

# ABINGTON TOWNSHIP

**JUNE 24, 2025**



## PLANNING COMMISSION MEETING



# TOWNSHIP OF ABINGTON

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## PLANNING COMMISSION MEETING

### **A G E N D A** **June 24, 2025** **7:30 PM**

There are three ways for the public to participate in the meeting: in-person, online or by phone. Residents who wish to attend in person can do so in the Abington Township Board Room located at 1176 Old York Road, Abington, PA 19001, 2nd Floor. Alternative means of public participation are offered for those who do not wish to or are unable to attend the meetings in person. Residents who wish to participate in the meeting remotely can access the meeting online by a computer, iPad, iPhone, or Android at <https://uso6web.zoom.us/j/83637406019>. This link will enable residents to hear the meeting and see presentations. There will be no video capabilities. Residents, who are unable to join online, can listen to the meeting by calling 1-929-436-2866 and entering the meeting ID number 836-3740-6019 when prompted.

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#### **CALL TO ORDER**

**ROLL CALL**                      *BROWN, DICELLO, ROBINSON, BAKER, STRACKHOUSE, WEATHERLY, GOLDSTONE*

#### **CONSIDER APPROVAL OF MINUTES**

- a. Consider Approving Planning Commission Minutes of May 27, 2025.

#### **PRESENTATION**

#### **UNFINISHED BUSINESS**

#### **NEW BUSINESS**

- a. Review an Ordinance amending the Code of the Township of Abington at Part II [General Legislation], Chapter 162 [Zoning], Article XIX [Nonconforming Uses, Structures, Lots and Signs] by amending and restating Section 1908 [Expansion of or Construction on a Nonconforming Lot] to revise provisions for special exceptions.
- b. Review an Ordinance amending the Code of the Township of Abington at Part II[General Legislation], Chapter 162 [Zoning], at Article II [Definitions], Article XXI [Use Regulations], Article XXII [Parking and Transportation], and the Comprehensive Use Matrix to incorporate provisions for the C-39 [ Medical Marijuana Dispensary] and D-18 [Medical Marijuana Grower/Processor] Uses.

**PUBLIC COMMENT**

**ADJOURNMENT**

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## **BOARD POLICY ON PUBLIC PARTICIPATION**

### *For Information Purposes Only*

The Township shall conduct business in accordance with the Commonwealth of Pennsylvania Laws governing the conduct of public meetings and only establish guidelines that shall govern public participation at meetings consistent with the law.

Each commenter shall:

- Direct their comments to the Presiding Officer;
- Speak from the podium or into a microphone designated by the presiding officer;
- State their name for the record;
- Either orally or in writing provide their address for the record;
- Have a maximum of three minutes to make their comments. Each commenter when speaking to a specific agenda item, is to keep their comments relative to that identified agenda item;
- Speak one time per agenda item;
- When commenting on non-agenda items, the commenter is to keep their comments related to matters of the Township of Abington, Montgomery County, Pennsylvania.
- State a question to the Presiding Officer after all commenters have spoken, and;
- Be seated after speaking or upon the request of the presiding officer;
- Not engage in debate, dialogue or discussion;
- Not disrupt the public meeting, and;
- Exercise restraint and sound judgement in avoiding the use of profane language, and the maligning of others.

The stated meeting of the Planning Commission of the Township of Abington was held on Tuesday, May 27, 2025 via webinar and in-person at the Township Administration Building, Abington, PA, with Chairman Mr. Brown presiding.

**CALL TO ORDER:** 7:33 p.m.

**ROLL CALL:** Present: BROWN, DICELLO, BAKER, NEWELL, WEATHERLY

Excused: ROBINSON, GOLDSTONE

Also Present: Township Engineer Lee  
County Planner Narcowich

**PLEDGE OF ALLEGIANCE**

**CONSIDER APPROVAL OF MINUTES:**

Mr. Baker made a MOTION, seconded by Mr. DiCello to approve the minutes of the Planning Commission Meeting of January 28, 2025.

MOTION was ADOPTED 5-0.

**PRESENTATION:** None.

**UNFINISHED BUSINESS:** None.

**NEW BUSINESS:**

Review of LD-24-01 – 2241 Old Welsh Road – Final Major Subdivision and Land Development Plan:

Mr. Brown said the applicant previously appeared before the Planning Commission in September 2024 for a preliminary land development approval.

Under the current plan submission, the applicant proposes to demolish the existing detached garage, gazebo, stone walls, and rear concrete driveway onsite, and subdivide the existing previously consolidated 56,250 sq. ft. lot into seven (7) new lots.

Lots 1-7 will consist of 7,600 sq. ft. facing Parkview Avenue and each lot will have a proposed new 1,800 sq. ft. single family detached dwelling.

Lot 5 consists of 10,545 sq. ft. corner lot fronting Old Welsh Road and Fairview Avenue with a single family detached dwelling that will remain, and no garage is proposed for Lot 5. Lot 6 and 7 will consist of 7,603 sq. ft. each and these interior lots will front Old Welsh Road and both lots will be improved with 1,800 sq. ft. single family detached dwellings.

Mr. John Anderson, PE representing the applicant, requested final approval of the plan noting the applicant received preliminary approval last year from the Planning Commission as well as the Board of Commissioners at the beginning of this year. The applicant resubmitted its final application and received all outside agency approvals, and an HOP from PennDOT is required for the two lots on Old Welsh Road that have driveway access.

The applicant received PA DEP module exemption approval for additional sewer connections and there will be six new sewer connections, and the Montgomery County Conservation District's approval of adequacy for soil erosion and sedimentation control. The applicant received the Township Engineer's review letter and there were some review comments from the sewer engineer and the applicant will comply.

Mr. Brown said in September there were two waivers requested by the applicant that were not recommended for approval related to additional street lighting and roadway width on Parkview Avenue.

Mr. Anderson replied we reviewed the street lighting and after speaking with the ward Commissioner and the residents, they indicated they did not want additional street lighting, so we will not be installing it. Also, the applicant is no longer requesting a waiver regarding roadway width on Parkview because we are widening the road on our side of Parkview by three feet and that will bring our side into compliance.

The plan proposes individual stormwater management on each of the six lots in the form of underground basins primarily located underneath the driveways of each lot. We are trying to consolidate the development towards Parkview and Old Welsh Road to leave the center of the lot undisturbed to maintain as many trees as possible, and any tree that is being removed will be replaced to abide by the Township's Tree Replacement Ordinance.

The intersection at Parkview and Fairview will have an adequate handicapped accessible ramp system with a crosswalk that will require the applicant to install a 2-3 ft. wall for grading that will be necessary for the sidewalk.

Also, previously the plan showed homes with an open porch and the code requires that only a portion of the front of the house can be open, so a section of the dwelling will be enclosed.

Mr. Brown asked for any comments from members of the Planning Commission.

Mr. Baker asked will the replacement trees be in the same location? They seem to be placed randomly.

Mr. Anderson replied the replacement trees will be placed randomly by design to create open areas and trees will be planted at the back of the buildings and along the side.

Mr. Weatherly thanked the applicant for making the needed changes and he welcomes six more families to the Township.

Mr. Brown asked for any public comment.

Lora Lehmann, resident, expressed concern there was no proper notification to residents. Also, she was concerned about the last-minute change before the January 8<sup>th</sup> vote regarding the facades across the front just coming into compliance with the zoning code, and there was no notice for seven days and that is not what was advertised, so it should not be heard tonight.

Mr. Brown replied we will check with Township staff on that.

Mr. Weatherly made a MOTION, seconded by Mr. Baker to recommend approval of the LD-24-01- 2241 Old Welsh Road Final Major Subdivision and Land Development Plan.

MOTION was ADOPTED 5-0.

**ADJOURNMENT:** 7:50 p.m.

Respectfully submitted,

Liz Vile, Recording Secretary

*PLANNING COMMISSION MEETING*

*AGENDA ITEM*

June 24, 2025

*AGENDA ITEM NUMBER*

*DATE*

Administration

*DEPARTMENT*

**FISCAL IMPACT**

Cost > \$10,000

Yes  No

**PUBLIC BID REQUIRED**

Cost > \$20,100

Yes  No

*AGENDA ITEM:*

Non-Conforming Lot Discussion

*EXECUTIVE SUMMARY:*

The Abington Township Zoning Hearing Board has requested that the Abington Board of Commissioners consider amending the Township Zoning Ordinance, Article 19, Section 1908 Expansion of or Construction on a Nonconforming Lot, to eliminate the need for Township property owners, residents, and business owners to seek a Special Exception, from the Zoning Hearing Board, for the stated provision in this section and allow the conformance of this section to be determine by Township staff.

*PREVIOUS BOARD ACTIONS:*

06-12-25 - Working Session

*RECOMMENDED BOARD ACTIONS:*

Review an Ordinance amending the Code of the Township of Abington at Part II [General Legislation], Chapter 162 [Zoning], Article XIX [Nonconforming Uses, Structures, Lots and Signs] by amending and restating Section 1908 [Expansion of or Construction on a Nonconforming Lot] to revise provisions for special exceptions.

**ABINGTON TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. \_\_\_\_

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AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], ARTICLE XIX [NONCONFORMING USES, STRUCTURES, LOTS AND SIGNS] BY AMENDING AND RESTATING SECTION 1908 [EXPANSION OF OR CONSTRUCTION ON A NONCONFORMING LOT] TO REVISE PROVISIONS FOR SPECIAL EXCEPTIONS

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CERTIFICATION

I, CHRISTOPHER S. CHRISTMAN, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. \_\_\_\_.

---

Christopher S. Christman, Township Manager  
\_\_\_\_\_, 2025

ENACTED: \_\_\_\_\_

**ABINGTON TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. \_\_\_\_

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AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], ARTICLE XIX [NONCONFORMING USES, STRUCTURES, LOTS AND SIGNS] BY AMENDING AND RESTATING SECTION 1908 [EXPANSION OF OR CONSTRUCTION ON A NONCONFORMING LOT] TO REVISE PROVISIONS FOR SPECIAL EXCEPTIONS

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**WHEREAS**, The Board of Commissioners of Abington Township is duly empowered by the First Class Township Code, 53 P.S. § 55101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Abington Township;

**WHEREAS**, The Board of Commissioners of Abington Township has adopted a comprehensive zoning ordinance, known as The Revised Abington Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Abington Township;

**WHEREAS**, the First Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Commissioners to make, amend and adopt amendments to The Revised Abington Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

**WHEREAS**, the Board of Commissioners of Abington Township has determined that certain amendments to The Revised Abington Township Zoning Ordinance, as amended, are required for the orderly administration of the laws of Abington Township; and

**WHEREAS**, the Board of Commissioners has determined that the Code of the Township of Abington should be amended to refine the provisions for special exception approval for expansion of or construction on a nonconforming lot for the maintenance of peace, good government, health and welfare of the Township and its residents.

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**NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Board of Commissioners of Abington Township that the Township's Code is amended as follows:

**SECTION 1.           Amendment to Chapter 162 [Zoning], Article XIX [Nonconforming Uses, Structures, Lots and Signs], Section 1908 [Expansion of or Construction on a Nonconforming Lot] to refine the provisions for special exception approval.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XIX [Nonconforming Uses, Structures, Lots and Signs], Section 1908 [Expansion of or Construction on a Nonconforming Lot] is hereby restated and amended to delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

Section 1908.           EXPANSION OF OR CONSTRUCTION ON A NONCONFORMING LOT:

A building may be altered or erected on any nonconforming lot which was lawfully in existence at the time of adoption of this Ordinance, in single and separate ownership, provided ~~a special exception is authorized by the Township Zoning Hearing Board in accordance with the provisions of this Ordinance. In considering a special exception, the Zoning Hearing Board may impose the following additional requirements:~~

- A. That the use of the nonconforming lot shall be required to conform to the permitted uses within the district in which the nonconforming lot lies.
- B. That the general area and applicable dimensional yard/setback, coverage, building, density, parking and open space regulations as specified within this Ordinance for conforming uses and structures in the district in which the nonconforming lot lies shall be applied to the nonconforming lot.

**SECTION 2.           Repeal and Ratification.**

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. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 3. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 4. Effective Date.**

This Ordinance shall become effective immediately.

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**ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2025, by the Board of Commissioners of the Township of Abington.

**TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
THOMAS HECKER  
*President*

[Seal]

Attested by:

\_\_\_\_\_  
Christopher S. Christman  
*Township Manager & Secretary*

[ ]

PLANNING COMMISSION MEETING

AGENDA ITEM

June 24, 2025

AGENDA ITEM NUMBER

FISCAL IMPACT

DATE

Cost > \$10,000

Yes [ ] No [ ]

Administration

DEPARTMENT

PUBLIC BID REQUIRED

Cost > \$20,100

Yes [ ] No [ ]

AGENDA ITEM:

Medical Marijuana Ordinance Amendment

EXECUTIVE SUMMARY:

n/a

PREVIOUS BOARD ACTIONS:

06-12-25 - Working Session

RECOMMENDED BOARD ACTIONS:

Review an Ordinance amending the Code of the Township of Abington at Part II[General Legislation], Chapter 162 [Zoning], at Article II [Definitions], Article XXI [Use Regulations], Article XXII [Parking and Transportation], and the Comprehensive Use Matrix to incorporate provisions for the C-39 [ Medical Marijuana Dispensary] and D-18 [Medical Marijuana Grower/Processor] Uses.

**ABINGTON TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. \_\_\_\_

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AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], AT ARTICLE II [DEFINITIONS], ARTICLE XXI [USE REGULATIONS], ARTICLE XXIII [PARKING AND TRANSPORTATION], AND THE COMPREHENSIVE USE MATRIX TO INCORPORATE PROVISIONS FOR THE C-39 [MEDICAL MARIJUANA DISPENSARY] AND D-18 [MEDICAL MARIJUANA GROWER/PROCESSOR] USES

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CERTIFICATION

I, CHRISTOPHER S. CHRISTMAN, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT I AM THE TOWNSHIP MANAGER IN ABINGTON TOWNSHIP, MONTGOMERY COUNTY, PA AND THAT ATTACHED HERETO IS A TRUE AND COMPLETE CORRECT COPY OF ORDINANCE NO. \_\_\_\_.

---

Christopher S. Christman, Township Manager  
\_\_\_\_\_, 2025

ENACTED: \_\_\_\_\_

**ABINGTON TOWNSHIP**  
**MONTGOMERY COUNTY, PENNSYLVANIA**

ORDINANCE NO. \_\_\_\_

---

AN ORDINANCE OF THE TOWNSHIP OF ABINGTON, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF ABINGTON AT PART II [GENERAL LEGISLATION], CHAPTER 162 [ZONING], AT ARTICLE II [DEFINITIONS], ARTICLE XXI [USE REGULATIONS], ARTICLE XXIII [PARKING AND TRANSPORTATION], AND THE COMPREHENSIVE USE MATRIX TO INCORPORATE PROVISIONS FOR THE C-39 [MEDICAL MARIJUANA DISPENSARY] AND D-18 [MEDICAL MARIJUANA GROWER/PROCESSOR] USES

---

**WHEREAS**, The Board of Commissioners of Abington Township is duly empowered by the First Class Township Code, 53 P.S. § 55101, *et seq.*, to enact certain regulations relating to the public health, safety welfare of the residents of Abington Township;

**WHEREAS**, The Board of Commissioners of Abington Township has adopted a comprehensive zoning ordinance, known as The Revised Abington Township Zoning Ordinance, as amended, in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101, *et seq.*, which is intended to provide for the orderly development and redevelopment of Abington Township;

**WHEREAS**, the First Class Township Code and Pennsylvania Municipalities Planning Code, *supra*, authorize the Board of Commissioners to make, amend and adopt amendments to The Revised Abington Township Zoning Ordinance, as amended, that are consistent with the Constitution and laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the best interests of its residents; and

**WHEREAS**, the Board of Commissioners of Abington Township has determined that certain amendments to The Revised Abington Township Zoning Ordinance, as amended, are required for the orderly administration of the laws of Abington Township; and

**WHEREAS**, the Board of Commissioners has determined that the Code of the Township of Abington should be amended where the C-39 [Medical Marijuana Dispensary] and D-18 [Medical Marijuana Grower/Processor] Uses are provided within Abington Township for the maintenance of peace, good government, health and welfare of the Township and its residents.

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**NOW, THEREFORE, BE IT HEREBY ORDAINED AND ENACTED** by the Board of Commissioners of Abington Township that the Township's Code is amended as follows:

**SECTION 1.           Amendment to Chapter 162 [Zoning], Article II [Definitions], Section 201 [Specific Definitions] to provide definitions.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article II [Definitions], Section 201 [Specific Definitions] is hereby restated and amended to add the following definitions:

**Department of Health:**   The Department of Health of the Commonwealth of Pennsylvania.

**Medical Marijuana Act:**   Act 16 of 2016, 35 P.S. § 10231.101 *et seq.*

**SECTION 2.           Amendment to Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103.C [Retail & Service Uses] to provide for the Medical Marijuana Dispensary use.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103.C [Retail & Service Uses] is hereby restated and amended to add Use C-39 [Medical Marijuana Dispensary], as follows:

**C-39: Medical Marijuana Dispensary.**

A person, including a natural person, corporation, partnership, association, trust, or other entity, or any combination thereof, which is registered by the Department of Health under the Medical Marijuana Act to dispense medical marijuana. The term does not include a Health Care Medical Marijuana Organization under Chapter 19 of the Medical Marijuana Act. A Medical Marijuana Dispensary shall be permitted, where indicated in the Use Matrix, subject to the specific criteria listed below:

1. A Medical Marijuana Dispensary shall provide proof of registration with the Department of Health or proof that registration has been sought and is pending approval, and shall at all times maintain a valid, accurate, and up-to-date registration with the Department of Health. Should registration be denied or revoked at any time, any Township approval shall immediately become void. A Medical Marijuana Dispensary may not operate on the same site as a

facility used for growing and processing medical marijuana.

2. A Medical Marijuana Dispensary shall at all times operate in compliance with all Department of Health regulations pertaining to such facilities.
3. A Medical Marijuana Dispensary shall not be operated or maintained on a parcel within 1,000 feet, measured by a straight line in all directions, without regard to intervening structures or object, from the nearest point on the property line of a parcel containing a public, private or parochial school, or child day-care center, as defined and regulated by the Pennsylvania Department of Health
4. A Medical Marijuana Dispensary must operate entirely within an indoor, enclosed, and secure facility. No exterior sales and no sidewalk displays shall be permitted. No drive-thru services shall be permitted. The use cannot be advertised on radio or television.
5. A Medical Marijuana Dispensary shall be limited to the hours of operation not earlier than 9:00 a.m. and not later than 9:00 p.m.
6. A Medical Marijuana Dispensary shall submit a disposal plan to be reviewed and approved by the Township. Medical marijuana remnants and by-products shall be disposed of according to an approved plan and shall not be placed within an exterior refuse container.
7. There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled or otherwise perceived from beyond the lot line for the property where the Medical Marijuana Dispensary is located.
8. No one under the age of eighteen (18) shall be permitted in a Medical Marijuana Dispensary, unless accompanied by a caregiver as required under Section 506 of the Medical Marijuana Act.
9. No use of medical marijuana shall be permitted on the premises of a Medical Marijuana Dispensary.
10. A Medical Marijuana Dispensary shall submit a security plan to the Township, which plan shall be subject to the review and approval of the Township

Police Department and demonstrate how it will maintain effective security and control. The security plan shall specify the type and manner of 24-hour security, tracking, recordkeeping, record retention, and surveillance system to be utilized in the facility as required by Section 1102 of the Medical Marijuana Act and as supplemented by regulations promulgated by the Department of Health pursuant to the Medical Marijuana Act.

**SECTION 3. Amendment to Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103.D [Industrial Uses] to provide for the Medical Marijuana Grower/Processor use.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XXI [Use Regulations], Section 2103.D [Industrial Uses] is hereby restated and amended to add Use D-18 [Medical Marijuana Grower/Processor], as follows:

**D-18: Medical Marijuana Grower/Processor.**

A person, including a natural person, corporation, partnership, association, trust, or other entity, or any combination thereof, which is registered by the Department of Health under the Medical Marijuana Act to dispense medical marijuana. The term does not include a Health Care Medical Marijuana Organization under Chapter 19 of the Medical Marijuana Act. A Medical Marijuana Grower/Processor shall be permitted, where indicated in the Use Matrix, subject to the specific criteria listed below:

1. A Medical Marijuana Grower/Processor shall provide proof of registration with the Department of Health or proof that registration has been sought and is pending approval, and shall at all times maintain a valid, accurate, and up-to-date registration with the Department of Health. Should registration be denied or revoked at any time, any Township approval shall immediately become void.
2. A Medical Marijuana Grower/Processor shall at all times operate in compliance with all Department of Health regulations pertaining to such facilities.
3. A Medical Marijuana Grower/Processor must be located on a lot containing not less than two (2) acres.

4. A Medical Marijuana Grower/Processor shall not be operated or maintained on a parcel within 1,000 feet, measured by a straight line in all directions, without regard to intervening structures or object, from the nearest point on the property line of a parcel containing a public, private or parochial school, or child day-care center, as defined and regulated by the Pennsylvania Department of Health.
5. A Medical Marijuana Grower/Processor must operate entirely within an indoor, enclosed, and secure facility. No exterior sales and no sidewalk displays shall be permitted. No drive-thru services shall be permitted. The use cannot be advertised on radio or television.
6. A Medical Marijuana Grower/Processor shall be limited to the hours of operation not earlier than 9:00 a.m. and not later than 9:00 p.m.
7. A Medical Marijuana Grower/Processor shall submit a disposal plan to be reviewed and approved by the Township. Medical marijuana remnants and by-products shall be disposed of according to an approved plan and shall not be placed within an exterior refuse container.
8. There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled or otherwise perceived from beyond the lot line for the property where the Medical Marijuana Grower/Processor is located.
9. No one under the age of eighteen (18) shall be permitted in a Medical Marijuana Grower/Processor, unless accompanied by a caregiver as required under Section 506 of the Medical Marijuana Act.
10. No use of medical marijuana shall be permitted on the premises of a Medical Marijuana Grower/Processor.
11. A Medical Marijuana Grower/Processor shall submit a security plan to the Township, which plan shall be subject to the review and approval of the Township Police Department and demonstrate how it will maintain effective security and control. The security plan shall specify the type and manner of 24-hour security, tracking, recordkeeping, record retention, and surveillance system to be utilized in the facility as

required by Section 1102 of the Medical Marijuana Act and as supplemented by regulations promulgated by the Department of Health pursuant to the Medical Marijuana Act.

12. Fencing. Each Medical Marijuana Grower/Processor use shall be completely enclosed by a fence having a minimum height of six (6) feet. The Board of Commissioners may, by Conditional Use approval, require a greater fence height when deemed by the Board to be necessary for the protection of public health and safety.

**SECTION 4. Amendment to Chapter 162 [Zoning], Comprehensive Use Matrix to add the designations for Use C-39 in the MS-H, MS-L, MS-VC, and BC Zoning Districts.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Comprehensive Use Matrix Appendix is hereby restated and amended to add the designation of Use C-39 [Medical Marijuana Dispensary] with a designation of “Y”, corresponding to “By Right” for the columns labeled as “BC: Lots <1 Ac,” “BC: Abington Towne Center,” “BC: Foxcroft,” “BC: Huntingdon Valley,” “BC: Noble,” “BC: Willow Grove Park,” “MS-H,” “MS-L,” and “MS-VC,” corresponding to each of the six (6) Business Center Districts, and the Main Street – High-Density/Intensity District, Main Street – Low-Density/Intensity District, and the Main Street – Village Center District respectively.

**SECTION 5. Amendment to Chapter 162 [Zoning], Comprehensive Use Matrix to add the designations for Use D-18 in the SI-G and SI-W Zoning Districts.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Comprehensive Use Matrix Appendix is hereby restated and amended to add the designation of Use D-18 [Medical Marijuana Grower/Processor] with a designation of “CU”, corresponding to “Conditional Use” for the columns labeled as “SI-G” and “SI-W,” corresponding to the Suburban Industrial District-Glenside and Suburban Industrial District-Willow Grove respectively.

**SECTION 6. Amendment to Chapter 162 [Zoning], Article XXIII [Parking and Transportation], Section 2304 [Parking Use Requirements], Subsection C [Commercial Land Uses] to add parking requirements for Use C-39.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XXIII [Parking and Transportation], Section 2304 [Parking Use Requirements], Subsection C [Commercial Land Uses], is hereby restated and amended to add the following use and requirements:

38. Use C-39: Medical Marijuana Dispensary: One (1) off-street parking space per 200 square feet of gross leasable floor area.

**SECTION 7.           Amendment to Chapter 162 [Zoning], Article XXIII [Parking and Transportation], Section 2304 [Parking Use Requirements], Subsection D [Industrial Uses] to add parking requirements for Use D-18.**

The Code of the Township of Abington, Part II [General Legislation], Chapter 162 [Zoning], Article XXIII [Parking and Transportation], Section 2304 [Parking Use Requirements], Subsection D [Industrial Uses], is hereby restated and to delete the struck-through language (~~example~~) and add the underlined language (example) as follows:

**D.       Industrial Uses:**

1. Industrial Uses Not Otherwise Listed Herein: 1 parking space for every 1,000 square feet of gross leasable floor area devoted to industrial use, including storage area; plus 1 parking space for every 300 square feet of gross leasable floor area.
2. Use D-18:    Medical Marijuana Grower/Processor: One (1) off-street parking space per 500 square feet of gross floor area devoted to the manufacturing area, storage area and utility area, plus one (1) off-street parking space for every 300 square feet of gross floor area devoted to sales or office area.

**SECTION 8.           Repeal and Ratification.**

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. Any other terms and provisions of the Township's Code unaffected by this Ordinance are hereby reaffirmed and ratified.

**SECTION 9. Severability.**

Should any section, paragraph, sentence, clause, or phrase in this Ordinance be declared unconstitutional or invalid for any reason, the remainder of the Ordinance shall not be affected thereby and shall remain in full force and affect, and for this reason the provisions of this Ordinance shall be severable.

**SECTION 10. Effective Date.**

This Ordinance shall become effective immediately.

\*\*\*\*\*

**ORDAINED AND ENACTED** this \_\_\_\_\_ day of \_\_\_\_\_ 2025, by the Board of Commissioners of the Township of Abington.

**TOWNSHIP OF ABINGTON  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
THOMAS HECKER  
*President*

[Seal]

Attested by:

\_\_\_\_\_  
CHRISTOPHER S. CHRISTMAN  
*Township Manager & Secretary*