

**ORDINANCE No. 2003 - 2**

**AN ORDINANCE OF THE TOWNSHIP OF GREENWICH, BERKS COUNTY, PENNSYLVANIA, AMENDING THE EXISTING GREENWICH TOWNSHIP ZONING ORDINANCE OF 1973, AS AMENDED NOVEMBER 6, 2000, BY ADOPTING COMPREHENSIVE REVISIONS TO SAID ZONING ORDINANCE, SPECIFICALLY SECTIONS 301.4, 401.7(F)&(G), 401.9(B)(1), 401.9(H), 401.10(B)(6), 402.1(B)(8), 402.1(D)(3), 402.2(F), 403.1(A)(1), 403.1(B)(8), 403.1(C)(5), 403.1(D)(6-7), 403.2(A)(4), 404.1(A)(7), 404.1(B)(1&7), 404.1(D)(3-4), 405.1(A)(5), 405.1(B)(4), 405.1(D), 406 IN ITS ENTIRETY PROVIDING REVISIONS TO THE V - VILLAGE ZONING DISTRICT, 407.1(A)(2-3, 19-27), 407.1(B)(6), 407.1(C)(6), 408.1(A), 408.1(C)(3), 409.3(F), 501.10(D), 501.11, 503.18, 503.31, 503.32, 806.1, ALL REMAINING PROVISIONS TO REMAIN IN FULL FORCE AND EFFECT.**

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BERKS COUNTY, PENNSYLVANIA, AMENDING THE  
EXISTING GREENWICH TOWNSHIP ZONING ORDINANCE  
OF 1973, AS AMENDED NOVEMBER 6, 2000, BY ADOPTING  
COMPREHENSIVE REVISIONS TO SAID ZONING ORDINANCE,  
SPECIFICALLY SECTIONS 301.4, 401.7(F)&(G), 401.9(B)(1),  
401.9(H), 401.10(B)(6), 402.1(B)(8), 402.1(D)(3), 402.2(F),  
403.1(A)(1), 403.1(B)(8), 403.1(C)(5), 403.1(D)(6-7), 403.2(A)(4),  
404.1(A)(7), 404.1(B)(1&7), 404.1(D)(3-4), 405.1(A)(5), 405.1(B)(4),  
405.1(D), 406 IN ITS ENTIRETY PROVIDING REVISIONS TO THE  
V - VILLAGE ZONING DISTRICT, 407.1(A)(2-3, 19-27), 407.1(B)(6),  
407.1(C)(6), 408.1(A), 408.1(C)(3), 409.3(F), 501.10(D), 501.11, 503.18,  
503.31, 503.32, 806.1, ALL REMAINING PROVISIONS TO  
REMAIN IN FULL FORCE AND EFFECT.**

WHEREAS, this ordinance is enacted to make administrative and substantive revisions to existing regulatory sections of the Greenwich Township Zoning Ordinance of 1973, as amended November 6, 2000;

WHEREAS, it is the further intent of the Greenwich Township Board of Supervisors to reaffirm the original Zoning Ordinance of 1973, as amended November 6, 2000; and all subsequent amendments;

WHEREAS, said revisions comprise of added sections or subsections unless otherwise stated, and then the deleted text will be struck-out and the modified text will be underlined;

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of the Township of Greenwich, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. That the Greenwich Township Zoning Ordinance of 1973, as amended November 6, 2000, a copy of which is attached hereto and made a part hereof, is hereby further amended by adopting by reference comprehensive revisions to said zoning ordinance to be hereinafter known as the "Greenwich Township Zoning Ordinance of 1973, as amended \_\_\_\_\_, 2003,"

including the following revisions to the existing Sections:

(Definitions)

1. **Section 301.4**

Auction, Personal Property or Auto: An establishment either indoors or outside which engages in the public sale of personal property, automobiles, recreational vehicles and/or boats to the highest bidder

2. **Section 301.4 (Delete)**

~~Commercial Forestry: The harvesting of trees for any commercial purpose in areas greater than five (5) acres in size or greater than ten (10) percent of the lot area, whichever is more inclusive.~~

3. **Section 301.4**

Earthmoving Activity or Earth Disturbance: A construction or other human activity which disturbs the surface of the land including, but not limited to, clearing and grubbing, grading, excavations, embankments, land development, agricultural plowing or tilling, timber harvesting activities, mineral extraction and the moving, depositing, stockpiling, or storing of rock, soil or earth materials.

4. **Section 301.4 (Delete subsection f)**

Floor Area or Gross Floor Area: . . .

~~f) Accessory buildings~~

5. **Section 301.4**

Forestry: The management and maintenance of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling of trees, which promotes the conduct of forestry as a sound and economically viable use for forested land. ~~for commercial purposes, which does not involve, and is not in preparation for or in contemplation of, any land developmetn.~~ Forestry shall include the alteration of wooded areas or forests by logging operations, clear cutting, or selective cutting, whether for commercial purposes or otherwise, or removing of vegetation is reserved open space.

6. **Section 301.4**

Lot Area (Gross): The area of land contained within the limits of the property lines

bounding that area, including the existing and future/ultimate street right-of-way.

7. **Section 301.4**

Lot Area (Net): The area of land contained within the limits of the property lines bounding that area, excluding any and all land areas as follows: Areas within existing or designated ultimate street rights-of-way; areas delineated as "wetlands" or environmental constraints; areas identified as common open space; and areas within easements dedicated for municipal utilities or municipal stormwater purposes. The net lot area for all proposed lots shall be no smaller than the minimum lot size for the zoning district in which the lot is located.

8. **Section 301.4**

No-impact Home-based Business: A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use.

9. **Section 301.4** (Delete)

~~Office Building: A building consisting of rental space for more than one office use and for more than one office space.~~

10. **Section 301.4**

Personal/Small Business Service: An establishment that provides a service oriented to personal or small business needs which do not involve primarily retail sales of good of professional advisory services. These services include barber and beauty shops, shoe repair shops, household appliance/computer repair shops, locksmiths, copy/printing stores, mailing/packaging stores, and other similar establishments.

11. **Section 301.4**

Storage Building: A structure, larger than 150 square feet in area, freestanding, may or may not be movable and serving for private storage

12. **Section 301.4**

Storage Shed: A small structure, less than 150 square feet in area and 10 feet in height, freestanding, may or may not be movable and serving for private storage.



13.     **Section 401.7**                    (AP - Special Exceptions)     '
- F.     Mineral extraction, pursuant to Section 503.17.
14.     **Section 401.7**                    (AP - Special Exceptions)
- G.     Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.
15.     **Section 401.9(B)(1)**     (AP - Permitted Accessory Uses)
1.     Home Occupation in accordance with Section 503.16 as defined in this Ordinance.
16.     **Section 401.9**                    (AP - Permitted Accessory Uses)
- H.     No-impact home-based business, subject to Section 503.31
- I.     Home Related Business, subject to Section 503.32
17.     **Section 401.10(B)**     (AP - Area and Bulk Regulations)
6.     . . . This note shall be referenced from within all lots on the plan to further clarify that there shall be no further subdivision of any of the lots or the remaining land, except for purposes of annexation to lands of others and/or for purposes of leasing for agricultural uses as defined by this Ordinance.
- When less than the maximum number of residential lots permitted by the above formula is proposed for creation by subdivision, the remaining number of lots shall be allocated to the remaining land if any exists. If the remaining land is further subdivided for annexation, the remaining lots shall be allocated in proportion to the division of the remaining land.
18.     **Section 402.1(B)**     (CONS - Permitted Accessory Uses)
8.     No-impact home-based business, subject to Section 503.31
19.     **Section 402.1(D)**     (CONS - Special Exceptions)
3.     Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.

20.     **Section 402.2(F)**           (CONS - Area and Bulk Regulations)

1. ~~Remaining lands shall have frontage on a public street equal to or greater than forty (40) percent of the frontage of the tract prior to subdivision.~~
2. When the maximum number of residential lots has been created, as determined by the above formula, there shall be a note placed on the plan stating that all eligible lots have been accounted for by this plan; there shall be no further subdivision of any of the lots or the remaining land except for purposes of annexation to lands of others and/or for purposes of leasing for agricultural uses as defined by this Ordinance.

When less than the maximum number of residential lots permitted by the above formula is proposed for creation by subdivision, the remaining number of lots shall be allocated to the remaining land if any exists. If the remaining land is further subdivided for annexation, the remaining lots shall be allocated in proportion to the division of the remaining land.

21.     **Section 403.1(A)**           (Rural - Permitted Uses)

1. All types of agricultural activities, including horticulture, graniculture, animal husbandry, orchards, tree farms, commercial greenhouses, commercial nurseries, and ~~commercial~~ forestry, but excluding intensive agriculture activities.

22.     **Section 403.1(B)**           (Rural - Permitted Accessory Uses)

8. No-impact home-based business, subject to Section 503.31
9. Home Related Business, subject to Section 503.32

23.     **Section 403.1(C)**           (Rural - Conditional Uses)

5. Veterinary Office.

24.     **Section 403.1(D)**           (Rural - Special Exceptions)

6. Mineral extraction, pursuant to Section 503.17.

25.     **Section 403.1(D)**           (Rural - Special Exceptions)

7. Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.

26. **Section 403.2(A)(4)** (Rural - Area and Bulk Regulations)

- a. ~~Remaining lands shall have frontage on a public street equal to or greater than forty (40) percent of the frontage of the tract prior to subdivision.~~
- b. When the maximum number of residential lots has been created, as determined by the above formula, there shall be a note placed on the plan stating that all eligible lots have been accounted for by this plan; there shall be no further subdivision of any of the lots or the remaining land except for purposes of annexation to lands of others and/or for purposes of leasing for agricultural uses as defined by this Ordinance.

When less than the maximum number of residential lots permitted by the above formula is proposed for creation by subdivision, the remaining number of lots shall be allocated to the remaining land if any exists. If the remaining land is further subdivided for annexation, the remaining lots shall be allocated in proportion to the division of the remaining land.

27. **Section 404.1(A)** (LDR - Permitted Uses)

1. Forestry.

28. **Section 404.1(B)** (LDR - Permitted Accessory Uses)

1. Home occupation in accordance with Section 503.16.

29. **Section 404.1(B)** (LDR - Permitted Accessory Uses)

4. No-impact home-based business, subject to Section 503.31

30. **Section 404.1(D)** (LDR - Special Exceptions)

3. Assisted Care Facility.

31. **Section 404.1(D)** (LDR - Special Exceptions)

4. Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.

32. **Section 405.1(A)** (HDR - Permitted Uses)

5. Forestry.

33. **Section 405.1(B)** (HDR - Permitted Accessory Uses)
4. No-impact home-based business, subject to Section 503.31
34. **Section 405.1** (HDR - Add Special Exceptions)
- D. Uses by Special Exceptions
1. Assisted Care Facility.
2. Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.
35. **Section 406** (V - Village)
- Delete existing Section 406 in its entirety
- Add new Section 406 with the regulatory language for the Village District as contained in Appendix 1, in its entirety)
36. **Section 407.1(A)** (Commercial - Permitted Uses)
2. ~~Medical/dental office~~ Office Building, Medical or Professional
37. **Section 407.1(A)** (Commercial - Permitted Uses)
3. Personal/Small Business Services.
38. **Section 407.1(A)** (Commercial - Permitted Uses)
19. Forestry.
39. **Section 407.1(A)** (Commercial - Permitted Uses)
20. Retail Store.
40. **Section 407.1(A)** (Commercial - Permitted Uses)
21. Day Care Center.
41. **Section 407.1(A)** (Commercial - Permitted Uses)
22. Restaurant, either Standard, Fast Food, Fast Food w/ drive in, or Food Stand.

- 42.     **Section 407.1(A)**     (Commercial - Permitted Uses)
  - 23.     Shopping Center.
- 43.     **Section 407.1(A)**     (Commercial - Permitted Uses)
  - 24.     Massage Parlor.
- 44.     **Section 407.1(A)**     (Commercial - Permitted Uses)
  - 25.     Grocery Store.
- 45.     **Section 407.1(A)**     (Commercial - Permitted Uses)
  - 26.     Auto Service Station or Gasoline Service Station.
- 46.     **Section 407.1(A)**     (Commercial - Permitted Uses)
  - 27.     Self Storage Development.
- 47.     **Section 407.1(B)**     (Commercial - Permitted Accessory Uses)
  - 6.     No-impact home-based business, subject to Section 503.31.
- 48.     **Section 407.1(C)**     (Commercial - Conditional Uses)
  - 6.     Hotel/Motel.
- 49.     **Section 408.1(A)**     (Industrial - Permitted Uses)
  - 3.     Laboratory.
- 50.     **Section 408.1(C)**     (Industrial - Conditional Uses)
  - 3.     Auction, Personal Property or Auto.
- 51.     **Section 409.3**         (PR/OS - Use regulations)
  - F.     No-impact home-based business, subject to Section 503.31
- 52.     **Section 501.10(D)**     (Additional Regulations)
  - 5.     Any storage ~~shed~~ building having a floor area greater than one hundred and fifty (150) square feet shall be located at least ten (10) feet from side and/or property lines.
  - 6.     A ~~detached~~ private garage and/or any storage building on a permanent

foundation (non-movable) shall conform to the requirements for the side and/or rear yard setback for the appropriate Zoning District.

53.     **Section 501.11**                   (Additional Regulations)

501.11     Single-family Detached and/or Semi-detached Dwellings on Road Front Lots

Subject to the dimensional standards set forth below, no more than ten (10) lots using existing road frontage for access shall be allowed in any base site area. In order to discourage strip development along existing roads, which has been the most common approach to new housing in the Township for many years, future development will be limited to ten (10) road-front lots in any base site area, regardless of size. Road front lots may be created for either single-family detached or single-family semi-detached dwelling, in any combination, so long as the number of road-front lots for both types of dwelling does not exceed the total of ten (10). A flag lot with access to an existing road is considered a road-front lot. If a base site area is divided by conveyance of a part thereof, the Grantor may allocate the right to develop the permitted road front lots in the deed. If no such allocation is made, the Township will apportion road front lots between the tracts if, as, and when a subdivision or land development plan is submitted, in such manner as the Township deems advisable, considering the features of the particular base site area. If a landowner proposes to create more than ten (10) lots, the plan shall be presented as a cluster development or performance subdivision.

54.     **Section 503.18**                   (Additional Regulations)

Keeping of Horses, Cattle, and/or Domesticated Fowl on a ~~Residential Lot~~ non-agricultural use lot.

A.     Minimum Lot Area (Net)

- The remainder of Section 503.18 shall remain in full force and effect.

55.     **Section 503.31**                   (Additional Regulations)

503.31 No-impact Home-based Business

The business or commercial activity of a no-impact home-based business must satisfy the following requirements:

A.     The business activity shall be compatible with the residential use of the property and surrounding residential uses.

- B. The business shall employ no employees other than family members residing in the dwelling.
- C. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- D. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.
- E. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- F. The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.
- G. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- H. The business may not involve any illegal activity.

56. **Section 503.32** (Additional Regulations)

503.32 Home Related Business

A home related business shall not be practiced within the dwelling unit and shall be conducted in accordance with the following:

- A. The principal person engaged in the home related business must be a owner of the property used for the home related business.
- B. The minimum net lot area permitted for a home related business is three (3) acres.
- C. The number of persons employed on the premises of the home occupation shall be limited to the residents of the property plus a maximum of three(3) additional persons.
- D. No more than one (1) home related business shall be permitted per deeded property.
- E. No manufacturing of any kind shall be permitted as a home related business.
- F. No clients or customers shall be permitted on the premises of the home

related business.

- G. No storage of materials or products shall be permitted outside of the buildings.
- H. There shall be no outside advertising other than as permitted under Article VII of the Ordinance.
- I. Such home related business shall be incidental or secondary to the use of the property as a residence.
- J. In addition to the offstreet parking spaces required for the residential dwelling, one (1) parking space shall be provided for each employee who in not a resident of the property.
- K. A minimum setback of seventy-five (75) feet shall be provided from side and rear lot lines and from ultimate right-of-way at the front for all buildings, structures and parking used for the home related business.
- L. Adequate sewage disposal methods and capacity shall be provided in accordance with the Pennsylvania Department of Environmental Protection regulations.
- M. A Zoning Permit shall be obtained prior to commencement, expansion, or change of a home occupation in accordance with Section 1002 of this Ordinance.

57. **Section 806.1** (Environmental Protection)

All activities ~~which that require propose~~ the moving of earth or filling or excavating of any area shall require the submittal of a plan to the ~~Township Berks County~~ Conservation District showing site grading and erosion control measures.

SECTION 2. All remaining provisions of the Greenwich Township Zoning Ordinance of 1973, as amended November 6, 2000, shall remain in full force and effect.

SECTION 3. In the event that any provision, section, sentence, clause or portion of this ordinance shall be held to be invalid or unconstitutional, such invalidity or unconstitutionality shall not affect or impair any of the remaining ordinance. It is hereby declared to be the intent of the Board of Supervisors of the Township of Greenwich that the remainder of this Ordinance shall be and remain in full force and effect notwithstanding the fact that such portion thereof shall be invalid or unconstitutional.

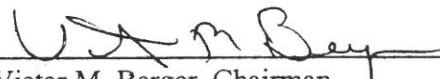


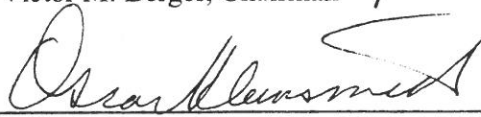
SECTION 4. All ordinances or parts of ordinances inconsistent with the provisions of this ordinance, are hereby repealed insofar, but only insofar, as the same are inconsistent herewith.

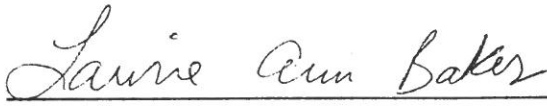
SECTION 5. This Ordinance shall take effect five (5) days subsequent to its passage.

ORDAINED and ENACTED as an Ordinance by the Board of Supervisors of the Township of Greenwich, Berks County, Pennsylvania, in lawful session duly assembled this 3<sup>RD</sup> day of MARCH, 2003.

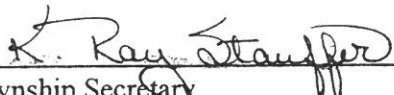
BOARD OF SUPERVISORS OF GREENWICH  
TOWNSHIP, BERKS COUNTY, PA

  
Victor M. Berger, Chairman

  
Oscar E. Kleinsmith, Supervisor

  
Laurie Ann Baker, Supervisor

Attest:

  
Township Secretary

## APPENDIX 1

### Section 406. V VILLAGE DISTRICT

406.1 The intent of this district section is to provide a mixture of "village commercial" uses with ease of development of such uses with minimum regulation. This District shall provide for small neighborhood-oriented retail, service, and office uses in combination with single family homes, twins, and townhouses, encouraging traditional development styles and patterns. This District shall encourage a pedestrian lifestyle with an emphasis on accessibility and aesthetic open space. The maximum density in this district will be limited to four dwelling units or uses per acre with central water and sewer, and to one dwelling unit or use per acre with on-lot sewer and water.

A. The location of uses in (1) existing buildings or structures in the Village District or (2) as in-fill development on existing undeveloped lots within or immediately contiguous to the historic village centers located in the Village District, shall be permitted as follows:

1. Permitted Uses

- a. Single Family detached dwellings.
- b. Single family semi-detached dwellings.
- c. Townhouses, apartments, and condominiums in accordance with Section 503.5.
- d. Crafts or artisan's studio.
- e. Office Building, Medical or Professional which is occupied by no more than two "sole practitioner" or small partnership businesses.
- f. Personal/small business services.
- g. Catering business.
- h. Veterinary office.
- i. Funeral Home
- j. Retail Store less than 5000 square feet
- k. Forestry

2. Permitted Accessory Uses

- a. Home occupation in accordance with Section 503.16.
- b. Signs.
- c. Private garage or private parking area.
- d. No-impact home-based business, subject to Section 503.31
- e. Any other accessory use customarily carried on in conjunction with, and incidental to, any dwelling or other permitted principal use in the district.

3. Conditional Uses

- a. Assisted care facility.
- b. Craft industries.
- c. Day care center.
- d. Retail store in excess of 5000 sq. ft. but less than 10,000 sq. ft.
- e. Bed and Breakfast in accordance with Section 503.6.
- f. Hotel/Motel consisting of less than ten units
- g. Financial Institution/ Bank
- h. Laundromat, self-service
- i. Convenience store without the sale of gasoline
- j. U. S. Postal Service facility

4. Special Exception Uses

- a. Beverage distributor.
- b. Tavern.
- c. Restaurant, Standard or Fast Food without Drive-In.
- d. Accessory use not located on the same lot as the permitted

principal use.

- e. Any other use as determined by the Zoning Hearing Board to be of the same general character as the permitted uses.
- B. Undeveloped land consisting of seven (7) acres or more located outside of the historic village centers in the Village District shall be developed in accordance with the provisions of Section 406.3 of this Ordinance.
- C. More than one (1) use is allowed within the primary structure on a lot provided each use meets the applicable requirements of this Ordinance.
- D. The village zone requires a minimum of mixed residential and non-residential uses which non-residential uses are required to consist of a minimum of 10% and a maximum of 25% of the gross area of the tract as more fully set forth in 406.3(L) of this Ordinance.
- E. This Ordinance requires that Planned Residential Developments within the Village Zoning District shall have a mandatory open space requirement which consists of 25% of the gross area of the tract and shall be allocated to and shall remain common open space.

#### 406.2 AREA AND BULK REGULATIONS

- A. Area, Yard, and Height Regulations for Residential Uses with On-Lot Sewage Disposal and Water Supply:

Minimum net lot area per dwelling unit	1 acre
Minimum lot width at the building line	100 feet
Minimum lot width at the street line	100 feet
Minimum front yard setback	50 feet
Minimum side yard (each)	20 feet
Minimum rear yard	50 feet
Maximum lot coverage	25%
Maximum building coverage	15%
Maximum building height	35 feet or
	2½ stories

- B. Area, Yard, and Height Regulations for Residential Uses with Public or Community Sewage Disposal and On-Lot Water Supply:

Minimum net lot area per dwelling unit	20,000 square feet
Minimum lot width at the building line	75 feet
Minimum lot width at the street line	75 feet

Minimum front yard setback	30 feet
Minimum side yard (each)	15 feet
Minimum rear yard	30 feet
Maximum lot coverage	35%
Maximum building coverage	25%
Maximum building height	35 feet or
	2½ stories

C. Area, Yard, and Height Regulations for Residential Uses with Public or Community Sewage Disposal and Water Supply:

Minimum net lot area per dwelling unit	11,000 square feet
Minimum lot width at the building line	60 feet
Minimum lot width at the street line	60 feet
Minimum front yard setback	30 feet
Minimum side yard (each)	10 feet
Minimum rear yard	25 feet
Maximum lot coverage	50%
Maximum building coverage	35%
Maximum building height	35 feet or
	2½ stories

D. Area, Yard, and Height Regulations for Non-Residential Uses with On-Lot Sewage Disposal and Water Supply:

Minimum net lot area per dwelling unit	1 acre
Minimum lot width at the building line	125 feet
Minimum lot width at the street line	125 feet
Minimum front yard setback	40 feet
Minimum side yard (each)	25 feet
Minimum rear yard	30 feet
Maximum lot coverage	30%
Maximum building coverage	15%
Maximum building height	
Agricultural buildings	None
All other buildings and structures	35 feet or
	2½ stories

E. Area, Yard, and Height Regulations for Non-Residential Uses with Public or Community Sewage Disposal and Water Supply:

Minimum net lot area per dwelling unit	20,000 square feet
Minimum lot width at the building line	100 feet
Minimum lot width at the street line	100 feet
Minimum front yard setback	30 feet
Minimum side yard (each)	20 feet
Minimum rear yard	30 feet
Maximum lot coverage	50%
Maximum building coverage	25%
Maximum building height	
Agricultural buildings	None
All other buildings and structures	35 feet or
	2½ stories

#### 406.3. PLANNED DEVELOPMENT GUIDELINES

##### A. Applicability

The provisions of this section are a furtherance of the land use and development controls of land in the Township. It is the intent of this section to utilize the Planned Residential Development (PRD) provisions of the PA Municipalities Planning Code (MPC) to address the unique planning and development issues of tracts of land for both residential and other uses within Greenwich Township.

This section shall not affect any of the provisions of the Township Zoning Ordinance as they apply to the Township as a whole. After a development plan is duly filed, approved, and recorded under the provisions of this section, the land area included in the development plan shall be governed entirely by the provisions of this section excepting those ordinances, in whole or in part which are incorporated herein.

##### B. Basis for Consideration

Approval of a Planned Development by the Greenwich Township Board of Supervisors shall not be construed under the provisions of this Ordinance to mean that the developer of a Planned Development can by right merely meet the standards set herein. These standards and requirements are minimums only and may be modified, or more stringent standards may be applied by the Township Board of Supervisors to protect the health safety and welfare of the citizens of the Township. Applicants under this ordinance are encouraged to propose innovative and flexible development plans that contribute to the quality of life in the community through a variety of well-planned land uses and amenities.

##### C. Jurisdiction of Greenwich Township Board of Supervisors

1. The administration of the procedures concerning the application for and approval of the Planned Development Tentative Plan and Final Plan shall be vested solely in the Greenwich Township Board of Supervisors.
2. Plans for such developments shall also be referred to the Greenwich Township Planning Commission and Berks County Planning Commission for review and comment as prescribed by the MPC. The Township Board of Supervisors may also request and consider the comments of other public agencies providing services related to the health, safety and welfare of the present or future residents of the Township.

D. Planned Development Approval Procedure

The following procedural steps outline the process for approval of a Planned Development application. Requirements for the content of the application documents are described in subsequent sections of this Section.

1. Sketch Plan Procedure

- a. The landowner is encouraged to submit a Sketch Plan to the Township Planning Commission for preliminary discussion of intent.
- b. The Township Planning Commission shall review the Sketch Plan in conference with the landowner and, by mutual agreement, determine if the Sketch Plan conforms to the intent of this Section.
- c. The submission of a Sketch Plan shall not be deemed the beginning of the time period for review as prescribed by law, and the review of the Sketch Plan by the Township Planning Commission shall not bind the Township to approve or accept any aspect of the complete Application for Tentative or Final Approval when and if submitted.

2. Application Procedure for Tentative Approval

Twelve (12) complete copies of an Application for Tentative Approval for a Planned Development shall be submitted by the landowner to the Township. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule of the Township. No plan shall be considered as properly filed until such time as the filing fee is submitted to the Township.

- a. The complete application for Tentative Approval shall consist of the following:
  - (1) Application form
  - (2) Site plans, architectural renderings, site data
  - (3) Draft of covenants, easement agreements, conditions and restrictions.
  - (4) Supporting Information
  - (5) Filing fee
- b. The complete copies of the Application for Tentative Approval will be distributed by the Township to the appropriate agencies and individuals.
- c. Within sixty (60) days after the Township receives both an Application for Tentative Approval of a Planned Development and the required filing fee, a public hearing shall be held by the Township Board of Supervisors, which shall be advertised, conducted and made a record in the manner prescribed herein.
  - (1) Public notice of the public hearing scheduled on a Development shall be published once a week for two (2) successive weeks in a newspaper of general circulation in the Township, the first publication to appear not more than thirty (30) days and the second publication shall not be less than (7) days prior to the date of the hearing. Such public notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing.
  - (2) The public hearing shall be conducted in accordance with Article IX of the MPC.
  - (3) The Township Board of Supervisors may continue the public hearings from time to time, provided however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the date of the first public hearing.
- d. The Township Board of Supervisors, within sixty (60) days following the conclusion of the public hearings, or within 180 days



after the date of filing of the application, whichever occurs first, shall, by official written communication to the landowner, either:

- (1) Grant tentative approval of the development plan as submitted;
- (2) Grant tentative approval subject to specified conditions not included in the development plan as submitted; or,
- (3) Deny tentative approval of the development plan.

Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted.

e. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and shall set forth the reasons for the grant, with or without conditions, or for the denial and said written communication shall set forth with particularity in what respects the development plan would or would not be in the public interest including but not limited to findings of fact and conclusions on the following:

- (1) The extent to which the developments plan is or is not consistent with the Comprehensive Plan for the development of the Township, or with the objectives of this section;
- (2) The extent to which the development plan departs from this Zoning Ordinance including but not limited to density, bulk and use, and the reasons why such departures are, or are not deemed to be in the public interest;
- (3) The purpose, location and amount of the common open space, the reliability of the proposals for ownership, administration, maintenance and conservation of common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development;
- (4) The physical design of the development plan and the manner in which the design does, or does not, make adequate provisions for public services, provide adequate control over vehicular traffic, and further the amenities of

light and air and recreation;

- (5) The relationship, beneficial or adverse, of the proposed planned development to the neighborhood in which it is proposed to be established;
  - (6) In the case of a development plan which proposes development over a period of years, the sufficiency of terms and conditions intended to protect the interests of the public and or the residents of the planned development in the integrity of the development plan; and
- f. In the event a development plan is granted tentative approval with or without conditions, the Township Board of Supervisors may set forth in the official written communication the time within which an Application for Final Approval of the development plan shall be filed, or, in the case of a development plan which provided for development over a period of years, the periods of time within which Applications for Final Approval of each part thereof shall be filed. In the case of developments over a period of years, except upon the consent of the landowner, the time so established between Applications for Final Approval of each part of the plan shall not be less than twelve (12) months.
  - g. The official written communication shall be certified by the Township Secretary and a certified copy shall be mailed to the landowner.
  - h. In the event the Planned Development is granted tentative plan approval subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication from the Township Board of Supervisors, notify the Township Board of Supervisors of his refusal to accept all required conditions, in which case the Township Board of Supervisors shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within thirty (30) days, notify the Board of Supervisors of his refusal to accept all said conditions, tentative approval of the development plan along with any conditions shall stand as granted.
  - i. Tentative approval of a development plan shall not qualify a plan of the Planned Development for recording nor authorize construction or the issuance of any Zoning and/or Building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval

with conditions which have been accepted by the landowner (provided the landowner has not defaulted or violated any of the conditions of the tentative approval), shall not be modified or revoked or otherwise impaired by action of the Township pending Application for Final Approval, without the consent of the landowner, provided an Application or Applications for Final Approval is filed or, in the case of development over a period of years, provided applications are filed, within the periods of time specified in the official written communication granting tentative approval.

- j. In the event a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon the development plan and shall so notify the Board of Supervisors in writing, or in the event the landowner shall fail to file application of applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all the portion of the area included in the development plan for which final approval has not been given shall be subject to those Ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted in the records of the Township Secretary.

3. Application for Final Approval

- a. An application for Final Approval may be for all the land included in the development plan, or for a section of the development plan as delineated in the tentative approval.
- b. Twelve (12) complete copies of an Application for Final Approval shall be submitted by the landowner to the Township within the time specified by the official written communication granting tentative approval. The landowner shall also submit a filing fee to the Township in an amount specified on the fee schedule adopted from time to time by resolution of the Township Board of Supervisors. No plan shall be granted final approval until such time as the filing fee is properly submitted to the Township.
- c. Each copy of the Application for Final Approval shall consist of the following:
  - (1) All materials and information required for submission for the Application for Tentative Approval;

- (2) All additional or revised materials required by the official written communication granting tentative approval; and
  - (3) All improvement agreements and security for construction of all improvements that may be required by the Township Board of Supervisors.
- d. The complete copies of the Application for Final Approval will be distributed by the Township to the appropriate agencies and individuals.
- e. In the event an Application for Final Approval has been filed as required by this Section and the official written communication granting tentative approval, the Township Board of Supervisors, within sixty (60) days after the Township receives the Application, shall grant the development plan final approval.
- f. A public hearing on an Application for Final Approval shall not be required provided the development plan submitted for final approval is determined to be consistent with this Section and the official written communication granting tentative approval.
- g. In the event the development plan as submitted contains substantial variations from the development plan given tentative approval, the Township Board of Supervisors may refuse to grant final approval, and within forty-five (45) days from the filing of the Application for Final Approval, shall so advise the landowner in writing of its refusal, setting forth in the notice the reasons why one or more of the variations are not in the public interest.
- h. In the event an Application for Final Approval is denied approval, the landowner may either;
  - (1) Refile his Application for Final Approval without the variations objected to; or,
  - (2) File a written request with the Township Board of Supervisors that it hold a public hearing on his Application for Final Approval. In which case, the Township Board of Supervisors shall consider the plan at its next regular public meeting. Should the Board of Supervisors elect to hold a special hearing, advertising requirements shall be in accordance with Article IX of the MPC.

If the landowner wishes to take either action, he may do so at any

time within which he is entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternate actions within the required time, he shall be deemed to have abandoned the development plan.

- i. Any public hearing on an Application for Final Approval granted by the Township Board of Supervisors shall be held pursuant to public notice within thirty (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed herein for public hearings on Applications for Tentative Approval.
- j. The Township Board of Supervisors, within thirty (30) days following the conclusion of the public hearings, shall by official written communication, either:
  - (1) Grant the development plan final approval; or
  - (2) Deny the development plan final approval.
- k. The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an Application for Tentative Approval set forth herein. Failure of the Township Board of Supervisors to render a decision on an application for final approval and communicate it to the applicant within the time and in the manner required by this section shall be deemed an approval of the application for final approval, as presented, unless the applicant has agreed in writing to an extension of time or change in the prescribed manner of presentation of communication of the decision, in which case, failure to meet the extended time or change in manner or presentation of communication shall have like effect.

#### 4. Recording of Plan

- a. A development plan which has been granted final approval shall be certified without delay by the Township Board of Supervisors as being approved; provided, however, no development plan shall be certified unless security to secure the completion of improvements in accordance with Article V of the MPC has been posted.

- b. Within ninety (90) days after certification by the Board of Supervisors of final approval of the development plan, the plan shall be filed of record by the landowner in the Office of the Recorder of Deeds of Berks County.
- c. Recording of the development plan after final approval of the Township Board of Supervisors shall have the effect of an irrevocable offer to dedicate to the public use, all streets and other public ways shown thereon unless reserved by the landowner as hereinafter provided. The approval of the Township Board of Supervisors shall not impose any duty upon the Township concerning maintenance or improvement of any such dedicated streets, or public uses, until the Township has accepted the same by ordinance or resolution.
- d. No sale of lots or buildings, leasehold agreements, or construction of any buildings or development of any nature shall be permitted prior to recording of the approved development plan. The Zoning Officer shall not issue a Permit unless the application for the permit is accompanied by a certificate of recording issued by the Recorder of Deeds.
- e. In the event a development plan or section thereof is given final approval and thereafter the landowner shall abandon the plan or section thereof and shall notify the Township Board of Supervisors in writing; or the landowner shall fail to commence and carry out the Planned Development in accordance with the time provisions stated in Section 508 of the MPC, no development or further development shall take place on the property included in the development plan except in full compliance with this and other applicable Township ordinances.

5. Construction, Dedication and Maintenance of Improvements

- a. After the landowner obtains the required permits in accordance with this Zoning Ordinance and other applicable Township ordinances, he may proceed with construction of the Planned Development.
- b. The Township shall inspect the improvements that are installed as part of the Planned Development in accordance with the provisions of Article V of the Pennsylvania Municipalities Planning Code.

- c. The Township shall release financial security that has been posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code.
- d. All required improvements that have been offered for dedication shall be deemed to private until such time as the improvements have been completely constructed and are accepted by the Township.

E. Sketch Plan Requirements

- 1. The sketch plan may be an approximate drawing but should be drawn to scale.
- 2. The sketch plan shall contain at least the following information but need not necessarily show precise dimensions.
  - a. The location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed.
  - b. The type and intensity of land use to be allocated to various parts of the site as well as the number of dwelling units, square footage of commercial and non-residential uses.
  - c. If required, the general location and size of the common open space and the form of organization proposed to own and maintain the common open space.
  - d. The use and approximated location, height and bulk of buildings and other structures.
  - e. A written statement of a qualified professional concerning the feasibility of proposals for sewerage, water supply, and storm water management, but not to include drawings.
  - f. The substance of protective covenants, grants or easements or other restrictions intended to be imposed upon the land, or the use of the land, buildings and other structures including proposed easements or grants for public utilities.
  - g. The provisions to be made for parking of vehicles, and the location, width and general alignment of streets and public ways.

- h. The required modifications in the Township regulations that would otherwise be applicable to the subject property.

In the case of development plans that call for execution over a period of years, an approximate schedule within which Applications for Final Approval of all sections of the Planned Development may be expected to be filed.

The approximate tract boundary, north point, names of adjoining property owners, name and location of all abutting streets and utilities, and the location of any significant topographical and physical features.

F. Requirements for Application for Tentative Approval

1. Application Form. The "Application for Approval of a Planned Development", supplied by the Township, shall be completed by the landowner or his agent.
2. Site Plans. Each map, plan and drawing shall be prepared by a professional surveyor registered in the Commonwealth of Pennsylvania, who shall place his seal and signature on all applicable plans, maps, and drawings.

Site plans shall be drawn on sheets having a sheet size of twenty-four (24) inches by thirty-six (36) inches and shall be at a scale of ten (10) feet, twenty (20) feet, thirty (30) feet, forty (40) feet, fifty (50) feet, sixty (60) feet or one hundred (100) feet to the inch. Master site plans may be drawn at any legible scale or sheet size. The landowner should utilize the scale and plan format that presents the most readable plans. Site plans may consist of multiple sheets a key map showing the relationship of each sheet to the overall site plan is placed on all of the multiple sheets. Site plans shall show:

- a. The project name or identifying title.
- b. The name and address of the landowner of the tract, the developer, and the firm that prepared the plans.
- c. The file or project number assigned by the firm that prepared the plan, the plan date, and the dates of all plan revisions.
- d. A north arrow, a graphic scale, and a written scale.
- e. The entire tract boundary with bearings and distances, and identification of all corner markers.



- f. A location map, for the purpose of locating the site to be developed, at a minimum scale of two thousand (2,000) feet to the inch, showing the relation of the tract to adjoining property and to all streets, municipal boundaries and streams existing within one thousand (1,000) feet of any part of the property proposed to be developed.
- g. The plotting of all existing adjacent land uses and lot lines within two hundred (200) feet of the proposed development including the location of all public and private streets, drives, or lanes, railroads, power lines, gas lines, towers, easements, embankments, walls, streams and watercourses, buildings and other structures, fences and walls, all residential and non-residential land uses, sewer mains, water mains, fire hydrants, storm drainage structures, historic sites Survey, and other significant natural or man-made features.
- h. The names of all immediately adjacent landowners and the names and plan book numbers of all previously recorded plans for adjacent projects.
- i. Contours at vertical intervals of two (2) feet for land with average natural slope of twelve (12%) percent or less, and at vertical intervals of five (5) feet for more steeply sloping land; location of bench mark, and datum used.
- j. The delineation of one hundred (100) year flood plains.
- k. The delineation of all soil types as indicated by the USDA Soil Conservation Service Soil Survey of Berks County.
- l. An environmental analysis map(s) showing and identifying the location of unique land forms or natural features (such as hills, berms, knolls, mounds, swales, bowls, depressions, rock outcroppings or scenic views), areas exceeding fifteen percent (15%) slope, type of bedrock and its associated environmental characteristics affecting the tract to be type of soils and their associated environmental characteristics (such as depth to seasonal high water table, depth to bedrock, erodibility and permeability), water courses or bodies of water, flood plains, wetlands or other hydrologic conditions shall be provided by the landowner), and any other environmentally sensitive features.
- m. The plotting of all existing landmarks within the proposed

development including the location of all existing streets, buildings, easements, rights of way, sanitary sewers, water mains, storm drainage structures, and watercourses.

- n. The location of all existing vegetation, including all agricultural fields, lawn areas, shrubs and wooded areas. Dominant tree and plant species should be identified.
- o. A list of site data including but not limited to the following:
  - (1) Total acreage of the tract.
  - (2) Zoning district.
  - (3) Proposed use of the land.
  - (4) Proposed gross area of the development.
  - (5) Proposed gross residential density and schedule of non-residential acreage and square footage.
  - (6) Proposed number of dwelling units and building type.
  - (7) Acreage and percentage of common open space.
  - (8) Proposed number of parking spaces for each use.
- p. The proposed location and dimensions of all streets, access drives, parking compounds, sidewalks, bikeways, and curbing.
- q. The proposed location of block or lot lines with approximate dimensions.
- r. The approximate radius and arc dimensions for all lot line and street line curves.
- s. The typical size of all lots in square feet and acreage.
- t. The proposed general location and configuration of proposed building envelopes. Reference as to whether each existing structure on the tract is to be retained or removed.
- u. The proposed location of building setback lines from all streets, and the distances between buildings and adjacent tract boundaries and lot lines.

- v. The proposed location, size and use of all common open space areas and recreation facilities where applicable.
- w. The proposed areas to be dedicated to the Township with approximate acreage of all areas and widths of all rights-of-way.
- x. A proposed phasing plan of the development. If the Application for Tentative Approval covers only a part of the overall Planned Development, it shall be accompanied by a sketch plan of the remainder of the development.
- y. Typical cross-sections, details and specifications shall be submitted for all improvements including streets, parking lots, curbs, sidewalks, bikeways, recreation facilities, lighting and planting.
- z. Design concept diagrams that graphically depict the planning principles expressed in this ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning relationships of the commercial uses to residential areas, sites for public and semi-public uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, pedestrian walking distances, interconnections with the existing street and sidewalk system, buffers areas, and similar features of the plan.

3. Supporting Information This report shall contain the following information:

- a. A written statement explaining why the proposed Planned Development would be in the public interest and would be consistent with the Township Comprehensive Plan, and what modifications are necessary to the Township land use regulations which would otherwise be applicable to the subject property.
- b. Present zoning of the tract and adjacent properties.
- c. A written statement describing the natural features of the tract including, but not limited to, an analysis of the hydrology, geology, soils, topography, and vegetation.
- d. A listing of all proposed dwelling unit types, approximate square footage figures per unit, number of bedrooms, and structure types; a listing of all non-residential structures with approximate square footage figures.

- e. A description of the use and improvement of common open space throughout the tract, and the means by which the landowner will guarantee its continuity and maintenance.
- f. The ratio of vehicle parking spaces to dwelling units and nonresidential uses proposed.
- g. A statement describing proposed lighting, sewerage, water, electric, gas, telephone, cable television and refuse removal.
- h. A master utility plan including acknowledgments from appropriate utilities, authorities and agencies shall be included and shall include the following:
  - (1) Appropriate sewer authority: An acknowledgment of intent to provide service to the planned development and approval of the proposed points of connection and general location of mains and service laterals. Requirements for improvements to existing infrastructure and terms and conditions for easements shall be determined.
  - (2) Appropriate water authority or company: An acknowledgment of intent to provide public water service to the planned development and approval of the proposed points of connection and general location of mains and service laterals. Requirements for improvements to off-site infrastructure and terms and conditions for easements shall be determined.
  - (3) Where on-site facilities are proposed, the proposed design(s) of such facilities.
- i. A master traffic impact study in accordance with the governing regulations as may be adopted or incorporated by reference at time of application. A master plan of proposed on and off-site traffic improvements, which is coordinated with the project phasing plan shall be prepared and submitted as part of the study.
- j. A master storm water management plan and report which demonstrates the overall storm water management concept for the project. Preliminary design of major facilities and off-site improvements shall be described in sufficient detail to ascertain their feasibility and general compliance with applicable standards.

Design standards shall be in accordance with the Greenwich Township Subdivision and Land Development Ordinance.

- k. A master landscape planting plan depicting the principal landscape plantings (i.e.: buffers, street trees, natural areas or specimens to be preserved or augmented) and typical details of key landscape elements such as entrances, streetscapes and public spaces that typify the style of the project.

G. Requirements for Final Approval

1. All parts of the Application for Tentative Approval shall be submitted. All maps, plans, drawings, and written material shall be revised according to the official written communication granting tentative approval. Revisions shall be noted and dated on all exhibits.
2. All additional maps, plans, drawings, agreements, approvals and other items required by the official written communication granting tentative approval shall be submitted.
3. The site plans shall include the following:
  - a. Source of title to the land of the planned development as shown by the records of the Berks County Recorder of Deeds.
  - b. Lot lines with accurate bearings and distances; distances to be to the nearest hundredth of a foot and proposed survey monumentation.
  - c. Acreage of all lots.
  - d. Accurate dimensions and bearings and distances of any property to be dedicated or reserved for public, semi-public, or community use, including street centerlines and street rights of way lines.
  - e. Accurate tract boundary lines with dimensions and bearings closing with an error of not more than one (1) foot in ten thousand (10,000) feet.
  - f. Accurate distance to the intersection of the centerlines of the nearest established street intersection or official monument.
  - g. Complete curve data for all lot line, tract boundary line, street centerline and street right of way line curves within the development. Curve data shall include radius, arc, tangent, angle

of deflection, and chord bearing and distance.

- h. Certification, with seal, by a registered professional to the effect that the plan is correct.
  - i. A certificate, duly acknowledged before an officer authorized to take acknowledgement of deeds and signed by the landowner of the property, to the effect that the subdivision or land development shown on the final plan is the act and deed of the landowner, that he is the owner of the property shown on the survey and plans, and that he desires the same to be recorded as such.
  - j. Certification of the offer of dedication of applicable required improvements.
  - k. A certificate for the recommendation of the Township Planning commission.
  - l. A certificate for approval by the Township Board of Supervisors.
  - m. A certificate to accommodate the recording information.
  - n. Certification with seal, by a registered professional permitted to design storm drainage facilities within the Commonwealth of Pennsylvania that the storm drainage facilities designed are in conformance with the Township Regulations.
  - o. A notation describing any public uses, streets, drives or common open spaces which are not to be offered for dedication to the public, in which event the title to such areas shall remain with the landowner, and the Township shall assume no responsibility for improvements or maintenance thereof.
- 4. A lighting plan with the location and size of all street, parking compound, recreational and open space lighting fixtures whether free-standing or affixed to buildings, including the delineation of isolux lighting lines at increments of 0.2, 0.5 and 1.0 foot-candles for each fixture, as applicable, and construction details, manufacturers specifications, elevations, materials and colors for each type of lighting fixture proposed.
  - 5. A planting plan for the development, except for single-family detached and semi-detached lots to be sold to individual owners. The planting plan shall include the identification and location of the following information.
    - a. All pertinent information regarding the general site layout, existing

man-made and natural features on the tract, proposed grading, existing vegetation to be retained and other conditions affecting proposed landscaping.

- b. Proposed plantings, including shade trees, designated by symbols appropriately scaled to represent the sizes of such at time of planting. Planting beds shall be shown by a clearly delineated border outline. Identification of all proposed plantings shall be numerically quantified and keyed to the planting schedule by the first letters of each plants botanical name.
  - c. Planting schedule shall be provided for all proposed plantings, including botanical and common plant names, identification key, total quantity, size (height, width and caliper) at time of planting based on American Association of Nurserymen increments and minimum size of maintenance after a three (3) year growth period.
  - d. Details and specifications for all proposed plantings, top soiling, seeding and mulching, including notes regarding special maintenance requirements temporarily during the period of establishment, or permanently, and the limits of any such special maintenance areas.
  - e. Proposed buffering, screening, walls and fences, including construction details, cross sections, elevations, manufacturer's specifications materials and colors for same.
  - f. Proposed courtyards, plazas, lanes, walkways, paths, common open space and recreation areas and facilities, street or site furniture, ponds, fountains, trellises, pergolas, gazebos, accessory structures, art and sculpture, common mail boxes, solid waste and recycling storage facilities and HVAC equipment and utility service boxes, to be located at or above grade. Construction details, cross-sections, elevations, manufacturer's specifications, materials and colors for all of the above items where applicable.
- 6. A signage plan for the development, including construction details, elevations, signage message or content, materials and colors for each type of sign proposed.
  - 7. Detailed prototypical yard and patio plans, except for single family detached and semi-detached lots to be sold to individual owners, including detailed plans for the proposed treatment of patios and private or semi-private yard areas, including screening, landscaping, ground material

treatment, lighting and access, for each residential dwelling.

8. Profile drawings shall be submitted for all streets, storms sewers, and sanitary sewer mains. Generally, the drawings shall be at a scale of fifty (50) feet to the inch horizontally and ten (10) feet to the inch vertically. Existing and proposed grades shall be shown on each drawing.
9. Cross-sections, details and specifications shall be submitted for all improvements including streets, parking lots, curbs, sidewalks, bikeways, recreation facilities, play equipment, lighting, planting, sanitary sewer facilities, and sediment and erosion control facilities.
10. Design concept diagrams that graphically depict the planning principles expressed in this ordinance as such have been applied in the development plan. The diagrams may be prepared at any appropriate scale and should illustrate the planning relationships of the commercial uses to residential areas, sites for public and semi-public uses, community clubs and facilities, internal and peripheral open space, vistas and focal points, pedestrian walking distances, interconnections with the existing street and sidewalk system, buffers areas, and similar features of the plan.
11. Declaration of Covenants, Grants of Easements, Conditions, and Restrictions
  - a. All deeds for conveyance of property within the Planned Development shall bind the purchasers to the Declaration of Covenants, Grants of Easement, Conditions, and Restrictions and shall state the requirement of mandatory membership for all owners in the development in the owners association, if such an association is to be created for the ownership, administration and maintenance of the common open space.
  - b. Copies of any other restrictions that will run with the land and will become covenants in the deeds of the lots shall be submitted.
12. An agreement shall be entered into between the Township and the landowner to cover in detail the improvements required to be constructed as a condition of acceptance of a Planned Development which specify time limits for the completion of required improvements. The items to be covered by the agreement shall include, but not necessarily be limited to, the construction of streets, storm drainage facilities, sanitary sewers, water lines, street signs, survey markers and monumentation, sidewalks, curbs, off-street parking, street lights, street trees, fire protection, and common open space improvements.



13. Financial security shall be calculated and posted to secure the completion of improvements in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code and the Township Subdivision and Land Development Ordinance. The financial security shall be released as construction progresses in accordance with the procedure set forth in Article V of the Pennsylvania Municipalities Planning Code. Upon completion of the improvements and acceptance of dedication by the Township of any improvements, the landowner shall post financial security to secure the structural integrity and functioning of the improvements that have been accepted by the Township in accordance with the requirements of Article V of the Pennsylvania Municipalities Planning Code.
14. The proposed location, width, and purpose of all easements.
15. A grading plan of the development.
16. A clearing and vegetation protection plan showing and identifying the location of all area of the tract to be cleared, all areas of soil disturbance, all areas of topsoil stockpiling during the period of development, all existing vegetation to be retained, details for the methods of vegetation protection during the period of development.
17. Pennsylvania Department of Transportation: highway occupancy permits.
18. Berks County Soil Conservation District: approval of soil erosion and sediment control plans.
19. Pennsylvania Department of Environmental Protection: sewer and water approval; erosion and sediment control approval (earth moving).
20. Electric company: approval of the lighting plan and location of all electric power lines and easements.
21. Appropriate utility and transmission companies: approval of development around rights of way and easements.
22. Appropriate railroad company: approval of any proposed grade crossings, utility crossings, rail extensions or alterations.
23. Local postmaster: approval of street names.
24. Updated traffic impact study pertaining to the phase to be constructed.

H. Permitted Uses in a Planned Development

1. The following uses are permitted in a Planned Development, subject to all the applicable development standards and requirements:
  - a. All uses listed in Section 406.1 A.
  - b. All uses listed in Section 406.1 C.
  - c. All uses listed in Section 406.1 D.
2. The following accessory uses are permitted in a Planned Development, subject to all the applicable development standards and requirements.
  - a. All uses listed in Section 406.1 B.

I. Planned Development Common Open Space

1. Twenty-five percent (25%) of the gross area of the Planned Development shall be allocated to and shall remain common open space. Common open space within the Flood Plain shall be included within the required common open space; however, the provisions of all applicable flood plain regulations shall apply. Common open space shall be deed restricted to prohibit future subdivision or development, except for recreational uses that may be permitted with the approval of the Greenwich Township Board of Supervisors. The common open space shall be provided in the form of internal open space and peripheral open space.
2. Internal open spaces shall contain a minimum area of 500 square feet and shall be of a distinct geometric shape (generally rectilinear or square) appropriate for use as a public space. Internal open spaces shall function as traditional urban public space i.e.: park, monumental, public gathering or visual. Internal open spaces shall in general be the focus or be spatially enclosed by the buildings that front on the area or front upon the streets bounding the area.
3. Common open space, particularly peripheral open space areas, containing existing attractive or unique natural features, such as streams, creeks, ponds, floodplains, wetlands, woodlands, specimen trees and other areas of matures vegetation worthy of preservation may be left unimproved and natural state. As a general principle, the preservation of undeveloped open space in its natural state or as existing farms is encouraged. To the greatest extent possible, common open space shall include all environmentally sensitive areas, including areas with slopes greater than fifteen percent (15%), 100-year floodplains, wetlands, areas of seasonally high water, and other such critical areas. Existing man-made features, such as farmsteads, may be preserved through incorporation in common

open space.

4. Peripheral open space areas may be used for public and semipublic recreation purposes with the approval of the Township Board of Supervisors.
5. Recreational facilities shall be required to serve the anticipated needs of the residents of the Planned Development, taking into account the anticipated characteristics and demographic profile of the developments' population, the recreational facilities available in neighboring developments, and the relevant provisions regarding recreational facilities contained in the Comprehensive Plan.

The buildings, structures, and improvements permitted in the common open space shall be appropriate to the authorized uses and shall conserve and enhance the amenities of the common open space with regard to its topography and unimproved condition.

6. The Phasing Plan of the Planned Development shall coordinate the improvement of the common open space with the construction of dwellings. At no time in the development of various phases of the Planned Development may the total area of common open space in the phases developed be less than twenty-five percent (25%) of the gross area of the developed lands unless additional areas to produce the required percentage are permanently reserved as common open space on the remaining land of the total development. The location or size of this reserved common open space on remaining land may be altered or changed upon the approval and recording of the development plan of an additional phase of development.
7. The ownership, administration and maintenance of common open space shall be arranged to be in accordance with one or more of the following:
  - a. The Township may accept dedication of common open spaces or any interest therein for public use and maintenance, for no consideration to be paid by the Township. Unless waived by the Greenwich Township Board of Supervisors at time of approval, the Township shall have the option to accept all or any portion of the common open space at any time within ten (10) years of the recording of the final subdivision plan for the development. The final plan shall contain a note, in language acceptable to the Township Solicitor that the common open space is irrevocably offered for dedication to the Township for a period of ten (10) years from the date of the recording of the final plan. Said note shall also state that the Township shall have no duty to maintain

or improve the dedicated common open space unless and until it has been accepted by formal action of the Township. This provision does not preclude future plan modification by the developer.

- b. The landowner may establish a property owners' association made up of the owners of property in the Planned Development, for the purpose of owning, administering and maintaining common open space; provided however, the association shall not be dissolved nor shall it dispose of the common open space by sale or otherwise (except to an organization conceived and established to own, administer and maintain common open space approved by the Township) without first offering the common open space for dedication to the Township. The property owners' association shall be empowered to levy and collect assessments from the property owners of the Planned Development to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.
- c. The landowner may establish a deed or deeds of trust, approved by the Township Board of Supervisors, for the purpose of owning, administering and maintaining common open space, with the Trustee empowered to levy and collect assessments from the property owners of the Planned Development to cover replacements, working capital, operating expenses, insurance against casualty and liability, and contingencies.
- d. With permission of the Township, and with appropriate deed restrictions in favor of the Township and in language acceptable to the Township Solicitor, the developer may transfer the fee simple title in the common open space or a portion thereof to a private, nonprofit organization among whose purposes is the conservation of open space land and/or natural resources; provided that:
  - (1) The organization is acceptable to the Township and is a bona fide conservation organization with a perpetual existence;
  - (2) The conveyance contains appropriate provisions for proper retransfer or reverser in the event that the organization becomes unable to continue to carry out its functions, and
  - (3) A maintenance agreement acceptable to the Township is

entered into by the developer, organization and Township.

8. In the event that the organization established to own and maintain common open space, or any successor organization, shall at any time after the establishment of the Planned Development fail to maintain the common open space in reasonable order and condition in accordance with the development plan, the Township shall have the power to ensure maintenance of the common open space in accordance with the provisions of Section 705 (f) of the MPC.

J. Streets within Planned Developments

1. The street layout shall be adapted to the topography, unique natural features and environmental constraints of the tract. The street layout shall take into consideration the location of the community focus, other internal open space areas and vistas. A minimum of two (2) interconnections with the existing public street system shall be provided where possible. Linkages to adjacent developments and neighborhoods with pedestrian and bicycle paths are recommended where possible.
2. The street layout shall form an interconnected system of streets primarily in a rectilinear grid pattern, however, modified to avoid a monotonous repetition of the basic street/block pattern.

K. Residential Development within a Planned Development

1. The maximum allowable gross density of the Planned Development shall not exceed 4.0 units per gross acre.
2. A range of dwelling types shall be provided in the development. The number of single-family detached dwellings, including both large lot and small lot types, shall range from a minimum of seventy-five percent (75%) to a maximum of ninety-five percent (95%). Of the remaining number of dwellings other than single-family detached dwellings, no more than fifty percent (50%) shall be the same type of dwelling unit (e.g. semi-detached, duplexes, townhouses, condominiums or apartments).
3. Residential net density shall generally decrease from the center towards the periphery of the development. A mix of dwelling unit types shall be distributed throughout the development. The segregation of different dwelling unit types is discouraged and different types of dwelling units may be mixed in any distribution within any single block if desired.
4. Buildings containing dwelling units shall be designed to vary in appearance. Building designs shall vary in terms of footprint, architectural

elevations, fenestration, type of roof, height, front entrance and porch locations. Colors, materials and architectural details should be limited in number, compatible, and used repeatedly throughout the neighborhood.

5. For the purposes of calculating residential density for apartment dwellings located on upper floors above commercial uses each such apartment dwelling shall count as one-half (0.5) dwelling unit.

L. Commercial Development within a Planned Development

1. The commercial component of a Planned Development shall be mandatory unless waived by the Greenwich Township Board of Supervisors and shall consist of a minimum of 10% and a maximum of 25% of the gross acreage of the Tract.
2. The commercial component shall consist of commercial uses primarily oriented to serve both the residents of the development and residents of the immediately surrounding community. The remaining commercial uses may consist of any permitted commercial uses, including other types of retail and service uses.
3. Commercial uses may be contained in multistory, mixed-use structures with commercial uses on the ground level and apartment dwellings on the upper levels. Such buildings contained within any neighborhood shall vary in terms of footprint and architectural elevations. Storefront commercial buildings shall be designed to coordinate with the scale and character of the streetscape upon which it fronts. Contemporary commercial structures shall be detached and visually separated from the village streetscape.
4. For Storefront commercial uses, on street parking shall be provided as a supplement to off-street parking facilities to serve customers of Storefront commercial uses. The minimum requirement for on-street parking shall be one (1) curbside space for each 2,000 square feet of gross floor area of Storefront commercial uses. Where the minimum on-street parking requirement cannot be completely complied with, the deficient number of spaces shall be provided in off-street parking lots. Commercial on-street parking shall be provided as curbside parallel or angle parking located along both sides of the streets on all blocks upon which commercial uses front. Contemporary Commercial uses shall provide off-street parking and loading in accordance with the off-street parking provisions of Article VI of this Ordinance.
5. Parking Lot Landscaping, Buffering and Screening.
  - a. Parking lot layout, landscaping, buffering and screening shall

prevent direct views of parked vehicles from streets and sidewalks, avoid spillover light, glare onto adjacent properties.

- b. The interior of all parking lots shall be landscaped to provide shade and visual relief. Parking lots with ten (10) spaces or less may not require interior landscaping if the applicant demonstrates to the Greenwich Township Board of Supervisors that there is adequate perimeter landscaping.
- c. Parking lot layout shall take into consideration pedestrian circulation, pedestrian crosswalks shall be provided, where necessary and appropriate.
- d. Parking lot layout, landscaping, buffering and screening shall comply with Section 605 of this Ordinance or as approved as part of the Tentative Plan approval process.

M. Area and Bulk Guidelines

The area and bulk guidelines in Section 406.2 are intended to establish a basis for evaluation and approval of site-specific standards as proposed by the applicant. The applicant shall provide an equally complete set of guidelines that relate to the proposed Planned Development. When approved by the Board of Supervisors, these dimensions will become the applicable standards for the project.

N. Required Loading and Service Areas

- 1. When required, loading docks, solid waste facilities, recycling facilities and other service areas shall be adequately separated and/or screened from the public right-of-way and adjacent properties.
- 2. Screening and landscaping shall prevent direct views of the loading areas and their driveways from adjacent properties or from the public right-of-way. Screening and landscaping shall also prevent spillover glare, noise or. Screening and buffering shall be achieved through walls, fences and landscaping and shall be visually impervious. Recesses in the building, architectural design or depressed access ramps may also be used.

All loading and service areas shall conform to the screening and landscaping requirements of Article VI of this Ordinance or as approved as part of the Tentative Plan approval process.

O. Flood Plain Control

All flood plain areas shall comply with the requirements of any applicable flood plain regulations. Flood plain areas may be utilized in meeting open space

requirements and for the computation of maximum allowed density based on gross acreage.

P. Signs

All signs located within a Planned Development shall comply with Article VII of this Ordinance or as approved as part of the Tentative Plan approval process.

Q. Landscaping

1. Landscaping shall be required in accordance with a Master landscape plan. All areas of a site not occupied by buildings, parking lots, other improvements or textured paving shall be planted with trees, shrubs, hedges, ground covers and grasses, unless such area consists of existing vegetation to be retained.
2. Landscaping plans shall be prepared by a Registered Landscape Architect.

R. Shade Trees

Shade trees shall be provided along streets, public or private, in accordance with the overall Landscape plan.

S. Lighting

Streets and sites shall provide adequate lighting, while minimizing adverse impacts, such as glare and overhead sky glow, on adjacent properties and the public right-of-way.

T. Architectural Design Standards

Buildings shall generally relate in scale and design features to indigenous regional architecture.