

Part 6
CLUSTER DEVELOPMENT REGULATIONS

§ 32-601. Statement of Intent. [Ord. No. 130, 12/9/1991]

The purpose of this Part is to provide development and design standards for cluster developments containing single-family detached dwelling units. It is the intent of these standards to:

- (a) Provide an optional approach to community development with provisions to permit more efficient utilization of land and of community facilities and services.
- (b) Encourage innovative single-family residential land development that will conserve open space and environmental amenities.
- (c) Protect environmentally sensitive areas from development pressures.

§ 32-602. Development and Design Standards. [Ord. No. 130, 12/9/1991; as amended by Ord. No. 164, 4/26/1999; by Ord. No. 192, 9/16/2002; and by Ord. No. 281, 12/5/2012]

(a) Eligibility.

- (1) Cluster developments containing single-family dwelling units are permitted by conditional use in the Medium Density Residential (MDR) Zoning District and by right in the Low Density Residential (LDR) Zoning District.
- (2) The development shall contain a minimum contiguous land area of 10 acres.
- (3) When public sewer and water systems are provided, a minimum of 50% of the gross area of the development shall be set aside as common open space. If on-lot septic disposal (including community on lot disposal systems) and/or on-lot water wells are provided, a minimum of 40% of the gross tract area shall be set aside as common open space. No more than 50% of the common open space shall be located on lands within the Environmental Protection Overlay District (Part 5).

(b) Density Specifications.

- (1) The Cluster Development shall not exceed the following maximum permitted densities:

Zoning District	Maximum Density
LDR	0.5 dwelling units/acre with on-lot septic disposal (including community on lot disposal systems) and/or well
	1.0 dwelling units/acre with public sewer and water
MDR	3.63 dwelling units/acre

- (2) The area that is not utilized for development shall be set aside as common open space.
- (3) The area to be utilized and calculated for development purposes shall not include lands within the Environmental Protection Overlay District (Part 5).

- (c) Area, Yard and Height Regulations. Each of the following maximum and minimum dimensional requirements shall apply to single-family detached units within a cluster development, except as specifically provided for in this chapter:

Minimum Regulations		Public Sewer and Water	On Lot Sewer and/or Water
	Lot Area (Net)	20,000 square feet	43,560 square feet
	Lot Width	100 feet	150 feet
	Building Setback	30 feet	40 feet
	Rear Yard	20 feet	30 feet
	Side Yard		
	Total	20 feet	40 feet
	One Side	10 feet	20 feet
	Common Open Space (Development)	50%	40%
	Buffer Yard Depth (Development)	10 feet	10 feet

Maximum Regulations			
	Building Height	35 feet	35 feet
	Lot Coverage	25%	25%

- (d) Supplementary Regulations. All sections under Part 9 of this chapter shall apply as supplementary guidelines and specifications for cluster developments.

§ 32-603. Open Space Standards. [Ord. No. 130, 12/9/1991; as amended by Ord. No. 192, 9/16/2002]

- (a) Requirements and Specifications.

- (1) If public sewer and water service is provided, a minimum of 50% of the gross area of the development shall be set aside as common open space. If on lot well and/or on-lot septic (including community on lot disposal systems) is provided, 40% of the gross tract area shall be set aside as common open space. No more than 50% of the common open space shall be located on lands within the Environmental Protection Overlay District (Part 5).
- (2) The common open space shall not include areas that have been devoted to roads, utilities easements and/or stormwater management facilities.

- (3) Significant natural features shall be incorporated into the overall schematic of the design as common open space areas whenever possible. At least 10% of the common open space shall be available to active recreational use, to the satisfaction of the Board of Supervisors, based upon guidelines issued by the Board of Supervisors.
- (4) The accessible area devoted to common open space shall be comprised of areas not less than 50 feet in width and shall not contain less than one contiguous acre of land. In addition, there shall be at least one designated common area within the development containing no less than 50% of the required open space.
- (5) For all common open spaces, satisfactory written agreements approved by the Board of Supervisors shall be consummated for the perpetual preservation of the common open spaces.

(b) Management and Maintenance.

- (1) The developer of the cluster development shall make arrangements, provisions and/or agreements to insure that the common open space shall continue to be adequately managed and maintained.
- (2) The developer of the cluster development shall have the following options for ownership, management and maintenance of the common open space:
 - (i) Retain ownership and responsibility for the management and maintenance; or
 - (ii) Dedicate the land to a homeowners association which is comprised of all the residents of the cluster development; or
 - (iii) Dedicate the land to the Township. The Township shall have the option to accept or refuse the land offered for dedication.
- (3) If the common open space is dedicated to a homeowners association, the developer shall file with the Township a declaration of covenants and restrictions that will govern the association.

§ 32-604. Administration and Review. [Ord. No. 130, 12/9/1991]

Cluster developments shall be planned, designed and constructed in accordance with all pertinent procedures, provisions, standards and specifications that are identified in this chapter and in the Amity Township Subdivision and Land Development Ordinance (see Chapter 27 of the Township Code of Ordinances).