

ARTICLE VIII
LAND CONSERVATION AND MULTI-FAMILY DEVELOPMENTS

801 Land Conservation Residential Development – Developer’s Option

801.1 Intent

The intent of this section is to conserve undeveloped land with sensitive natural areas, active agricultural lands, land with potential for agriculture, historic or cultural elements, scenic views and other significant land features. These land features comprise the very rural character of the County which has stimulated both second home and permanent residents. Without the careful consideration of the development process established by the standards in this section, many of these significant land features would be lost to the effects of conventional residential development. As compared to land conservation development, conventional residential development often presents unnecessary environmental consequences and severely compromises the rural character of the County, which is directly linked to the economic vitality of the community and region.

The conservation of land and preservation of community character is accomplished by permitting single-family and multi-family residential development at a somewhat higher overall density than conventional single-family development, but in an open land setting. The development is designed to reduce the perceived intensity of development, preserve natural features and farmland, and provide privacy and community identity.

Specific objectives are as follows:

- A. To preserve open land, including those areas containing unique and sensitive natural features such as woodlands, farmland, steep slopes, natural drainage ways, streams, lakes, flood plain and wetlands by directing development to other areas of the project parcel.
 - B. To preserve scenic views and other physical elements of the County's rural and recreational character and to minimize perceived density by minimizing views of new development from existing roads.
 - C. To permit design flexibility and efficiency in the siting of dwellings, services and infrastructure by reducing site preparation requirements, road lengths, utility extensions, storm water management facilities, and other development considerations.
 - D. To reduce the erosion and sedimentation by minimizing disturbance of existing vegetation and directing development away from steep slopes.
 - E. To reduce the volume of storm water runoff by minimizing the amount of impervious surfaces, and to facilitate storm water management by preserving natural drainage ways.
 - F. To encourage the use of sewage disposal methods that do not result in a stream discharge of effluent.
 - G. To encourage the preservation and improvement of wildlife habitat by maintaining large parcels of open land and minimizing the disturbance of existing vegetation.
 - H. To preserve the limited agricultural land in the County by designation of the said lands as a primary conservation area to be maintained in large blocks.
 - I. To realize the goals of the County Comprehensive Plan.
 - J. To establish a mechanism for the continued preservation and maintenance of open land in the County to achieve the purposes enumerated in this §801 and for active or passive recreational use by residents.
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801.2 Application; Parcel Size

The provisions of this section may be applied by the Planning Commission upon request by a developer and only in accord with the standards of this §801. The minimum parcel size required shall be ten (10) acres.

801.3 Dwellings, Density, and Open Space

Dwellings permitted in accord with this §801 shall be limited to the following:

A. Dwellings Permitted

The following dwelling types are permitted in accord with the standards of this §801:

1. Standard single-family detached dwellings.
2. Lot-line houses (see definition "Dwelling – Lot Line House).
3. Townhouses

B. Density

Overall density shall be based on the per unit lot size for single-family dwellings determined by the proposed type of water supply and sewage disposal in accord with this Ordinance, and a density bonus of fifteen (15) percent shall be applied. (See §801.4,B and §801.7 for density determination.)

C. Open Land

Not less than forty (40) percent of the tract shall remain as open land as defined and maintained in accord with this §801. (See §801.5,B for the proportion of open land that may be comprised of wetlands, flood plain and steep slopes.) Not less than thirty (30) percent of the required open space shall be available for the use of the residents of the development.

D. Open Land Uses

Open land, which comprises a part of a residential development approved in accord with the requirements of this §801, shall be used only in accord with the requirements of this §801.

E. Non-Residential Uses

The following non-residential uses shall be permitted on open lands:

1. Agricultural activities of the following types:
 - a. Cultivation, harvesting, and sale of crops and related farm and forest products;
 - b. The raising and sale of livestock or fowl, along with associated pasture and grazing land, but excluding intensive livestock operations;
 - c. Orchards, nurseries, greenhouses, and related horticultural activities.
 - d. Other similar agricultural uses.
 2. Open land uses, primarily passive in nature, including wildlife sanctuaries, forest preserves, nature centers, and similar uses.
 3. Game farms, fish hatcheries, hunting or fishing preserves; or similar uses intended for the protection or propagation of wildlife.
 4. Parks and recreation for non-intensive uses, including golf courses (excluding driving ranges or miniature golfing), hiking, bicycling or horse riding trails, picnic areas, playing fields, and similar uses.
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801.4 Project Design Process

The design process included in this §801 is based on the approach detailed in the September 1994, Natural Lands Trust publication, *Designing Open Space Subdivisions, A Practical Step-by-Step Approach*¹ or other relevant publications. Open land development plans will be reviewed by the Planning Commission using the publication as a guide and developers should review the publication prior to initiating the design process and preparing a conceptual plan.

A. Inventory and Analysis

A site inventory of land forms and natural, historic and scenic features, and a site analysis plan shall be prepared as the foundation of any Open Land Development proposed in accord with this §801. The site analysis plan also serves as the base for the determination of the location and size of areas to be developed, and conservation areas, those areas to remain undeveloped. The plan shall identify Primary Conservation Areas and all potential Secondary Conservation Areas in accord with this §801.4. The final determination and designation of Secondary Conservation Areas shall be approved by the Planning Commission.

In addition, the following site elements shall be inventoried and mapped in sufficient detail to allow evaluation of the site analysis plan by the Planning Commission relative to the intent of the land conservation residential development.

1. **Physical Resources** - Identification of the natural resources of the tract including geology, topography, soils, hydrology and vegetation. The features shall be mapped at a scale not less than one (1) inch equals one-hundred (100) feet, and shall be described in a brief narrative, and shall include the following: [NOTE: On tracts of one-hundred (100) acres or more, the scale shall be one (1) inch equals two-hundred (200) feet. More detailed scales may be required for actual design plans.]
 - a. Topographic contours at intervals of ten (10) feet, showing rock outcrops and slopes of more than fifteen (15) percent.
 - b. Soil types and a table identifying soil characteristics relating to agricultural capability, seasonal high water table, depth to bedrock, and suitability for land application of sewage effluent and for on-lot sewage disposal systems. Soil information shall be taken from the Susquehanna County Soil Survey published by the U.S. Department of Agriculture.
 - c. Hydrologic characteristics of the tract, including streams, lakes and ponds, flood plain and hydric soils.
 - d. Vegetation of the tract, showing location and boundaries of agricultural land, woodlands, and other areas in terms of vegetation associations, species and size.
2. **Land Use** - Existing land use and land cover (paved areas, cultivated areas, pastures, etc.), all buildings and structures on the tract, and all encumbrances on the tract such as easements or covenants.
3. **Visual Resources** - Scenic views onto the tract from surrounding roads and public areas, as well as views of scenic features from within the tract.
4. **Cultural and Historic Resources** - The location of historic resources on the tract, including buildings and other structures, stone walls, cemeteries, burial grounds, cellar holes, well, etc.

¹Arendt, Randall, MRTPI, Natural Lands Trust, Inc., Media, PA, September 1994.

5. Area Context - General locations of buildings, land use, and natural features such as water bodies, wooded areas, ridge lines, and agricultural land, roads, property lines, public and conservancy lands, and other open land easement areas, within five-hundred (500) feet of the tract. This information may be shown on an aerial photograph or a suitable map at a scale no smaller than one (1) inch equals four-hundred (400) feet.
6. Conservation Areas - The following conservation areas shall be clearly identified on the site analysis plan:
 - a. Primary Conservation Areas shall include:
 - 1) Wetlands
 - 2) Land within the 100 year flood plain
 - 3) Land with a slope of more than twenty-four (24) percent
 - 4) Land within fifty (50) feet of any pond, lake or stream.
 - b. Secondary Conservation Areas shall include:
 - 1) Aquifer recharge areas
 - 2) Areas with highly permeable soil
 - 3) Land within twenty-five (25) feet of wetlands
 - 4) Natural drainage ways
 - 5) Major rock outcroppings and other unusual geologic features
 - 6) Agricultural land and areas with prime agricultural soils as identified by the U.S. Department of Agriculture, Soil Conservation Service
 - 7) Historic resources
 - 8) Scenic views onto the tract from surrounding roads and public areas, as well as views of scenic features from within the tract

B. Useable Land Area -- Determination of Base Dwelling Unit Density

The final dwelling unit density shall be calculated by applying any applicable density bonus to the base density. The base dwelling unit density shall be determined by deducting the following areas from the total size of the tract and applying the appropriate density as set forth in §602.3 of this Ordinance in accord with the type of water and sewage disposal.

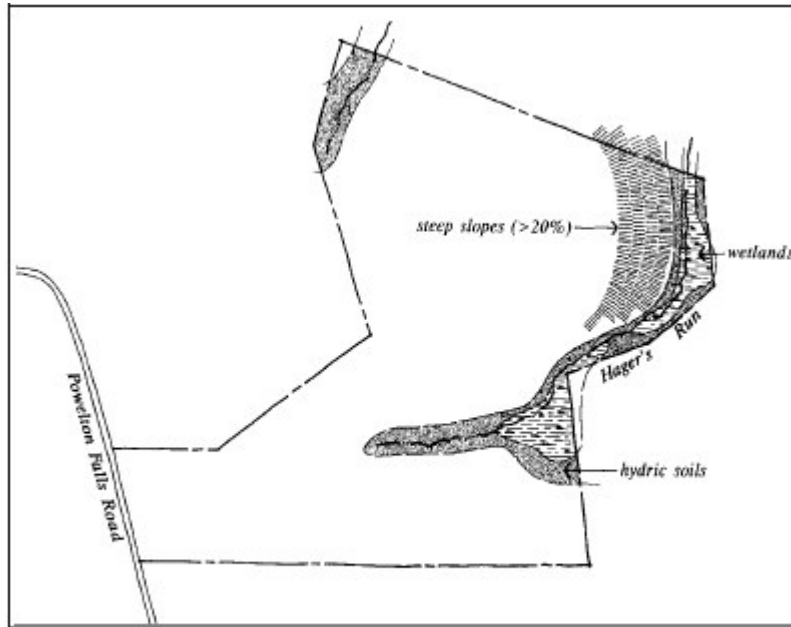
1. Land within public rights-of-way.
2. Land within the rights-of-way of existing or proposed private streets (where formal rights-of-way are not involved the width of the street shall be assumed as fifty [50] feet wide).
3. Seventy (70) percent of wetland areas.
4. Land within the 100-year flood plain as shown on the most current Flood Insurance Rate Map issued by the Federal Emergency Management Agency.
5. Land with a slope of more than twenty-five (25) percent.
6. Any pond or lake more than two (2) acres in size.
7. Seventy (70) percent of land contained within the boundaries of easements for overhead electricity, telephone, or cable television service.

C. Conceptual Sketch Plan

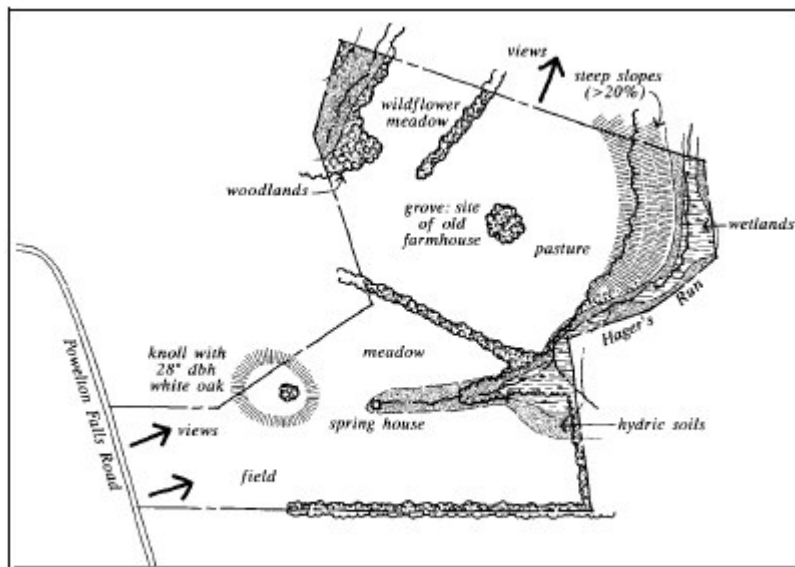
Following the determination of the number of residential units permitted, the developer shall submit to the Planning Department a conceptual sketch plan. The purpose of the plan is to determine the overall

design of the development including the location of residential lots, street patterns, Primary and Secondary Conservation Areas, and Conservation Area trail linkages. The conceptual plan shall be developed by the following four-step process, as demonstrated to the Planning Commission by the developer, and incorporating the design standards contained in this §801:

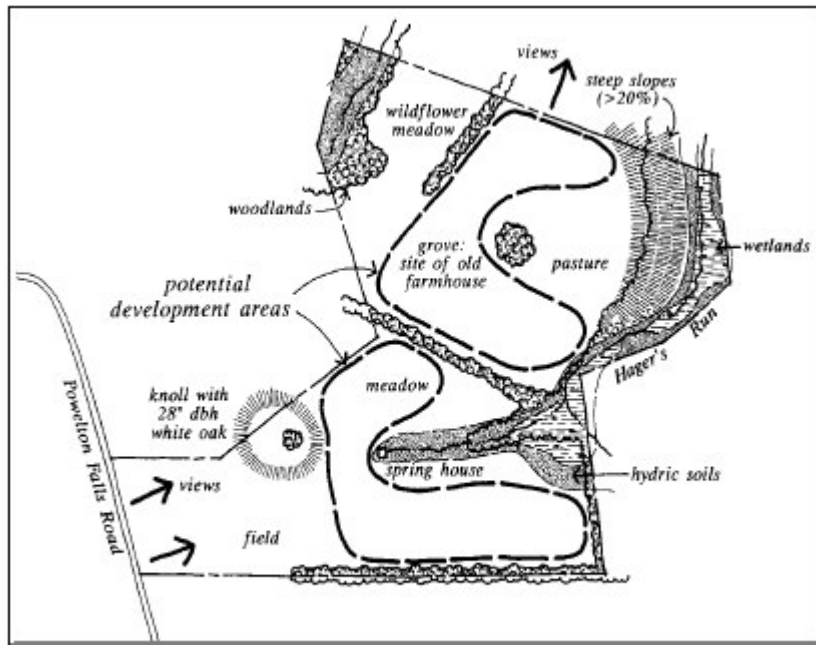
1. Mapping of Primary and Secondary Conservation Areas to identify all potential open land areas



Step 1, Part 1 – Identifying Primary Conservation Areas

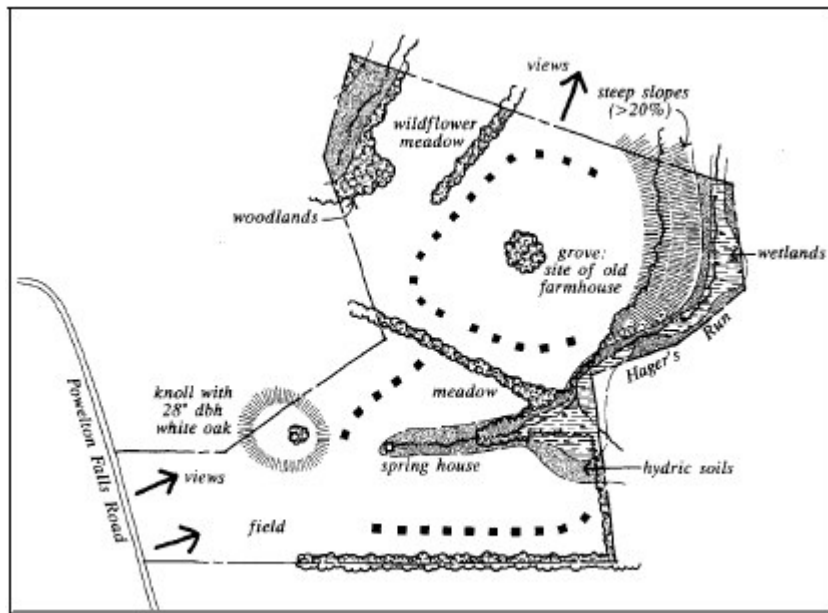


Step 1, Part 2 – Identifying Secondary Conservation Areas



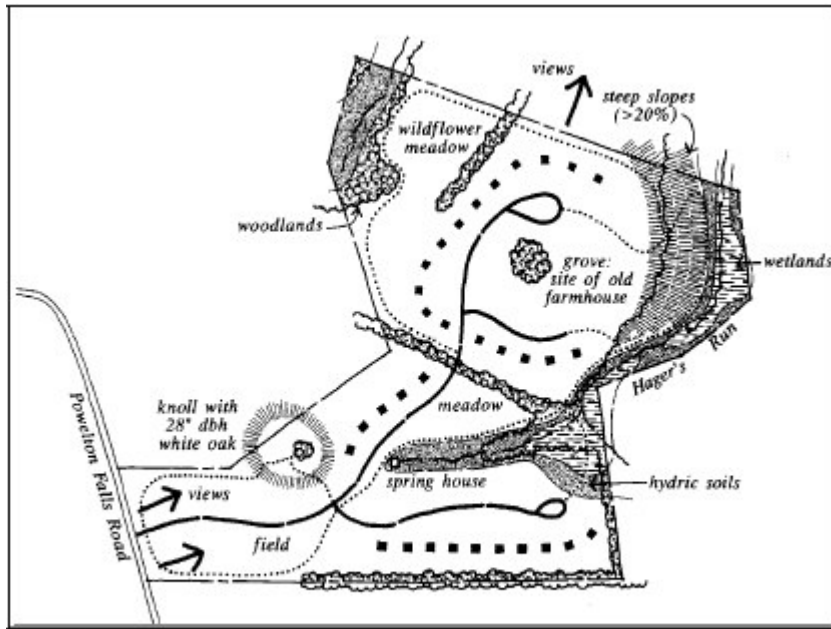
Step 1, Part 3 – Identifying Potential Development Areas

2. Locating house site and neighborhoods



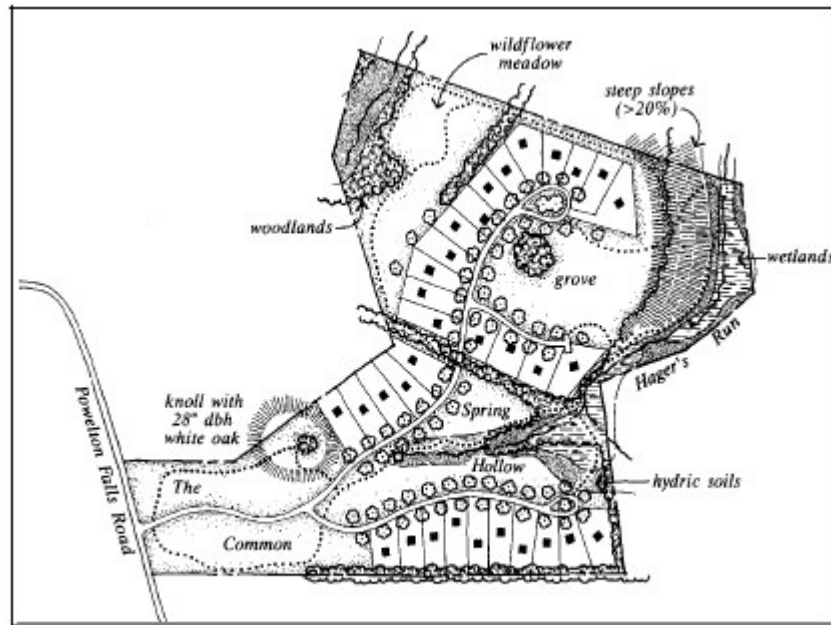
Step 2 – Location of House Sites

3. Laying out streets and footpaths/trails with connections



Step 3 – Alignment of Streets and Trails

4. Establishing lot lines



Step 4 – Drawing in the Lot/Development Lines

Submission of the conceptual sketch plan shall not constitute a formal filing of the development for review, and by requesting consideration of the plan under the terms of this §801, the Developer acknowledges that the statutory review time is not initiated until such time as a complete preliminary plan is accepted for review in accord with Article III of this Ordinance.

D. Foundation for Preliminary Plan

The conceptual sketch plan shall serve as the foundation for the preliminary subdivision/land development plan. The preliminary subdivision/land development plan shall conform to the conceptual sketch plan in terms of open land areas, number of dwelling units, building locations, street design and other improvements, unless a change is approved by the Planning Commission.

E. Subdivision/Land Development Plan

Following approval of the conceptual sketch plan the developer shall be authorized to submit a preliminary subdivision/land development plan in accord with Article III of this Ordinance. In addition to the information required by Article IV of this Ordinance, the conceptual plan information shall be included on the preliminary and final subdivision/land development plans. The time period for Planning Commission review and action on the subdivision/land development plan shall not begin until such time as a complete preliminary plan application is submitted in accord with this Ordinance.

801.5 Open Land Standards**A. Percentage of Open Land**

Not less than forty (40) percent of the parcel proposed for development shall be dedicated as common open land. The percentage shall be calculated after deducting the following areas from the total parcel size.

1. Land within public rights-of-way.
2. Land within the rights-of-way of existing or proposed private streets (where formal rights-of-way are not involved the width of the street shall be assumed as fifty [50] feet wide).
3. Seventy (70) percent of wetland areas.
4. Land within the 100-year flood plain as shown on the most current Flood Insurance Rate Map issued by the Federal Emergency Management Agency.
5. Land with a slope of more than twenty-five (25) percent.
6. Any pond or lake more than two (2) acres in size.
7. Seventy (70) percent of land contained within the boundaries of easements for overhead electricity, telephone, or cable television service.
8. All impervious surfaces including but not limited to buildings, roads, sidewalks, etc.

B. Composition of Open Land Area

The reserved open land shall be contiguous with the project parcel and shall be comprised of not more than a combined total of fifty (50) percent wetlands, 100-year flood plain, or land with a slope of more than twenty-five (25) percent. Not less than fifty (50) percent of the open land shall be accessible to the residents of the Open Land Development, and such access shall be preserved in perpetuity in accord with Article V of this Ordinance.

C. Uses Permitted on Open Lands

The following uses shall be permitted in open land areas:

1. Conservation of open land in its natural, unaltered state.
 2. Agricultural uses, including raising of crops or livestock and forest products, and farm buildings.
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3. Neighborhood open land as specified in §801.6,C.
4. Passive recreation including, but not limited to, trails, picnic areas, community gardens and lawns.
5. Active recreation areas including, but not limited to golf courses, playing fields, playgrounds and courts, meeting the setback requirements of §801.7,B of this Ordinance. Active recreation areas shall not exceed fifty (50) percent of the minimum required open land.
6. Water supply and sewage disposal systems for individual lots, neighborhoods, or the entire development.
7. Pasture for recreational horses not associated with a commercial operation.
8. Easement for drainage, access, sewer or water lines, utilities or other essential services.
9. Storm water management facilities for the proposed development, or for a larger area if required for compliance with the requirements of the any storm water Management Ordinance adopted to regulate storm water in areas governed by a plan adopted in accord with the PA Storm water Management Act of 1978.
10. Parking areas of ten (10) or fewer spaces to serve active recreation facilities.
11. Above ground utility and road rights-of-way, except that the land area of the same shall not count toward the minimum open land requirement.

D. Uses Prohibited on Open Lands

The following uses shall be prohibited in open land areas:

1. Use of motor vehicles except on approved driveways and parking areas. Motor vehicles maintenance, law enforcement, emergency, and farm vehicles shall be permitted as needed.
2. Cutting of healthy trees or vegetation, regrading, topsoil removal, altering water courses or water bodies, except in accord with a land management plan for the tract conforming to accepted standards.
3. Any other use not specifically permitted in §801.5,C above.

E. Open Land Development Design Standards

The Planning Commission, in considering a proposed open land development and determining compliance with the intent and standards of this §801, shall evaluate the layout of lots and open land in accord with the design standards contained in this §801.5,E. Diversity and originality in lot layout and neighborhood design, and open land designation and interconnection shall be encouraged to achieve the optimum relationship between developed and conservation areas. The final determination of the design of the Open Land Development and those site features which are most significant shall be made by the Planning Commission.

1. The Open Land Development shall be designed around the primary and secondary conservation areas and to otherwise protect the significant site features identified in the site inventory and designated by the Planning Commission.
 2. Development on primary conservation areas shall be prohibited and any soil disturbance or vegetation cutting in primary conservation areas shall be avoided. If any disturbance is required, the developer shall provide documentation of compliance with any applicable
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regulations governing the same and shall show how any potential adverse effects will be mitigated.

3. Development, soil disturbance, and vegetation cutting on secondary conservation areas shall be absolutely minimized. If any development or disturbance on secondary conservation areas is proposed the developer shall demonstrate why the said development or disturbance is necessary to the overall Open Land Development plan, and show how the same will be mitigated.
4. Open land areas shall, to the greatest extent possible, be in large, continuous, undivided parcels coherently configured to relate to neighborhood areas of the Open Land Development.
5. In cases where smaller open land parcels are necessary, no such parcel shall be less than three (3) acres in size and shall not have a length-to-width ratio of more than 4:1, except as may be required for neighborhood design, required buffers or trails linking open land areas.
6. The interconnection of open land on adjoining tracts shall be considered as part of the layout of open land and design of neighborhoods.
7. Reasonable access to open land shall be provided for all neighborhood areas and a safe and convenient pedestrian circulation system shall be provided to connect neighborhoods with open land in the Open Land Development.
8. Agricultural land shall be preserved to the greatest extent possible. In cases where agricultural land (crop land and pasture) is a significant feature of the site, neighborhoods shall be designed to minimize conflicts with agricultural practices and any designated Agricultural security Areas..
9. In order to protect the rural character of the County, the design of the Open Land Development shall address the preservation of scenic views where the same have been identified as a significant site feature. For example, if a large parcel of agricultural land surrounded by woodland is a significant site feature, neighborhoods would be located within the wooded area in order to minimize the effect on the scenic view.
10. The preservation of any identified historic resources shall be incorporated into the design of the Open Land Development.
11. Any proposed active recreation areas shall be suitably located for convenient access by residents of the Open Land Development.

801.6 Neighborhood Design Standards

The purpose of the neighborhood design standards is to create compact groupings of homes located to blend with the existing landscape, such as the rise and fall of the topography of the site, hedgerows, agricultural land and woodland, and preserve to a greater extent the visual character of the landscape; thereby maximizing the preservation of open land and the overall rural character of the community. The standards in this §801.6 shall apply to all residential developments in neighborhoods in the Open Land Development.

A. General Design Standards

The following general standards shall be applied to all neighborhoods proposed as part of the Open Land Development:

1. Neighborhoods shall not be located on primary conservation areas and shall be prohibited on
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any secondary conservation areas designated by the Planning Commission as significant conservation areas.

2. Topography, tree cover, and natural drainage ways shall be treated as fixed determinants of road and lot configuration rather than malleable elements that can be changed to meet a particular, preferred development design.
3. Views of neighborhoods from exterior roads shall be minimized by the use of topography, existing vegetation, new landscaping or other design elements.
4. The orientation of individual building sites shall maximize the maintenance of existing topography and vegetative cover.
5. Streets shall be designed to maintain and preserve natural topography, cover, significant landmarks, and trees; to minimize cut and fill; and, to preserve and enhance views and vistas on or off the project parcel
6. The preservation of any identified historic resources shall be incorporated into the design of neighborhoods in the Open Land Development.

B. Specific Standards

The following general standards shall be applied to all neighborhoods proposed as part of the Open Land Development:

1. All dwelling units shall be grouped in neighborhoods that should contain at least five (5), but no more than twenty-five (25) units. The number of units in a neighborhood can be increased or decreased provided the developer can demonstrate to the satisfaction of the Planning Commission that the proposal is more appropriate to the project parcel and meets the intent and other design standards of this §801.
 2. An Open Land Development plan may contain one (1) or more neighborhoods.
 3. Neighborhoods are defined by the outer perimeter of the contiguous lotted areas and may contain lots, roads and neighborhood open land.
 4. Neighborhoods are further defined, surrounded and separated by designated open land areas in order to provide direct access to open land and privacy to individual yards. Neighborhoods may be separated by roads if the road right-of-way is designed as a parkway in accord with §801.6,C which follows and meets the setback requirements in §801.7 of this Ordinance.
 5. All lots in a neighborhood shall generally have access from only an interior development road and not from any road exterior to the project parcel.
 6. Not less than three-fourths (0.75) of the lots in a neighborhood should abut neighborhood open land or other open land (directly or across a road) to either the front or rear for a distance of not less than thirty (30) feet.
 7. The outer boundaries of each neighborhood shall meet the setback requirements in §801.7 of this Ordinance
 8. All lots in a neighborhood shall be restricted by permanent easement against further subdivision.
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C. Neighborhood Open Land Standards

A neighborhood with ten (10) or more residential units shall provide neighborhood open land at a minimum rate of one-thousand (1,000) square feet per unit in accord with the following standards: The neighborhood open land shall

1. Be central to the neighborhood it serves.
2. Have a minimum road frontage of one-hundred (100) feet, and shall be no less than thirty-five (35) feet in width.
3. Shall be configured as a commons or parkway.
 - a. A commons shall be located in a central position in the neighborhood and shall be surrounded by streets and/or building units on at least three (3) sides; and, shall be designed and landscaped as an area for use by residents of the neighborhood.
 - b. A parkway is a narrow strip of open land surrounded by roads on all sides, and is generally intended for a smaller neighborhood; and, shall be designed and landscaped as an area for use by residents of the neighborhood.
4. May contain storm water detention basin or parking areas, but the said basins and areas shall not be included in the required minimum neighborhood open land size (i.e., the 1,000 sq. ft. per unit).
5. Count toward meeting the overall open land requirements of the Open Land Development.

801.7 Density and Dimensional Standards

The standards contained in this §801.7 shall apply to the specified uses in the land conservation residential development.

A. Dwellings

The standards in Table VIII-1 shall apply to all dwelling units in neighborhoods. Maximum density shall be calculated using the base dwelling unit density determined in §801.4,B.

| TABLE VIII-1 DENSITY AND DIMENSIONAL STANDARDS FOR DWELLINGS WITHIN NEIGHBORHOODS | |
|---|---------------------|
| Maximum density (the total number of dwelling units permitted calculated using the base dwelling unit density determined in §801.4,B, multiplied by the maximum density factor) | 1.15 density factor |
| Minimum lot size | |
| single-family house | 10,000 square feet |
| lot line house | 6,000 square feet |
| Minimum lot width at the house location | |
| single-family house | 50 feet |
| lot line house | 40 feet |
| Maximum lot depth to width ratio | |
| all dwelling types | 4:1 |

| TABLE VIII-1 DENSITY AND DIMENSIONAL STANDARDS FOR DWELLINGS WITHIN NEIGHBORHOODS | |
|--|------------------------------|
| Minimum front and rear yard setback all dwelling types | 20 feet front / 25 feet rear |
| Minimum side yard setbacks (each yard) single-family house | 15 feet |
| lot line house | 0/15 feet* |
| *A lot line house requires a five-foot (5') wide maintenance easement on the lot adjacent to the "zero" side yard. In the alternative, a side yard five (5) feet wide may be provided. | |
| Maximum lot coverage (% of lot area) single-family house | 40% |
| lot line house | 40% |

B. Neighborhood Setbacks

The outer boundaries of all neighborhoods shall meet the setbacks in Table VIII-2. The outer boundary is defined by the perimeter of the individual building lots abutting the open land, or of roads adjacent to the front of the said lots. Neighborhood setbacks may be reduced to fifty (50) percent of the requirement in the above by the Planning Commission to allow for flexibility of design provided the developer can demonstrate that:

1. The configuration of the project parcel makes the strict application of the setbacks impractical
2. The reduction does not compromise the design standards of this §801; the overall intent of this Ordinance, or the applicable goals of the comprehensive plan.
3. In the case of exterior roads, existing vegetation and/or topography form an effective visual buffer along the subject road.

| TABLE VIII-2 NEIGHBORHOOD SETBACKS | |
|---|-------------|
| Setback From ... | Requirement |
| External road rights-of-way | 100 feet |
| Crop land and pasture land | 100 feet |
| Buildings, barnyards, or corrals housing livestock | 200 feet |
| Other residential neighborhoods | 100 feet |
| Wetlands, flood plain | 25 feet |
| Water bodies or water courses | 50 feet |
| Active recreation areas such as playgrounds, courts, and playing fields | 150 feet |

C. Building Envelopes

Building envelopes shall be shown on the plan for all lots of one-half (0.5) acres or more to identify the most suitable area for development on each lot. All areas of a lot not within the building envelope shall be restricted from development via a note on the plan to such effect and deed covenants and restrictions. Building envelopes:

1. Shall not be located in any Primary or Secondary Conservation Area.
2. Shall not include the tops of ridge lines.
3. Shall be located on the edges of fields and in wooded areas, except high quality mature woodlands.
4. Shall avoid open fields.

801.8 Water Supply and Sewage Disposal

A. Water Supply

All lots in neighborhoods may be served by a community (off-site, community) water supply and distribution system with such volume and pressure to provide adequate service in accord with accepted engineering practice, this Ordinance, and any other applicable governmental standards; or, may be served with individual wells located on-lot or the reserved open land. However, all multi-family dwellings and dwellings on lots less than one-half (0.5) acre shall be served by a community water system.

B. Sewage Disposal

All lots shall be provided with adequate sewage disposal facilities consistent with the local municipal Official Sewage Facilities Plan and meeting the requirements of this Ordinance and the PA DEP. All dwellings on lots less than one (1) acre shall be served by a community sewage disposal system or an individual system located on open lands.

801.9 Reserved

801.10 Open Land, Recreation Land, and Common Facilities -- Ownership and Maintenance

All areas of an Open Land Development not conveyed to individual lot owners and not occupied by required or proposed common facilities and development improvements shall remain permanent open land, or shall be dedicated to recreation land to be used for the sole benefit and enjoyment of the lot owners in the Open Land Development. Ownership and maintenance of open land, recreation land, and common facilities shall be governed by Article V of this Ordinance.

802 Two Family Dwellings

Two-family dwellings shall comply with the requirements of this §802 and other applicable standards in this Ordinance.

802.1 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 of each lot shall not be less than fifty (50) percent of the minimum lot size required in §602.3.

802.3 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 size shall comply with §602.3.

803 Multi-Family Dwellings

This section provides standards for the development of multi-family projects in municipalities which have not adopted a zoning ordinance.

803.1 Project Design Process and Procedure

- A. Subdivision and Land Development - Multi-family projects shall be considered major subdivisions and land developments.
- B. Design Process and Procedure - All multi-family projects shall be designed and processed in accord with the requirements for Open Land Developments contained in §801.4 of this 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. 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 County or a property owners' association, for the purpose of preserving the open space in the same manner as required for Open Land Development in §801.5 of this Ordinance.

803.2 Bulk and Density Standards; Parcel Configuration

The bulk and density factors listed on Table VIII-3 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.

803.3 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 this Ordinance for minor roads. Access drives serving twelve (12) units or less shall be considered driveways and 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.

| TABLE VIII-3 MULTI-FAMILY DWELLING STANDARDS | | | |
|---|------------------------------|-------------------|---------------------|
| PROJECT STANDARDS | Townhouses | Garden Apartments | Apartment Buildings |
| Minimum size for project parcel (acres) | based on ordinance standards | | |
| Density -- number of dwelling units per acre of useable land area (See §801.4,B, for useable land area) | 6 | 8 | 10 |
| Maximum number of dwelling units per building | 6 | 8 | 12 |
| ADDITIONAL TOWNHOUSE STANDARDS | | | |
| Minimum lot size for townhouse units for individual sale | 1,000 square feet | | |
| Minimum lot width at house location | 18 feet | | |
| Minimum street frontage | 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 | 60% | | |

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

Landscaped buffers, not less than fifteen (15) feet in width shall be provided where multi-family structures adjoin existing one-family dwellings or two-family dwellings. In all cases, a landscaping plan shall be prepared and submitted by the developer for approval by the Planning Commission.

E. Pedestrian Access

Walkways of such design and construction as approved by the Planning Commission 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 this Ordinance.

F. Refuse Storage and Disposal

The storage, collection and disposal of trash and refuse shall be so managed as to create no health hazards or air pollution. All trash and refuse shall be screened from public view on three sides. Interior storage areas for trash and refuse shall at all times be kept in an orderly and sanitary fashion. Containers shall be provided in sufficient number and capacity to properly store all refuse as required by the Pennsylvania Department of Environmental Protection. Trash and refuse shall be collected and disposed of at a facility approved by the Pennsylvania Department of Environmental Protection as frequently as may be necessary to insure that the containers shall not overflow.

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 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 §706 of this Ordinance.

J. Utilities

Electric, telephone and T.V. cable (if available) service shall be installed and maintained in accord with local service company specifications regulating such systems.

803.4 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.

803.5 Conversions of Existing Structures

Conversions of any existing structures to more than three (3) units for multi-family dwelling use, regardless of whether such conversions involve structural alteration, shall be subject to the provisions of this §803, including but not limited to §803.2.

803.6 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 Planning Commission in accord with Article V 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.

803.7 Water Supply and Sewage Disposal

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