

**LOWER PROVIDENCE TOWNSHIP**  
**Montgomery County, Pennsylvania**

**ORDINANCE #666**

**AN ORDINANCE OF THE TOWNSHIP OF LOWER PROVIDENCE, MONTGOMERY COUNTY, PENNSYLVANIA AMENDING CHAPTER 143, ZONING, ARTICLE XXIV, AMENDMENTS, ESTABLISHING REVISED PROCEDURES FOR PROPOSED ZONING AMENDMENTS, INCLUDING ADDITIONAL PUBLICATION AND NOTICE REQUIREMENTS FOR SUCH ZONING AMENDMENTS AND REPEALING ARTICLE VI, SECTION 143-36. E. VILLAGE HOUSE DEVELOPMENT**

**NOW, THEREFORE**, it is hereby **ENACTED and ORDAINED** by the Board of Supervisors of Lower Providence Township as follows:

**SECTION I.**

Article XXIV, Amendments, Section 143-176 Procedure for amendment, is hereby amended to read as follows:

Section 143-176 Procedure for amendment.

The Board of Supervisors of the Township may, from time to time, amend, supplement, change, modify or repeal this chapter, including the zoning map, by proceeding in the following manner:

- A. Either the Board of Supervisors or the Township Planning Commission, upon request by the Board of Supervisors, may prepare an amendment to the zoning ordinance in accordance with the procedures set forth in Section 609 of the MPC, 53 P.S. §10609, as amended.
- B. For any amendment prepared or authorized by the Board of Supervisors, such amendments shall be submitted and reviewed by both the Township Planning Commission and the Montgomery County Planning Commission.
- C. Upon authorization of a proposed amendment by the Board of Supervisors, and after submission to the Township Planning Commission, copies of the proposed amendment shall be posted on the Township's website and the Township's primary social media site. Additionally, all Township Planning Commission meetings at which the proposed zoning amendment is to be discussed shall be posted on the Township's website and the Township's primary social media site.
- D. Before voting on the enactment of a zoning amendment, the governing body shall hold a public hearing in accordance with Section 609 (b) (1) of the MPC, 53 P.S. §10609 (b) (1), as amended. The Board of Supervisors shall cause public notice to be given prior to the hearing, at least thirty (30) days after submission of the amendment to the County Planning Commission in accordance with the requirements of Section 609 of the

MPC, 53 P.S. §10609, as amended. All notices of the hearing shall contain a brief summary setting forth the principal provisions of the proposed ordinance in such reasonable detail as will give adequate notice of its contents and a reference to the place or places in the Township where copies of the proposed amendment to the ordinance may be examined.

E. If the proposed zoning amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township to notify potentially interested citizen. The affected tract or area shall be posted at least two weeks prior to the date of the hearing. Additionally, notice of the public hearing shall be mailed at least thirty (30) days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all real property owners located within the area being rezoned. The notice shall include the location, date and time of the public hearing. A good faith effort and substantial compliance shall satisfy the requirements of this section.

F. The Township shall send notice of the location, date and time of the public hearing to all property owners within 500 feet of any property: (1) affected by a zoning map change; (2) proposing a change in density; and (3) proposing additional principal uses in the applicable zoning district.

G. Notices of all hearings on proposed zoning ordinance amendments or zoning map changes shall be available electronically upon request.

## **SECTION II.**

Section 143-177. Petition for amendment by landowners, is hereby revised to read as follows:

Section 143-177. Petition for amendment by landowners.

A. A landowner may file an application for either a zoning amendment or a zoning map amendment which application shall be signed, acknowledged and submitted in writing to the Township Secretary and Township Zoning Officer. On receipt of said application, the Director of Community Development or Zoning Officer shall transmit a copy of the application to the Board of Supervisors, prior to referring the application to the Township Planning Commission and the Montgomery County Planning Commission.

B. Prior to voting on the enactment of a proposed landowner's amendment, the Board of Supervisors shall hold a public hearing, pursuant to public notice no less than thirty (30) days after the proposed amendment or map change was submitted to the Montgomery County Planning Commission. Additionally, if the landowner's application involves a zoning map change or involves an increase of residential density for the subject property or adds new proposed uses for the subject property, the proposed amendment shall be mailed to all property owners upon submission to the County Planning Commission for review.

C. Affected property owners shall be defined as any owners' of properties within 500 feet of the land proposed for amendment in the landowner's application. The Applicant

shall provide written certified mail to all such owners based upon addresses provided to the Applicant as set forth in the tax records within the possession of the Township. This notice shall include the date of the application and the date of the proposed public meeting to discuss such application by the Township and County Planning Commissions.

**SECTION III.** Article VI. R-2 Residential District, Section 143-36.E., Village House Development, is hereby repealed.

**SECTION IV.** Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

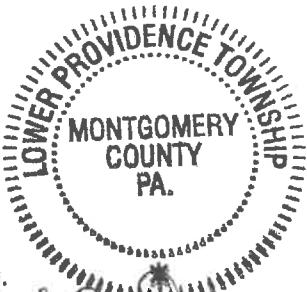
**SECTION V.** Severability

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

**SECTION VI.** Effective Date

This Ordinance shall become effective five (5) days after final enactment.

***ENACTED*** and ***ORDAINED*** this 16<sup>th</sup> day of April, 2020.



ATTEST:

A handwritten signature in black ink, appearing to read "D. Delamater", written over a horizontal line.

Donald D. Delamater, Township Manager

**LOWER PROVIDENCE TOWNSHIP  
BOARD OF SUPERVISORS**

A handwritten signature in blue ink, appearing to read "Jason F. Sorgini", written over a horizontal line.  
Jason Sorgini, Chairman