

## ARTICLE III

### R-1 RESIDENTIAL DISTRICT

#### Section 300 Purpose

R-1 Residential Districts are designed primarily to provide for the special needs of the large rural and undeveloped areas of the Township and to encourage the preservation of ample and appropriate areas for continued agriculture, recreation, conservation and other open space purposes. Accordingly, the district incorporates a density standard which, among other things, (a) provides for farm and low density dwelling use, with area regulations geared to the nature of the permitted uses and the likelihood of the absence of public water, sanitary sewer or other services, (b) prevents the haphazard mixing of commercial, industrial, and residential use, (c) discourages premature subdivision and isolated development, and (d) facilitates the conservation of forest, water and other natural resources, thereby reducing demands on the water table and minimizing erosion. In R-1 Residential Districts, the following regulations shall apply:

#### Section 301 Use Regulations

A building or structure may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

- 301.1 Single family detached dwelling of not less than 900 square feet of living space.
- 301.2 Agriculture. Any building used for keeping or raising livestock or poultry shall be situated not less than 100' from any street line, proposed street line, property line or dwelling other than the owner's dwelling.
- 301.3 Roadside stand for the sale of farm or nursery products, seventy-five (75) percent of which are produced on the property where offered for sale, provided (a) such stand shall be situated not less than fifteen (15) feet from any street line or proposed street line, within which off-street parking facilities for the patrons of the roadside stand shall be provided, and (b) that any such stand shall be removed or kept in good condition during seasons when products are not being offered for sale.
- 301.4 Public library, public park or public recreation area.
- 301.5 Accessory use on the same lot with and customarily incidental to any of the foregoing permitted uses.
- 301.6 No-Impact Home-Based Business, subject to the provisions of Section 1312., and Home Occupations, subject to the provisions of Section 1325.
- 301.7 Professional Office employing no more than two (2) employees.

- 301.8** Accessory use of one amateur radio transmitting and receiving antenna, subject to the height restrictions contained in Section 1319.1. and 1319.2.
- 301.9** Municipal Use
- 301.10** The following uses when authorized by the Zoning Hearing Board as a Special Exception, provided that any such use be located on a site of not less than five (5) acres.
- a. Private educational, religious or philanthropic use.
  - b. Privately owned outdoor recreational area for use by the general public, such as park, picnic grounds, riding stable or academy, swimming area, and golf course, provided that (1) the use and its design are compatible with the natural character of the area; (2) the use shall include only necessary accessory structures; and (3) no commercial activity shall be permitted except for charging of admission, the sale of refreshments, the rental of athletic equipment, or such other purpose as is clearly incidental to the permitted outdoor recreation use.
  - c. Hospital, convalescent home or sanitarium.
  - d. Cemetery.
  - e. Public, private or parochial school.
  - f. Church or other place of worship.
  - g. Telephone office or utility substation, provided that any such use be located on a site of not less than one (1) acre.
  - h. Boarding of horses and riding stables, subject to the provisions of Section 1318 of this Ordinance.
  - i. Kennel, when the following requirements are satisfied:
    - (1) No building or structure associated with a kennel shall be closer than 350 feet from the property line.
    - (2) No building or structure associated with a kennel shall be closer than 450 feet from a dwelling or place of lodging, other than a dwelling or place of public lodging located on the same property upon which the kennel is located.
    - (3) A planting of arborvitae or similar evergreen plant screening at least six feet (6') in height must surround outdoor pens and runs.
    - (4) No animals are permitted outdoors between the hours of 8:00 P.M. and 8:00 A.M.
    - (5) Kennel buildings shall be sound-proof so that sounds generated within the building cannot be perceived at the lot lines.

- (6) Odors causing annoyance or discomfort to the public beyond the boundaries of the lot on which the kennel is located are prohibited.
- (7) Kennels must comply with all applicable state codes and regulations.
- j. Bed and Breakfast, subject to the provisions of Section 1321.
- k. Group Home, when the following requirements are satisfied:
  - (1) All group homes shall hold a valid license, specifically as a group home, from the Pennsylvania Department of Public Welfare and shall meet all current Department regulations, including those standards governing indoor space and applicable state and local building and fire safety codes.
  - (2) The individual or organization owning and/or operating the group home shall provide to the Township evidence of its financial stability.
  - (3) The residential exterior appearance of the structure and premises shall be maintained. No external alterations, additions, or changes to the exterior of the structure are permitted, except as may be required by the Pennsylvania Department of Welfare or other governmental agency, or as may be needed for safety reasons or to accommodate the physically handicapped.
  - (4) There shall be no more than one (1) kitchen or cooking facility. Meals shall be served to occupants and visitors only. No separate cooking facilities are permitted for any occupant.
  - (5) No group home shall be located within four hundred (400) feet of any other group home.
  - (6) Facilities which house persons who are likely to pose a physical threat to the community may not be deemed "group homes" under the provisions of this Ordinance. Such persons include, but are not necessarily limited to, individuals who have potentially violent behavioral disorders or who have been convicted of violent crimes.
  - (7) The minimum lot size (net lot area) shall be three (3) acres.

**301.11** The following uses when authorized by the Board of Supervisors as a Conditional Use in accordance with the provisions of §1609:

- a. Except as provided in §301.8 above, Amateur Radio Transmitting and Receiving Antennas, subject to the provisions of §1319.
- b. Age Qualified Residential Developments, subject to the provisions of ARTICLE XII.

**Section 302 Area and Height Regulations**

**302.1 R-1 Area & Height Regulations**

|   | <u>On-site sewer &amp;<br/>water</u> | <u>Public sewer<br/>&amp; water</u> |
|---|--------------------------------------|-------------------------------------|
| Minimum lot size (Net Lot Area)         | 65,340 sq. ft.                       | 30,000 sq. ft.                      |
| Minimum lot width                       | 175 ft.                              | 125 ft.                             |
| Maximum building area                   | 15%                                  | 15%                                 |
| Minimum Open Area                       | 80%                                  | 60%                                 |
| Minimum front yard                      | 60 ft.                               | 60 ft.                              |
| Minimum side yard (2)                   | 25 ft.                               | 25 ft.                              |
| Minimum rear yard                       | 30 ft.                               | 30 ft.                              |
| Maximum height<br>(principal building)  | 35 ft.                               | 35 ft.                              |
| Maximum height<br>(accessory building)* | 25 ft.                               | 25 ft.                              |

\*Note: Farm accessory buildings are exempt from this regulation.

**302.2 Attached Garages.**

Attached private garages which are connected to any dwelling with or without a breezeway, shall be considered a part of the dwelling for the purpose of measuring any required open spaces. All such attached garages shall be fire-proofed in accordance with the Building Code of the Township.

- (i) that has no sign visible from the exterior of the structure and no other advertising that indicates a nude or semi-nude person is available for viewing; and
  - (ii) where in order to participate in a class a student must enroll at least three days in advance of the class; and
  - (iii) where no more than one nude or semi-nude model is on the premises at any one time.
- (k) NUDITY or a STATE OF NUDITY means the showing of the human male or female genitals, pubic area, vulva, anus, anal cleft or cleavage with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of the covered male genitals in a discernible turgid state.
- (l) PERSON means an individual, proprietorship, partnership, corporation, association, or other legal entity.
- (m) SEMI-NUDE or in a SEMI-NUDE CONDITION means the state of dress in which clothing partially or opaquely covers Specified Anatomical Areas.
- (n) SEXUAL ENCOUNTER CENTER means a business or commercial enterprise that, as one of its principal business purposes, offers for any form of consideration:
- (i) physical contact in the form of wrestling or tumbling between persons of the opposite sex, or
  - (ii) activities between male and female persons and/or persons of the same sex when one or more of the persons is in a state of nudity or semi-nudity.
- (o) SEXUALLY ORIENTED BUSINESS means an adult arcade, adult bookstore, adult novelty store, adult video store, adult cabaret, adult motion picture theater, adult theater, escort agency, nude model studio, or sexual encounter center.
- (p) SPECIFIED ANATOMICAL AREAS means human genitals, pubic region, anus, buttocks, female breast(s) below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state, even if completely covered.

## ARTICLE XII

### AGE QUALIFIED RESIDENTIAL DEVELOPMENT

#### Section 1200 Declaration of Legislative Intent

In expansion of, and in addition to the Statement of Community Development Objectives found in Section 100 of this Ordinance and the zoning purposes contained in Section 300, it is the intent of this Article to:

- 1200.1 Encourage the development of a community to service senior citizens and provide a more efficient use of land and space to service the senior community.
- 1200.2 Provide for passive recreational activities for the residents of an Age Qualified Residential Development in both exterior and interior spaces.
- 1200.3 Encourage innovation in Age Qualified Residential Developments so the growing demand for housing may be met by a greater variety and type, design and layout of dwellings and by the conversion and efficient use of open space auxiliary to said units.

#### Section 1201 Standards & Criteria for Age Qualified Residential Development

Whenever an Age Qualified Residential Development is Permitted by Conditional Use granted by the Board of Supervisors, the following conditional use standards and criteria shall apply:

- 1201.1 Uses
  - a. Single-Family dwelling.
  - b. Semi-detached dwelling.
  - c. Townhouses.
  - d. Multiplex dwelling.
  - e. Accessory Uses.
    - (1) Community center building for Age-Qualified Development use only, conveniently accessible to all dwelling units, which may include meeting rooms, medical examination room, activity rooms, craft rooms, library, lounges, fitness center, kitchen facilities for members of the Age Qualified Development and their guests and office space.

- (2) Recreational areas including common open space, walk-ways and trails, garden areas, picnic area and similar improvements.
- (3) Off-street parking facilities.
- (4) Storage facilities for ground and building maintenance equipment.
- (5) Facilities for storage of tangible personal property belonging to residents of the Development. Any such storage shall be within a building or group of buildings that are divided into individual units, each of which unit is available for rent or lease only to residents of the Development.
- (6) Retail stores, shops and service establishments, serving only residents of the Age Qualified Development and their guests, provided they are either in or a part of the community center building.

## **1201.2** Area and Density Regulations

### a. Area

- (1) A minimum gross tract area of 20 acres.
- (2) Minimum living area per unit - 900 sq. ft.
- (3) Minimum distance between structures:
  - (a) between facing fronts - 75 ft.
  - (b) between facing front walls and rear walls or side walls, between rear walls and all others - 20 ft.
  - (c) between side walls, except for the common wall between semi-detached dwellings and townhouses - 20 ft.
- (4) Front yard. No building or structure shall be located closer than 25' to the line of any street created within the Development and upon which it fronts or to the side or rear boundary lines of the tract being developed. If any surface water swales exist within such front yard, then no building or structure shall be located closer than 25' to the edge of the swale closest to any building or structure.
- (5) No more than 20% of the total area of the Development shall be covered by buildings.

- (6) Section 1313 notwithstanding, no less than 30% of the entire tract shall be permanently maintained as open area, such as parks, outdoor recreation and conservation of natural features. No less than 10% of the open area shall be improved for active recreational use. Open space may not include detention basins, areas between buildings, buffer areas, or other space that cannot be used for the intended purposes. Open area shall consist of contiguous areas. No more than 20% of the required open area may have slopes exceeding 15%. No more than 10% of the required open area may be wetland. No more than 25% of the required open area may be floodplain.

A written agreement satisfactory to and approved by the Board of Supervisors shall be required for the perpetual preservation and maintenance of the common open areas.

- (7) Individual lots are not required in an Age Qualified Residential Development. If the Development consists of individual lots, Section 1201.2.C. shall apply.

b. Density

- (1) The overall density for Single-Family and Semi-Detached dwellings shall not exceed 5 dwelling units per acre.
- (2) The overall density for townhouses shall not exceed 6 dwelling units per acre. No more than 25% of the proposed number of units may be townhouses.
- (3) The overall density of Multiplex dwellings shall not exceed 8 dwellings per acre. No more than 25% of the proposed dwelling units shall be Multiplex.
- (4) In the case where both townhouses and Multiplex units are proposed, no more than 25% of the proposed number of dwelling units may be the combined total number of townhouses and Multiplex dwellings.

c. Dimensional Standards For Lots

- (1) Single-Family dwelling units:
- (a) Minimum lot size: 5,500 square feet
- (b) Minimum lot width: 70 feet
- (c) Minimum yards:
- (1) Rear: 25 feet
- (2) Side: 10 feet each



- (2) Semi-detached, townhouse and Multiplex dwelling units:
  - (a) Minimum lot size: 4,500 square feet
  - (b) Minimum yards
    - (1) Rear: 25 feet
    - (2) Side along exterior wall: 10 ft

**1201.3 Standards for Buildings**

- a. No more than 6 townhouses shall be in a continuous row.
- b. For the purpose of avoiding developments resembling what have been customarily referred to as "row houses", there shall be within a continuous group of townhouses at least two different architectural plans having substantially different designs, building materials and exterior elevations. In addition, no more than two continuous townhouses shall have the same front yard and the variations in front yard shall be at least 2'.
- c. Maximum building height shall be 25'.

**1201.4 Streets and Parking**

- a. Streets and roadways:
  - (1) Streets and roadways may be private.
  - (2) Sidewalks and roll or slant curbs are required along streets in the Development, and shall meet the specifications for construction of sidewalks and curbing adopted by resolution of the Board of Supervisors.
  - (3) The cartway and right-of-way widths for streets and roadways shall be as follows:

|     | <u>Cartway</u> | <u>Street Parking</u>                  | <u>Right-of-Way</u> |
|-----|----------------|--|---------------------|
| (a) | 28'            | Parking on only one side of the street | 48'                 |
| (b) | 33'            | Parking on both sides of the street    | 53'                 |

- (4) Roadway design, pavement thickness and specifications shall conform to Township standards for public streets. The right-of-way of streets dedicated to the Township must be 53', with a 33' cartway.

- (5) No street shall be used as a through street (a street connecting two existing public streets or roads).
- (6) The vehicular access to each dwelling unit shall be from a Development street. Direct access from a dwelling unit to a pre-existing public street or road is prohibited.
- (7) No less than two access points shall be provided, and each such point shall be on the same public street or road. A single access point may be provided by means of a boulevard street as described in the Township's Subdivision and Land Development Ordinance.

b. Parking Requirements.

- (1) A minimum of two off-street parking spaces a minimum of 10' x 20' shall be required for each dwelling unit. Each indoor garage parking space may be counted toward the parking capacity as one parking space. Driveways may not be counted toward the parking capacity, except as follows:

|  |          |
|--|----------|
| Single lane driveway and no indoor garage -  | 1 space  |
| Double lane driveway and one indoor garage - | 1 space  |
| Double lane driveway and no indoor garage -  | 2 spaces |

- (2) Guest/overflow parking spaces shall be provided by the applicant at the rate of 0.5 spaces per dwelling unit located along streets designated for no on-street parking and shall be distributed conveniently and equitably among the dwelling units. These parking areas shall be located at least 20' from any residential building.
- (3) The community center building parking shall be at the rate of one off-street parking space per 200 sq. ft. of said facility.
- (4) Adequate loading space will be required for the community center building.

**1201.5** Design Regulations

- a. Age Qualified Residential Development shall be served by a public or community sanitary sewage collection and disposal system, a public or community water supply system, and by a storm system conforming to all applicable ordinances and regulations of the Township.

- b. Reserved
- c. The design of an Age Qualified Residential Development shall include the entire tract or the portion of a larger tract identified for the Development.
- d. A system for pedestrian circulation throughout the Development shall be provided.
- e. Exterior storage areas for trash and rubbish shall be completely screened from view on three sides and all trash and rubbish shall be contained in vermin-proof containers.
- f. The applicant shall provide sufficient lighting for the convenience and safety of residents and visitors along internal roads, driveways, parking areas, sidewalks and pathways, subject to approval by the Board of Supervisors, with the advice of the Township Engineer. All lighting shall be reasonably consistent with the village character of the Development and comply with the standards of this Ordinance. Along sidewalks and pathways, low level lighting shall be provided to improve visibility and safety for pedestrians.
- g. Buffer yards/landscape screen requirements are as follows:
  - (1) The buffer yard/landscape screen shall be provided along all side and rear yards of the Age Qualified Residential Development that adjoins a residential, commercial or industrial development or use as determined by the Township.
  - (2) The buffer yard/landscape screen shall be comprised at minimum of 2 rows of plant material, 7' apart, 5' from the property line, with plant material staggered alternately, 10' on center.
  - (3) 60% of the plant material shall be evergreen trees, 20% shall be deciduous trees, and the remaining 20% shall be a mix of evergreen and deciduous shrubs.
  - (4) Minimum height of evergreen trees shall be 5' and 8' for deciduous trees. Evergreen and deciduous shrubs shall be a minimum of 18" in height.

**1201.6 Architectural Standards**

- a. **Architectural Characteristics.** The architectural characteristics for homes in the Development shall be compatible with the rural and village character of the area. A minimum of three different exterior designs will be required to provide more interesting visual variety.

- b. Architectural Review. It is not intended that the Board of Supervisors dictate the architectural characteristics, but that an acceptable set of standards be chosen by the applicant and adhered to consistently throughout the development.
- c. Building additions. The architectural plans should provide the opportunity for specific potential additions such as porches, patios, decks, or additional rooms. These additional features must be compatible with the original architectural standards.

**1201.7** Development Approval Process

All Age Qualified Residential Developments shall require formal plan processing in compliance with the Township’s Subdivision and Land Development Ordinance of 1987, as amended, and the Township’s Stormwater Management Ordinance. One overall subdivision or land development plan shall be submitted, although the plan may be developed in separate phases. Any provisions of this Article shall take precedence over any inconsistent or conflicting provisions of this ordinance or the Township’s Subdivision and Land Development Ordinance.

**1201.8** Additional Conditions

During the planning process required under Section 1201.7., the Board of Supervisors may attach such reasonable conditions and safeguards in addition to those expressed in this Ordinance, as they may deem necessary to implement the purposes and intent of this Article.

**1201.9** Sewer Service Area

An Age Qualified Residential Development is permitted only in the Township’s Sewer Service Area, as designated in the Township’s Act 537 Official Plan.

**Section 1202** Standards for Management of Age Qualified Residential Development

The developer and landowner of every Age Qualified Residential Development shall prepare and present for the approval of the Board of Supervisors, documents establishing the governance of the Development and containing the declarations of covenants, restrictions, easements, charges and liens deemed necessary with respect to the ownership and maintenance of the Development.

**1202.1** Standards

There shall be provisions which ensure that the Development shall continue as such and be properly maintained. These provisions shall be in a form acceptable to the Township. The developer shall either (a) retain ownership and responsibility for maintenance of the Development, or (b) provide for and establish one or more organizations for the ownership and maintenance of the Development.