

ORDINANCE NO. HR - _____

TREDYFFRIN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF TREDYFFRIN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, PURSUANT TO ARTICLE VI OF THE CODE OF TREDYFFRIN TOWNSHIP AMENDING THE TREDYFFRIN TOWNSHIP ZONING ORDINANCE TO (I) AMEND SECTION 208-6 BY MODIFYING THE CURRENT DEFINITION OF AGE-QUALIFIED DWELLING(S); (II) AMEND SECTION 208-40 AND TABLE 40.1 TO PERMIT AGE-QUALIFIED SINGLE-FAMILY SEMIDETACHED (TWIN) AND AGE-QUALIFIED SINGLE-FAMILY ATTACHED DWELLINGS ~~AS AGE-QUALIFIED HOUSING(TOWNHOUSE)~~ IN THE O OFFICE DISTRICT; AND (III) TO ADD A NEW SECTION 208-42.5 "STANDARDS FOR AGE-QUALIFIED HOUSING IN THE O OFFICE DISTRICT."

BE IT HEREBY ORDAINED AND ENACTED by the Board of Supervisors of Tredyffrin Township, Chester County, Commonwealth of Pennsylvania, that Chapter 208, Zoning, of the Code of the Township of Tredyffrin, as amended, shall be amended as follows:

SECTION I. Article II, Terminology, Section 208-6.B, Definitions; word usage, is hereby amended to modify the definition of the term Age-Qualified Dwelling(s) as follows:

AGE-QUALIFIED DWELLING(S). A ~~single family semidetached (twin) or attached dwelling (townhouse), or groups of the same,~~use designed and operated for occupancy by persons 55 years of age or older in accordance with the applicable provisions of the Federal Fair Housing Act, including the Housing for Older Persons Act of 1995, and related regulations, as amended, and that complies with the applicable provisions of the Code for Age-Qualified Dwelling(s) in the zoning district where they are located.

SECTION II. Article XII, Section 208-40, Table 40.1 of the Tredyffrin Township Zoning Ordinance is hereby amended to add the following uses as permitted uses in the O Office District:

Age-Qualified Single-Family Semidetached Dwelling (Twin) (subject to Section 208-42.5) P

Age-Qualified Single-Family Attached Dwelling (Townhouse)(subject to Section 208-42.5) P

SECTION III. Article XII, is hereby amended to add a new section 208-42.5 to read as follows:

§208-42.5

STANDARDS FOR AGE-QUALIFIED ~~HOUSING~~DWELLINGS IN THE O OFFICE DISTRICT. Age-qualified single-family semidetached dwelling(s) (twin) and age-qualified single-family attached dwelling(s) (townhouse), are permitted in the O Office District on a lot or tract that has a minimum net tract area of at least five acres, provided they meet the following additional requirements:

- A. The lot or tract must be adjacent to or across the street from a lot(s) located in a Residential District, where at least one such lot(s) is being devoted to residential use as the principal use.
- B. The permitted dwelling units may be located on individual lots, or on one lot or tract with multiple dwelling units.
- C. The development shall be organized under the Uniform Planned Community Act (68 Pa. C.S.A. § 5101 et seq.), the Uniform Condominium Act (68 Pa. C.S.A. § 3101 et seq.), or similar act, which shall provide for operation and maintenance of Common Facilities through a Unit Owners' Association. In such case the individual dwelling units may be placed on individual lots provided that such lots meet applicable dimensional requirements, or the dwelling units may be located on one overall lot or tract, and the applicable dimensional requirements shall be satisfied on an overall lot or tract basis, unless otherwise specifically stated.
- D. Age-qualified for purposes of this section shall meet all applicable provisions of the Federal Fair Housing Act amendments of 1988, and related regulations, or as subsequently amended, pertaining to housing intended for occupancy by persons 55 years or older, including specifically that at least 80% of the units be occupied by at least one person 55 years of age or older, subject to permissible exclusions under the applicable Federal Fair Housing Act amendment regulations. A declaration of restrictive covenants shall be recorded along with the recording of the final plans to include a declaration that includes the following:
 - 1. A restriction that a minimum of 80% of the occupied dwelling units be occupied by at least one person age 55 or older;
 - 2. A restriction prohibiting occupancy by any person age 18 or younger, except that an individual dwelling unit may occasionally house persons younger than age 18, such as grandchildren, provided they reside within the dwelling for less than 120 days, cumulatively, in any calendar year; and.

3. A requirement for written procedures and records to verify compliance with the age restriction requirements in accordance with applicable Fair Housing Act regulations.

Notwithstanding any other requirement members of a household shall not be required to move out of a dwelling if they qualified for residency at the time of their initial occupancy, and no longer meet the requirements for residency because a resident age 55 or older died, divorced, was placed in a nursing or other similar assisted care facility or experienced a similar circumstance. In the event of any conflict between these provisions and current Federal Housing Act regulations pertaining to housing intended for occupancy by persons 55 years or older, the current Federal Housing Act regulations shall be controlling.

- E. Density. Where age-qualified single-family semi-detached (twin) or single-family attached dwelling(s) (townhouse) are proposed, density shall not exceed 5 dwelling units per acre, net of existing public road rights of way, but inclusive of stormwater management facilities, and other portions of the lot or tract.
- F. Building size and placement. Where age-qualified single-family semidetached dwelling(s) (twin) or age-qualified single-family attached dwelling(s) (townhouse) are proposed no individual dwelling unit shall be less than 24 feet in width. A minimum building separation distance of at least 10 feet for single-family semidetached dwelling units (twin) and at least 20 feet for single-family attached dwelling units (townhouse) shall be provided. No more than six units may be attached in any single building.
- G. Height. The height of any age-qualified single-family semidetached dwelling(s) (twin) or any age-qualified single-family attached dwelling(s) (townhouse) building or structure shall not exceed 35 feet.

SECTION IV. If any 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 parts of this ordinance which shall continue to be fully operative as if the unconstitutional, illegal or invalid part had not been enacted.

SECTION V. Any and all provisions of any other ordinance which are inconsistent with the provisions of this ordinance are hereby repealed.

SECTION VI. This ordinance shall be effective thirty-one (31) days from the date of enactment hereof.

[Signature Page Follows]

DULY ORDAINED AND ENACTED this ____ day of _____, 2025.

**BOARD OF SUPERVISORS
TREDYFFRIN TOWNSHIP**

David Miller, Chair

Julie Gosse, Vice Chair

KS Bhaskar

[Seal]

Attest:

Matthew Holt

William F. Martin
Township Manager & Secretary

Sharon Humble

Carlotta Johnston-Pugh

Murph Wysocki

Summary report: Litera Compare for Word 11.10.0.38 Document comparison done on 9/11/2025 12:46:41 PM	
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Format changes	0
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