

BOROUGH OF ORWIGSBURG
SCHUYLKILL COUNTY, PENNSYLVANIA

ORDINANCE NO. 372

AN AMENDATORY ORDINANCE OF THE BOROUGH OF ORWIGSBURG, SCHUYLKILL COUNTY, PENNSYLVANIA, AMENDING ORDINANCE NO. 318, KNOWN AS THE ORWIGSBURG BOROUGH ZONING ORDINANCE ENACTED FEBRUARY 12, 1992 AS FROM TIME TO TIME THEREAFTER AMENDED, AMENDING SECTION 10.21 OF ARTICLE X ENTITLED SUPPLEMENTAL REGULATIONS BY PROVIDING DENSITY BONUSES AND ESTABLISHING MAXIMUM HEIGHT LIMITATIONS FOR BUILDINGS LOCATED IN LIFE CARE AND RETIREMENT COMMUNITIES

The Borough Council of the BOROUGH OF ORWIGSBURG, Schuylkill County hereby enacts and ordains the within Ordinance which amends those portions of Section 10.21 of Article X entitled Supplementary Regulations of the Orwigsburg Borough Zoning Ordinance enacted February 12, 1992 as from time to time thereafter amended (hereinafter referred to as the "Zoning Ordinance"), as hereinafter set forth:

Section 1. That paragraph C of Subsection 10.21 of the Zoning Ordinance entitled "Life Care and Retirement Communities" of Article X entitled "Supplementary Regulations" is amended as follows:

A. By adding the following to paragraph C thereof:

"A density bonus of 0.25 dwelling units per gross acre may be added to the base density provisions for each design objective (as contained within this sub-section) achieved as part of the special exception application. The maximum permitted density bonus shall not exceed 1.5 dwelling units per gross acre. As part of the special exception application, the Zoning Hearing Board may consider a density bonus for the following design objectives:

1. The application provides consideration for active recreation facilities on at least thirty (30) percent of the total land area designated as open space within the life care and retirement community.

2. The application provides for passive recreation, educational, agricultural, and/or ecological opportunities that are considered schematically planned, contiguous and/or integrated with other passive recreation areas on at least twenty (20) percent of the land area designated as open space within the life care or retirement community.

3. The special exception application provides additional open space areas beyond the minimum requirement of thirty (30) percent of the gross tract area, regardless of configuration, such that a 0.25 residential density bonus shall be incrementally applied for each additional ten (10) percent of the gross tract area that is designated as open space within the life care or retirement community. The maximum density bonus for this provision shall not exceed 0.75 dwelling unit per acre.

4. The life care or retirement community is designed with unique or enhanced architectural features, including utilizing natural building products for the building face (brick, stone or masonry products) and rooflines (mansards, gables or hip roof designs).

5. The life care or retirement community is designed with enhanced streetscape improvements, including utilizing landscaping, lighting, and other aesthetic features as part of the overall design.

6. The application provides consideration to fund and complete substantial public improvements to mitigate off-site impacts of the life care or retirement community, such as traffic, drainage and utility improvements, as identified by Orwigsburg Borough to significantly reduce the need for public expenditures to resolve the needs of the community.”

B. By adding thereto a new paragraph G which reads as follows:

"The maximum height of any building within a life care or retirement community shall be limited to three (3) floors of living space or forty-five (45) feet."

Section 2. If any sentence, clause, section, article or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, causes, sections, articles or parts of this Ordinance. It is hereby declared as the intent of the Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, article or part thereof not been included herein.

Section 3. All ordinances or parts of ordinances of this Borough which are inconsistent herewith are hereby repealed.

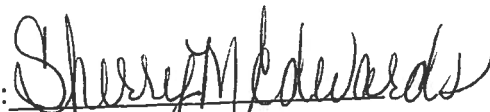
Section 4. This Ordinance shall become effective in accordance with the law.

Section 5. It is declared that enactment of this Ordinance is necessary for the protection, benefit and preservation of the health, safety and welfare of the inhabitants of this Borough.

ENACTED AND ORDAINED this 10TH day of AUGUST, 2005.

BOROUGH COUNCIL
ORWIGSBURG BOROUGH

By: 
President of Council

Attest: 
Borough Secretary


Mayor