

**Part 6**

**Cluster Development Regulations**

Section 601. Statement of Intent. 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.

(Ordinance 130, December 9, 1991, Section 601)

Section 602. Development and Design Standards.

(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 ten (10) acres.

(3) When public sewer and water systems are provided, a minimum of fifty percent (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 forty percent (40%) of the gross tract area shall be set aside as common open space. No more than fifty percent (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:

<u>Zoning District</u>	<u>Maximum Density</u>
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:

	<u>Public Sewer and Water</u>	<u>On Lot Sewer and/or Water</u>
<b>Minimum Regulations</b>		
Lot Area	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 percent	40 percent
Buffer Yard Depth (Development)	10 feet	10 feet

**Maximum Regulations**

Building Height	35 feet	35 feet
Lot Coverage	25 percent	25 percent
Woodland Extraction (Development)	30 percent	30 percent

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

(Ordinance 130, December 9, 1991, Section 602; as amended by Ordinance 164, April 26, 1999, Section 8; as further amended by Ordinance 192, September 16, 2002, Section 9)

Section 603. Open Space Standards.

(a) Requirements and Specifications.

(1) If public sewer and water service is provided, a minimum of fifty percent (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, forty percent (40%) of the gross tract area shall be set aside as common open space. No more than fifty percent (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 ten percent (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 fifty feet (50') in width and shall not contain less than one (1) contiguous acre of land. In addition, there shall be at least one (1) designated common area within the development containing no less than fifty percent (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.

(Ordinance 130, December 9, 1991, Section 603; as amended by Ordinance 192, September 16, 2002, Section 10)

Section 604. Administration and Review. 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 XXVII of the Township Code of Ordinances). (Ordinance 130, December 9, 1991, Section 604)

**Part 8**

**Mobile Home Park Regulations**

Section 801. Statement of Intent. The Township, being confronted with increasing urbanization adopts this Part for the following purposes:

(a) To provide an optional economic approach to community development with provisions to permit more efficient utilization of land and of public services;

(b) To provide areas of the Township which permit mobile homes, mobile home lots and/or mobile home parks.

(c) To provide design and development standards in order to protect the health, safety and general welfare of the persons residing within, or adjacent to, mobile home parks.

(Ordinance 130, December 9, 1991, Section 801)

Section 802. Development and Design Standards.

(a) Eligibility.

(1) Mobile home parks are permitted by right in the Mobile Home Park (MHP) Zoning District.

(2) The mobile home park shall consist of a minimum contiguous land area of ten (10) acres. The land area under consideration should not include any portion of land located within the street right-of-way and land that has been previously developed. The area shall be considered contiguous if it is divided by an exiting street not exceeding sixty feet (60') in ultimate right-of-way.

(3) The mobile home park shall be served by a public or community water supply system and sewage disposal system, approved by the appropriate local and state agencies, and shall be constructed and certified operational by the appropriate authorities before the occupancy permits are issued.

(4) A minimum of ten percent (10%) of the net area of the mobile home park shall be set aside as common open space. The location, character, management and utilization of the common open space shall comply with all applicable specifications concerning open space.

(b) Design Standards.

(1) The mobile home park shall be designed with regard to the topographic and natural features of the site. All natural features (lakes, streams, topsoil, knolls, basins, trees and shrubs) should be preserved and incorporated into the final landscaping whenever possible and desirable. The finished topography shall adequately facilitate the mobile home park without excessive earthmoving and neglect for the natural amenities.

(2) The mobile home park shall not exceed four (4) dwelling units per gross acre.

(3) The following maximum and minimum dimensional requirements shall apply to the mobile home parks and to the type of mobile home.

<u>Minimum Regulations</u>	<u>Single Wide Units (&lt; 61')</u>	<u>Single Wide Units (&gt; 61')</u>	<u>Double Wide Units</u>
Lot Area	5,000 sq.ft.	5,500 sq.ft.	10,000 sq.ft.
Lot Width	50 feet	50 feet	70 feet
Building Setback			
Interior Streets*	20 feet	20 feet	20 feet
Exterior Streets	100 feet	100 feet	100 feet
Rear Yard	15 feet	15 feet	15 feet
Side Yard (each)	10 feet	10 feet	10 feet
<u>Maximum Regulations</u>			
Lot Coverage	30 percent	30 percent	30 percent
Woodland Extraction	60 percent	60 percent	60 percent

\*Denotes that the design standards and specifications of Section 924 (Off-street Parking) of this Chapter will apply to the twenty feet (20') building setback if it is to be used for vehicular parking purposes.

(4) In addition to the bulk regulations listed above, the following provisions shall apply:

(i) No mobile home, accessory structure or common open space shall be located closer than one hundred feet (100') to the ultimate right-of-way of abutting public streets and fifty feet (50') to the rear or side property lines;

(ii) No structure shall be constructed on or within fifty feet (50') of any of the Environmental Protection Overlay Districts identified under Part 5 of this Chapter.

(iii) No more than one (1) mobile home shall be placed on a mobile home lot, and such mobile home shall be occupied by not more than one (1) single family.

(c) Development Standards.

(1) The mobile home park shall provide an evergreen planting screen along the property line of the periphery of the development to protect the privacy of adjacent residents, in accordance with Section 517, entitled "Landscaping Regulations", of Chapter XXVII, entitled "Subdivision and Land Development", of the Township of Amity Code of Ordinances.

(2) No part of a mobile home park shall be used for non-residential purposes, except common open space shall be used for the pleasure and recreation of the park residents, an office may be used for the park management, necessary utility structures, common laundry facilities and necessary buildings for the storage of maintenance equipment.

(3) There shall be at least one (1) street in the park which is circumferential and from which lesser streets shall turn out so as to provide direct access to each lot and to each common open space of the tract. All streets shall be designed and constructed to all applicable Township specifications.

(4) All entrances shall conform to the standards of the Pennsylvania Department of Transportation, and when the entrance is from a State road, it shall be approved by them. When the entrance is from a Township road, it shall be approved by the Township Engineer. The entrances shall take into account the traffic on the public street and that to be generated by the park residents. Acceleration and deceleration lanes may be required as well as two (2) lane entrances and two (2) lane exits.

(5) A minimum of two (2) off-street parking spaces measuring ten feet (10') by twenty feet (20') shall be provided for each mobile home lot. No on-street parking shall be permitted within the park.

(6) Each mobile home space shall be provided with a hard surfaced mobile home stand providing a foundation wall and/or footing that will not heave, shift, settle or move due to frost action, inadequate drainage, vibration or other forces acting on the superstructure.

(7) All mobile homes shall be located, erected and anchored in accordance with all applicable standards and provisions specified in the Township Building Code and/or the manufacturers specifications.

(8) Each mobile home stand shall be equipped with utility connections. For reasons of safety, the space between the mobile home stand and the mobile home floor shall be permanently enclosed to prevent unauthorized entry and to conceal all supports and utility connections. Each stand shall be located at such elevation, distance and angle in relation to the access street and mobile home accessory that the placement and removal of the mobile home is practical.

(9) The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.

(10) Every mobile home and open space areas shall have access to an improved street in the mobile home park in accordance with the Township Subdivision and Land Development Ordinance (see Chapter XXVII of the Township Code of Ordinances).

(11) Developers of mobile home parks will be required to comply with applicable parts of the Subdivision and Land Development Ordinance and the Building Code of the Township, except as follows. No mobile home shall be permitted in the mobile home park which fails to meet the standards of the Township Building Code and which does not bear the seal of the Department of Housing and Urban Development (HUD). In case regulations herein described conflict with those of the Township Building Code, these regulations shall govern.

(12) The mobile home park shall have a central water supply and distribution system. The system shall conform with the "Standards for Mobile Home Parks" publication of the National Fire

Protection Association (NFPA), and any other applicable codes adopted by the Township. The water system shall provide for fire protection in mobile home parks of over twenty-five (25) units.

(13) Mobile home parks may be used only where municipally or community operated sewer and water services are available. Individual lateral connections to the street sewer and to the mobile home shall conform to applicable Township and state regulations.

(14) The electrical distribution system shall be underground and shall conform to the National Fire Protection Association (NFPA) standards for mobile home parks and any other applicable codes. Each mobile home shall have not less than one hundred (100) amp service.

(15) If the mobile home park is to have gas service to the homes, the same shall have to conform to applicable NFPA regulations and any other applicable codes.

(16) All streets in the park shall be illuminated at a minimum level of 0.6 foot candles. Service to light standards shall be underground.

(17) Telephone lines shall be underground. There shall be a central television antenna system with underground service to each mobile home.

(18) Except for paved areas, areas beneath mobile homes and cultivated areas, all ground shall be planted and maintained in grass. The grass shall be cut regularly. No weeds or wild growth, except for native trees, shall be permitted anywhere in the park. All landscaping shall be in conformance with Section 517, entitled "Landscaping Regulations", of Chapter XXVII, entitled "Subdivision and Land Development", of the Township of Amity Code of Ordinances.

(19) Exterior storage areas for refuse stations shall be properly screened. All containers shall be air-tight, vermin-proof and have adequate storage capacity to accommodate the projected volumes of solid waste. The park shall have a solid waste management plan in accordance with all applicable Township standards.

(20) The park shall have a plan for storm water management in accordance with all applicable Township regulations governing storm water management.

(21) The park shall have a plan for erosion and sediment control in accordance with all specifications set forth by the Pa. DER and the County Conservation District.

(22) Mobile home parks of twenty-five (25) units or more shall employ the services of a qualified manager. The manager shall reside at the mobile home park and shall be responsible for the operation and maintenance of the park.

(23) The developer of the mobile home park shall make arrangements, in a form satisfactory with the Township Solicitor, which shall ensure that the common open space shall continue to be adequately managed and maintained.

(24) A land development plan shall be submitted to the Township for review and approval for any structures and/or permanent additions.

(Ordinance 130, December 9, 1991, Section 802; as amended by Ordinance 164, April 26, 1999, Section 10; as further amended by Ordinance 229, December 19, 2006, Sections 12 & 13)

Section 803. Administration Proceedings.

(a) It shall be unlawful to operate a mobile home park within the Township unless a license has been issued by the Board of Supervisors and unless a certificate of registration has been issued by the Pennsylvania Department of Environmental Protection. Such licenses and certificates shall be issued annually.

(b) Licenses are not transferable. Notice in writing shall be given to the Board of Supervisors within ten (10) days after a mobile home park has been sold, transferred, given away, leased or the controlling interest otherwise disposed of. A transfer of certificate by the Pennsylvania Department of Environmental Protection shall be required and a new application to the Township shall be made.

(c) The park shall furnish to the Township a list of tenants of the park. Any change in tenancy shall be reported to the Township within one (1) week. The Board of Supervisors shall have the power to inspect the park register containing a record of all residents of the mobile home park at any reasonable time.

(d) All applications to the Township for a mobile home park shall be subject to all applicable review procedures for subdivision and land development and shall be subject to the appropriate fees established by resolution by the Board of Supervisors.

(Ordinance 130, December 9, 1991, Section 803)