

Ordinance # 119  
**WESTFALL TOWNSHIP**

**AN ORDINANCE OF THE TOWNSHIP OF WESTFALL, COUNTY OF PIKE AND COMMONWEALTH OF PENNSYLVANIA AMENDING ORDINANCE NO. 76-1, AS AMENDED. COMMONLY KNOWN AS THE "WESTFALL TOWNSHIP ZONING ORDINANCE OF 1990", TO AMEND §2.2 THEREOF TO ADD A DEFINITION OF "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT"; TO AMEND §4.5(b) THEREOF TO INCLUDE "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT" AS A CONDITIONAL USE IN THE R-1 LOW DENSITY RESIDENTIAL DISTRICT; TO AMEND §4.6(b) THEREOF TO INCLUDE "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT" AS A CONDITIONAL USE IN THE R-2 GENERAL RESIDENTIAL DISTRICT; TO AMEND §4.7(b) THEREOF TO INCLUDE "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT" AS A CONDITIONAL USE IN THE C-1 NEIGHBORHOOD COMMERCIAL DISTRICT; TO AMEND §4.8(b) THEREOF TO INCLUDE "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT" AS A CONDITIONAL USE IN THE C-2 GENERAL COMMERCIAL DISTRICT AND TO AMEND §5.2(c) TO ADD A SECTION CONCERNING "AGE RESTRICTED MULTI-FAMILY DWELLING UNIT".**

**BE IT ORDAINED** by the Supervisors of Westfall Township, Pike County, Pennsylvania as follows:

**SECTION I**

**Amendment:** Ordinance §76.1, adopted the 27th day of December 1990, being the "Westfall Township Zoning Ordinance of 1990" is hereby amended as follows:

**Article II**

**Section 2.2** Definitions is hereby amended to add the following definition:

Age Restricted Multi-Family Dwelling Unit A type of multi-family dwelling, occupancy of which shall be restricted by recorded affirmative covenant or restriction requiring occupancy by at least one (1) person age fifty-five (55) years or older per unit, prohibiting occupancy by

persons less than fifty (50) years of age, provided that incidental overnight visitation by persons under eighteen (18) years of age for not more than thirty (30) days per calendar year shall be permitted. The affirmative covenant or restriction must be enforceable by all or any of: (a) the applicant for the use, (b) the management or owners of the dwelling units, (c) the occupants of the dwelling units, (d) any association of property owners incident to the dwelling units, (e) and the Township.

#### **Article 4**

**Section 4.5(b)** Conditional Uses is hereby amended to add the heading of "Residential" and to add:

R-1            1) Age Restricted Residential Dwelling Units

**Section 4.6(b)** Conditional Uses is hereby amended to add under the heading of "Residential" the following:

R-2            3) Age Restricted Residential Dwelling Units

**Section 4.7(b)** Conditional Uses is hereby amended to add:

C-1            4) Age Restricted Residential Dwelling Units

**Section 4.8(b)** Conditional Uses is hereby amended to add:

C-2            4) Age Restricted Residential Dwelling Units

#### **Article 5**

**Section 5.2(c)** Specific Requirements and Standards is hereby amended to add the following:

16) Age Restricted Residential Dwelling Units. Age restricted multi-family dwelling units may be permitted as conditional uses. The minimum lot size for this use shall be fifteen (15) acres. There shall be a maximum 4.25 dwelling units per acre. This use shall be serviced by centralized water and sewage disposal systems. Not less than two (2) parking spaces shall be required for each dwelling unit, including parking spaces within garages. In addition one (1) additional parking space for each four (4) dwelling units shall be provided and restricted to use by visitors. Minimum lot width shall be one hundred fifty (150') feet. Minimum front and rear yard set back shall be thirty (30') feet and minimum side yard set back shall be twenty-five (25') feet. Maximum building height shall be thirty-five (35') feet. Maximum percentage of total lot coverage shall be fifty (50%) percent. Maximum percentage of building coverage on the lot shall be thirty (30%) percent.

**SECTION II**

**Repealer.** Any Ordinance or part of Ordinance conflicting with this Ordinance is hereby repealed insofar as the same is inconsistent with this Ordinance.

**SECTION III**

**Effective Date.** This Ordinance shall become effective five (5) days after the date of adoption by the Board of Supervisors.

THIS ORDINANCE IS DULY ORDAINED AND ENACTED INTO LAW THIS 1<sup>st</sup> day of June 1, 2004 at a duly and legally convened meeting of the Board of Supervisors of the Township after public hearing held on the 1<sup>st</sup> day of June 1, 2004.

WESTFALL TOWNSHIP BOARD OF SUPERVISORS

By: Kenneth A. Thiele  
Chairman

[Signature]  
Supervisor

[Signature]  
Supervisor

[Signature]  
Supervisor

[Signature]  
Supervisor

ATTEST:  
[Signature]  
Secretary

## PROPOSED ADDITION 1

### TO MARCH, 2004 DRAFT ZONING ORDINANCE

#### ADD

Section 202. Age Restricted Multi-Family Dwelling Unit A type of multi-family dwelling, occupancy of which shall be restricted by recorded affirmative covenant or restriction requiring occupancy by at least one (1) person age fifty-five (55) years or older per unit, prohibiting occupancy by persons less than fifty (50) years of age, provided that incidental overnight visitation by persons under eighteen (18) years of age for not more than thirty (30) days per calendar year shall be permitted. The affirmative covenant or restriction must be enforceable by all or any of: (a) the applicant for the use, (b) the management or owners of the dwelling units, (c) the occupants of the dwelling units, (d) any association of property owners incident to the dwelling units, (e) and the Township.

Section 306.B.1.a Age Restricted Multi-Family Dwelling Unit Conditional use in R-1, R-2, C-1, C-2 zone.

Section 402.A.49. Age Restricted Multi-Family Dwelling Units Age restricted multi-family dwelling units may be permitted as conditional uses. The minimum lot size for this use shall be fifteen (15) acres. There shall be a maximum 4.25 dwelling units per acre. This use shall be served by centralized water and sewage disposal systems. Not less than two (2) parking spaces shall be required for each dwelling unit, including parking spaces within garages. In addition one (1) additional parking space for each four (4) dwelling units shall be provided and restricted to use by visitors. Minimum lot width shall be one hundred fifty (150') feet. Minimum front and rear yard set back shall be thirty (30') feet and minimum side yard set back shall be twenty-five (25') feet. Maximum building height shall be thirty-five (35') feet. Maximum percentage of total lot coverage shall be fifty (50%) percent. Maximum percentage of building coverage on the lot shall be thirty (30%) percent.

## **PROPOSED ADDITION 2**

### **TO MARCH, 2004 DRAFT ZONING ORDINANCE**

#### **ADD**

Section 103.G.1.c. A Temporary Permit may be issued for a temporary structure placed or erected for use as a model or display by a builder or contractor as an accessory use to a builder or contractor's sales office. No such structure shall be occupied or used for any other purpose, including use as a sales office. Any such structure shall be erected in such a manner that it is susceptible of disassembly and removal, shall not be erected on a permanent foundation, shall not be connected to a sewer or septic system or have running water. A temporary permit issued under this subsection shall be valid for not more than twenty-four (24) months and may be renewed for an additional twelve (12) month period.