

Borough of Orwigsburg, Schuylkill County, Pennsylvania

Ordinance Number: 391

An amendatory ordinance of the Borough of Orwigsburg, Schuylkill County, Pennsylvania, amending certain provisions under Section 10.21 of the Orwigsburg Borough Zoning Ordinance, as initially adopted by Ordinance Number 318 on February 12, 1992, and as amended from time to time thereafter, including this ordinance regulating to life care and retirement communities, as specifically referenced and regulated under certain provisions of the Orwigsburg Borough Zoning Ordinance.

The Orwigsburg Borough Council hereby enacts and ordains this ordinance, as amendments under Sections 6.02, 6.12 and 10.21 of the Orwigsburg Borough Zoning Ordinance, as herein set forth as follows:

Section 1: That life care and retirement communities should be added as a use permitted by right within the R-1 Zoning District under Section 6.02 of the Orwigsburg Borough Zoning Ordinance.

Section 2: That life care and retirement communities should be removed as a use permitted by special exception within the R-1 Zoning District, as currently included and identified under Section 6.02.H(9) of the Orwigsburg Borough Zoning Ordinance.

Section 3: That life care and retirement communities should be added as a use permitted by right within the R-2 Zoning District under Section 6.12 of the Orwigsburg Borough Zoning Ordinance.

Section 4: That life care and retirement communities should be removed as a use permitted by special exception within the R-1 Zoning District, as currently included and identified under Section 6.12.L(12) of the Orwigsburg Borough Zoning Ordinance.

Section 5: That certain provisions relating to procedural requirements, residential density and land development for life care and retirement communities, as referenced under Section 10.21.C of the Orwigsburg Borough Zoning Ordinance be revised and amended as follows:

§10.21.C: The maximum gross density within a life care / retirement community shall not exceed twelve (12) dwelling units per acre. For the purposes of this section, four (4) beds for patient, resident and/or staff person use provided within a medical facility within the life care community shall be deemed the equivalent of one (1) dwelling unit.

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 land development plan application. The maximum permitted density bonus shall not exceed 1.5 dwelling units per gross acre. As part of the land development plan application, Orwigsburg Borough 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 land development plan 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.

Section 6: All other provisions specified included under Section 10.21 of the Zoning Ordinance, entitled "life care and retirement communities" shall remain as previously adopted and amended.

Section 7: All other ordinances or parts of ordinances adopted by the Borough of Orwigsburg, which are inconsistent with this ordinance are hereby repealed.

Section 8: This ordinance shall become effective in accordance with law.

Section 9: 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 the Borough of Orwigsburg.

Enacted and ordained this 13TH day of AUGUST, 2008.

Orwigsburg Borough Council

By:
President of Borough Council

Attest:
Orwigsburg Borough Secretary

Mayor of Orwigsburg Borough