

ORDINANCE NO. 239

**AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF TINICUM TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA TO PROVIDE STANDARDS FOR ADULT
DAILY LIVING CENTERS**

B A C K G R O U N D:

WHEREAS, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Tinicum Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Ordinances under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”; and

WHEREAS, the Board of Supervisors on or about September 1, 2005, duly adopted a revised and restated Tinicum Township Zoning Ordinance; and

WHEREAS, since its adoption, the Zoning Ordinance has from time to time been amended; and

WHEREAS, The Board finds it is in the interest of the Township and its citizens to amend the Zoning Ordinance to provide standards for Adult Daily Living Centers; and

WHEREAS, the Board of Supervisors finds and determines that this Zoning Ordinance Amendment is consistent with the Township Comprehensive Plan and the Community Development Objectives stated therein and in the Zoning Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, and it is hereby **ENACTED AND ORDAINED** by the Board of Supervisors of Tinicum Township, Bucks County, Pennsylvania, after public hearing, duly advertised and held on the 16th day of October, 2018, as follows:

Section 01: ADD to Article VII, Section 705 “Institutional and Recreational Uses”, a new subsection (C15) “Adult Daily Living Center, as follows:

The Zoning Ordinance, Section 705C, “Institutional and Recreational Uses”, is amended to add the following new use immediately after Use (C14):

(C15) Adult Daily Living Center

A facility licensed pursuant to the Commonwealth Older Adult Daily Living Centers Licensing Act, 62 P.S. §1511.1, *et seq.* and administered by the Pennsylvania Department of Aging, in which adult daily living services are simultaneously provided for four (4) or more clients who are not relatives of the operator for part of a twenty-four (24) hour day. The Center shall serve clients, including persons sixteen (16) years of age or older, with functional impairment who have post-stroke, dementia, Parkinsonism or a dementia-related disease such as Alzheimer's or other organic brain syndrome.

(a) Licensing, Approval and Permit Procedures

Prior to final approval of this conditional use by the Board of Supervisors and the granting of a permit by the Zoning Officer, the applicant must obtain a license from the Department of Aging.

(b) Standard – All Adult Daily Living Centers shall be subject to the following provisions:

- (1) The use shall conform to the minimum Bulk Requirements of the District in which it is proposed.
- (2) One (1) off-street parking space is required per employee or volunteer, in addition to one (1) space per six (6) clients receiving services.
- (3) A sufficient septic/sanitary system to serve the needs of the proposed facility shall be demonstrated to the satisfaction of the Township Engineer and the Bucks County Health Department.
- (4) Adequate vehicular circulation on the site to allow persons dropping off and picking up clients at the facility to do so without endangering themselves or other shall be demonstrated to the satisfaction of the Township Engineer.
- (5) If an outdoor area for the use of clients and staff is provided, it shall not be located in the front yard of the lot and shall be adequately buffered from adjacent properties.

Section 02: Section 404.2(b) “Uses Permitted by Conditional Approval” in the Village Commercial District is amended to add the following use immediately after subsection 3:

- 4. Adult Daily Living Center, Use C15

Section 03: Section 500.2(a) “Uses Permitted by Conditional Approval” in the Controlled Commercial District is amended to add the following use immediately after subsection 33:

- 34. Adult Daily Living Center, Use C15

Section 04: Section 501.2(b) “Uses Permitted by Conditional Approval” in the Commercial District is amended to add the following use immediately after subsection 3:

- 4. Adult Daily Living Center, Use C15

Section 05: Section 502.2 in the Limited Commercial District is amended to add a new section (b) “Uses Permitted by Conditional Approval” and add a new subsection 1 and to re-letter the present subsection (b) as subsection (c):

- 1. Adult Daily Living Center, Use C15

Section 06: The Zoning Ordinance, Section 704, “Table of Use Regulations”, is amended by adding the following new use immediately after Use C14.

		RC	RA	CR	VR	VC	CC	C	LC	PI	E
C15	Adult Daily Living Center	N	N	N	N	CU	CU	CU	CU	CU	CU

Section 07: All inconsistent provisions of other ordinances or resolutions are repealed to the extent of the inconsistency. All other provisions of the ordinances of Tincum Township shall remain in full force and effect.

Section 08: The provisions of this ordinance are declared to be severable. If any provision of this ordinance is declared to be invalid or unconstitutional by a court of competent jurisdiction, such determination shall have no effect on the remaining provisions of this ordinance.

Section 09: This ordinance shall be effective five (5) days after adoption by the Tincum Township Board of Supervisors.

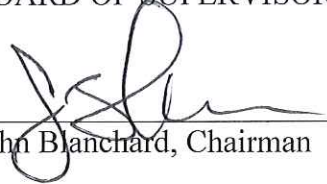
ORDAINED and ENACTED this *10th* day of *October*, A.D. 2018.

TINICUM TOWNSHIP
BOARD OF SUPERVISORS

Attest:




Teri Lewis, Township Manager



John Blanchard, Chairman



Richard Rosamilia, Vice Chairman



James A. Helms, Supervisor