

**ARTICLE VI
RESIDENTIAL DEVELOPMENT**

**Part 1
Conservation Subdivision Design NEW
(DEVELOPER'S OPTION)**

§500-33 Concept and Purposes See discussion article beginning on the next page.

- A. Concept. A key concept associated with conservation subdivision design is to focus on residential density instead of minimum lot size. In a standard subdivision the land is simply cut into as many lots as possible while meeting the minimum lot size requirement. Under conservation design, which is based on unit density instead of minimum lot size, the size of individual lots sold can vary in size, provided the total number of lots does not exceed the density which is based on the underlying minimum lot size. In conservation design, the maximum lot size is the critical element, as it really defines the minimum open space that must be conserved.
- B. Purpose. 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, floodplain, and wetlands.
 - (2) To conserve areas critical to the visual integrity of the landscape by setting them aside from development.
 - (3) To conserve scenic views and elements of the landscape, and to minimize perceived density, by minimizing views of new development from public viewing points.
 - (4) 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.
 - (5) To reduce erosion and sedimentation by the retention of existing vegetation, and the minimization of development on steep slopes.
 - (6) To provide for a diversity of lot sizes and housing choices at the underlying zoning district density to accommodate a variety of age and income groups, and residential preferences, so that the community's population diversity may be maintained.
 - (7) To implement adopted municipal policies to conserve a variety of irreplaceable and environmentally sensitive resource lands as set forth in the Borough Comprehensive Plan.
 - (8) To implement adopted land use, transportation, and community policies as identified in the Borough Comprehensive Plan.
 - (9) To protect productive forest land in the Borough for continued use by conserving blocks of land large enough to allow for efficient forest management operations.
 - (10) To enable the creation of residential communities with direct visual access to open land and amenities in the form of open space.

- (11) To provide for the conservation and maintenance of open land to achieve the above-mentioned goals and for active or passive recreational use by residents.
- (12) To provide multiple options for landowners in order to minimize impacts on environmental resources and sensitive lands such as streams, water bodies, wetlands, floodplain, and steep slopes, and minimize the disturbance of natural or cultural features such as mature woodlands, hedgerows and tree lines, critical wildlife habitats, historic buildings, and fieldstone walls.
- (13) To provide standards reflecting the varying circumstances and interests of individual landowners, and the individual characteristics of their properties.

§500-34 Districts; Development Options

- A. Optional in R-1, R-2, and S Districts. In all R-1, R-2, and S Districts on tracts of eight acres of gross tract area or larger, conservation subdivision design may be used at the developer's option in accord with this Article VI using Option 1, Option 2, or Option 3. In the alternative a standard subdivision may be developed in accord with the applicable provisions of this chapter.
- B. Development Options. To achieve the purposes in §500-33, this §500-34 provides for flexibility in designing new residential subdivisions by allowing the following forms of development referred to as *options*, as listed below:
 - (1) Conditional Use in R-1, R-2, and S Districts.
 - (a) Option 1. *Basic Density and Basic Conservation* providing for residential lots/units at the density permitted by the Density and Conservation Open Space Table in §500-37, with not less than 45 percent of the tract comprised of conservation open space.
 - (b) Option 2. *Increased Density with Increased Conservation* providing residential lots/units at the density permitted by the Density and Conservation Open Space Table in §500-37, with not less than 55 percent of the tract comprised of conservation open space.
 - (c) Option 3. *Greater Density with Greater Conservation* providing residential lots/units at the density permitted by the Density and Conservation Open Space Table in §500-37, with not less than 60 percent of the tract comprised of conservation open space.
- C. Conservation Design Process. All Conservation Subdivision Design Developments shall be designed using the Four-Step Conservation Design Process in accord with Chapter 390 (Subdivision and Land Development).

§500-35 General Regulations

The design of all Conservation Subdivision Design developments shall be governed by the following minimum standards:

- A. Ownership. The development tract shall be held in single ownership.
- B. Primary Conservation Areas. The proposed design shall conserve the Primary Conservation Areas. Demonstration by the applicant that these features are conserved by the proposed design shall be prerequisite to all preliminary and final plan approvals under Chapter 390 (Subdivision and Land Development). Primary Conservation Areas include:

- (1) Delineated wetlands.
 - (2) Floodplain (including the floodway) as shown on the Borough Flood Insurance Rate Map.
 - (3) Slopes of 25 percent or more.
 - (4) Streams and water bodies.
- C. Secondary Conservation Areas. The protection of Secondary Conservation Areas shall be addressed through the Four-Step Design Process detailed in Chapter 390 (Subdivision and Land Development).

§500-36 Use Regulations for Options 1, 2 and 3

The following uses shall be permitted in Option 1, Option 2 and Option 3 Conservation Subdivision Design Developments:

- A. Single-family detached dwellings.
- B. Two-family dwelling units, townhouses, quadruplexes, and multi-family dwellings.
- C. Conservation open space with the uses permitted by §500-40.
- D. No-impact home-based businesses and home occupations in accord with §500-28C(1).
- E. Accessory uses on the same lot with and in accord with applicable District regulations.

§500-37 Maximum Dwelling Units and Minimum Conservation Open Space

- A. Dwelling Units. The maximum number of dwelling units shall be determined by using the density factor in the Density and Conservation Open Space Table and the Adjusted Tract Area Approach in §500-37C.
- B. Conservation Open Space. The minimum conservation open space shall be as set forth in the Density and Conservation Open Space Table, regardless of which method is used to determine the maximum number of dwelling units.
 - (1) Delineation. Conservation open space shall be delineated to include all primary conservation areas and, in addition, enough secondary conservation areas that, when added to the primary conservation areas, shall not be less than the minimum required conservation open space.
 - (2) Common Greens. In Option 1, Option 2 and Option 3, part of the required conservation open space may be in the form of common greens as follows:
 - (a) A minimum of two percent of the required conservation open space when the average lot size is 15,000 square feet or more.
 - (b) A minimum of three percent of the required conservation open space when the average lot size is less than 15,000 square feet.
 - (c) A maximum of five percent of the required conservation open space.
- C. Adjusted Tract Area. Determination of the maximum number of dwelling units shall be based upon the

following calculations:

- (1) Determine Gross Tract Area. Gross tract area shall equal the acreage within the legally described parcel.
- (2) Determine Constrained Land. Constrained land consists of the resources listed in the Constrained Land Table multiplied by a protection factor and totalled. If two or more resources overlap, only the resource with the highest protection factor shall be used.

CONSTRAINED LAND				
	Resource	Area of Resource (acres)	Protection Factor	Constrained Land (acres)
A	existing public or private road rights-of-way and existing utility or other rights-of-way		X 1.00	=
B	that portion of lands under conservation easement that are restricted from further development		X 1.00	=
C	floodway (if not mapped by FEMA assume 50 feet each side of top-of-bank of stream)		X 1.00	
D	100-year floodplain (if not mapped by FEMA area is included in floodway above)		X 0.25	
E	wetlands as determined by a delineation		X 0.90	
F	steep slopes (25% or greater)		X 0.75	=
G	steep slopes (15% up to 25%)		X 0.10	=
H	ponds, lakes and streams to the high water mark		X 0.50	=
I	CONSTRAINED LAND = SUM OF A through H =			

- (3) Determine Adjusted Tract Area (ATA). Adjusted Tract Area equals the gross tract area minus the constrained land.
- (4) Maximum Number of Dwelling Units. In Options 1, 2 and 3, the maximum number of dwelling units equals the Adjusted Tract Area (ATA) divided by the applicable density factor set forth in the Density and Conservation Open Space Tables. Where calculations result in fractional numbers, the fraction shall be rounded down to the next whole number.

MAXIMUM NUMBER OF DWELLING UNITS		
A	Adjusted Tract Area (from the Adjusted Tract Area Table in §500-37C(3) converted to square feet	_____ sq ft
B	divided by density factor (from the Density and Conservation Open Space Table)	÷ _____
C	equals maximum number of dwelling units	= _____ dwelling units

DENSITY AND CONSERVATION OPEN SPACE					
R-1 - LOW-DENSITY RESIDENTIAL DISTRICT S - SPECIAL DISTRICT					
OPTION 1 Basic Density and Basic Conservation <u>neutral density</u>		OPTION 2 Increased Density with Increased Conservation <u>20% density bonus</u> (SF ATA/unit reduced by 20%)		OPTION 3 Greater Density with Greater Conservation <u>30% density bonus</u> (SF ATA/unit reduced by 30%)	
Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²
<u>On-Lot Sewage System</u>					
43,560	45% ATA	34,850	55% ATA	30,490	60% ATA
<u>Central sewage disposal and on-site water supply</u>					
30,000	45% ATA	24,000	55% ATA	21,000	60% ATA
<u>Central sewage disposal and central water supply</u>					
20,000	45% ATA	16,000	55% ATA	14,000	60% ATA
¹ SF ATA = square feet of Adjusted Tract Area in §500-37C(3).					
² Plus Constrained Land calculated in §500-37C(2). (See Row I of Table.)					

DENSITY AND CONSERVATION OPEN SPACE					
R-2 - MEDIUM-DENSITY RESIDENTIAL DISTRICT					
OPTION 1 Basic Density and Basic Conservation <u>neutral density</u>		OPTION 2 Increased Density with Increased Conservation <u>20% density bonus</u> (SF ATA/unit reduced by 20%)		OPTION 3 Greater Density with Greater Conservation <u>30% density bonus</u> (SF ATA/unit reduced by 30%)	
Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²	Density Factor (SF ATA / DU ¹)	Minimum Conservation Open Space Required ²
<u>On-Lot Sewage System</u>					
43,560	45% ATA	34,850	55% ATA	30,490	60% ATA
<u>Central sewage disposal and on-site water supply</u>					
25,000	45% ATA	20,000	55% ATA	17,500	60% ATA
<u>Central sewage disposal and central water supply</u>					
20,000	45% ATA	16,000	55% ATA	14,000	60% ATA
¹ SF ATA = square feet of Adjusted Tract Area in §500-37C(3).					
² Plus Constrained Land calculated in §500-37C(2). (See Row I of Table.)					

- D. Preservation of Historic Dwellings. To encourage the preservation of historic dwellings, such preserved dwellings shall not count toward the permitted maximum number of dwelling units, provided:

- (1) Such dwellings are at least 75 years old;
- (2) The dwelling is preserved in accord with the National Park Service historic preservation standards; and
- (3) The dwelling is placed in a landscape context that respects its historical status and appearance, as determined by the Borough.

E. Fee for Density Calculation Review. The Borough Council may establish by Resolution a fee for review of the density calculation submitted by the Applicant.

§500-38 Dimensional and Design Standards

A. Option 1, Option 2 and Option 3. The standards in the Dimensional Standards for Single-Family Dwellings Option 1, Option 2 and Option 3 Table shall apply to Option 1, Option 2, and Option 3.

DIMENSIONAL STANDARDS FOR SINGLE-FAMILY DETACHED DWELLINGS Option 1, Option 2 and Option 3				
Type of water supply and sewage disposal ▶▶▶▶	central water and central sewage	on-lot water and central sewage	central water and on-lot sewage	on-lot water and on-lot sewage
Minimum individual lot area	5,500 square feet	20,000 square feet	30,000 square feet	43,560 square feet
Minimum lot width at required setback	40 feet	70 feet	85 feet	100 feet
Minimum street frontage	35 feet	50 feet	50 feet	50 feet
Maximum depth to width ratio	5 to 1			
Flag Lots	permitted per provisions of Chapter 390 (Subdivision and Land Development)			
Setback Regulations				
- minimum front	20 feet	40 feet		
- minimum rear	30 feet 20 feet where the rear setback adjoins conservation open space			
- minimum side	5 feet 30 feet aggregate	15 feet		

B. Maximum Lot Coverage. Maximum ground coverage for single-family dwellings in Options 1 through 3 shall be limited in accord with the following Maximum Lot Coverage Table.

MAXIMUM IMPERVIOUS COVER FOR SINGLE-FAMILY DWELLINGS Option 1, Option 2 and Option 3	
Lot Area	Maximum Impervious Coverage
less than 10,000 SF	50%
10,000 - 19,999 SF	40%
20,000 - 43,560 SF	30%
more than 43,560 SF	reduce limit by 1.5% for each additional acre or fraction thereof but not reduced to less than 5%

C. Dimensional Standards for Two-Family Dwellings, Townhouses, Quadruplexes, and Multi-Family. The standards in the Dimensional Standards for Two-Family Dwellings, Townhouses, Quadruplexes, and Multiple-Family Table shall apply:

DIMENSIONAL STANDARDS FOR TWO-FAMILY DWELLINGS, TOWNHOUSES, QUADRUPLICES, AND MULTI-FAMILY Option 1, Option 2 and Option 3	
minimum individual lot area	none
separation of principal buildings	35 feet
if individual lots are provided: minimum lot width	18 feet (24 feet if a 2-car garage or parking of two cars side-by-side is provided in the front)
setback from any adjoining internal street, street right-of-way, common parking area or sidewalk	20 feet

- D. Central Water Supply and Central Sewage Disposal. Two-family dwellings, townhouses, quadruplexes and other multiple-family dwellings shall be served by a central water system and a central sewage disposal system.
- E. Dwelling Lots / Conservation Open Space. No part of any dwelling lot shall encroach upon conservation open space.
- F. Setbacks. All new dwelling units shall meet the setback requirements in the following Dwelling Setbacks Table:

DWELLING SETBACKS from:	Single-Family	Two-Family, Townhouses, Quadruplexes	Other Multi-Family
Borough or State road rights-of-way	100 feet	150 feet	200 feet
other perimeter boundaries of the development tract	50 feet	100 feet	150 feet
crop land or pastureland not on the development parcel	100 feet	100 feet	100 feet
buildings or barnyards housing livestock not on the development parcel	300 feet	300 feet	300 feet
active recreation areas such as courts and play fields not on the development parcel (not including tot lots)	150 feet	150 feet	150 feet

- G. Building Height. Building height shall comply with the standards for the applicable district the Schedule of Development Standards (§500-17).

§500-39 Reserved

§500-40 Uses Permitted on Conservation Open Space

The following uses are permitted in conservation open space areas:

- A. Open Land. Conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow).
- B. Agriculture and Horticulture. Agricultural and horticultural uses, including raising crops or livestock, wholesale nurseries, associated buildings if such use complies with other applicable chapter requirements. Specifically excluded are dwellings, commercial livestock operations involving swine, poultry, mink, and other animals likely to produce highly offensive odors.

- C. Horses. Pastureland for horses used solely for recreational purposes. Equestrian facilities shall be permitted but may not consume more than 50 percent of the minimum required conservation open space and shall comply with other applicable chapter requirements.
- D. Forestry. Forestry in keeping with established best management practices for selective harvesting and sustained yield forestry as published by the Pennsylvania Bureau of Forestry.
- E. Neighborhood Open Space. Uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational.
- F. Recreation. Active non-commercial recreation areas, such as playing fields, playgrounds, and bikeways, not requiring supporting structures. Such recreational uses shall meet the following standards:
- (1) Such areas shall not consume more than 50 percent of the minimum required conservation open space or five acres, whichever is less. The five-acre limit may be increased to 10 acres on development parcels 200 acres or larger.
 - (2) Playing fields and playgrounds shall not be located within 100 feet of the tract boundary or a dwelling unit within the development parcel.
 - (3) Minimum parking facilities for the same, as determined by the Borough Council, may also be permitted. Such lots may be paved with gravel and shall be unlighted, properly drained and provide safe ingress and egress.
- G. Golf Courses. Audubon International Signature Golf Courses and their accessory facilities and parking areas, when permitted by the underlying zoning district, may comprise up to 50 percent of the minimum ATA of the required conservation open space. This use shall not include driving ranges or miniature golf. The gross floor area devoted to sales of golf equipment, clothing, food, and other similar items shall not exceed 1,200 square feet. Accessory facilities and parking areas shall not count toward the minimum conservation open space requirement.
- H. Water; Sewer; Stormwater. Water supply systems, sewage disposal systems, stormwater management systems and associated easements provided the total area does not exceed 20 percent of the minimum ATA required in the conservation open space. The following standards shall apply:
- (1) Water Supply Systems.
 - (a) Drainage easements for water lines may be counted toward the minimum conservation open space requirement.
 - (b) Land used for ground-level well structures and associated parking not exceeding 5,000 square feet shall not count toward the minimum conservation open space requirement.
 - (2) Sewage Disposal Systems.
 - (a) Sewage treatment lagoons, structures, structure access areas and parking lots shall not count toward the conservation open space requirement.
 - (b) Soil absorption fields shall be appropriate for active or passive recreation.

- (c) Sewage disposal areas in conservation open space shall be appropriate for active or passive recreation or shall be managed as meadows or forests; and may be counted toward the minimum conservation open space requirements.
 - (d) Absorption fields serving individual dwelling units may be located in the conservation open space, but individual treatment tanks shall be located within the lots they serve.
 - (e) Each proposed absorption field area located in the conservation open space shall be situated in the closest proximity to the lot served.
 - (f) The responsibility for the maintenance of any individual absorption field shall be clearly defined including adequate surety, and an easement for the installation and maintenance of any such system shall be provided.
 - (g) Drainage easements for sewer lines may be counted toward the minimum conservation open space requirement.
- (3) Stormwater Management Systems. The following stormwater management practices may be counted toward the minimum conservation open space requirement, provided they meet the guidelines in the Pennsylvania Stormwater Best Management Practices Manual:
- (a) Infiltration basin provided the berms do not exceed 36 inches in height;
 - (b) Subsurface infiltration bed;
 - (c) Infiltration trench;
 - (d) Rain garden;
 - (e) Vegetated swale;
 - (f) Infiltration berm provided the berm does not exceed 24 inches in height.
- I. Easements. Easements for drainage, access, sewer or water lines, or other public purposes.
- J. Utility Rights-of-Way. 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.
- K. Hunting, Trapping and Fishing. Hunting, trapping, and fishing per applicable state law.

§500-41 Conservation Open Space Design and Other Standards

- A. Four-Step Design. Conservation open space in all options shall be identified and laid out in accord with the Four-Step Design Process and conservation open spaces design standards in Chapter 390 (Subdivision and Land Development) which begins with the identification of primary and secondary conservation areas.
- B. Comprehensive Plan. Conservation open space shall be laid out in accord with the Borough Comprehensive Plan, to ensure that, over time, an interconnected network of conservation open space will be created.
- C. Layout. The conservation open space shall be in the largest blocks possible and shall be laid out to ensure that an interconnected network of open space will be provided.
- D. Permanence, Ownership and Maintenance. The required conservation open space shall be subject to permanent conservation easements prohibiting future development, prohibiting its use to meet open space

requirements for any other development, and defining the range of permitted activities. The conservation open space shall be owned and maintained in accord with Chapter 390 (Subdivision and Land Development).

- E. Use by Development Residents. In no case shall the amount of land available for the common use and enjoyment of the subdivision residents be less than 20 percent of the Adjusted Tract Area. Not less than 15 percent of the conservation open space shall be free of wetlands, floodway, and slopes over 15 percent; and, this minimum percentage shall be included in the conservation open space set aside for the common use and enjoyment of the subdivision residents.
- F. Trails. When the Borough Council determines a benefit to residents of the development in the form of trails or open space links, the applicant shall provide such linkages. In establishing the need for such linkages, the Borough Council may consider:
- (1) Implementation of the Borough Comprehensive Plan;
 - (2) Trails integral to children's access to schools and parks;
 - (3) Impact on woodland and stream corridors.
- G. 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 150 feet in width shall be provided within the development along its common boundary with such public land, within which no new structures or other improvements shall be constructed, nor shall any clearing of trees or understory growth be permitted, except as may be necessary for street or trail construction or for the removal of invasive plant species.
- (1) Where existing vegetation provides an adequate buffer, as determined by the Borough Council, the depth may be reduced to 75 feet.
 - (2) Where the buffer is un-wooded, the Borough Council shall require vegetative screening to be planted, or that it be managed to encourage natural forest succession through restricted mowing policies and the periodic removal of invasive plant species.
- H. Building Lots.
- (1) The lot layout shall respect Secondary Conservation Areas.
 - (2) No portion of any building lot shall be used for meeting the minimum conservation open space requirement.
 - (3) Building lots shall generally be accessed from interior streets, rather than from roads bordering the tract, unless otherwise permitted as part of the approval under Chapter 390 (Subdivision and Land Development).
- I. Access. Pedestrian and maintenance access shall be provided to conservation open space in accord with the following requirements:
- (1) No more than 15 lots shall be contiguous to each other without a community access point meeting the following standards:
 - (a) The width of the access strip shall not be less than 20 feet.
 - (b) The access strip shall extend the full depth of the adjacent lots.

- (2) Access to conservation open space used for agriculture or horticulture may be restricted or prohibited for public safety and to prevent interference with agricultural operations.
- J. Landscaping. Conservation open space that is not wooded or farmed shall be landscaped in accord with the landscaping requirements and conservation open space management plan standards.
- K. 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 this chapter and Chapter 390 (Subdivision and Land Development).

§500-42 Commercial Uses in Developments with 250 or More Dwelling Units

If a subdivision includes a minimum of 250 dwelling units, then as a conditional use, a maximum of two acres within the subdivision may be used for retail businesses and service establishments meeting the requirements of the C-1 Neighborhood Commercial District. The applicant shall prove to the Borough Council that the commercial development has been designed and located with traffic access that is fully coordinated with the residential development and with adjacent development.

**Part 2
Additional Residential Standards**

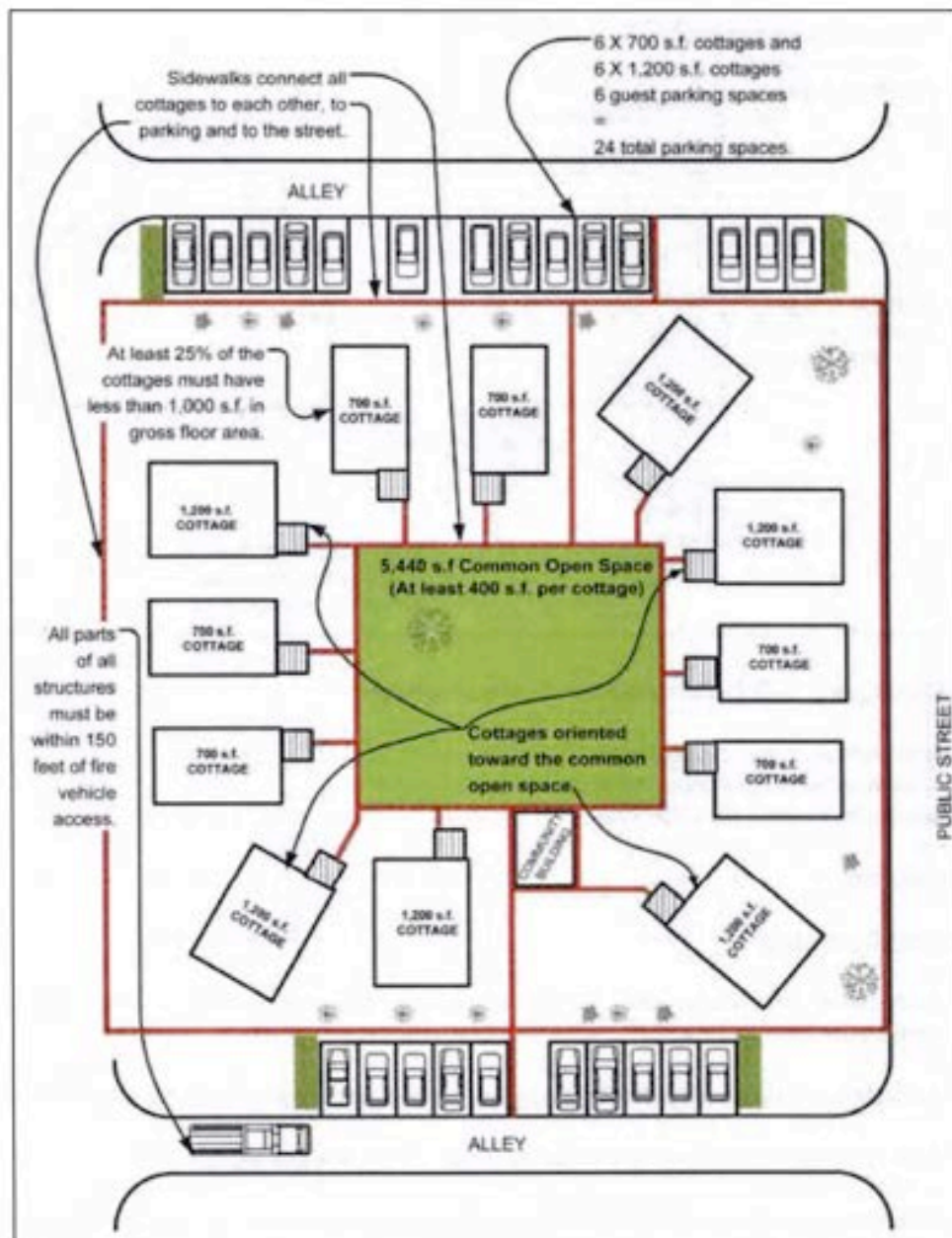
§500-43 Cottage Housing Development (Developer's option in R-1, R-2, and S Districts.) NEW
(Diagrams are illustrative only.)

A. Intent and Age Restrictions.

- (1) Authorization; Zoning Districts. This section authorizes Cottage Housing Development (CHD) as a conditional use in R-1, R-2, and S Districts in accord with this §500-43.
- (2) Description. Cottage Housing is a type of housing appropriately sized for smaller households which encourages efficient use of land, affordability, and energy conservation. Cottage Housing allows for a higher density development than is normally allowed and is made possible by smaller home sizes, clustered home sites and parking and design standards.
- (3) Age Restrictions. Dwelling units in a cottage development shall be restricted to occupancy for at least one person 55 years of age or older and with no person less than 19 years of age pursuant to the Housing for Older Persons Act of 1995, as may be amended. However, not more than 30 percent of the units may be restricted to occupancy for at least one person 45 years of age or older and with no person less than 19 years of age.

B. Definitions. The definitions in this §500-43B shall supplement those in Article III.

- (1) Cluster. A group of four to 12 cottages, arranged around a common open space.
- (2) Common Open Space. An area improved for passive recreational use or gardening, owned, and maintained commonly through a homeowners' or condominium association or similar mechanism.
- (3) Cottage. A single family detached dwelling unit that is part of a cottage housing development.
- (4) Cottage Housing Development (CHD). One or two clusters of cottages developed under a single land development plan, or as part of another land development plan.

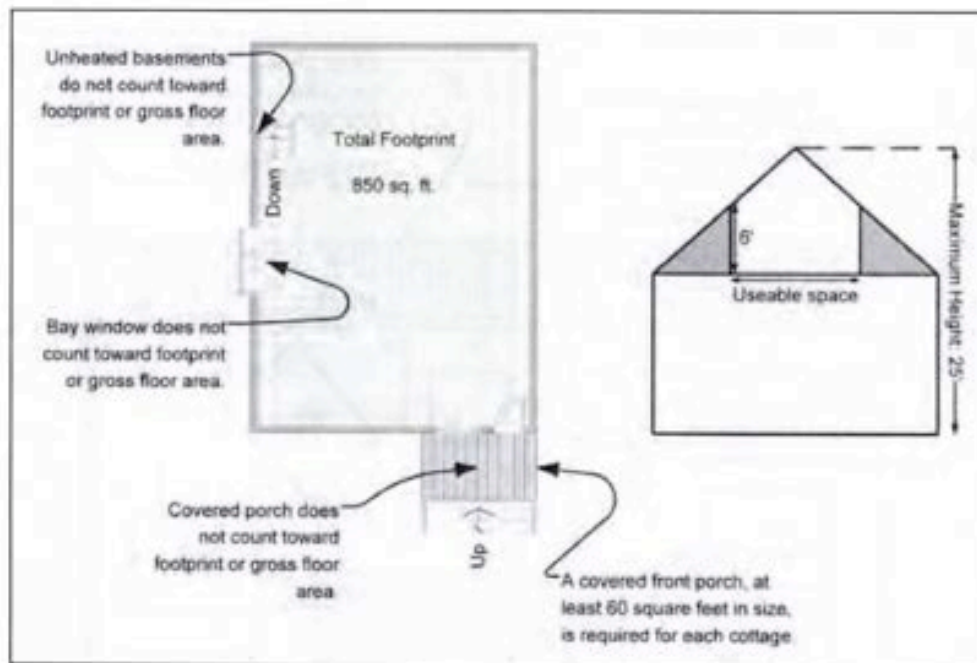


(5) Footprint. The gross floor area of a cottage's ground-level story.

C. Water Supply and Sewage Disposal. CHD shall only be permitted in areas served by central water supply and central sewage disposal.

D. Density; Units per Cluster.

(1) Density. Cottages may be built at up to twice the underlying zoned density for single-family detached dwellings housing.



(2) Units per Cluster. A CHD is composed of clusters of cottages.

- (a) Minimum units per cluster: four.
- (b) Maximum units per cluster: twelve.
- (c) Maximum clusters per CHD: two.

E. Community Assets.

(1) Common Open Space

- (a) Each cluster of cottages shall have common open space to provide a sense of openness and community for residents.
- (b) Each cluster shall include at least 400 square feet of common open space per cottage in the cluster.
- (c) Each area of common open space shall be in one contiguous and useable piece.
- (d) To be considered as part of the minimum open space requirement, an area of common open space must have a minimum dimension of 30 feet on all sides.
- (e) The common open space shall be at least 3,000 square feet in area, regardless of the number of units in the cluster.
- (f) Required common open space may be divided into no more than two separate areas per cluster.
- (g) At least two sides of the common open space shall have cottages along its perimeter. The cottages shall front on the open space either directly or across a sidewalk or pathway.

- (h) Parking areas, required setbacks, private open space and driveways do not qualify as common open space.
- (i) Any Borough requirements for contributions to off-site recreation facilities shall be reduced for the CHD by the amount of common open space included in the development.

(2) Community Building

- 1. Community buildings are permitted in CHDs.
- 2. Community buildings shall be clearly incidental in use and size to dwelling units.
- 3. Building height for community buildings shall be no more than one story.

F. Common Ownership. Community buildings, parking areas and common open space shall be owned and maintained commonly by the CHD residents through a condominium association, a homeowners' association, or a similar mechanism, and shall not be dedicated to the Borough.

G. Design

(1) Cottage Size

- (a) The gross floor area of each cottage shall not exceed 1,200 square feet.
- (b) At least 25 percent of the cottages in each cluster shall have a gross floor area less than 1,000 square feet.
- (c) Cottage areas that do not count toward the gross floor area or footprint calculations are:
 - [1] Interior spaces with a ceiling height of six feet or less, such as in a second-floor area under the slope of the roof;
 - [2] Basements;
 - [3] Architectural projections such as bay windows, fireplaces or utility closets no greater than 24 inches in depth and six feet in width;
 - [4] d. Attached unenclosed porches;
 - [5] Garages or carports;
- (d) The footprint of each cottage shall not exceed 850 square feet.

(2) Unit Height - The maximum height of cottage housing units shall be 25 feet.

(3) Orientation of Cottages

- (a) Each dwelling unit shall be clustered around a common open space. Each unit shall have a primary entry and covered porch oriented to the common open space.

- (b) Lots in a CHD are not required to abut a public street.
- (c) Each unit abutting a public street (not including alleys) shall have a facade, secondary entrance, porch, bay window or other architectural enhancement oriented to the public street.

(4) Cottage Setbacks

- (a) The minimum setbacks for all structures (including cottages, parking structures and community buildings) in a CHD shall be:
 - [1] Ten feet from any public right-of-way.
 - [2] Ten feet from any other structure.
- (b) Cottages shall be no more than 25 feet from the common open area, measured from the facade of the cottage to the nearest delineation of the common open area.
- (c) No part of any structure in the CHD (including, but not limited to, cottages, parking structures and community buildings) shall be more than 150 feet, as measured by the shortest clear path on the ground, from fire department vehicle access.

(5) Porches

- (a) Cottage units shall have covered front porches. The front porch shall be oriented toward the common open space.
- (b) Covered porches shall have at least 60 square feet in floor area.

(6) Basements - Cottages may have basements.

H. Parking

(1) Minimum Number of Off-Street Parking Spaces

- (a) Units up to 700 square feet: one space per dwelling unit.
- (b) Units 701-1,000 square feet: 1.5 spaces per dwelling unit, rounded up to the next whole number.
- (c) Units with more than 1,000 square feet: two spaces per dwelling.
- (d) The CHD shall include additional guest parking. A minimum of 0.5 guest parking spaces per dwelling unit, rounded up to the next whole number, shall be provided for each cottage cluster. Guest parking may be clustered with resident parking; however, the spaces shall include signs clearly identifying them as reserved for visitors.

(2) Parking Design

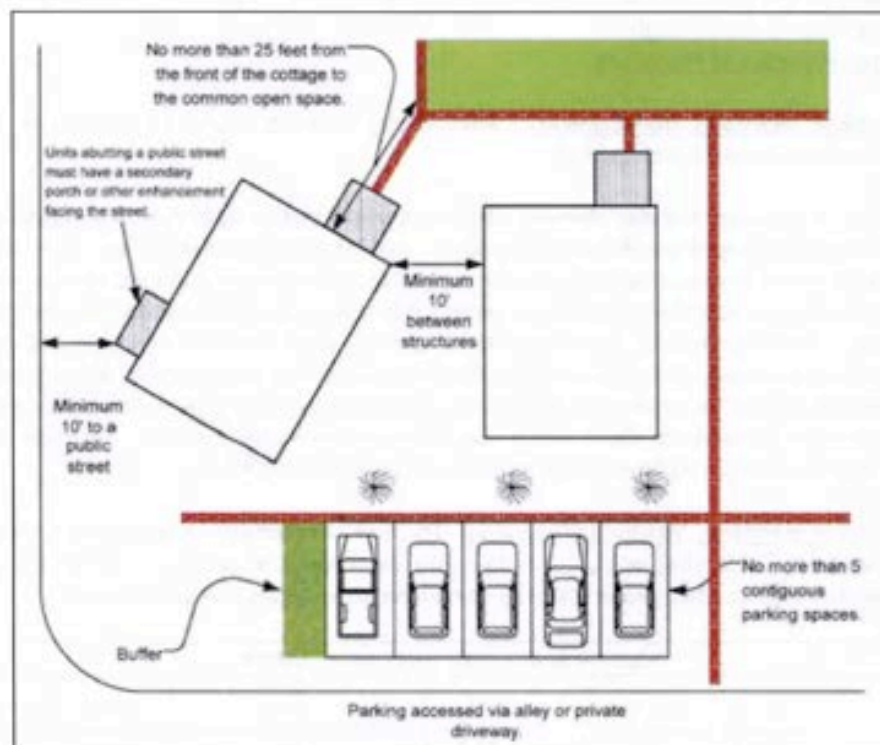
- (a) Parking shall be separated from the common area and public streets by landscaping and/or architectural screening. Solid board fencing shall not be allowed as an architectural screen.
- (b) Parking areas shall be accessed only by a private driveway or a public alley.

(c) The design of garages and carports-including roof lines-shall be similar to and compatible with that of the dwelling units within the CHD.

(d) Parking areas shall be limited to no more than five contiguous spaces.

I. Walkways

- (1) A CHD shall have sidewalks along all public streets.
- (2) A system of interior walkways shall connect each cottage to each other and to the parking area, and to the sidewalks abutting any public streets bordering the CHD.
- (3) Walkways and sidewalks shall be at least four feet in width.



§500-44 to §500-48 Reserved

§500-49 Two-Family Dwellings **NEW**

Where permitted by the Schedule of Uses, two-family dwellings shall comply with the requirements of this §500-49 and other applicable standards in this chapter.

- A. Common Property Line. 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 of each lot shall not be less than be 50 percent of the minimum lot size for a two-

family dwelling required by the Schedule of Development Standards in Article IV. Existing two-family dwelling units with a common wall may be subdivided along the wall without a lot area or setback variance.

- B. Single Parcel. In cases where the two-family dwelling is located on a single undivided lot consists of two dwelling units constructed with one unit located on the second floor above a first-floor dwelling unit the lot shall comply with the minimum lot size required for a two-family dwelling by the Schedule of Development Standards in Article IV. If such a two-family dwelling is proposed on two or more separate lots of record, said lots shall be combined into one lot prior to the issuance of a Zoning Permit.

- C. Conversions -- See §500-51.

§500-50 Multi-Family Dwellings

Updates old §500-35. Apartment houses, low-rise and § 500-39. Garden apartments.

Multi-family dwellings are permitted in certain districts to provide the opportunity for the development of a variety of housing types in the Borough.

- A. Project Design Process and Procedure.

- (1) Subdivision and Land Development. Multi-family projects shall also subject to Chapter 390 (Subdivision and Land Development).
- (2) 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 chapter. 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 Borough. Setbacks from property lines, improvements, and other buildings shall also be specifically shown.

- B. Bulk and Density Standards; Parcel Configuration. The bulk and density factors listed in the Multi-Family Dwelling Standards Table shall apply to multi-family dwellings and projects. All land proposed for a particular multi-family dwelling project shall be part of the same parcel and be contiguous.

MULTI-FAMILY DWELLING STANDARDS				
PROJECT STANDARDS	Quadrplexes	Townhouses	Garden Apartments	Apartment Buildings
Minimum size for project parcel (square feet)	<u>none – based on performance standards</u>			
Density (dwelling units per acre)	<u>10</u>	<u>10</u>	10	20
Maximum number of dwelling units per building	4	6	8	10
Setbacks (feet)	same as the zoning district			
Maximum lot coverage	same as the zoning district			
Maximum building height	same as the zoning district			

C. Design Criteria. The following design criteria shall apply to multi-family projects:

- (1) Road Standards. Access roads through the development shall comply with the street requirements of Chapter 390 (Subdivision and Land Development). Direct access of individual parking spaces to a road shall not be permitted, and any such access drive shall remain private.
 - (2) 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 20 feet.
 - (3) Landscaped Buffers. Buffers shall be provided in accord with the landscaping requirements of Chapter 390 (Subdivision and Land Development).
 - (4) Pedestrian Access. Walkways of such design and construction as approved by the Borough 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 Chapter 390 (Subdivision and Land Development).
 - (5) Trash Storage. Exterior storage areas for trash and rubbish shall be screened from public view 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.
 - (6) Architectural Renderings. Preliminary architectural renderings, models or photos for multi-family dwelling projects 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, 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.
 - (7) Townhouses: Facade Changes. A minimum of two changes in the front wall plane with a minimum offset of four feet shall be provided for every attached grouping of townhouses in one 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.
- D. Nonresidential Use. Nonresidential 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.
- E. From old §500-39A Open Space Required. In the case of quadraplexes, townhouses, and garden apartments, at least 25 percent of the garden apartment tract must be maintained in open space and be developed in recreational uses for the enjoyment of the residents. Areas for both active recreation (swimming, tennis, etc.) and passive recreation (landscaped walks, benches, gardens, picnic groves, etc.) may be included in the total area required for open space use.
- F. 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 Borough in accord with Chapter 390 (Subdivision and Land Development). 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.

- G. Lighting. Lighting shall be provided sufficient in number and intensity to provide for the safe movement of vehicles and pedestrians. Lighting shall comply with §500-67 and shall not reflect toward public streets or cause any annoyance to surrounding properties.

§500-51 Residential Conversions

Any conversion of a building to multi-family or two-family dwelling units shall be permitted only within a district in which a new building for similar occupancy would be permitted under this chapter, and only when the resulting occupancy will comply with the requirements governing new construction in such district.

Compare to old §500-36

~~In districts where provided, single-family homes may be converted into two-family or multifamily structures, provided that the following conditions are met:~~

~~A. At least 1,500 square feet of lot area is required for each resulting dwelling unit.~~

~~B. At least one off-street parking space shall be provided per resulting dwelling unit.~~

~~C. The structure to be converted must be served by off-site water and sewerage facilities.~~

~~D. Each dwelling unit shall have adequate light, air, and heating, as well as complete bathroom and kitchen facilities.~~

§500-52 Manufactured Homes (Mobile Homes) NEW

- A. Manufactured Homes on Individual Lots. A manufactured home placed upon single-family lot outside of a manufactured home park shall meet the following requirements:

- (1) The manufactured home shall comply with all applicable Uniform Construction Code requirements.
- (2) The manufactured home shall have the wheels, axles and hitches removed prior to placement.
- (3) The manufactured home shall comply in all respects with the requirements set forth in this chapter for single-family residences in the various districts.

- B. Manufactured Homes in a Manufactured Home Park. A manufactured home placed in a manufactured home park shall meet the requirements of Chapter 390 (Subdivision and Land Development).

§500-53 Reserved

§500-54 Group Homes and Large Group Care Facilities Same as old §500-47. Ord. 2021-01 definition is not consistent.

Group homes and large group care facilities (herein referred to as *facility* or *facilities*) shall be permitted in accord with the Schedule of Uses, this §500-54 and other applicable standards of this chapter.

- A. Support Facilities. The applicant shall demonstrate those support facilities that are essential to the functioning of the specific facility. These support facilities shall include, but are not limited to transportation, medical care, education facilities, recreation facilities, social services, and training facilities.
- B. Certification. The facility shall have obtained any and all licenses and permits required by the federal, state, county or local government which may be relevant to the particular type of facility.
- C. Group Home Floor Area. A minimum floor area of 900 square feet shall be provided for all group homes.

- D. Large Facility Floor Area. For large group care facilities, a minimum floor area of 900 square feet plus 110 square feet for every resident in excess of six shall be provided.
- E. Group Home Residents. Group homes shall not have more than six residents.
- F. Supervision. All facilities shall have 24-hour per day supervision of the residents by people qualified by training and experience in the field for which the group care facility is intended.
- G. Parking. One off-street parking space per employee for the maximum number of employees on any one shift shall be provided if the resident group members are not allowed to operate motor vehicles. If the resident group members are allowed to operate motor vehicles, one off-street parking space shall be provided for each resident as well.
- H. Services. The facility shall not provide medical, counseling, or other service to persons who do not reside at the facility.

~~Facility Separation. The lot on which the facility is sited shall be separated from lots on which any other facility is located by a minimum distance of 800 feet in any direction.~~

- I. Requirements. The facility shall comply with the following requirements, by providing said information to the Zoning Officer, on or before February 1st, of each year, or an annual basis:
- (1) The names, addresses, and telephone numbers of the primary and alternate supervisors of the facility.
 - (2) The address of the operator of the facility for the acceptance of correspondence and service of documents, which address shall be within the Commonwealth of Pennsylvania, or in the event of a sponsor not maintaining an office within the Commonwealth of Pennsylvania, then the sponsor shall designate an agent for acceptance of correspondence and service of documents within the Commonwealth of Pennsylvania.
 - (3) A current copy of all licenses held by the operator of the group home authorizing the operation of the group home facility.

~~J. Annual Fee ???? The above information shall be accompanied by an annual fee, payable to the Borough as shall be set by Borough Council by resolution. Until otherwise established, the fee shall be \$25 per annum.~~

~~K. Additional Information. The applicant shall also submit such additional information as shall be required by the annual application ???? to be filed with the Zoning Officer to accompany the above information.~~

§500-55 Functional Families NEW

- A. Purpose. This §500-55 is to provide for the regulation of functional families that may request to reside in a dwelling unit and to prohibit larger groups of unrelated persons from residing in dwelling units. Larger groups of unrelated persons have been frequently shown to have a detrimental effect on residential neighborhoods since larger groups of unrelated persons do not live as a family unit and do not have significant economic or emotional ties to the neighborhood.
- B. Special Exception; Standards. The Zoning Hearing Board shall consider each application for a functional family as a special exception in accord with the standards of §500-176D and, among others, the following considerations:

- (1) Proposed occupants:
 - (a) Share a strong bond or commitment to a single purpose (e.g., religious orders);
 - (b) Are not legally dependent on others not part of the functional family;
 - (c) Can establish legal domicile as defined by Pennsylvania law;
~~Share costs of food, rent or ownership, utilities and other household expenses; per Ord.2021-01~~
 - (d) Prepare food and eat together regularly;
 - (e) Share in the work to maintain the premises;
 - (f) Legally share in the ownership or possession of the premises; and
 - (g) Share the entire dwelling unit or act as separate roomers.
 - (2) Whether the household has stability akin to a permanent family. The criteria used to make this determination may include, among others, the following:
 - (a) The length of stay together among the occupants in the current dwelling unit or other dwelling units;
 - (b) The presence of minor, dependent children regularly residing in the household;
 - (c) Whether the household is a temporary living arrangement or a framework for transient living; and,
 - (d) Whether the composition of the household changes from year to year or within the year.
 - (3) Any other factor reasonably related to whether or not the group of persons is the functional equivalent of a family.
- C. Conditions. The Zoning Hearing Board may impose such additional conditions as it deems necessary for the general welfare, for the protection of individual property rights, and for ensuring that the intent and objectives of this chapter will be observed.

§500-56 Reserved

§500-57 Reserved

DELETE ENTIRE SECTION

602 Transferable Development Rights (TDR)