

BRIAR CREEK TOWNSHIP
COLUMBIA COUNTY, PENNSYLVANIA

ORDINANCE NO. 2 of 2021

AN ORDINANCE AMENDING THE ZONING ORDINANCE
OF BRIAR CREEK TOWNSHIP TO PROVIDE FOR ASSISTED
LIVING RESIDENCES AND PERSONAL CARE HOMES IN
THE COMMERCIAL ZONING DISTRICT OF BRIAR CREEK
TOWNSHIP

BE IT ENACTED, AND IT IS HEREBY ENACTED, by the Board of Supervisors of Briar Creek Township that the Briar Creek Township Zoning Ordinance be amended as follows:

1. Article III - Definitions. Add the following to Section 303 Definitions in alphabetical order:

Assisted Living Residence: Coordinated and centrally managed rental housing, including self-contained units, designed to provide a supportive environment and to accommodate a relatively independent lifestyle. Services such as meals, housekeeping, linens, transportation, and organized social services for residents shall be provided.

Personal Care Home: Any premises 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 activities of daily living, such as dressing, bathing, diet, financial management, medication prescribed for self-administration, or evacuation of a residence in the event of an emergency. This definition replaces the definition of Personal Care Home in the existing Ordinance.

2. Article IV - District Regulations. Add the following to the C - Commercial District - Schedule of Uses, under the Conditional Uses (Planning Commission/Board of Supervisors) column, in alphabetical order:

Assisted Living Residences

Personal Care Homes

3. Article V - Supplementary Regulations. §504 Off-Street Parking and Loading. Line B of the Table referenced in Section 504.6(A) shall be amended to read as follows:

USE	PARKING SPACES REQUIRED
B.1. Homes for handicapped or infirm, nursing homes, group care homes, halfway houses and similar uses	3 per every 5 beds
B.2. Assisted Living Residences and Personal Care Homes	3 per every 5 living units; 1 per each employee per shift; and, 2 reserved for physicians and other medical personnel

4. Article VI - Residential Standards. Add the following Uses:

612 Personal Care Homes

612.1 Commonwealth Regulations

Personal Care Homes shall comply with the applicable regulations and statutes of the Commonwealth of Pennsylvania, as amended from time to time, including licensing provisions, if so required.

612.2 Rules and Regulations

Personal Care Homes shall comply with 62 P.S. §1057.3 Rules and Regulations for Personal Care Home and Assisted Living Residences, as amended from time to time.

613 Assisted Living Residences

613.1 Commonwealth Regulations

Assisted Living Residences shall comply with the following regulations of the Commonwealth of Pennsylvania Department of Human Services, as amended from time to time, including, but not limited to, the following:

- A. §2800.98 Indoor activity space
- B. §2800.99 Recreation space
- C. §2800.101 Resident living units - this Use shall be in compliance with subparagraphs (d), with the following amendments, and (e) through (r):

Eliminate (d) - Kitchen capacity requirements in its entirety and substitute therefor the following:

(d) Facilities. The residence shall provide space with electrical outlets suitable for a microwave oven or small refrigerator or both.

- D. §2800.102 Bathrooms
- E. §2800.104 Dining room
- F. §2800.105 Laundry
- G. §2800.106 Swimming areas
- H. §2800.108 Firearms and weapons
- I. §2800.109 Pets
- J. §2800.144 Use of tobacco
- K. §2800.171 Transportation
- L. §2800.221 Activities Program

613.2 Statutory and Regulatory Provisions

Assisted Living Residences shall comply with the following statutory and regulatory provisions, as amended from time to time, including, but not limited to, the following:

- A. 62 P.S. §213 - requirements for Personal Care Home and Assisted Living Residence Administrators
- B. 55 Pa. Code §2600.53 - Qualifications and Responsibilities of Administrators

613.3 Rules and Regulations

Assisted Living Residences shall comply with 62 P.S. §1057.3 Rules and Regulations for Personal Care Home and Assisted Living Residences, as amended from time to time, with the exception of the following sections that relate to Personal Care Homes:

- A. §(a)(1)(ii)
- B. §(a)(3), including (a)(3.1) and (a)(3.2)
- C. §(a)(13)

The language in this Zoning Ordinance Amendment supersedes the language in the original Ordinance as it pertains to the items herein.

This Ordinance is effective upon enactment.

ENACTED this 7th day of September, 2021.

BRIAR CREEK TOWNSHIP:

BY: Max Sitler
CHAIR – Max Sitler

ATTEST:

Michelle DeStefano
SECRETARY – Michelle DeStefano

