

**ARTICLE VI - RESIDENTIAL STANDARDS****601 Conservation Design Overlay District (Developer's Option)****601.1 Purposes and Development Options**

- A. Purposes - In conformance with the Pennsylvania Municipalities Planning Code the purposes of this section, among others, are as follows:
1. To conserve open land, including those areas containing unique and sensitive natural features such as woodlands, steep slopes, streams, flood plains and wetlands, by setting them aside from development.
  2. To provide greater design flexibility and efficiency in the siting of services and infrastructure, including the opportunity to reduce length of roads, utility runs, and the amount of paving required for residential development.
  3. To reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of development on steep slopes.
  4. To provide for a diversity of lot sizes, building densities, and housing choices to accommodate a variety of age and income groups, and residential preferences, so that the community's population diversity may be maintained.
  5. To implement adopted municipal policies to conserve a variety of irreplaceable and environmentally sensitive resource lands as set forth in the Township Comprehensive Plan, including provisions for reasonable incentives to create an open space system for the benefit of present and future residents.
  6. To implement adopted land use, transportation, and community policies, as identified in the Township's Comprehensive plan.
  7. To protect areas of the Township with productive agricultural soils for continued or future agricultural use, by conserving blocks of land large enough to allow for efficient farm operations.
  8. To create neighborhoods with direct visual access to open land, with amenities in the form of neighborhood open space, and with a strong neighborhood identity.
  9. To provide for the conservation and maintenance of open land within the Township to achieve the above-mentioned goals and for active or passive recreational use by residents.
  10. To provide multiple options for landowners in order to minimize impacts on environmental resources (sensitive lands such as wetlands, flood plain, and steep slopes) and disturbance of natural or cultural features (such as mature woodlands, hedgerows and tree lines, critical wildlife habitats, historic buildings, and fieldstone walls).
  11. To provide standards reflecting the varying circumstances and interests of individual landowners, and the individual characteristics of their properties.
  12. To conserve scenic views and elements of the Township's rural character, and to minimize perceived density, by minimizing views of new development from existing roads.
- B. By-Right Development Options - In order to achieve these purposes, this §601 provides for flexibility in designing

new residential subdivisions by allowing two forms of *by-right* development referred to as *options*, as summarized below:

1. Option One - Higher Density and Basic Conservation, providing for residential uses with a density factor reduction of fifteen (15) percent and with not less than fifty (50) percent of the tract comprised of conservation open space.
2. Option Two - Greater Density with Greater Conservation, providing residential uses at a density factor reduction of twenty (20) percent and with not less than sixty (60) percent of the tract comprised of conservation open space.

C. Densities and Required Open Space Percentages - See §601.4.

601.2 General Regulations

The design of all new subdivisions in the Conservation Design Overlay District shall be governed by the following minimum standards:

- A. Ownership - The tract of land shall be controlled by the applicant and shall be developed as a single entity.
- B. Site Suitability - As evidenced by the *Existing Resources/Site Analysis Plan*, the Preliminary Subdivision Plan, and the Final Subdivision Plan, the tract incorporating this design option shall be suitable for supporting development in terms of environmental conditions, its size, and configuration.
- C. Combining the Design Options - The various layout and density options described in this section may be combined at the discretion of the Board, based upon demonstration by the applicant that such a combination would better fulfill the intent of this Ordinance, in particular the stated purposes of this section, as compared with applying a single option to the property.
- D. Intersections and Access - The number of driveways entering onto existing public streets shall be minimized. Instead, the development shall make maximum use of driveways entering onto an internal local street. Intersections and access shall be governed by the Township Subdivision and Land Development Ordinance.
- E. Sensitive Area Disturbance - The proposed design shall strictly minimize disturbance of environmentally sensitive areas, as shown on the *Existing Resources and Site Analysis Plan*. Lands within the 100-year floodplain, or having slopes in excess of 25%, and rock outcroppings constitute such environmentally sensitive areas, where disturbance shall be strictly minimized. Demonstration by the applicant that these features will be protected by the proposed application shall be prerequisite to approval of both the Preliminary Subdivision Plan and the Final Subdivision Plan.

601.3 Minimum Parcel Size and Use Regulations

Tracts of six (6) acres or more in the Conservation Design Overlay District may be used for the following purposes:

- A. Single-Family Detached Dwellings - Single-family detached dwellings in subdivisions using Option1 - Basic Conservation or Option 2 - Greater Conservation.
- B. Two-family Dwelling Units or Townhouses - Two-family dwelling units or townhouses in subdivisions or land developments using Option1 - Basic Conservation or Option 2 - Greater Conservation.
- C. Conservation Open Space - Conservation open space comprising a portion of residential development, as specified above and according to requirements of §601.5.
- D. Nonresidential Uses - The following non-residential uses:

1. Agricultural uses, including horticultural, wholesale nurseries, and the raising of crops, and buildings related to the same.
  2. Wood lots, arboreta, and other similar silvicultural uses.
  3. Woodland preserve, game preserve, wildlife sanctuary, or other similar conservation use.
  4. Municipal or public uses; public park or recreation area owned and operated by a public or private nonprofit entity or agency; governmental or public utility building or use; not to include business facilities, storage of materials, trucking or repair facilities, the housing of repair crews, private or municipal solid waste disposal facilities.
- E. Accessory Uses - Accessory uses shall be permitted on the same lot with and customarily incidental to any permitted use and not conducted as an independent principal use.

601.4 Density Determination and Dimensional Standards

A. Standards for Option 1 - Higher Density and Basic Conservation

1. Density Factor - One dwelling unit per the required area for the district (density factor) as shown in the following Table 601.4,A,1, as determined through the Adjusted Tract Acreage approach or yield plan described in §601.4,D. (The density factor is reduced by fifteen percent from that of a standard subdivision.)

TABLE 601.4,A,1 OPTION 1 HIGHER DENSITY AND BASIC CONSERVATION	
Density Requirements for All Permitted Dwelling Types	
DISTRICT	<u>Density Factor</u> required area per dwelling unit
On-site sewage & on-site water	0.85 acre
On-site sewage & central water	0.85 acre
Central sewage & on-site water	0.85 acre
Central sewage & central water	0.43 acre

2. Minimum Required Conservation Open Space - The subdivision must include at least fifty (50) percent of the Adjusted Tract Acreage plus all of the constrained land calculated in §601.4,D,1, as conservation open space.
3. Dimensional Standards - The dimensional standards in Table 601.4,A,3, shall apply.

TABLE 601.4,A,3 OPTION 1 - HIGHER DENSITY AND BASIC CONSERVATION	
<b>Dimensional Standards for Single-Family Detached and Two-family Dwellings</b>	
Minimum Individual Lot Area	7,500 sq ft
Minimum Lot Width at Building Line	70 feet
Minimum Street Frontage	20 feet
Flag Lots	permitted in accord with provisions of the subdivision and land development ordinance
Yard Regulations - the principal building position and orientation should be varied.	
– minimum front	20 feet
– minimum rear	30 feet; 20 feet where the rear yard adjoins conservation open space
– minimum side	- 30 feet separation of principal buildings - no side yard less than 5 feet
Maximum Lot Coverage	35 percent per individual lot
<b>Dimensional Standards for Townhouses - see §601.4,C</b>	

B. Standards for Option 2 - Greater Density with Greater Conservation

1. Density Factor - One dwelling unit per the required area for the district (density factor) as shown in the following Table 601.4,B,1, as determined through the Adjusted Tract Acreage approach or yield plan described in §601.4,D. (The density factor is reduced by twenty percent from that of a standard subdivision.)

TABLE 601.4,B,1 OPTION 2 GREATER DENSITY WITH GREATER CONSERVATION	
<b>Density Requirements for All Permitted Dwelling Types</b>	
DISTRICT	<u>Density Factor</u> required area per dwelling unit
On-site sewage & on-site water	0.80 acre
On-site sewage & central water	0.80 acre
Central sewage & on-site water	0.80 acre
Central sewage & central water	0.40 acre

2. Minimum Required Conservation open space - The subdivision must include at least sixty (60) percent of the Adjusted Tract Acreage plus all of the constrained land calculated in §601.4,D,1, as conservation open space. Conservation open space shall not be used for residential lots, except as provided below.
3. Dimensional Standards - The dimensional standards in Table 601.4,B,3, shall apply.

TABLE 601.4,B,3 OPTION 2 - GREATER DENSITY WITH GREATER CONSERVATION	
<b>Dimensional Standards for Single-Family Detached and Two-family Dwellings</b>	
Minimum Individual Lot Area	7,500 sq ft
Minimum Lot Width at Building Line	70 feet
Minimum Street Frontage	20 feet
Flag Lots	permitted in accord with provisions of the subdivision and land development ordinance
Yard Regulations - the principal building position and orientation should be varied.	
– minimum front	20 feet
– minimum rear	30 feet; 20 feet where the rear yard adjoins conservation open space
– minimum side	- 30 feet separation of principal buildings - no side yard less than 5 feet
Maximum Impervious Coverage	35 percent per individual lot
<b>Dimensional Standards for Townhouses - see §601.4,C</b>	

- C. Dimensional Standards for Townhouses in Option 1 - Higher Density and Basic Conservation and Option 2 - Greater Density with Greater Conservation Subdivisions - The standards in Table 601.4,C, shall apply.

TABLE 601.4,C OPTION 1 AND OPTION 2 DIMENSIONAL STANDARDS FOR TOWNHOUSES	
Minimum Individual Lot Area	none
Maximum lot depth to width ratio	5 : 1
Minimum Lot Width at Building Line	18 feet (24 feet if a 2-car garage or parking of two cars side-by-side is provided in the front)
Yard Regulations - the principal building position and orientation should be varied.	
– minimum front	20 feet
– minimum rear	20 feet
– minimum side	- 35 feet separation of principal buildings
Maximum Impervious Coverage	90 percent per individual lot
Maximum Height Regulations	35 feet

- D. Density Determination for Option 1 - Higher Density and Basic Conservation and Option 2 - Greater Density with Greater Conservation Subdivisions - Applicants shall have the choice of two methods of determining the maximum permitted residential building density on their properties. They are as follows:
1. Adjusted Tract Acreage Approach - Determination of the maximum number of permitted dwelling units on

any given property shall be based upon the Adjusted Tract Acreage of the site. The Adjusted Tract Acreage shall be determined by multiplying the acreage classified as being in the categories of constrained land (described below) by the numerical “density factor” for that category of constrained land, summing all factored constrained land areas, and then deducting the total from the gross tract area.

- a. The following areas of constrained land shall be deducted from the gross (total) tract area:
    - 1) Rights-of-way: multiply the acreage of land within the rights-of-way of existing public streets or highways, or within the rights-of-way for existing or proposed overhead rights-of-way of utility lines or any other rights-of-way by 1.0.
    - 2) Private Streets: multiply the acreage of land under existing private streets by 1.0.
    - 3) Wetlands: multiply the acreage of designated wetlands by 0.95.
    - 4) Floodway: multiply the acreage within the floodway by 1.0.
    - 5) Floodplain: multiply the non-wetland portion of the 100-year floodplain by 0.5.
    - 6) Steep Slopes: multiply the acreage of land with natural ground slopes exceeding 25 percent by 0.80.
    - 7) Moderately Steep Slopes: multiply the acreage of land with natural ground slopes of between 15 and 25 percent by 0.60.
    - 8) Extensive Rock Outcroppings: multiply the total area of rock outcrops and boulder-fields more than 1,000 square feet by 0.90.
    - 9) Ponds, lakes and streams: multiply the acreage of ponds, lakes and streams by 1.0.
  - b. If a portion of the tract is underlain by more than one natural feature subject to a deduction from the total tract acreage, that acreage shall be subject to the most restrictive deduction only.
  - c. Since acreage that is contained within the public or private rights-of-way, access easements or access strips is excluded from useable lot area, any portion of these items that also contains a natural feature subject to a deduction from the total tract acreage shall not be included when calculating the adjusted tract acreage.
2. Yield Plan Approach - Determination of density, or maximum number of permitted dwelling units, shall be based upon density factor of the chosen option applied to the gross tract acreage, as demonstrated by an actual Yield Plan. Yield Plans shall meet the following requirements:
- a) SALDO Requirements - Yield Plans must be prepared in accordance with the standards of the Subdivision and Land Development Ordinance, containing proposed lots, streets, rights-of-way, and other pertinent features. Although it must be drawn to scale, it need not be based on a field survey. However, it must be a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, taking into account the presence of wetlands, floodplain, steep slopes, existing easements or encumbrances and, if unsewered, the suitability of soils for subsurface sewage disposal.
  - b) Resource Identification - The Yield Plan must identify the site's primary and secondary conservation areas, as identified in the *Existing Resources/Site Analysis Plan*, and demonstrate that the primary

conservation areas could be successfully absorbed in the development process without disturbance, by allocating this area to proposed single-family dwelling lots which conform to the density factor of the chosen option. The Yield Plan shall be based upon accurate mapping of wetlands, 100 year floodplains and land with slopes greater than 15 percent.

- c) Individual Sewage Disposal Systems - On sites not served by central sewage disposal, density shall be further determined by evaluating the number of homes that could be supported by individual on-lot sewage disposal systems on conventional lots. Based on the primary and secondary resources, identified as part of the inventory and analysis, and observations made during an on-site visit of the property, the Township shall select a ten (10) percent sample of the lots considered to be marginal for on-lot sewage disposal. The applicant is required to provide evidence that these lots meet the standards for an individual on-lot sewage disposal system and system replacement area before the applicant shall be granted the full density determined by the Yield Plan. Should any of the lots in a sample fail to meet the standard for individual septic system, those lots shall be deducted from the yield plan and a second ten (10) percent sample shall be selected by the Township and tested for compliance. This process shall be repeated until all lots in a given sample meet the standard for an individual on-lot sewage disposal system.
- d) Yield Plan Density and Dimensional Standards - The following dimensional standards shall be used in the development of Yield Plans for Option 1 and Option 2 subdivisions. The minimum lot sizes are derived from the density factor for the district location of the proposed development and the type of water supply and sewage disposal proposed. These minimum area dimensions are exclusive of all wetlands, slopes greater than twenty-five (25) percent, and land under high-tension electrical transmission lines (69kV or greater). No more than twenty-five (25) percent of the minimum required lot area may consist of land within the 100-year floodplain, and only then if it is free of wetlands.

TABLE 317.D.4.b.4) YIELD PLAN DIMENSIONAL STANDARDS				
Minimum Lot Size (acres) (per Table 601.4,A,1 and Table 601.4,B,1)	Min. Lot Width at Min. Setback (feet)	Minimum Setback (feet)		
		Front	Rear	Side
0.80 and 0.85	125	35	50	25
0.40 and 0.43	100	35	50	15

601.5 Design Standards for Option 1 - Basic Conservation, and Option 2 - Greater Conservation

- A. Dwelling Lots - Dwelling lots shall not encroach upon Primary Conservation Areas and the layout shall respect Secondary Conservation Areas as identified in the Township Subdivision and Land Development Ordinance.
- B. Setbacks - All new dwellings shall meet the following setback requirements in Table 601.5,B:

TABLE 601.5,B DWELLING SETBACKS		
SETBACK FROM:	DWELLING TYPE	
	Single-Family and Two-Family	Townhouses
external road rights-of-way	100 feet	300 feet
other tract boundaries	50 feet	200 feet
crop land or pasture land	100 feet	
buildings or barnyards housing livestock	300 feet	

- C. Exterior Views - Views of dwellings from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the landscaping requirements of the Township Subdivision and Land Development Ordinance.
- D. Dwelling Access - Dwellings shall generally be accessed from interior streets, rather than from roads bordering the tract.

601.6 Conservation Open Space Use and Design Standards

Protected conservation open space in all subdivisions shall meet the following standards:

- A. Uses Permitted on Conservation Open Space - The following uses are permitted in conservation open space areas:
  1. Conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow).
  2. Agricultural and horticultural uses, including raising crops or livestock, wholesale nurseries, associated buildings, excluding residences that are specifically needed to support an active, viable agricultural or horticultural operation. Specifically excluded are commercial livestock operations involving swine, poultry, mink, and other animals likely to produce highly offensive odors.
  3. Pasture land for horses used solely for recreational purposes. Equestrian facilities shall be permitted but may not consume more than half of the minimum required conservation open space.
  4. Silviculture, in keeping with established standards for selective harvesting and sustained-yield forestry.
  5. Neighborhood open space uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the Township.
  6. Active non-commercial recreation areas, such as playing fields, playgrounds, courts, and bikeways, provided such areas do not consume more than half of the minimum required conservation open space or five acres, whichever is less.
  7. Golf courses may comprise up to half of the minimum required conservation open space, but shall not include driving ranges or miniature golf. Their parking areas and any associated structures shall not be included within the minimum conservation open space requirement; their parking and access ways may be paved and lighted.

8. Water supply and sewage disposal systems, and stormwater detention areas designed, landscaped, and available for use as an integral part of the conservation open space. However, water treatment plants and storage tanks, central sewage treatment plants and lagoons, and a 50-foot buffer around such facilities shall not be included within the minimum conservation open space requirement.
9. Easements for drainage, access, sewer or water lines, or other public purposes.
10. Underground utility rights-of-way. Above-ground utility and street rights-of-way may traverse conservation areas but shall not count toward the minimum required conservation open space.

#### B. Conservation Open Space Design Standards

1. Conservation Areas - Conservation open space shall be laid out in general accordance with the Township's *Map of Potential Conservation Lands* to ensure that an interconnected network of open space will be provided. The required conservation open space consists of a mixture of Primary Conservation Areas, all of which must be included, and Secondary Conservation Areas. Primary Conservation Areas comprise those areas listed in §601.4.D, as being subtracted from the total parcel acreage to produce the Adjusted Tract Acreage. Secondary Conservation Areas include special features of the property that would ordinarily be overlooked or ignored during the design process and such features are listed in the Township Subdivision and Land Development Ordinance.
2. In Option 1 - Basic Conservation and Option 2 - Greater Conservation subdivisions, the conservation open space shall generally remain undivided and may be owned and maintained by a homeowners' association, land trust, another conservation organization recognized by the municipality, or by a private individual or entity. The amount of land available for the common use and passive enjoyment of the subdivision residents shall be provided in accord with the Township Subdivision and Land Development Ordinance. These ownership options may be combined so that different parts of the conservation open space may be owned by different entities.
3. Dedication Requirement - See the open space and recreation fee provisions in the Subdivision and Land Development Ordinance which may require public land dedication (typically to provide potential connections with the Township long-range trail network).
4. Buffers for Adjacent Public Park Land: Where the proposed development adjoins public park, state forest or state game land, a natural conservation open space buffer at least one-hundred-fifty (150) feet deep shall be provided within the development along its common boundary with such public land, within which no new structures shall be constructed. Where this buffer is unwooded, the Township may require vegetative screening to be planted, or that it be managed to encourage natural forest succession through *no-mow* policies and the periodic removal of invasive alien plant and tree species.

#### C. Other Requirements

1. No portion of any building lot may be used for meeting the minimum required conservation open space. However, active agricultural land with farm buildings, excluding areas used for residences, may be used to meet the minimum required conservation open space.
2. Pedestrian and maintenance access, excluding to those lands used for permitted agricultural or horticultural purposes, shall be provided to conservation open space in accordance with the following requirements:
  - a. Each neighborhood shall provide one centrally located access point per fifteen (15) lots, a minimum of thirty-five (35) feet in width.

- b. Access to conservation open space used for agriculture may be appropriately restricted for public safety and to prevent interference with agricultural operations.
- 3. All conservation open space areas that are not wooded or farmed shall be landscaped in accordance with the landscaping requirements of the Township Subdivision and Land Development Ordinance.

#### 601.7 Permanent Conservation Open Space Protection Through Conservation Easements

In Option 1, and 2 subdivisions, the conservation open space that is required to be reserved and created through the subdivision process shall be subject to permanent conservation easements prohibiting future development and defining the range of permitted activities. (For example, the clearing of woodland habitat shall generally be prohibited, except as necessary to create trails, active recreation facilities, and to install subsurface septic disposal systems or spray irrigation facilities. The determination of necessity shall lie with the Township.

#### 601.8 Ownership and Maintenance of Conservation Open Space and Common Facilities

See Article X.

### **602 Two Family Dwellings**

Where permitted by the Schedule of Uses, two-family dwellings shall comply with the requirements of this §602 and other applicable standards in this Ordinance.

#### 602.1 Common Wall

In cases where a two-family dwelling is a duplex involving a common (i.e. party) wall and common property line, said wall shall be located on the common property line separating the adjoining lots. The area and dimensions of each lot shall comply with Part 2 and part 3 of the Schedule of Development Standards in Article IV.

#### 602.2 Over/Under Units

In cases where the two-family dwelling consists of two (2) dwelling units constructed with one(1) unit located on the second floor above a first floor dwelling unit, the lot area and dimensions shall comply with Part 2 and part 3 of the Schedule of Development Standards in Article IV. If such a two-family dwelling is proposed on two (2) or more separate lots of record, said lots shall be combined into one (1) lot prior to the issuance of a Zoning Permit.

#### 602.3 Conversions -- See §604 of this Ordinance.

### **603 Multi-Family Dwellings**

Multi-family projects are permitted in certain districts in accord with the Schedule of Uses in order to provide the opportunity for the development of a variety of housing types in the Township.

#### 603.1 Project Design Process and Procedure

- A. Subdivision and Land Development - Multi-family projects shall be considered major subdivisions and land developments also subject to the Township Subdivision and Land Development Ordinance. This "major subdivision" classification shall apply to all subdivision of property in connection with the development, regardless of whether or not the same are connected with building development, and the approvals required shall be requested and acted upon concurrently as one subdivision.
- B. Design Process and Procedure - All multi-family projects shall be designed and processed in accord with the Adjusted Tract Acreage Approach requirements for Conservation Design Developments contained in §601.4,D,1 of this Ordinance and the Township Subdivision and Land Development Ordinance.
- C. Site Plan - A proposed site plan showing all necessary information to include at a minimum, location of all buildings and improvements including roads, parking areas, planting strips, signs, overall grading plan with storm drainage facilities, water supply and distribution systems, sewage treatment and collection systems and the

specific areas provided as open space pursuant to the requirements of this Ordinance. Building layouts, floor plans and profiles shall also be provided indicating building dimensions, numbers, and sizes of units, common ownership or use areas, lighting and such other information as shall be required to determine compliance with the design standards contained herein and any other building standards which may be applicable in the Township. Setbacks from property lines, improvements, and other buildings shall also be specifically shown.

- D. Open Space - Open space area shall be preserved to the maximum extent possible in accord with a schedule or plan, and proposed agreement(s) either with the Township or a property owners' association, for the purpose of preserving the open space in the same manner as required for Conservation Design Developments in §601 of this Ordinance.

603.2 Bulk and Density Standards; Parcel Configuration

The bulk and density factors listed on Table 603.2 shall apply to multi-family dwellings and projects without the application of any density bonuses. All land proposed for a particular multi-family dwelling project shall be part of the same parcel and contiguous.

<b>TABLE 603.2 MULTI-FAMILY DWELLING STANDARDS</b>				
PROJECT STANDARDS	Townhouses	Garden Apartments	Apartment Buildings	Public Elderly Apartment Buildings
Minimum size for project parcel (acres)	based on applicable performance standards			
Maximum Density -- number of dwelling units per acre of useable area (See §601.4,D for adjusted tract acreage and useable land area)	6	6	8	12
Maximum number of dwelling units per building	6	6	8	24
Maximum building height (feet)	35	35	35	35
Maximum lot coverage of project parcel (%)	40	40	40	40

<b>TABLE 603.2 ADDITIONAL TOWNHOUSE STANDARDS</b>	
Minimum lot size for townhouse units for individual sale .....	1,000 square feet
Minimum lot width at house location .....	18 feet
Minimum front and rear yard setback .....	10 feet front / 15 feet rear
Minimum side yard setback for end unit .....	15 feet
Maximum lot coverage for individual townhouse parcels .....	90%

603.3 Design Criteria

The following design criteria shall apply to multi-family projects:

- A. Setbacks - No structure in a multi-family dwelling project shall be constructed within twenty (20) feet of the edge of the shoulder of any access drive (without a designated right-of-way) to or through the development or within ten (10) feet of any parking area. Setbacks of multi-family project buildings from access roads through the project shall meet these minimums, however, setbacks of adjacent buildings shall be varied so that adjacent buildings have a setback variation of not less than five (5) feet. A setback of fifty (50) feet for any structure shall

be maintained from all existing or proposed public or private road rights-of-way and the boundary line of the entire project parcel.

- B. Road Standards - Access roads through the development shall comply with the street requirements of the Township Subdivision Ordinance for minor roads. Access drives serving twelve (12) units or less, and in the case of public elderly apartment buildings twenty-four (24) units or less, shall be considered driveways that need not meet minor road standards. Direct access of individual parking spaces to a minor road shall not be permitted, and any such access drive shall remain private.
- C. Building Separation - All principal multi-family structures shall be separated by a distance as may be required by any applicable building code, but in no case less than twenty (20) feet.
- D. Landscaped Buffers - Buffers, not less than fifteen (15) feet in width shall be provided in accord with §701.1 of this Ordinance where multi-family structures adjoin existing one-family dwellings, two-family dwellings or any R District. In all cases, a landscaping plan shall be prepared and submitted by the developer for approval by the Township.
- E. Pedestrian Access - Walkways of such design and construction as approved by the Township shall be provided from all buildings and/or units to their respective parking area and shall meet the requirements for sidewalks as set forth in the Township Subdivision Ordinance.
- F. Trash Storage - Exterior storage areas for trash and rubbish shall be screened from public view on three sides and shall be contained in covered, vermin-proof containers. Interior storage areas for trash shall at all times be kept in an orderly and sanitary fashion.
- G. Architectural Renderings - Preliminary architectural renderings, models or photos for multi-family dwelling projects of more than ten (10) dwelling units shall be provided at the time of submission of the conditional use application. The exterior appearance of the building(s) shall be unified in type, design, and exterior wall treatment, and so constructed and maintained, in order to retain the residential character of the neighborhood. Fire escapes, when required, shall be in the rear of the building and shall not be located on any wall facing a street unless any building, fire or other code so requires.
- H. Townhouses: Facade Changes - A minimum of two (2) changes in the front wall plane with a minimum offset of four (4) feet shall be provided for every attached grouping of townhouses in one (1) building. This can be met by varying setbacks among different dwellings or varying setbacks along the front of a dwelling, or dwellings set back farther than attached private garages.
- I. Parking - Parking for multi-family dwelling projects shall comply with §504 of this Ordinance.

#### 603.4 Non-Residential Use

Non-residential uses and home occupations which employ other than unit residents shall not be permitted in a multi-family dwelling. Such ancillary facilities as laundry areas, service buildings, recreational facilities and the like for the use of the residents of the project shall be permitted.

#### 603.5 Conversions of Existing Structures

Conversions of any existing structures to multi-family dwelling use, regardless of whether such conversions involve structural alteration, shall be subject to the provisions of this §603, including but not limited to §603.2. (See also §604).

#### 603.6 Common Property Ownership and Maintenance

In cases where the ownership of common property is involved, evidence of arrangements for the continuous ownership and maintenance of same shall be provided by the developer for approval by the Township in accord with Article X

of this Ordinance. The developer shall also submit evidence of compliance with the PA Condominium Law or an attorney's opinion that said Law does not apply to the subject project.

**603.7 Water Supply and Sewage Disposal**

All multi-family dwelling projects shall be served by a community water supply and a community sewage disposal system.

**604 Conversion to Dwellings**

Any conversion of any building to a residential use or the conversion of any dwelling to accommodate additional dwelling units shall comply with the standards in this §604 and the other requirements applicable to the dwelling type to which conversion is proposed. The conversion of any building into a dwelling or the conversion of any dwelling so as to accommodate an increased number of dwelling units, or families, shall be permitted only within a district in which a new building for similar occupancy would be permitted under this Ordinance, and only when the resulting occupancy will comply with the requirements governing new construction in such district with respect to dwelling unit, living space, lot coverage, dimensions of yards and other open spaces, off-street parking, and other applicable standards.

**605 Group Homes**

Group homes shall be permitted in any lawful single-family dwelling unit in accord with the Schedule of Uses, this §605 and other applicable standards of this Zoning Ordinance.

**605.1 Definition**

See definition in Article III.

**605.2 Supervision**

There shall be adequate supervision as needed by an adequate number of person(s) trained in the field for which the group home is intended.

**605.3 Certification**

The use shall be licensed or certified under an applicable State, County or Federal program for group housing, if applicable. A copy of any such license or certification shall be filed with the Township, and shall be required to be shown to the Zoning Officer in the future upon request. The group home shall notify the Township within fourteen (14) days if there is a change in the type of clients, the sponsoring agency, the maximum number of residents or if an applicable certification/license expires, is suspended or is withdrawn.

**605.4 Counseling**

Any medical or counseling services provided on the lot shall be limited to residents.

**605.5 Parking**

One off-street parking space shall be provided for each employee on duty at any one time, and every two (2) residents of a type reasonably expected to be capable of driving a vehicle. Off-street parking areas of more than five (5) spaces shall be buffered from adjacent existing single family dwellings by a planting screen meeting the requirements of §701.1 of this Zoning Ordinance.

**605.6 Appearance**

If the group home is within a residential district, the building shall be maintained and/or constructed to ensure that it is closely similar in appearance, condition and character to the other residential structures in the area. No exterior signs shall identify the type of use.

**605.7 Bulk and Density**

The construction of new group homes shall comply with the minimum lot size and other bulk and density requirements applicable to single-family residential dwellings.

**605.8**     Number of Residents

A maximum number of eight (8) total persons shall reside in a group home, including the maximum number of employees/supervisors and/or care providers routinely in the group home at any point in time.

**606 Assisted Care Mobile Home for Relative****606.1**     Accessory Use Permit

A temporary mobile home for the care of a relative, defined as an *Assisted Care Dwelling Mobile home for Relative* by this Ordinance, shall be considered an accessory use and all applicable zoning permits shall be required. In addition, a renewable accessory use permit shall be required which shall be renewed annually provided all requirements of this Zoning Ordinance are met. Prior to renewal of the permit the Zoning Officer shall confirm that the *relative* status of the occupant(s) of the accessory mobile home has not changed. In any case, the occupants of the principal dwelling unit shall immediately report to the Zoning Officer any change in the occupancy status of the accessory mobile home and the timetable for the elimination of the mobile home.

**606.2**     Application Requirements

The applicant shall provide a completed building permit application including a plan showing, at a minimum, the information required by §602 of this Ordinance, and any other information deemed necessary by the Zoning Officer to determine compliance. The application shall also include a legally binding agreement for execution between the property owner and the Township to provide for the elimination of the accessory mobile home in accord with the requirements of this §606 when the accessory mobile home is no longer occupied by the relative requiring care.

**606.3**     Subdivision and Land Development Requirements

Approval under the Township Subdivision and Land Development Ordinance shall not be required for an accessory mobile home for the care of a relative meeting the definition of *Assisted Care Dwelling Mobile home for Relative* and the requirements of this Ordinance.

**606.4**     Occupancy -- Care Requirement

The accessory mobile home shall be restricted to occupancy by a *relative* (as defined by Article III of this Zoning Ordinance) of a permanent resident of the principal dwelling unit on the property. Such relative shall need care and supervision because of old age, disability, handicap or illness as documented by a letter from a licensed medical doctor. Such accessory mobile home shall be permitted only where the relative requiring the care occupies the accessory mobile home located on the parcel of the care provider.

**606.5**     Sewage Disposal

The accessory mobile home may be connected to the existing sewage disposal system provided the Township Sewage Enforcement Officer (SEO) confirms that the system is in good operation condition and any prior malfunctions have been corrected. All applicable permits and approvals for the connection, modification or installation of any sewage facilities necessary to accommodate the accessory mobile home shall be required. Sewage flows from the accessory mobile home shall not exceed four hundred (400) gallons per day. The confirmation by the SEO shall not place any liability on the Township or the SEO for any future sewage malfunction nor relieve the property owner from the responsibility of correcting any such malfunction.

**606.6**     Bulk and Density Requirements

All standards for setbacks, lot coverage, building height and other bulk requirements shall apply and any accessory mobile home shall be not less than twenty (20) feet from the principal dwelling. The accessory mobile home may be installed on any lot provided all bulk requirements can be met.

**606.7**     Mobile Home Design and Placement

The accessory mobile home shall be designed and installed in such a way that it can easily be removed from the property.

**606.8 Removal of Mobile Home**

Once the accessory mobile home is no longer occupied by the relative requiring care, it shall be removed within ninety (90) days, and such mobile home shall not be occupied in the interim. The time for removal may be extended by the Board of Supervisors upon petition by the property owner for good cause. When any mobile home permitted under this §606 is required to be removed, there shall be no physical evidence visible from exterior to the lot lines that such mobile home existed.

**607 Mobile Home Parks**

Mobile home parks are permitted in certain districts in accord with the Schedule of Uses in order to provide the opportunity for the development of a variety of housing types in the Township.

**607.1 Project Design Process and Procedure**

- A. Subdivision and Land Development - Mobile home parks shall be considered major subdivisions and land developments also subject to the Township Subdivision and Land Development Ordinance. This "major subdivision" classification shall apply to all subdivision of property in connection with the development, regardless of whether or not the same are connected with building development or home placement, and the approvals required shall be requested and acted upon concurrently as one subdivision.
- B. Design Process and Procedure - All mobile home parks shall be designed and processed in accord with the requirements for Conservation Design contained in §601 of this Ordinance.
- C. Site Plan - A proposed site plan showing all necessary information to include at a minimum, location of all mobile home sites, buildings and improvements including roads, parking areas, planting strips, signs, overall grading plan with storm drainage facilities, water supply and distribution systems, sewage treatment and collection systems and the specific areas provided as open space pursuant to the requirements of this Ordinance. Building layouts, floor plans and profiles shall also be provided indicating building dimensions, numbers, and sizes of units, common ownership or use areas, lighting and such other information as shall be required to determine compliance with the design standards contained herein and any other standards which may be applicable in the Township. Setbacks from property lines, improvements, and other buildings shall also be specifically shown.
- D. Open Space - Open space area shall be preserved to the maximum extent possible in accord with a schedule or plan, and proposed agreement(s) either with the Township or a property owners' association, for the purpose of preserving the open space in the same manner as required for in Article X.

**607.2 Design; Procedures; Parcel Size; Density; Mobile Home Sites**

- A. All mobile home parks shall be designed and processed in accord with the procedure for open land developments in accord with §601.4,B of this Ordinance using the density factors in this §607.2 without the application of any density bonuses.
- B. All land proposed for a particular mobile home park shall be part of the same parcel and contiguous.
- C. The minimum parcel size for a mobile home park shall be five (5) acres and the overall density of a mobile home park shall not exceed four (4) units per acre.
- D. Each mobile home site shall have a minimum area of five thousand (5,000) square feet for exclusive use of the occupants of the mobile home placed upon the lot. Minimum lot widths and depths shall be forty-five (45) feet. Each mobile home lot shall be defined by metes and bounds on a survey and shall be shown as such on the development plan, and markers shall be installed at each corner of every lot.

**608 Mobile Homes on Individual Lots**

Mobile homes placed on lots not in a mobile home park shall comply with all Township regulations applicable to single-family residential dwellings and:

- A. Shall be constructed in accordance with the Safety and Construction Standards of the U.S. Department of Housing and Urban Development. These standards supersede the BOCA Code for the actual construction of the unit itself.
- B. Shall have a site graded to provide a stable and well-drained area.
- C. Shall have the hitch mechanisms removed. The wheels and axles shall be removed or screened from view.
- D. Shall be securely attached to the ground in such a way as to prevent overturning, shifting or uneven settling of the home.
- E. Shall be enclosed from the bottom of the home to the ground or stand using industry-approved skirting material compatible with the home, or if a slab foundation is used, masonry walls underneath the home with soil backfill to result in the surrounding ground level being flush or one (1) normal step height below the first floor elevation. If masonry walls are used, then an appropriate service access area shall be provided.
- F. Homes shall have a pitched instead of a flat roof.
- G. Shall be attached to a permanent foundation.

**609 Reserved****610 Bed and Breakfast Establishments**

Bed and breakfast establishments shall comply with the following standards in addition to all other applicable standards in this Zoning Ordinance.

- A. Adequate off-street parking is provided in accord with this Ordinance with the minimum number of parking spaces provided as follows: one (1) space for each rentable room; one (1) space for each non-resident employee, and two (2) spaces for the dwelling unit.
- B. Not more than five (5) rentable rooms are provided in the establishment.
- C. The owner or manager of the bed and breakfast must reside on the premises.
- D. Sewage disposal meeting the requirements of the Township and PA DEP is provided.
- E. Bed and breakfast establishments shall not be permitted on lots which are nonconforming in minimum area.

**611 Hotels, Motels, and Lodging Facilities**

This section is intended to provide specific standards for the development of hotels, motels and other lodging facilities at unit densities that allow full use of the project parcel while at the same time recognizing the limitation of the proposed site. Specific performance standards are provided to allow for flexibility of design and to insure the protection of adjoining properties and the public health, safety and general welfare.

**611.1 Density**

Density of units and facilities shall be determined by the character of the project parcel and compliance with the standards in this §611 and this Ordinance, and other applicable Township regulations.

611.2 Design Criteria

- A. Yard, building height, lot width and depth, and lot coverage ratios applicable to the District shall be maintained.
- B. All facilities in a hotel, motel or lodging facility project shall be on the same parcel of property and shall not contain any commercial facility unless such commercial facility is otherwise permitted in the District where the subject property is located.