

ORDINANCE NO. 413

AN ORDINANCE OF THE TOWNSHIP OF DOYLESTOWN, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE PROVISIONS OF CHAPTER 175, ARTICLE XVII, LI LIMITED INDUSTRIAL DISTRICT, BY AMENDING THE PROVISIONS OF THAT ARTICLE BY ESTABLISHING AN ADDITIONAL PERMITTED USE, TOGETHER WITH STANDARDS REGARDING THE SAID USE, ALL OF WHICH SHALL BE AMENDMENTS TO THE DOYLESTOWN TOWNSHIP CODIFIED ZONING ORDINANCE, AS AMENDED.

WHEREAS, the Doylestown Township Board of Supervisors adopted a Code of Ordinances in November of 1991, which said Ordinances include but are not limited to the Zoning Ordinance set forth in Chapter 175; and

WHEREAS, the Doylestown Township Board of Supervisors has determined that it is in the best interest of the Township and its residents that the provisions of the Doylestown Township Zoning Ordinance as set forth in Chapter 175 be amended as hereinafter set forth.

NOW, THEREFORE, be it ORDAINED AND ENACTED that the Doylestown Township Zoning Ordinance as set forth in Chapter 175 of the Doylestown Township Code of Ordinances, as amended, is hereby further amended as follows:

Section 1. The provisions of Chapter 175, Zoning, Article XVII, LI Limited Industrial District, Section 175-83, Intent, is herein amended by adding the following additional sentence:

The further intent of the LI Limited Industrial District is to allow the development of senior and affordable residential dwellings within walking distance of public commercial and professional areas, and direct access to public park amenities, by allowing for mixed-income (i.e., market rate and income-qualified) residential development in the Township. "Walking distance" shall be the measurement of one-half (1/2) mile from the intersection of State Street and Main Street in Doylestown, measured by the direct line radius from the center of the intersection to the lot.

Section 2. The provisions of Chapter 175, Zoning, Article XVII, LI Limited Industrial District, Section 175-84, Permitted uses, is herein amended by adding thereto the following additional use:

A. Uses by right.

Use B-16. Senior Affordable Housing Use in coordinated development (“Senior Affordable Housing Use”). A residential housing development comprised of multi-generational and mixed-income (market rate and income-qualified) dwelling units in an integrated development within walking distance of public commercial and professional areas and having direct access to public park amenities. “Walking distance” shall be the measurement of one-half (1/2) mile from the intersection of State Street and Main Street in Doylestown, measured by the direct line radius from the center of the intersection to the lot.

The following provisions and standards shall apply solely to use B-16:

1. The following residential unit types shall be permitted in a Senior Affordable Housing Use. A dwelling unit mix of up to three (3) unit types may be permitted, which said unit types are as follows:

- a. B-1 Single-family semi-detached
- b. B-4 Single-family attached (townhouse)
- c. B-5 Two family semi-detached
- d. B-6 Multifamily
- e. B-14 Senior Citizen Housing
- f. B-16a Senior Affordable Apartment

In addition, non-residential amenities and uses shall be permitted as accessory uses in the B-16a Senior Affordable Apartment, to meet the needs of the residents: including multi-purpose room, fitness facility, medical office, and eatery.

2. Affordability Requirement.

- a. To qualify as a Senior Affordable Housing Use, (i) a minimum of 20% of dwelling units shall be senior (sixty-two years or older) income-qualified rental units with rents set to be affordable to household earning no more than 60% of Area Median Income, and (ii) a deed restriction shall be recorded with the Recorder of Deeds of Bucks County memorializing the affordability requirement for a period of 40 years.
- b. Definitions related to Affordability:
 - i. **AFFORDABLE RENT.** As defined by the U.S. Department of Housing and Urban Development (“HUD”), “Affordable Rent” is housing for which the occupant(s) is/are paying no more than thirty (30) percent of his or her income for gross housing costs including utilities.
 - ii. **AREA MEDIAN INCOME (AMI):** The estimated Median Income, adjusted for family size, in the region comprised of Doylestown Township.
 - iii. **HOUSING FOR OLDER PERSONS:** Housing –

- (a) Provided under any state or federal program that the Secretary of HUD has determined to be specifically designed and operated to assist elderly persons; or
 - (b) Intended for and solely occupied by persons 62 years of age or older.
 - iv. MARKET RATE RENT: The prevailing monthly cost for rental housing without affordability restrictions and without any subsidy or assistance from a public program.
 - v. MEDIAN INCOME: A statistical number set at the level where half of all households have income above it and half below it.
 - vi. QUALIFYING INCOME: Households earning below sixty percent (60%) of the Area Median Income.
3. Dimensional Standards. The following dimensional standards shall apply to the Use B-16 Senior Affordable Housing Use and shall supersede any conflicting dimensional standards otherwise applicable to any individual unit type.
- a. Minimum Tract Area –
 - i. The minimum development tract size shall be five (5) gross acres for development that includes the Use B-6 Multifamily dwelling type.
 - ii. The minimum development tract size shall be three (3) gross acres for development that includes the Use B-16.a Senior Affordable Apartment dwelling type.
 - iii. The minimum development tract size for developments utilizing all other dwelling types shall be two (2) gross acres.
 - b. Front yard – ten (10) feet. The open unoccupied space between the front building line and the street right-of-way line for the full width of the lot. In the case of a flag lot or a lot without frontage on a public street right-of-way, the yard extending along the interior lot line which is generally parallel to and closest to the street line is a “front yard”.
 - c. Rear yard – twenty-five (25) feet*
 - d. Side yard – ten (10) feet*
 - e. Impervious coverage – maximum impervious coverage shall be 60% of gross lot area.
 - f. Building coverage – maximum building coverage shall be 30% of gross lot area.
 - g. Building Height – fifty (50) feet or four (4) stories, whichever is less
 - h. Building Separation – to promote an integrated and walkable community, building separation shall be twenty-four (24) feet.

*All required setbacks for the Use B-16 Senior Affordable Housing Use shall be measured from the lot boundary.

4. Density.

The maximum density for a Senior Affordable Housing Use shall be a function of the percentage of total units that meet the Affordability Requirement, as follows:

- over 20% Affordable Housing Units: 6 units per gross acre
- over 30% Affordable Housing Units: 12 units per gross acre
- over 40% Affordable Housing Units: 18 units per gross acre
- over 50% Affordable Housing Units: 24 units per gross acre
- over 60% Affordable Housing Units: 30 units per gross acre

5. Additional Regulations.

a. Parking.

- i. Senior Affordable Apartment Requirement: 0.75 spaces per 1BR apartment unit (Use B-16a); 1 space per 2BR apartment unit (Use B-16a).
- ii. All other units in a Senior Affordable Housing Use shall provide two (2) parking spaces per residential dwelling unit, of not less than 9' x 18' in dimension, which may include enclosed private garages.
- iii. Parking setback from lot boundary – ten (10) feet
- iv. Parking islands shall not be required between parking rows.

b. Sidewalks. Internal sidewalks shall be no less than five (5) feet in width.

c. Internal streets.

i. Private streets.

- (a) Private streets shall have a minimum cartway width of twenty-four (24) feet exclusive of any on-street parking.

ii. Alleys.

- (a) Alleys shall have a minimum cartway width of twelve (12) feet.
- (b) On-street parking shall not be permitted along alleys.
- (c) Frontage on an alley shall be permitted to satisfy the street frontage requirement for residential units in a Use B-16 development.

d. Driveways, alleys and private streets shall be permitted to abut the side and rear lot lines of any permitted residential unit types and may be located in required yards where planned for convenient circulation suitable for traffic needs and safety.

e. Buffer Yards.

- i. A buffer yard shall not be required along a side property line for the Use B-16 Senior Affordable Housing Use, except where the development abuts a residential zoning district or an existing residential use. In lieu of a buffer yard, screening in the form of a fence and/or landscaping shall be installed in all side yards.
- ii. The requirements of Section 175-21 shall otherwise apply.

6. Environmental Protection Standards.

The following environmental protection standards shall apply in lieu of the requirements specified in Article V, Section 175-27.D.(5):

- a. Resource protection ratio for woodlands: 20% of woodlands shall remain totally undisturbed as resource protected land and shall be protected during construction from root compaction by equipment and materials, mechanical damage or change in grade level.

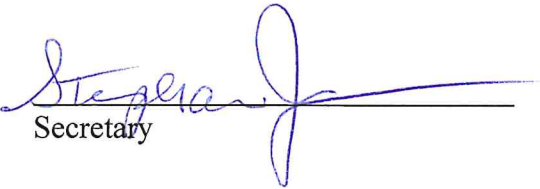
Section 3. In all other respects, the provisions of Chapter 175, Zoning, of the Doylestown Township Code of Ordinances are reaffirmed and ratified, subject only to modifications to same as set forth herein.

Section 4. In the event a court of competent jurisdiction shall declare any portion of this Ordinance invalid, such invalidity shall not affect the Ordinance in its entirety, as it was the intent of the Board of Supervisors that the Ordinance would have been adopted, even if the offending provision had not been included.


Section 5. This Ordinance shall be effective five (5) days after enactment.

DULY ENACTED on this 19 day of December, 2023.

ATTEST:

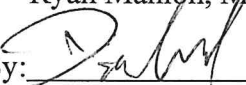

Secretary

DOYLESTOWN TOWNSHIP BOARD OF SUPERVISORS

By: 
Barbara N. Lyons, Esquire, Chair

By: 
Jennifer Herring, Vice Chair

By: _____
Ryan Manion, Member

By: 
Dan Wood, Member

By: _____
Nancy Santacecilia, Member