: JAT  
 CHECKED BY: JPA  
 DATE: 2021-02-02  
 CAD I.D.: PC201183.CPA-4

**CONCEPT PLAN**  
 FOR  
**LEO BROWN GROUP LLC**  
 WHITEMARSH SENIOR LIVING  
 251 STENTON AVENUE  
 WHITEMARSH TOWNSHIP  
 MONTGOMERY COUNTY, PA

**BOHLER**  
 1600 MANOR DRIVE, SUITE 200  
 CHALFONT, PA 18914  
 Phone: (215) 995-9100  
 Fax: (215) 995-0102  
 www.BohlerEngineering.com

**J.P. ALEJNIKOV**  
 PROFESSIONAL ENGINEER  
 PENNSYLVANIA LICENSE NO. PE068400

SHEET TITLE:  
**CONCEPT PLAN 'A'**  
 SHEET NUMBER:  
**1**  
 REVISION 4 - 7/21/2021

