

Topic: Affordable Housing
Resource Type: Regulations
State: Pennsylvania
Jurisdiction Type: Municipal
Municipality: Township of Whitehall
Year: 2016
Community Type: Urban, Suburban
Title: Article XVII Adaptive Reuse, §27-199.1 Affordable Housing and Multifamily Housing
Document Last Updated in Database: August 2021

Abstract:

Allows adaptive reuse in zoning code for multiple family units and affordable housing. Whitehall allows adaptive reuse for affordable housing to be permitted as of right in all residential zoning districts. It is limited to buildings over 5,000 square feet with the existing structure having existed for 50 years before this code was passed. It must have been vacant, partially vacant, or underutilized for a minimum of 3 consecutive years. Affordable units must be 60% AMI or below and rents must remain affordable for 15 years. The code also provides some bonuses, such as an increase in lot and impervious surface coverage by up to 10%.

Resource:

ARTICLE XVII
Adaptive Reuse
[Added 10-24-2016 by Ord. No. 3061]

§ 27-195. through § 27-199. (Reserved)

§ 27-199.1. Affordable housing and multifamily housing.

- A. Adaptive reuse for affordable housing and multifamily housing shall be permitted by right in all residential zoning districts. Adaptive reuse is the process of reusing an old site or building for a purpose other than that for which it was built or designed. It is the conversion of a principal building that was originally constructed and used for principal commercial, institutional, or industrial uses, which may or may not be considered or designated as blighted pursuant to the Whitehall Township blight certification provisions, into dwelling units. Adaptive reuse is not the razing and redeveloping of an entire structure; however, it may include selective demolition of up to 50% of the existing structure and reconstruction of these demolished areas and minor additions, said additions keeping in nature and character with the original structure. Adaptive reuse shall be limited to a principal building over 5,000 square feet, in size, the original structure having existed for a period of 50 years prior to the adoption of this article, or predating the enactment of the original Whitehall Township Zoning Ordinance and Map; and that has been vacant, partially vacant or underutilized in that at least 50% of the structure has remained vacant for a minimum period of three consecutive years.
- B. "Affordable housing" shall be defined as housing that is targeted to households earning at or below 60% of the Area Median Income (AMI) for Lehigh County, and with rent and income limits established through a regulatory agreement with a duration of at least 15 years, which is recorded in the Lehigh County Recorder of Deed's office. Rent and income restrictions for households at 60% AMI shall be defined according to the guidelines of the Federal Low Income Housing Tax Credit Program, as may be amended. A copy of the regulatory agreement containing such restrictions shall be submitted to the Township at the time of application. In the event that the regulatory agreement is not recorded until construction is complete, a copy of the recorded document shall be submitted to the Township within 90 days of issuance of the certificate of occupancy.
- C. "Multifamily housing" shall be defined as a group of dwelling units in one or more buildings that are located on one lot containing separate living quarters that is designed for occupancy by more than one family living independently of one another, and containing two or more dwelling units, with or without independent outside access. Multifamily housing includes, but is not limited to, townhouses, condominiums and apartments.
- D. Exterior changes to the building shall be compatible with the current design of the building and neighborhood. The applicant shall be required to present artist and/or architectural renderings of the proposed exterior changes to the structure for review by the Township.

- E. The maximum density shall be limited by the existing square footage of the structures and any allowable additional square footage proposed and permitted under § 27-199.1, provided that all units meet the following minimum square footages and provided that all applicable building codes and standards are met with respect to occupancy and sleeping areas.

Single Level Units		
Unit Type	(square feet)	Multilevel Units
1-bedroom	550	650
2-bedroom	700	850
3-bedroom	950	1,000
4-bedroom	1,100	1,200
5-bedroom	1,300	1,400

- F. Residential parking. The following parking is permitted in an adaptive reuse for affordable housing and multifamily housing:
 - (1) Parking stall width may be reduced to nine feet by 18 feet in size for on-site parking.
 - (2) Parking area setbacks from on-site buildings and from surrounding streets may be reduced, and screening requirements may be reduced if providing screening is impracticable due to site configuration and existing nonconformities.
 - (3) Parking requirements shall be 1.2 parking spaces per unit for affordable housing and 2.0 parking spaces per unit for multifamily housing, and each unit shall be assigned a designated parking space.
 - (4) The property owner shall use all commercially reasonable efforts to remove snow from on-site parking spaces within 48 hours of a snowstorm.
- G. An increase in lot coverage and impervious surfaces of up to 10% of what is existing at time of application on site may be permitted, up to a maximum total of 80% impervious surface. Existing uses exceeding this amount will be permitted to remain but shall not increase beyond what is existing.
- H. The application for adaptive re-use for affordable housing and multifamily housing shall include a site plan prepared by a registered design professional indicating the lot area, parking proposed, the division of the structure, if proposed, and surrounding uses; and an elevation drawing.
- I. The adaptive reuse of the building must comply with current building codes and must be reviewed by the Fire Code Official and Township Engineer for compliance and compatibility.
- J. Structure setbacks will be permitted as they currently exist. Any rebuilt areas shall be rebuilt in the same location or in keeping with existing setbacks of the existing structure, or in a manner that reduces existing nonconformities.

- K. Building and/or structure height and other existing nonconformities will be permitted as they currently exist. Any proposed additions shall not exceed the maximum height of existing remaining buildings.
- L. The property owner shall ensure that the leases contain a provision prohibiting an impact based home occupation.