

Hilltown Township, Bucks County

ORDINANCE NO. 98-13

AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF HILLTOWN TOWNSHIP, AS AMENDED, (THE "ZONING ORDINANCE") BY AMENDING USE B1, SINGLE-FAMILY DETACHED AND USE B3, SINGLE-FAMILY DETACHED CLUSTER, TO CREATE NEW SINGLE-FAMILY DETACHED CONSERVATION DESIGN OPTIONS, BY AMENDING THE AREA AND BULK STANDARDS FOR RESIDENTIAL USES AND BY AMENDING THE PERFORMANCE STANDARDS FOR THE VARIOUS RESIDENTIAL USES.

The Board of Supervisors of Hilltown Township, Bucks County, does hereby enact and ordain as follows:

SECTION 1. Section 304, Statements of Purpose and Intent for the Districts and Special Hazard Areas, Subsection 1.1 Country Residential 1: which currently reads:

The purpose of this District is to accommodate a variety of residential housing types to include single-family and multi-family and to insure a balance of housing types to meet the current and future housing needs of the township. This District encourages cluster development with open space areas reserved for natural resource protection and recreation. The location of these districts are intended to insure that appropriate infrastructure and associated facilities are available for these types of use and the uses will blend well with other uses in the surrounding areas. This zoning district is intended to be the township's short-term residential development district.

is amended as follows:

The purpose of this District is to accommodate a variety of residential housing types to include single-family and multi-family and to insure a balance of housing types to meet the current and future housing needs of the township. This District encourages conservation design . . .

Subsection 2.1 Rural Residential, is amended as follows:

The Rural Residential areas are based primarily upon the analysis and availability of a safe and adequate groundwater supply. Within these areas, a range of residential densities are provided for single-family dwelling units. The "basic" Single-family Detached Conservation Design Option 1 permits a residential density of one dwelling unit for every two acres of net buildable site area when 50 per cent of the buildable area is set aside as open space. If public water is provided

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within these areas then development at a density of one dwelling for every 50,000 square feet of net buildable site area could be accommodated provided open space is included in the development in accordance with the Township Zoning, and Subdivision and Land Development Ordinance.

SECTION 2. Section 406. Use Type Regulations, Subsection B1. Single-family Detached is amended as follows:

B1. Single-family Detached

Single-family detached dwelling, exclusive of mobile homes (B2), on individual lots with no required public or community open space for sites equal to or less than five acres, Base Site Area. For sites larger than five acres, the Board of Supervisors may require a 10% reservation of Open Space Land as determined in Section 501. Section 502 contains the density and minimum lot area requirements for each zoning district. Once density and lot area are so determined, other appropriate dimensional requirements are governed by the following table:

DISTRICT	MINIMUM LOT AREA (sq. feet)	WIDTH AT MAX.		MIN. YARDS:		
		BLDG LINE (feet)	HEIGHT (feet)	FRONT	SIDE	REAR
RR	50,000	150	35	50	25	75
CR-1	30,000	125	35	45	20	60
CR-2	50,000	125	35	45	20	60
VC	20,000	100	35	35	20	50

1. Parking : Two(2) off-street parking spaces per dwellin unit.

Subsection B3. Single-family Detached Cluster is amended as follows:

B3. Single-family Detached Conservation Design

Single-family detached dwellings on individual lots, designed around interconnected networks of permanently protected open space. Section 502 contains the density and minimum lot area for each zoning district. Once site area is determined, other appropriate dimensional requirements are governed by the Tables below.

1. All single-family detached dwelling units shall be serviced by both public water and public sewer in CR-1 and CR-2 Districts.

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2. All single-family detached dwelling units shall be serviced by public or community water distribution supply systems in the RR District.
3. Two Conservation Design Options shall be permitted.

TABLE B3 - OPTION 1

	DISTRICT		
	CR-1	CR-2	RR
Min. Lot Area (sq. ft.)	10,000	15,000	26,000/15,000
Min. Lot Width	60	75	85/75
Max. Bldg. Height(ft.)	35	35	35
Minimum Yards:			
Front(ft.)	25	25	30
Side(ft.)	20(1)	20(1)	25(1)/20(1)
Rear(ft.)	40	40	50/40

(1) Represents the separation required for principal buildings, with no side yard less than 5 feet.
 Parking: Two (2) off-street spaces per dwelling unit.

TABLE B3 - OPTION 2

	DISTRICT		
	CR-1	CR-2	RR
Min. Lot Area(sq.ft.)	6,000	7,500	12,000/7,500
Min. Lot Width	55	60	75/60
Max. Bldg. Height(ft.)	35	35	35
Minimum Yards:			
Front(ft.)	20	25	25
Side(ft.)	15(1)	20(1)	20(1)/15(1)
Rear(ft.)	30	30	40/30

(1) Represents the separation required for principal buildings, with no side yard less than 5 feet.
 Parking: Two (2) off-street spaces per dwelling unit.

1. General Regulations

1.1 Lots for dwelling units shall not encroach upon Primary Conservation Areas.

1.2 All new dwellings shall meet the following setback requirements:

- | | | |
|-----|---|----------|
| (a) | From all external road ultimate right-of-way | 80 feet |
| (b) | From all other tract boundaries | 50 feet |
| (c) | From cropland or pasture land | 100 feet |
| (d) | From buildings or barnyards housing livestock | 300 feet |
| (e) | From active recreation areas such as courts or playingfields (not including tot-lots) | 30 feet |

1.3 Views of houselots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping which meets the municipality's landscaping

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requirements for residential subdivisions. Berms shall not be used in circumstances where they would block views from designated scenic roads.

1.4 All new dwellings shall be accessed from interior streets, rather than from roads bordering the tract.

1.5 At least half of the lots shall directly abut open space or face open space land across a street.

SECTION 3. Section 501. Site Capacity Calculation, Subsection 1. Base Site Area, which currently reads:

Certain portions of tracts may not be usable for the activities proposed for the site; these shall therefore be subtracted from the site area to determine BASE SITE AREA. Only uses B3, B4 and B6 are required to complete the calculations beyond this subsection, Base Site Area.

is amended as follows:

Certain portions of tracts may not be usable for the activities proposed for the site; these shall therefore be subtracted from the site area to determine BASE SITE AREA. Uses B1, B2, B3, B4, B6 and B9 are required to complete the calculations beyond this subsection, Base Site Area.

Subsection 2. Resource Protection Land, is amended as follows:

2. RESOURCE PROTECTION LAND: All land within the base site area shall be mapped and measured for the purpose of determining the amount of open space needed to protect it.

Acres of	Open Space Ratio (1)	Acres of Land in Resource	Acres Resource Protection Land (Acres x Open Space Ratio)
Floodplain, lakes or ponds	.95	_____ acres	_____ acres
Wetlands	.95	_____	_____
Steep Slope (25% or more)	.85	_____	_____
Steep Slope (15-25%)	.70	_____	_____
Steep Slope (10-15%)	.60	_____	_____

(1) If a portion of the tract is underlain by more than one resource subject to an open space ratio, that acreage shall be subject to the most restrictive ratio only.

TOTAL LAND WITH RESOURCE RESTRICTIONS	_____ acres
TOTAL RESOURCE PROTECTION LAND	_____ acres

Subsection 3. **USABLE MUNICIPAL USE OR OPEN SPACE LAND** is deleted in its entirety and replaced with the following:

3. DETERMINATION OF SITE CAPACITY: Individual site capacity is found by calculating net buildable site area. Lots may be located only on net buildable site area. In Single-family Detached, Mobile Home, Single-family Detached Conservation Design, Performance Subdivisions, Mobile Home Parks, or Age Restricted Residential Community, the number of allowable dwelling units is determined by multiplying the density by the net buildable site area. The calculations are as follows:

3.1 For all uses listed above:

take	BASE SITE AREA	_____ acres
subtract	RESOURCE PROTECTION LAND	_____ acres
equals	NET BUILDABLE SITE AREA	_____ acres
multiply	by Maximum Density (Section 502)	_____ acres
equals	Maximum Number of Dwelling Units	_____ acres

The existing Subsection 4.2 is renumbered 3.2.

A new Subsection 4 is inserted as follows:

4. REQUIRED OPEN SPACE LAND: Single-family Detached Conservation Options

take	NET BUILDABLE SITE AREA	_____ acres
multiply	by Min. Open Space Ratio(Section 502)	_____ acres
equals	Minimum Unconstrained Open Space	_____ acres
add	RESOURCE PROTECTION LAND	_____ acres
equals	Required Open Space Land	_____ acres

SECTION 4. Section 502. **Performance Standards: Bulk and Area**, shall be amended to read as follows:

The standards in this table shall apply to each district. All standards must be met. These standards may be less strict than other performance standards in

this Article; the strictest standards shall always govern.

The Minimum Open Space Ratio column refers to a percentage of the net Buildable Site Area (as calculated in Subsection 501). The Maximum Density column shall be interpreted to mean the maximum number of dwelling units per net buildable site area, in acres. The Minimum Site Area column refers to the number of acres which a developer must own to be able to qualify for this use. The minimum lot area column, on the other hand, refers to the minimum lot size for single-family, single-family conservation design, or non-residential uses to be created.

(see attached table 502)

SECTION 5. Section 534. Layout of Open Space/Municipal Use Land in CR, RR and VC Districts is amended in its entirety as follows:

Section 534. Design Standards for Open Space Land

Required Open Space Land shall conform to the following standards:

1. Open Space shall include the most sensitive natural resource areas of a property. In addition, it should also include locally significant features such as hedgerows, tree groups, woodlands, slopes, scenic viewsheds, etc. Fragmentation of resource areas should be minimized so that they are not divided into smaller isolated pieces. Long thin strips of open space (less than 100 feet wide) should be avoided, unless necessary to connect other significant areas, or when they are designed to protect linear resources such as streams or trails.

- 1.1 Open Space Land Connection Considerations: Wherever applicable (such as along designated greenway corridors), open space should be designed as part of larger continuous and integrated open space systems. Open Space shall be laid out in general accordance with the *Potential Open Space Resources Map* (in the *Open Space Preservation Plan*) to ensure that an interconnected network of open space will be provided. The Required Open Space Land consists of a mixture of Primary Conservation Areas (PCAs), all of which must be included, and Secondary Conservation Areas (SCAs). PCAs comprise lands which are inherently unfit for development, such as floodplains, wetlands, and slopes of 25 percent or greater.
- 1.2 Undivided Land for Common Use: The Required Open Space Land shall generally remain undivided and may be owned and maintained by a homeowners' association, land trust, Township, another conservation organization recognized by the municipality, or by a private individual

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(typically as part of the original farmhouse). However, in no case shall less than 20% of the land comprising the net buildable area be available for the common use and passive enjoyment of the subdivision residents. These ownership options may be combined so that different parts of the open space may be owned by different entities.

- 1.3 Visibility Considerations: The Required Open Space Land shall be located and designed to add to the visual amenities of new neighborhoods and to the surrounding area, by maximizing the visibility of internal open space as *terminal vistas* at the ends of streets (or along "single-loaded" street segments, particularly along the outside edges of street curves), and by maximizing the visibility of external open space as perimeter "greenbelt" conservation land. Open Space shall be designed to provide separation from and to protect scenic views as seen from existing roadways and public parks. In addition, new Single-family Conservation Design subdivisions designed under this ordinance shall include multiple greens or commons measuring a total of at least 1,000 square feet for each dwelling unit.
- 1.4 Resource Use: No more than 80 percent of the minimum Required Open Space Land may be devoted to active commercial resource uses (such as agriculture, horticulture, or equestrian uses), so that at least 20 percent of the open space land may remain available for the common use and enjoyment of the subdivision residents.
- 1.5 Active Recreation Uses: No more than fifty percent of the minimum Required Open Space Land may be comprised of active recreation facilities such as playingfields, golf courses, tennis courts, etc. Open Space shall not be used for residential lots, except as provided below.
- 1.6 "Conservancy Lots": Large "conservancy lots" of at least five acres, owned by individuals, may occupy up to 50 percent of the minimum Required Open Space Land, with the remainder deeded to a homeowners' association, land trust, or the Township. However, the open space within each conservancy lot remains subject to the standards contained herein.
- 1.7 Public Land Dedication: Up to five percent of the total tract acreage may be subject to the Township's public land dedication requirement (typically to provide potential connections with the municipal long-range trail network).
- 1.8 Buffers for Adjacent Public Parkland or Wildlife Sanctuaries: Where the proposed development adjoins public parkland or wildlife sanctuary, a natural greenway buffer at least one-hundred-fifty (150) feet deep

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shall be provided within the development along its common boundary with the parkland, within which no new structures shall be constructed, nor shall any clearing of trees or understory growth be permitted (except as may be necessary for street or trail construction). Where this buffer is unwooded, the Township may require vegetative screening to be planted, or that it be managed to encourage natural forest succession through "no-mow" policies and the periodic removal of invasive alien plant and tree species.

1.9 Agricultural Lands: No portion of any building lot may be used for meeting the minimum Required Open Space Land, except as permitted within Conservancy Lots of at least five acres. However, active agricultural land with farm buildings, excluding areas used for residences, may be used to meet the minimum Required Open Space Land.

1.10 Pedestrian and maintenance access, excluding those lands used for agricultural or horticultural purposes, shall be provided to open space in accordance with the following:

(a) Each neighborhood shall provide one centrally located access point per 25 lots, a minimum of twenty-five (25) feet in width.

(b) Recreational access to open space used for agriculture may be appropriately restricted for public safety reasons and to prevent interference with agricultural operations.

SECTION 6. Section 535. Municipal Use and Open Space Designation is amended in its entirety as follows:

535. **Designation of and Permitted Uses on Open Space Land.**

Open Space Land required to be reserved and created through the subdivision process shall be subject to permanent conservation easements prohibiting future development and defining the range of permitted activities. The determination of necessity shall lie with the Board. A list of permitted uses is contained herein.

The following uses are permitted in the Required Open Space Land:

1. Conservation of open land in its natural state (for example, woodland, fallow field, or managed meadow);
2. Agricultural and horticultural uses, including raising crops, wholesale nurseries, associated buildings, excluding residences that are specifically

TABLE 502: PERFORMANCE STANDARDS - BULK AND AREA

DIST. USE	MIN. OPEN SPACE RATIO	MAXIMUM DENSITY DU/AC	MAXIMUM IMPERVIOUS SURFACE RATIO	MIN. SITE AREA sq.ft.	MIN. LOT SIZE sq.ft.	MAX. HT.
RR(5) Single-family	0%	.5	.09	50,000 (1)	50,000 (1)	35 ft.
RR(6) Single-family	10%	.2	.09	5 acres (1)	50,000 (1)	35 ft.
RR sfcons opt1	50%	.5	.35	5 acres	26,000	35 ft.
RR(2) sfcons opt1	50%	.87	.35	5 acres	15,000	35 ft.
RR sfcons opt2	60%	.67	.40	5 acres	12,000	35 ft.
RR(2) sfcons opt2	60%	1.1	.45	5 acres	7,500	35 ft.
RR other uses (no changes to existing sections)						
CR-1(5)Single-family	--	1.2	.14	30,000 (2)	30,000 (2)	35 ft.
CR-1(6)Single-family	10%	.5	.14	5 acres	30,000 (2)	35 ft.
CR-1 sf cons opt1	50%	1.2	.40	5 acres	10,000 (2)	35 ft.
CR-1 sf cons opt2	60%	1.6	.45	5 acres	6,000 (2)	35 ft.
CR-1 Perf. Subdiv. (no changes to existing sections)						
CR-1 other uses (no changes to existing sections)						
CR-2 (5)Single-family	--	.87	.14	50,000(1)	50,000(1)	35 ft.
CR-2 (6)Single-family	10%	.2	.09	5 acres	50,000(1)	35 ft.
CR-2 sf cons opt1	50%	.87	.35	5 acres	15,000	35 ft.
CR-2 sf cons opt2	60%	1.1	.45	5 acres	7,500	35 ft.

(NO OTHER CHANGES TO EXISTING TABLE SECTIONS)

Note (1), Subsection c to be amended to read as follows:

(c) B3. Single-family Detached Conservation Design Options as provided in this ordinance.

This table shall be amended with two additional notes as follows:

- (5) Lots less than five (5) acres net buildable area may develop under the higher density option.
- (6) Lots of five (5) or more acres, singly or combined, proposed for subdivision, shall use these bulk and area standards, or one of the other use options.

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needed to support an active, viable agricultural or horticultural operation. Specifically excluded are commercial livestock operations, except that equestrian facilities and stables may be permitted.

3. Pastureland for horses. Equestrian facilities shall be permitted but may not consume more than 80 percent of the minimum Required Open Space Land, whether they be for commercial or non-commercial purposes. New stables shall not be permitted within 200 feet of any abutting residential property.

4. Forestry, in keeping with established standards for selective harvesting and sustained-yield forestry.

5. Neighborhood open space uses such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the Board of Supervisors.

6. Active non-commercial recreation areas, such as playingfields, playgrounds, courts, and bikeways, provided such areas do not consume more than half of the minimum Required Open Space Land or five acres, whichever is less.

7. Underground utility rights-of-way, easements for drainage, access, sewer or water lines, or other public purposes.

8. Water supply and sewage disposal systems; stormwater management systems designed, landscaped, and available for use as an integral part of the open space land; and, above-ground utility and street rights-of-way provided that the area devoted to all such uses shall not count toward the minimum required open space.

SECTION 7. Invalidity

If any part of this Amendment to the Zoning Ordinance of Hilltown Township shall be held to be invalid or unconstitutional, the remaining provisions of this Amendment shall remain in full force and effect.

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SECTION 8. Effective Date

This ordinance shall take effect five days after enactment.

ENACTED AND ORDAINED this 28th day of October, 1998.

BOARD OF SUPERVISORS
HILLTOWN TOWNSHIP

Mr. H. Bennett
Chairman

Kennel B...
Vice Chairman

Charles Howe
Member

ATTEST:

Synda S. Simon
Secretary

prepared by: Natural Lands Trust 8/98