

Westfall Township

Ordinance No. 166

AN ORDINANCE OF WESTFALL TOWNSHIP, PIKE COUNTY, PENNSYLVANIA AMENDING THE ZONING ORDINANCE TO PROVIDE FOR GARDEN APARTMENTS AS A CONDITIONAL USE IN A C-2 ZONE AND TO PROVIDE STANDARDS FOR SAME.

WHEREAS, the Board of Supervisors may make and adopt any ordinance, by-laws, rules & regulations not inconsistent with or restrained by the Constitution and laws of this Commonwealth necessary for the proper management, care and control of the Township and its finances and the maintenance of peace, good government, health and welfare of the Township and its citizens, trade, commerce and manufacturers;

WHEREAS, the Board of Supervisors may plan for the development of the township through zoning regulations under the Act known as the "Pennsylvania Municipalities Planning Code" in accordance with the conditions and procedures set forth in the Act and may enact, amend and repeal zoning ordinances to implement comprehensive plans and to accomplish any of the purposes of said Act;

WHEREAS, the proposed zoning ordinance amendment has been reviewed and recommended for approval by both the Westfall Township Planning Commission and the Pike County Planning Commission.

NOW THEREFORE, the Westfall Township Supervisors hereby adopt the following Ordinance Amendment.

ARTICLE 2

DEFINITIONS

Section 202 – TERMS DEFINED

Dwelling Types

F. Garden Apartments – A group of two or more low-rise structures (not exceeding 35 feet in height), each containing multiple dwelling units per building, and no more than two bedrooms per unit situated upon a parcel having common, landscaped outdoor passive or active recreational areas and/or lawns. Garden apartments and must be serviced by Township-approved central water and sewer. Garden apartments may be leased, or sold for condominium ownership.

Section 306.B.1 – Allowed Uses in Each Zoning District

a. Residential Uses

	CD	R-1	R-2	C-1	C-2	C-3
Garden Apartments	N	N	N	N	C	N

Section 307.A – Table of Bulk Performance Standards

The following standards shall apply to Garden Apartments:

Min. Lot Area (sq. ft.)*	Min Lot Width Measured at Prescribed Building Setback Line	Min. Front Yard Setback	Min. Rear Yard Setback	Min. Side Yard Setback	Maximum Percent Impervious Coverage	Maximum Percent Building Coverage	Density**
261,360	350'	30'	30'	20'	70%	40%	2,600 sf/unit

*Min Lot Area shall not include Rights of Way, Utility Easements, Floodways, Wetlands, or areas of other uses currently occupying the lot. Each Commercial use, or building shall be considered based on the minimum lot area for each use or building and residential uses shall be determined by the underlying district density for residential uses

**The density calculations shall utilize the Minimum Lot Area prescribed above. However, easements and rights of ways, which such rights of way being established by the project, which are common to the proposed project and an adjoining project may be included in lot area for the purpose of density.

Section 801.C – Minimum Size of Dwellings.

The following section is hereby added.

3. A Single Bedroom Garden Apartment shall be no less than 600 square feet and a two bedroom garden apartment shall be no less than 850 square feet. The minimum width of each apartment shall be no less than 12 feet wide.

Section 402.A.55 – Additional requirements for specific principal uses.

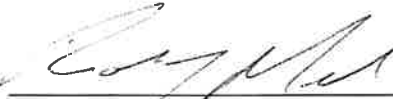
The following section is hereby added.

55. Garden Apartments
 - a. Garden Apartment shall provide buffering of no less than 20 feet from all principal, off site, non-residential uses, or be separated by such principal use by no less than 250 feet. The Buffers shall comply with Section 803.D.7

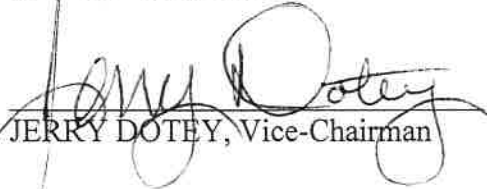
- b. The perimeter of a garden apartment development shall be fenced with a fence of no less than 6 feet in height. This provision does not apply when the project area is bounded by a stream or wetland.
- c. The project shall, prior to final plan approval under the SALDO, provide an emergency action plan for flooding events, power outages, and other foreseeable emergencies as required by the Township. The deed and/or lease for each unit shall include provisions for required evacuation of the development at the discretion of the Fire Department or Police for life threatening conditions.
- d. A garden apartment development shall provide a 24 hour building/property management service to address the needs of the users at the development. This Management Service shall be responsible for normal maintenance and coordination of emergency events with the Westfall Township Fire Department, Regional and State Police Departments, Township, County, State and Federal Emergency Management Agencies as conditions warrant. The contact information shall be provided to all residents of the facility and to the above mentioned emergency service agencies when such agencies have the ability to document such contact information.
- e. Active recreational areas within designated open space shall receive open space credit at a ratio of 2:1.
- f. Applicant shall reserve an area for parking sufficient to provide for 2.25 parking spaces per unit. The reserved parking area shall not include any area reserved for any other purpose (*e.g.*, open space, stormwater management). Prior to the issuance of final plan approval, no less than 2 parking spaces per unit shall be paved and marked. It shall be a condition of approval that, if the Board of Supervisors reasonably determines there to be a need for additional parking at the development to address an inadequate supply of parking, the developer shall pave and mark the additional reserved area.
- g. Paved Area Setback – All off-street parking spaces, except spaces on driveways immediately in front of a carport or garage entrance, shall be set back a minimum of 10 feet from any dwelling.
- h. Access. Vehicular access points onto all arterial and collector streets shall be minimized to the lowest reasonable number. No Garden Apartment dwelling with a tract of 5 or more dwelling units shall have its own driveway entering onto an arterial or collector street.
- i. Common Open Space. A minimum of 30 percent of the total lot area shall be set aside as common open space for the residents. If the development

will not be restricted to persons over age 55, then the common open space shall at a minimum include an area no less than 10,000 sq. ft., suitable for free play by young persons. A recreation building or pool available to all residents of the development may count towards this requirement. Areas with a width of less than 25 feet shall not count towards this requirement. The requirement shall be in place of any requirement for recreation land or fees under the SALDO.

EFFECTIVE DATE – this Ordinance shall become effective this 5th day of July, 2016.



ROBERT MELVIN, Chairman



JERRY DOTEY, Vice-Chairman

NOT PRESENT

ROBERT BOSTINTO, Supervisor



LESTER BUCHANAN, Supervisor

In opposition - did not sign

PAUL FISCHER, Supervisor

ATTEST:



JODI HULSE, SECRETARY