

**Township of Dallas
Luzerne County, Pennsylvania**

Ordinance No. 1 of 2025

**AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO BE
CONSISTENT WITH THE RENTAL UNIT ORDINANCE ABOUT TO BE
ADOPTED AND ENACTED**

ZONING ORDINANCE IS HEREBY AMENDED AS FOLLOWS:

SECTION 1

ARTICLE 2 - DEFINITIONS

§203. DEFINITIONS OF TERMS is hereby amended to include the following terms which shall read as follows:

STUDENT TENANT- An individual who is enrolled or has made application and been accepted at a university, college or trade school and is taking at least six credit hours and whose primary occupation is as a student, or who is on a semester or summer break from studies at a college, university or trade school. The term "student" shall apply to both undergraduate and graduate students alike.

STUDENT HOME - A living arrangement for a maximum of four students as defined in this chapter. Student homes shall not include dormitories, fraternities, sororities, or apartment buildings. A "student home" includes a dwelling located off campus from any higher education facility or trade school in which students reside. "Student home" does not include the home of a student that is occupied solely by the student and his or her family members in an existing single-family home. A student home shall include any combination of graduate students, undergraduate students and/or trade school students living in the same dwelling unit.

SECTION 2

ARTICLE 5 – ZONING DISTRICT REGULATIONS

Article 5 is hereby amended to include Student Home as a Use Permitted by Special Exception in accordance with the procedures set forth in Section 605 hereof in Zoning Districts C-1 Conservation, A-1 Agricultural, A-2 Rural Agricultural, R-1 Single Family Residential, R-2 Multifamily Residential, R-MPH Residential Manufactured Home Park and S-1 Suburban Residential.

SECTION 3**ARTICLE 6 – SPECIAL EXCEPTIONS**

Article 6 is hereby amended to include the following additional Section:

§605 Student home permitted by special exception.

A Student Home is permitted by special exception within the C-1, A-1, A-2, R-1, R-2, R-MPH and S-1 Zoning Districts within a lawful Single-Family Dwelling Unit under the Dallas Township Zoning Ordinance, provided all of the following requirements are met:

- A. A Student Home shall only be permitted within a Single-Family Dwelling.
- B. No Student Home shall be permitted within a Two-Family Dwelling Unit.
- C. No more than one building on a lot may be used as a Student Home.
- D. A special exception authorizing a Student Home shall expire unless the use is licensed and occupied as a Student Home within six months from the date of the special exception authorization.
- E. No Student Home shall be closer than 1,000 feet to another Student Home property line. The distance requirement is measured from the closest property line of a potential Student Home to another Student Home property line.
- F. The rules and regulations applicable to the conduct of Student Tenants in Student Homes authorized under this Section shall, at a minimum, conform to those applicable to on-campus Dormitories of the college or university wherein the Student Tenants at issue attend. The Owner shall provide proof of such rules and regulations to the Township.
- G. The Student Home shall have a minimum of 1,500 square feet of living area, exclusive of building area covered by a basement, garage or an accessory building.
- H. The Student Home shall meet the minimum yard setbacks, lot area and lot width requirements for single-family detached dwellings within the zoning district in which located.
- I. Noise abatement measures acceptable to the Township shall be used to avoid conflicts with nearby neighbors.
- J. A buffer area with a width of 10 feet shall be required for student homes along the rear and side lot lines of the subject property.
- K. Landscaping acceptable to the Township shall be used as a buffer between a Student Home and any nearby dwellings.
- L. The number of persons living in such a Student Home shall not exceed four. Any number of persons in excess of four would tend to create an institutional atmosphere that would threaten the residential character of the subject zoning district.

- M. The Student Home shall meet the minimum area, yard setback, lot width and other area and bulk requirements for Single-Family detached dwellings, unless otherwise specified herein.
- N. A minimum of two paved off-street parking spaces located to the side or rear of the Premises and not in the front yard shall be required, in addition to those otherwise required for a Single-Family Dwelling.
- O. The Owner, manager and/or agent of the Student Home shall secure an annual license from the Township in accordance with Chapter 62, Rental Unit Ordinance, of the Dallas Township Code of Ordinances, the definitions from which Chapter are incorporated in this Section by reference and made a part hereof.
- P. The Owner of the property shall provide the Township with the number of Students that reside within a Student Home and shall provide the names and contact information for each Student residing therein.
- Q. The Owner of the property shall notify the Township when there is a change in the individual Students residing within a Student Home and/or if the property is no longer used as a Student Home. The Owner of the property shall immediately notify the Township of a change in the property's status as a Student Home.
- R. No Student residing within a Student Home shall conduct himself or herself in a manner which constitutes Disruptive Conduct.
- S. A Student Home shall not be permitted to be used for any purpose other than a residence.
- T. The Owner of the Student Home and the Students residing within said Student Home shall not engage in, nor tolerate or permit others on the property of the Student Home to engage in, conduct declared illegal under the Pennsylvania Crimes Code, Liquor Code, and/or Controlled Substance, Drug, Device and Cosmetic Act. The Owner shall provide the Township with proof of rules and regulations enforcing the same at the subject property.
- U. The exterior appearance of the Student Home shall be maintained so as to resemble the dwellings within the immediate vicinity of the Student Home, and there shall be no signs identifying the use and/or identifying it as a Student Home.
- V. This Section is not intended, nor shall its effect be, to limit any other enforcement remedies, which may be available to the Township against an Owner, Student Tenant and/or Guest thereof found in this Chapter and/or other applicable law.
- W. The requirements of Section 605 E shall not apply to Owners who are renting to Students on the effective date of this Ordinance and are otherwise in compliance with applicable law. The foregoing notwithstanding, at such time as any of the following occur, the Owner of a Student Home previously exempted from application of Section 605 E who wishes to rent to Students in a Student Home shall be required to immediately come into full compliance herewith, including, but not limited to, by making application for a Special Exception hereunder and complying with Section 605 E: 1) failure of the Owner, manager and/or agent to timely secure an annual license from the Township within the time required in accordance with Chapter 62, Rental Unit Ordinance for a Student Home;

2) transfer of title to all or part of the property on which the Student Home is located (any exemption existing hereunder is not transferrable); or, 3) a change in the property's status as a Student Home.

SECTION 4

SEVERABILITY

The provisions of this Ordinance are severable. If any part of this Ordinance is declared to be unconstitutional, illegal, or invalid, the validity of the remaining provisions shall be unaffected thereby. It is the intention of the Dallas Township Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid part not been included.

SECTION 5

REPEALING PROVISION

All Ordinances, or any parts thereof, which are inconsistent or in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 6

EFFECTIVE DATE

This Ordinance shall be effective five days after the adoption date and shall remain in force until modified, amended or rescinded by Dallas Township, Luzerne County, Pennsylvania.

ENACTED AND ADOPTED by the Board of Supervisors this 6th day of January, 2025.

DALLAS TOWNSHIP BOARD OF SUPERVISORS



William J. Grant, Chairman



Elizabeth A. Martin, Vice Chairman



Robert J. Wagner

Attest: 

K. Gary Kirk, Secretary/Treasurer

Seal

