

- c. Adjusted Tract Area Calculation. Adjusted Tract Area equals the Base Site Area minus the Constrained Lands.
 - i. Base Site Area (from a.iii above) _____ acres
 - ii. Subtract the Constrained Lands (from b above) _____ acres
 - iii. Equals Adjusted Tract Area _____ acres
- d. Maximum Number of Dwelling Units. The maximum number of dwelling units equals the Adjusted Tract Area multiplied by the density factor.
 - i. Adjusted Tract Area (from c.iii above) _____ acres
 - ii. Multiply by Density Factor x _____
 - Equals Maximum Number of Dwelling Units _____ DU s

Section 440. **H- HIGH DENSITY RESIDENTIAL DISTRICT**

Section 441. SPECIFIC INTENT

It is the purpose of this District to permit a variety of housing types in an area with close proximity to arterial roads and potential service by public sewer and water systems. The density of single family detached and semi-detached dwellings will vary with the availability of public sewer and water facilities.

Section 442. **USES PERMITTED BY RIGHT**

Land and buildings in an H District may be used for the following purposes and no others, unless a Conditional Use or Special Exception, as provided for in Sections 443 and 444, is granted:

1. General Agricultural Uses, subject to Section 655 of this Ordinance.
2. Farm-related business, subject to Section 651 of this Ordinance.
3. Roadside stands, subject to Section 654 of this Ordinance.
4. Open space as part of a conservation subdivision.
5. Single-family detached dwellings subject to Section 445 of this Ordinance as one of the following:
 - A. Conservation Option

- B. Estate Lot Option, or
 - C. Conventional Option.
6. Home occupation, subject to Section 613 of this Ordinance.
 7. No-impact home based business, subject to Section 614 of this Ordinance.
 8. Municipal Use.
 9. Forestry.
 10. Accessory uses and structures to the above-permitted uses when on the same lot as the permitted use.

Section 443.

USES PERMITTED BY CONDITIONAL USE

1. Village Option, subject to Sections 446, 470, and 808 of this Ordinance. The following uses shall be permitted within the Village Option:
 - a. Single-family detached dwellings.
 - b. Single-family semi-detached dwellings.
 - c. Single-family attached dwellings.
 - d. Open Space.
 - e. Conservancy Lots of at least 10 acres, conforming to the standards for the Country Property Option found in Section 466, and owned by individuals may occupy up to 80 percent of the open space, with the remainder deeded to a homeowners' association, land trust, or the township. The open space within each Conservancy Lot remains subject to the standards for open space in Sections 467 and 468.
 - f. Home occupations in single-family detached dwellings.
 - g. Mixed-Use Area. Where a Mixed Use Area is provided, the following uses shall be permitted:
 - i. Small neighborhood retail (not exceeding 1,200 sq. ft. floor area if in a single-story building, and 2,400 sq. ft. if located in a two-story building, in which the second story may be in residential use).
 - ii. Bed and breakfast establishments.

- iii. Day care centers.
- iv. Second-story residential uses above retail uses, professional office, or personal services.
- h. Accessory uses and structures to the above-permitted uses when on the same lot as the permitted use.
- i. Retail uses specifically excluded from the Village Option shall include flea markets, indoor/outdoor amusement businesses, automotive sales, car washes, gasoline stations, building supply stores, adult commercial and mini-storage facility.

Section 444.

USES PERMITTED BY SPECIAL EXCEPTION

The following uses are permitted when Special Exceptions are granted by the Zoning Hearing Board. Standards to be used in determining whether a Special Exception should be granted are found in Section 902 of this Ordinance.

- 1. Church or synagogue.
- 2. Nursing home or convalescent home, subject to:
 - a. The maximum building height at any point shall be thirty-five feet (35').
 - b. The minimum building setback from the rear property line shall be seventy-five feet (75').
 - c. All structures shall be located a minimum of fifty feet (50') from public streets and the other property lines of the parcel.
 - d. No more than ten percent (10%) of the total area of the parcel shall be covered by buildings.
 - e. No more than ten percent (10%) of the total area of the parcel shall be paved surface, such as streets, interior access drives, parking areas, sidewalks and courts.
 - f. Minimum lot size shall be two (2) acres.
 - g. Minimum lot width at the street line and at the building setback line shall be 200 feet.
 - h. Common parking areas and interior access drives shall be located a minimum of twenty-five feet (25') from the property lines of the parcel.

- i. All buildings shall be set back a minimum of twenty feet (20') from all common parking areas and internal access drives and streets, except for off-street loading areas and areas at entrances to buildings where residents will enter and leave standing vehicles.
- j. All principal buildings shall be separated by a minimum horizontal distance of fifty feet (50').
- k. All dead-end parking lots shall provide adequate areas into which cars parked in the end stalls of the lots may maneuver.
- l. Entrances to and exits from parking areas shall have a minimum width of twelve feet (12') for each lane of traffic entering or leaving the areas.
- m. No more than fifteen (15) parking spaces shall be permitted in a continuous row without being interrupted by landscaping.
- n. Entrances to and exits from common parking areas shall be located a minimum of fifty feet (50') from the point of intersection of the nearest public street cartway lines and the point of intersection of the nearest interior access drives.
- o. A system of paved walkways a minimum of five feet (5') in width shall be provided for access between buildings and common parking areas, open space areas, and other community facilities.
- p. A landscaping plan for the nursing or convalescent home prepared by a registered architect or registered landscape architect shall be prepared and submitted to the Township Zoning Officer for approval. Provisions for the landscaping of the perimeter and interior of all common parking areas shall be included in such plan. All parking and loading areas shall be screened from view from adjoining properties and streets by a landscape screen.
- q. There shall be no architecturally unbroken building face of more than one hundred sixty (160) lineal feet. A building face shall be considered architecturally broken if there is a deflection in the building axis of at least thirty degrees (30°) or, where there is no deflection in the building axis of at least thirty degrees (30°), an integral architectural feature of the building projects from the building face a minimum of ten feet (10') for a minimum distance of ten feet (10') along the building face. Such architectural feature shall extend the entire height of the building included within stories.

3. Mobile home parks, subject to:

- a. The minimum area of a mobile home park shall be five acres.
- b. When the mobile home park is served by either a public or community sewage disposal system and by either a public or community water supply system, there shall be a maximum gross density of five dwelling units per acre, the minimum area of a mobile home lot shall be five thousand square feet, the minimum lot width at the street line shall be thirty feet, and the minimum lot width at the building setback line shall be forty feet. Where on-lot sewage disposal or water supply is used, each mobile home shall be placed on a lot which shall meet the requirements of Section 445 of this Ordinance.
- c. Not less than fifteen percent of the total area of the mobile home park shall be devoted to recreation areas for the use of all residents of the park. Provision shall be made by the owner of the mobile home park for the development, installation, and perpetual maintenance of such recreation areas. Such recreation areas are further subject to:
 - i. A plan showing how the recreation areas will be developed and equipped shall be submitted to the Township for approval.
 - ii. The size, surface conditions, shape, and location of the parcels shall be suitable for the intended purpose, and be such that recreational use is feasible.
 - iii. No more than fifty percent (50%) of the recreation areas shall be land with slope of over fifteen percent (15%) and/or land with high water table or seasonable high water table as shown on the Soil Survey for Berks County prepared by the Soil Conservation Service.
 - iv. Recreation areas shall be readily accessible to residents of the park, but shall be so located that they can be reached and used safely, without undue traffic or other hazards.
- d. The minimum allowable distance between any mobile home, service or accessory building, or parking facility and a boundary line of the mobile home park shall be fifty feet, provided that no mobile home shall be located closer than seventy-five feet to any street located outside the boundary lines of the park. No mobile home shall be located closer than twenty-five feet to any street located within the boundary lines of the mobile home park. The minimum allowable distance between any mobile home and another mobile home, service or accessory building not on the same lot, or common parking facility shall be thirty feet.

- e. Two off-street parking spaces shall be provided for each mobile home.
- f. The limits of each mobile home lot shall be clearly marked on the grounds by permanent flush stakes, markers, or other suitable means.
- g. An evergreen planting screen shall be placed along all boundary lines of the mobile home park separating the mobile home park from adjacent properties and/or streets. The screen shall be a year-round screen which shall be maintained permanently. Plant material which does not live shall be replaced within one year. The distance between trees shall be such that a full screen will be provided. The permissible distance between plants will vary with the species of planting.
- h. All requirements of the Pennsylvania Department of Environmental Protection shall be complied with.
- i. Permits and Administration are subject to:
 - i. The Certificate of Use and Occupancy issued for a mobile home park shall be valid for one year and shall be renewed each year. Each application for the original Certificate of Use and Occupancy for a mobile home park and for renewal of the Certificate shall be accompanied by a valid Certificate of Registration issued by the Pennsylvania Department of Environmental Protection and an annual permit fee established by the Township Supervisors.
 - ii. A representative of the Township may inspect a mobile home park at reasonable intervals and at reasonable times to determine compliance with this Ordinance.
 - iii. The mobile home park shall contain a structure clearly designated as the office of the park manager.
 - iv. The person to whom a Certificate of Use and Occupancy for a mobile home park is issued shall operate the park in compliance with this Ordinance and shall provide adequate supervision to maintain the park, its facilities, and equipment in good repair and in a clean and sanitary condition.
 - v. A register containing the names of all park occupants, the make, model, and serial number of each mobile home, the date of arrival of each mobile home in the park, and the lot number upon which the mobile home is parked, and the date of departure from the park shall be maintained by the Park Manager. The register shall be available to any person whom the Township Supervisors authorize to inspect the park and shall be kept in the office of the manager.

- vi. No space within a mobile home park shall be rented for residential use of a mobile home except for periods of one hundred eighty (180) days or more.

Section 445. DENSITY, AREA, YARD, AND HEIGHT REGULATIONS FOR BY-RIGHT USES

1. Applicability of development options.

- a. Conservation or Estate Lot Development Options. On tracts six acres, ATA, or larger, single-family detached dwellings are permitted in accordance with the requirements of the Conservation or Estate Lot Options provided in this section and Section 460, Design Standards for Conservation Subdivision Options.
- b. Conventional Development. On tracts less than six acres, ATA, single-family detached dwellings are permitted in accordance with the requirements of the Conventional Option provided in this section.
 - i. The use of the Conventional Option shall be limited to tracts existing at the time of adoption of this Section and less than six acres, ATA.
 - ii. The use of the Conventional Option shall be limited to single-family detached residential uses and customary residential accessory uses, subject to Section 602 of this Ordinance.
 - iii. Maximum number of dwelling units shall be determined through the ATA calculation in Section 445.3.
- c. Non-residential development. Non-residential development is permitted, subject to Sections 441 through 445.
- d. A proposed residential improvement for an existing lot that does not qualify as a land development shall comply with the standards provided in this section for the Conventional Option.

2. Density, area, yard, and height regulations for development options.

	Conventional	Conventional**	Conservation **	Estate Lot	Non-Residential
Density factor	1 du/ 1 acre ATA	1du/0.46 acres ATA	1du/0.46 acres ATA	1du/1 acre ATA	NA
Open Space *	0	0	50% ATA and Constrained Lands from Section	0	0

			464.3.b		
Minimum lot size	1 acre ATA	20,000sf ATA	5,000sf ATA	20,000sf ATA	1 acre
Lot width at building line	80'	80'	40'	80'	80'
Impervious coverage	15%	25%	<10,000sf lot – 50%	20%	30%
			10,000sf lot or greater – 35%		
Front yard setback	40'	30'	20'	40'	40'
Front-loading garage			8' minimum behind principal façade		
Side yard setback	25'	15'	20' separation for principal buildings, with no side yard less than 5'	25'	25'
Rear yard setback	30'	20'	20'	30'	30'
Accessory structures	10'	10'	10'	10'	30'

*Additional recreation land and facilities may be required through Section 5.97 of the Subdivision and Land Development Ordinance.

** Requires public sewer and water

- a. Height regulations. No building or structure shall exceed 35 feet in height. A structure for agricultural use, such as barns and silos, may exceed 35 feet in height, provided that for every one foot of height in excess of 35 feet, there shall be two feet of additional setback required from all lot lines.

3. Density Determination for Conventional Residential Development. Applicants shall determine the maximum number of permitted dwelling units using the following calculation:

a. Base Site Area

i. Gross Tract Area _____ acres

ii. Subtract:

(1) Existing public road right-of-way _____ acres

(2) Land under existing private streets _____ acres

(3) Existing utility rights-of-way _____ acres

iii. Equals Base Site Area _____ acres

b. Constrained Lands Calculation. Constrained Lands consists of the natural resources listed below, multiplied by a protection factor and totaled. In the event two or more resources overlap, only the resource with the highest protection factor shall be used.

	Resource	Acreage of Resource	Protection Factor	Constrained Lands (acres)
1	100-year Floodplain		x 1.0 =	
2	Wetlands		x 0.95 =	
3	Prohibitive Steep Slopes (over 25%)		x 0.85 =	
4	Precautionary Steep Slopes (15-25%)		x 0.25 =	
CONSTRAINED LANDS = SUM OF 1- 4 =				

c. Adjusted Tract Area Calculation. Adjusted Tract Area equals the Base Site Area minus the Constrained Lands.

i. Base Site Area (from a.iii above) _____ acres

ii. Subtract the Constrained Lands (from b above) _____ acres

iii. Equals Adjusted Tract Area _____ acres

d. Maximum Number of Dwelling Units. The maximum number of dwelling units equals the Adjusted Tract Area multiplied by the density factor.

i. Adjusted Tract Area (from c.iii above) _____ acres

ii. Multiply by Density Factor x _____

iii. Equals Maximum Number of Dwelling Units _____ DU s

Section 446. DENSITY, AREA, YARD, AND HEIGHT REGULATIONS FOR CONDITIONAL USES

1. Applicability of development options.

a. Village Option. On tracts six acres, ATA, or larger, the Village Option is permitted as a conditional use in accordance with the requirements of this

section and Section 470, Design Standards for Village Option. Public sewer and water are required.

2. Density, area, yard, and height regulations for residential structures in the Village Option.
 - a. The density factor shall not exceed one dwelling per 0.23 acres, ATA.
 - b. Minimum open space shall be 45% ATA and Constrained Lands from Section 464.4. Additional recreation land and facilities may be required through Section 5.97 of the Subdivision and Land Development Ordinance.
 - c. Height regulations. No building or structure shall exceed 35 feet in height. A structure for agricultural use, such as barns and silos, may exceed 35 feet in height, provided that for every one foot of height in excess of 35 feet, there shall be two feet of additional setback required from all lot lines.

	Single-family detached	Single-family semi-detached	Single-family Attached
Minimum lot size	5,000sf ATA	2,500sf ATA	2,500sf ATA/dwelling
Lot width at street line	20'	20'	20'
Lot width at building line	40'	25'	20'
Front yard setback	15'	15'	15'
Front-loading garage	8' minimum behind principal facade	8' minimum behind principal facade	8' minimum behind principal facade
Side yard setback*	20' separation for principal buildings, with no side yard less than 5'	20' separation for principal buildings, with no side yard less than 5'	20' separation for principal buildings, with no side yard less than 5'
Rear yard setback	35'	35'	35'
Building setbacks from Perimeter Property Lines	55'	55'	55'
Alley access garages	13' from alley center line	13' from alley center line	13' from alley center line

* Does not apply to common party wall

d. Maximum Impervious Coverage.

	Impervious Coverage
Residential Area	
Lots less than 6,000sf in area	75 %
Lots 6,000sf in area or greater	50%
Mixed-Use Area	80%

Village Greenway Area	5%
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- e. Single-family attached units may be permitted without individual lots. The total maximum impervious coverage for units not provided with individual lots shall be limited to 65% of the gross land area devoted to such building as follows:
 - f.
 - i. The gross land area used to satisfy this requirement shall be indicated on submitted plans and shall constitute a single contiguous land area including buildings, parking, access, and yard areas clearly associated with and in the immediate vicinity of the subject residential development.
 - ii. The gross land area indicated on the plans shall not include any land area that is counted toward meeting minimum open space requirements, nor yard area requirements for any other dwelling units or other permitted uses.
3. Intensity, area, bulk, and height regulations for non-residential and mixed-use structures in the Village Option.
- a. Maximum non-residential intensity. Village development may contain non-residential uses in a Mixed Use Area. Non-residential and mixed-use buildings, including parking, shall be limited to six percent of the Adjusted Tract Area or three acres, whichever is less. This limit may be increased as follows:
 - i. Non-residential and mixed-use building coverage and their associated parking and service areas may occupy up to 12% of the ATA, or six acres, whichever is less, if they include second-story residential units above at least 10% of the non-residential building coverage. Said upper-story dwelling units shall be in addition to the base residential density otherwise permitted, provided the total number of dwelling units shall not be increased by more than 10 dwelling units, or ten percent, whichever is greater.
 - ii. Non-residential and mixed-use building coverage and their associated parking areas may occupy up to 18% of the ATA, or nine acres, whichever is less, if they include second-story residential units, provided that at least half of the new non-residential building coverage is two-stories, and at least 25 percent of the second-story space is designed for residential uses.
 - b. The minimum lot size for non-residential and mixed-uses in the Village Option shall be determined by adding 20 percent to the land area needed for the structure, on-lot parking, ingress/egress, and any on-site infrastructure that is required (e.g., septic disposal areas, stormwater

management areas). The additional 20 percent shall constitute setbacks and landscaped buffers. This area shall be exclusive of the 100 year floodplain, wetlands and slopes over 25%.

- c. Minimum street frontage: 25 feet
- d. Building setbacks
 - i. Front: Fifteen foot setback maximum.
 - ii. Rear: Twenty foot minimum.
 - iii. Side: Five foot minimum.
- e. No building or structure shall exceed 35 feet in height.