

TOWNSHIP OF NEWTOWN
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2013-*2204* *Amended*

AN ORDINANCE TO AMEND THE CODE OF THE TOWNSHIP OF NEWTOWN, CHAPTER 172, ZONING, BY AMENDING ARTICLE I, SECTION 172-2 "DEFINITIONS", BY ADDING DEFINITIONS FOR THE TERMS "CONTINUING CARE RETIREMENT COMMUNITY" or "CCRC", "RESIDENTIAL LIVING UNIT", "PERSONAL CARE LIVING UNIT" AND "SKILLED NURSING FACILITY", BY AMENDING ARTICLE V, SECTION 172-26, "ENUMERATION OF DISTRICTS" BY ADDING A 16TH CLASS OF DISTRICT, DESIGNATED AS CCRC CONTINUING CARE RETIREMENT COMMUNITY, BY ADDING ARTICLE XXXII, CCRC CONTINUING CARE RETIREMENT DISTRICT, AND SECTIONS 172-159 THROUGH 172-164 TO PROVIDE FOR A CCRC CONTINUING CARE RETIREMENT COMMUNITY DISTRICT (CCRC DISTRICT), PROVIDING ENUMERATED PERMITTED AND ACCESSORY USES IN A CCRC DISTRICT, PROVIDING DENSITY, HEIGHT, LANDSCAPING, SETBACK, PARKING, BUFFERING AND OTHER REQUIREMENTS IN A CCRC DISTRICT.

The Board of Supervisors of Newtown Township does hereby ENACT and ORDAIN THAT:

Section 1. The Code of the Township of Newtown, Article I, Terminology, Section 172-2, Definitions is amended by adding the following terms and definitions:

Continuing Care Retirement Community (CCRC) -

A development that provides a continuum of accommodations and care for senior persons, including a combination of Residential Living Units, Personal Care Living Units, a Skilled Nursing Facility and Accessory Uses.

Residential Living Unit -

A Dwelling Unit in a building of multiple Dwellings Units, or standing alone, used exclusively for occupancy by one or more senior persons in a Continuing Care Retirement Community.

Personal Care Living Unit –

A Dwelling Unit within a personal care home licensed by the Commonwealth of Pennsylvania, in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four hours for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in such matters as dressing, bathing, diet, financial management, evacuation of a residence in the event of any emergency, or medication prescribed for self administration.

Skilled Nursing Facility -

A facility which provides for personal health care in a Continuing Care Retirement Community and is licensed to provide nursing care by the Commonwealth of Pennsylvania.

Section 2. The Code of the Township of Newtown, Chapter 172, Zoning, Article V, Districts and Zoning Map, Section 172-26, Enumeration of Districts is amended by adding a sixteenth (16th) class of district, which shall be designated as follows:

CCRC Continuing Care Retirement Community District

Section 3. The Code of the Township of Newtown, Chapter 172, Zoning, is amended by adding Article XXXII, CCRC Continuing Care Retirement Community District, as follows:

§172-159. Applicability.

In CCRC Continuing Care Retirement Community Districts, the regulations contained in this article shall apply.

§172-160. Purpose.

The purpose of the CCRC Continuing Care Retirement Community District is to provide residential living and health care facilities providing a continuum of care for senior persons.

§172-161. Permitted uses.

A building or buildings may be erected, altered or used, and land may be used for the following purposes:

- A. Continuing Care Retirement Community (CCRC).

- B. The following uses as accessory to a CCRC when located on the same tract intended to serve the residents of the CCRC and their visitors:**
- (1) Administrative offices and operational facilities for management of the permitted uses.**
 - (2) Personal services such as barber shop, beauty salon or commissary.**
 - (3) Bank branch and/or automated teller machine.**
 - (4) Dining facilities.**
 - (5) Community center.**
 - (6) Library.**
 - (7) Educational and recreational facilities.**
 - (8) Theater.**
 - (9) Fitness center and swimming pool.**
 - (10) Physical therapy facilities.**
 - (11) Physicians' offices for residents.**
 - (12) Massage therapy room.**
 - (13) Gift/Convenience shop.**
 - (14) Storage and maintenance facilities supporting the CCRC.**
 - (15) Any other accessory uses commonly found in a CCRC.**

§172-162. Frontage, area and height regulations.

- A. Lot area and frontage. There shall be a street frontage of not less than 300 feet and a minimum lot area of 50 acres.**

- B. Density.** There shall be a maximum of 8 Dwelling Units per acre. Each Residential Living Unit and each Personal Care Living Unit shall be considered a Dwelling Unit. Every 5 beds in a Skilled Nursing Facility shall be considered a Dwelling Unit for the calculation of density.
- C. Impervious surface and building area.** Not more than 60% of the lot area shall be covered by impervious surfaces, and not more than 30% of the lot area shall be occupied by buildings.
- D. Building setback.** Buildings shall be set back not less than 50 feet from the right-of-way line of any street which the CCRC abuts or any property line except where the lot is immediately adjacent to an R-1, R-1A, R-2 or R-3 District, in which case buildings shall be set back not less than 100 feet from the property line adjacent to the R-1, R-1A, R-2 or R-3 District.
- E. Setbacks for parking areas and driveways.** No driveway or parking area shall be located within 25 feet of a street line or any property line, except that portion of a driveway providing ingress and egress to the property.
- F. Height regulations.** The maximum building height of any building shall be 45 feet.
- G. Buffer area.** Along each side or rear property line which directly abuts an R-1, R-1A, R-2 or R-3 District of the Township or similar district in an adjoining municipality, a buffer planting strip of not less than 25 feet in width shall be provided. On the buffer planting strip, there shall be placed shrubbery, trees or other plantings sufficient to provide a reasonable screen of the CCRC from the specified abutting residential districts and to ensure that the residential character of those abutting districts is not adversely affected by such CCRC. Existing trees and shrubbery shall be preserved to the extent reasonably practicable and shall count towards the required buffer strips which shall be supplemented if and where necessary to provide an adequate screen.

- H. **Distance between buildings.** The minimum distance between buildings shall be 30 feet, except that the distance between buildings comprised of townhouses may be reduced to 20 feet provided that the attics of the townhouses are provided with automatic fire sprinkler protection or provided that the Township Fire Marshal determines that, taking into consideration the nature of the proposed construction or other relevant factors, a 20 foot distance between buildings is adequate for fire protection purposes without requiring sprinkler protection for the attics, in which case the 20 foot distance between buildings shall be permitted without automatic sprinkler protection in the attics.
- I. **Building frontage, depth or length.** The greatest dimension in frontage, length or depth of a building section erected or used under this article, excluding covered walkways, enclosed corridors or bridges, shall not exceed 150 feet. However, the Board of Supervisors, upon recommendation of the Newtown Township Planning Commission, may, in connection with any land development application, approve buildings with greater dimensions if it determines that such buildings are architecturally pleasing and suitable for a CCRC and avoid monotony and excessive bulk.

§172-163. Design standards.

A. General design standards

- (1) All land and buildings erected in a CCRC District shall be under one (1) ownership and/or management responsible to the owner or operator of the CCRC; provided, however, Residential Living Units and Personal Care Living Units may be sold as life estates or leased to life tenants who are in residence.
- (2) All new utilities, including but not limited to water, electricity, gas, telephone and cable, shall be installed and maintained underground.
- (3) Public water and public sanitary sewage disposal systems shall be provided.

B. Landscaping

(1) Landscaping shall be in accordance with a landscape plan and planting schedule prepared by a landscape architect and approved by the Board of Supervisors during the land development application process.

C. Off-Street parking and loading

(1) All off-street parking and loading design standards in the Newtown Township Subdivision and Land Development Ordinance and in Article XXIV of the Newtown Township Zoning Ordinance shall apply. The following numbers of parking spaces shall be provided for uses in a CCRC District:

- (a) One parking space for each Residential Living Unit.**
- (b) One parking space for every four Personal Care Living Units.**
- (c) One parking space for every four beds in a skilled nursing facility.**
- (d) One employee parking space for every two employees on the highest shift.**

D. Lighting

(1) All driveways, parking areas, and areas of pedestrian use shall be adequately lighted. All such lighting shall be designed and located to direct light away from any adjoining residential development and areas zoned for residential development.

E. Signage

(1) One (1) sign of not larger than 40 square feet indicating the name of the CCRC will be permitted at each major entrance to the site. Such sign shall be in accordance with plans submitted to and approved by the Board of Supervisors.

(2) Directional signs not larger than 4 square feet. Such signs shall be in accordance with Plans submitted and approved by the Board of Supervisors.

§172-164. Special plan requirements


A. A land development plan, which delineates the overall development of the property for which an application is made, or that delineates that portion of an already developed CCRC where additional development is proposed, shall be filed as part of a land development application, which land development plan shall include the following:

- (1) The number of Residential Living Units, Personal Care Living Units and the number of Skilled Nursing Beds.
- (2) Such other information as required by the Newtown Township Subdivision and Land Development Ordinance.

Section 4. All Ordinances or parts of Ordinances inconsistent herewith be and the same are hereby repealed.

ENACTED AND ORDAINED THIS 12th DAY OF August 2013.

TOWNSHIP OF NEWTOWN

BY: 
Chairman
Board of Supervisors

ATTEST: 
Township Secretary

Vice Chairman

