

ORDINANCE NO. 364

AN ORDINANCE OF THE TOWNSHIP OF LOWER MAKEFIELD, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE LOWER MAKEFIELD TOWNSHIP CODIFIED ZONING ORDINANCE OF 1996, AS AMENDED, SO AS TO PROVIDE FOR LOW IMPACT DEVELOPMENT STANDARDS

WHEREAS, the Pennsylvania Municipalities Planning Code, as amended, confers upon the Board of Supervisors of the Township the authority to amend, change or modify its Zoning Ordinance; and

WHEREAS, the application of Low Impact Development strategies to reduce total and effective impervious surfaces, retain natural features and vegetation, and reduce the development footprint may result in the significant reduction or elimination of traditional stormwater collection, storage and treatment system requirements; and

WHEREAS, the protection of steep slopes and areas abutting wetlands and watercourses are essential to the attainment and maintenance of high water quality standards and the prevention of erosion and sedimentation, in furtherance of the Pennsylvania Clean Streams Law, 35 P.S. §691, et seq. and the regulations implemented by the Pennsylvania Department of Environmental Protection for water quality standards, 25 Pa. Code, Ch. 93, and erosion and sedimentation control, 25 Pa. Code, Ch. 105; and

WHEREAS, the Board of Supervisors of Lower Makefield Township desires to protect the Township's steep slopes, wetlands and watercourses, preserve the numerous ecological benefits of clean streams, guard against erosion and sedimentation, and ensure the highest level of water quality by establishing additional protections to these natural resources; and

WHEREAS, the Board of Supervisors of Lower Makefield Township, after public hearing, has determined that an amendment to the Zoning Ordinance so as to modify the provisions to provide for Low Impact Development standards, is in the best interest of the Township and its residents.

NOW, THEREFORE, BE IT ORDAINED and ENACTED that the Lower Makefield Township Codified Zoning Ordinance of 1996, as amended, is further amended as provided hereinafter.

Section 1. The provisions of **Article III, Residential-Resource Protection (R-RP), Section 200-11. Permitted Uses**, shall be amended by adding a new subsection A. (7) to read as follows:

- (7) Open space cluster development

Section 2. The provisions of **Article III, Residential-Resource Protection (R-RP), Section 200-13. Lot area and yard requirements**, shall be deleted and in lieu thereof shall read as follows:

§ 200-13. Lot area and yard requirements. The lot area and yard requirements are as follows:

Minimum Net Lot Area	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards ¹ Side (each) (feet)	Rear ² feet
Dwelling:					
3 acres	250	35	<u>50</u>	25	<u>125</u>
All other uses ³					
3 acres	250	35	<u>50</u>	50	<u>125</u>

NOTES:

¹Where a yard abuts a collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

²Rear yard open porches may extend into the rear yard setback.

³These area and yard requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply.

Section 3. The provisions of **Article III, Residential-Resource Protection (R-RP)**, shall be amended by adding a new **Section 200-13.1. Requirements for open space cluster development**, to read as follows:

§200-13.1. Requirements for open space cluster development.

A. Table of performance standards: Lot area and density for open space cluster development.

Type	Minimum Percent of Base Site Area Classified as Resource Protection Land ¹	Maximum Density on Net Buildable Site Area ² (units/acre)	Minimum Net Lot Area ³ (square feet)	Minimum Average Net Lot Area (square feet)
Residential R- RP	51	.66	1 acre	1.5 acres

NOTES:

¹ For purposes of determining the percent of base site area classified as resource protection land in § 200-52, open space as defined in § 200-7 and which is offered to the Township shall be considered to be natural resource protection land.

² Notwithstanding the maximum density on net buildable site area, the maximum number of dwelling units permitted on a particular tract shall in no circumstance be greater than the maximum number of dwelling units that actually could be constructed on the site without open space clustering given the development constraints of the physical site and the otherwise applicable Township ordinance requirements. A plan showing sufficient detail to demonstrate the maximum number of dwelling units that could be constructed on the site shall be provided to the Township.

³ The minimum net lot size and minimum average lot size is permitted only where the resource protection land, including open space as defined in § 200-7, exceeds 51% of the base site.

Section 4. The provisions of **Article IV, Residential-Low-Density (R-1), Section 200-15. Permitted Uses**, shall be amended by adding a new subsection A. (17) to read as follows:

(17) Open space cluster development

Section 5. The provisions of **Article IV, Residential Low-Density (R-1)**, shall be amended by adding a new **Section 200-17.1. Requirements for open space cluster development**, to read as follows:

§ 200-17.1. Requirements for open space cluster development.

A. Table of performance standards: Lot area and density for open space cluster development.

Type	Minimum Percent of Base Site Area Classified as Resource Protection Land ¹	Maximum Density on Net Buildable Site Area ² (units/acre)	Minimum Net Lot Area ³ (square feet)	Minimum Average Net Lot Area (square feet)
Residential R-1	51	2.00	16,500	22,000

NOTES:

¹ For purposes of determining the percent of base site area classified as resource protection land in § 200-52, open space as defined in § 200-7 and which is offered to the Township shall be considered to be natural resource protection land.

² Notwithstanding the maximum density on net buildable site area, the maximum number of dwelling units permitted on a particular tract shall in no circumstance be greater than the maximum number of dwelling units that actually could be constructed on the site without open space clustering given the development constraints of the physical site and the otherwise applicable Township ordinance requirements. A plan showing sufficient detail to demonstrate the maximum number of dwelling units that could be constructed on the site shall provided to the Township.

³ The minimum net lot size and minimum average lot size is permitted only where the resource protection land, including open space as defined in § 200-7, exceeds 51% of the base site area.

Section 6. The provisions of **Article IV, Residential Low-Density (R-1), Section 200-18. Lot area and yard requirements for dwellings**, shall be deleted and in lieu thereof shall read as follows:

§ 200-18. Lot area and yard requirements for dwellings. Lot area and yard requirements for dwellings shall be as follows:

Minimum Net Lot Area	Minimum Lot Width at Front Building Setback Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards ¹ Side (each) (feet)	Rear ² (feet)
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Dwellings:

1 acre	160	35	<u>50</u>	25	<u>75</u>
40,000 sq. ft.	150	35	<u>50</u>	25	<u>75</u>
34,000 sq. ft.	140	35	<u>50</u>	25	<u>70</u>
25,000 sq. ft.	120	35	<u>40</u>	20	<u>70</u>
22,000 sq. ft.	120	35	<u>40</u>	20	<u>70</u>
16,500 sq. ft.	100	35	<u>35</u>	15	<u>45</u>
15,000 sq. ft.	100	35	<u>35</u>	15	<u>45</u>
All other uses ³					
1 acre	160	35	<u>50</u>	25	<u>75</u>

NOTES:

¹ Where a yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

² Rear yard open porches are an exception to the rear yard setback.

³ These area and yard requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply.

Section 7. The provisions of **Article V, Residential Medium-Density (R-2), Section 200-20. Permitted Uses**, shall be amended by adding a new subsection **A. (7)** to read as follows:

(7) Open space cluster development

Section 8. The provisions of **Article V, Residential Medium-Density (R-2), Section 200-22. Lot area and yard requirements for dwellings**, shall be deleted and in lieu thereof shall read as follows:

§ 200-22. Lot area and yard requirements for dwellings. Lot area and yard requirements for dwellings shall be as follows:

Minimum Net Lot Area	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards¹ Side (each) (feet)	Rear² (feet)
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Dwellings:

34,000 sq. ft.	110	35	40	15	50
16,500 sq. ft.	110	35	40	15 ³	50
16,000 sq. ft.	100	35	<u>35</u>	15	<u>45</u>
15,000 sq. ft.	100	35	<u>35</u>	15	<u>45</u>
12,500 sq. ft.	85	35	<u>30</u>	15	<u>45</u>
All other uses ⁴					
1 acre	160	35	<u>50</u>	25	<u>75</u>

NOTES:

¹ Where a yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

² Rear yard open porches are an exception to the rear yard setback.

³ Where a lot has been approved and recorded on a plan prior to January 1, 1947, and the lot has a width of 100 feet or less at the building line, there shall be two side yards of a combined width of not less than 26 feet and neither side yard shall be less than 10 feet in width.

⁴These area requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply.

Section 9. The provisions of **Article V, Residential Medium-Density (R-2)**, shall be amended by adding a new **Section 200-22.1. Requirements for open space cluster development**, to read as follows:

§200-22.1. Requirements for open space cluster development.

A. Table of performance standards: Lot area and density for open space cluster development.

Type	Minimum Percent of Base Site Classified as Resource Protection Land ¹	Maximum Density on Net Buildable Site Area ² (units/acre)	Minimum Net Lot Area ³ (square feet)	Minimum Average Net Lot Area (square feet)
Residential R-2	51	3.5	10,000	12,500

NOTES:

¹ For purposes of determining the percent of base site area classified as resource protection land

in § 200-52, open space as defined in § 200-7 and which is offered to the Township shall be considered to be natural resource protection land.

² Notwithstanding the maximum density on net buildable site area, the maximum number of dwelling units permitted on a particular tract shall in no circumstance be greater than the maximum number of dwelling units that actually could be constructed on the site without open space clustering given the development constraints of the physical site and the otherwise applicable Township ordinance requirements. A plan showing sufficient detail to demonstrate the maximum number of dwelling units that could be constructed on the site shall be provided to the Township.

³ The minimum net lot size and minimum average lot size is permitted only where the resource protection land, including open space as defined in § 200-7, exceeds 51% of the base site

Section 10. The provisions of **Article VI, Residential Single Family High Density (R-3), Section 200-24. Permitted Uses**, shall be amended by adding a new subsection A. (9) to read as follows:

(9) Open space cluster development

Section 11. The provisions of **Article VI, Residential Single-Family High Density (R-3), Section 200-25. Standards for single-family detached dwellings, Subsection B.**, shall be deleted and in lieu thereof shall read as follows:

B. Lot area and yard requirements. Single-family detached dwellings and other uses, other than single-family attached and two-family dwellings. All development shall be in accordance with the site capacity calculations, § 200-52, and the following requirements. These standards may be less strict than other standards in § 200-52; the strictest standards shall apply.

Minimum Net Lot Area² (square feet)	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards¹ Side (each) (feet)	Rear (feet)
34,000	110	35	40	15	50
13,500	90	35	<u>35</u>	15	<u>45</u>
12,500	85	35	<u>35</u>	15	<u>45</u>
10,000	80	35	<u>30</u>	15	<u>40</u>
Other uses ³	160	35	<u>50</u>	25	<u>75</u>

NOTES:

¹ Where a yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

² Rear yard open porches are an exception to the rear yard setback.

³ These area and dimensional requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply.

Section 12. The provisions of **Article VI, Residential Single-Family High Density (R-3), Section 200-26. Table of Performance Standards for single-family attached and two-family dwellings, Subsection B.,** shall be deleted and in lieu thereof shall read as follows:

B. Lot area and yard requirements shall be as follows:

Minimum Net Lot Area (square feet)	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards ¹ Side (each) (feet)	Rear ² (feet)
Single-family attached					
2,000	20 ¹	35	30 ²	³	25
2,000	24	35	30 ²	³	25
Two-family					
6,000	90	35	<u>30</u>	15	<u>50</u>

NOTES:

¹ Single-family attached units shall not have less than 24 feet of width at the building line, except that at the option of the developer 25% of the total building lots of attached dwelling units may be reduced to widths of 20 feet at the building line.

² Where a back yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads. For any building fronting onto any other public right-of-way the minimum setbacks shall be 30 feet, whereas for any building fronting onto a public area or private right-of-way the minimum yard shall be 15 feet.

³ The minimum side yard between connected dwelling unit groups shall be 25 feet.

Section 13. The provisions of **Article VI, Residential-Single-Family High Density (R-3),** shall be amended by adding a new **Section 200-27.1. Requirements for open space cluster development,** to read as follows:

§200-27.1. Requirements for open space cluster development.

A. Table of performance standards: Lot area and density for open space cluster development.

Type	Minimum Percent of Base Site Area Classified as Resource Protection Land ¹	Maximum Density on Net Buildable Site Area ² (units/acre)	Minimum Net Lot Area ³ (square feet)	Minimum Average Net Lot Area (square feet)
Residential R-3	51	4.0	10,000	12,500

NOTES:

¹ For purposes of determining the percent of base site area classified as resource protection land in § 200-52, open space as defined in § 200-7 and which is offered to the Township shall be considered to be natural resource protection land.

² Notwithstanding the maximum density on net buildable site area, the maximum number of dwelling units permitted on a particular tract shall in no circumstance be greater than the maximum number of dwelling units that actually could be constructed on the site without open space clustering given the development constraints of the physical site and the otherwise applicable Township ordinance requirements. A plan showing sufficient detail to demonstrate the maximum number of dwelling units that could be constructed on the site shall be provided to the Township.

³ The minimum net lot size and minimum average lot size is permitted only where the resource protection land, including open space as defined in § 200-7, exceeds 51% of the base site.

Section 14. The provisions of **Article VII, Residential Single-Family High-Density Modified (R-3M), Section 200-30. Lot area and yard requirements for dwellings**, shall be deleted and in lieu thereof shall read as follows:

§ 200-30. Lot area and yard requirements for dwellings.

Lot area and yard requirements shall be as follows:

Minimum Net Lot Area	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards¹ Side (each) (feet)	Rear² (feet)
Dwellings:					
34,000 sq. ft.	110	35	40	15	<u>60</u>
13,500 sq. ft.	90	35	<u>35</u>	15	<u>50</u>
Other uses ³					
1 acre	160	35	<u>50</u>	25	<u>75</u>

NOTES:

¹ Where a yard abuts a major collector or arterial road listed in §200-63, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

² Rear yard open porches are an exception to the rear yard setback.

³ These area and yard requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply.

Section 15. The provisions of **Article VIII, Residential Multiple-Family High-Density (R-4), Section 200-33. Single-family detached dwellings, Subsection B.**, shall be deleted and in lieu thereof shall read as follows:

B. Lot area and yard requirements. Single-family detached dwellings and other uses, except for single-family attached, two-family and multifamily dwellings.

Minimum Net Lot Area	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards¹ Side (each) (feet)	Rear² (feet)
Single-family detached dwellings					
34,000 sq. ft.	110	35	40	15	50
13,500 sq. ft.	90	35	<u>35</u>	15	<u>45</u>
12,500 sq. ft.	85	35	<u>35</u>	15	<u>45</u>
10,000 sq. ft.	80	35	<u>30</u>	15	<u>40</u>
Other uses ³					
1 acre	160	35	<u>50</u>	25	<u>75</u>

NOTES:

¹ Where a yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads.

² Rear yard open porches are an exception to the rear yard setback.

³ These area and dimensional requirements shall apply unless otherwise specified in Article XV for the specific use, in which case the provisions of Article XV shall apply

Section 16. The provisions of **Article VIII, Residential Multiple-Family High-Density (R-4), Section 200-34. Table of performance standards for single-family attached, two-family dwellings and multifamily dwellings. Subsection B.,** shall be deleted and in lieu thereof shall read as follows:

B. Lot area and yard requirements shall be as follows:

Minimum Net Lot Area (square feet)	Minimum Lot Width at Front Building Line (feet)	Maximum Building Height (feet)	Front (feet)	Minimum Yards² Side (each) (feet)	Rear (feet)
Single-family attached					
2,000	20 ¹	35	30 ²	³	25
2,000 square	24	35	30 ²	³	25
Two-family					
6,000	90	35	<u>30</u>	15	<u>45</u>
Multifamily	300	35	<u>30</u> ⁴	40 ⁴	<u>50</u> ⁴

NOTES:

¹ Single-family attached units shall not have less than 24 feet of width at the building line, except that at the option of the developer 25% of the total building lots of attached dwelling units may be reduced to widths of 20 feet at the building line.

² Where a yard abuts a major collector or arterial road listed in §200-63 of this chapter, the building setback shall be increased to 80 feet for collector roads and 100 feet for arterial roads. For any building fronting onto any other public right-of-way the minimum setbacks shall be 30 feet, whereas for any building fronting onto a public area or private right-of-way the minimum yard shall be 15 feet.

³ The minimum side yard between connected dwelling unit groups shall be 25 feet.

⁴ No two detached buildings shall be closer to one another that the combined height of the two buildings, measured at the highest point on each building.

Section 17. The provisions of **Article XIV, General Regulations Applicable To All Uses, Section 200-51. Natural resource protection requirements, Subsections B(4)(c)[1]** and **B(4)(c)[2][a]** shall be deleted and in lieu thereof shall read as follows:

[1] Minimum wetlands/watercourse buffer shall be 50 feet. Where the 300 feet of land adjacent to a wetland or watercourse boundary has an upland slope greater than 5%, the minimum buffer width shall be increased by four feet for each percent of slope at or above 5%:

[a] Unique site conditions, such as to facilitate proper site drainage or preservation of established vegetation, may dictate that the wetland buffer be adjusted (averaged) to accommodate an efficient site design. The average width of the buffer for the entire site shall be equal to fifty (50) feet with a minimum width of thirty (30) feet. The applicant shall provide justification for the use of the averaging method and shall provide calculations demonstrating that the average width criteria has been met.

[2] In addition to the minimum wetlands/watercourse buffer, the following natural features shall be given the additional protection set forth herein:

[a] Shrub-shrub buffer where greater than 2/3 of a contiguous minimum wetlands/watercourse buffer as calculated in § 200-51B(4)(c) [1] above consists of vegetation between twelve inches and 20 feet in height, the minimum wetlands/watercourse buffer shall be extended to not less than 75 feet.

Section 18. The provisions of **Article XIV, General Regulations Applicable To All Uses, Section 200-51, Natural resource protection requirements, Subsection B(5)** shall be deleted and in lieu thereof shall read as follows:

(5) Steep Slopes

Steep Slopes must be protected from inappropriate development such as excessive grading, land form alteration and extensive vegetation removal to avoid potential hazards to property and the disruption of the ecological balance caused by increased runoff, flooding, soil erosion and the like.

(a) Steep Slopes consist of the following:

Class I Steep Slope – characterized by a grade of 8% or more, but less than 15%

Class II Steep Slope – characterized by a grade from 15% to 25%

Class III Steep Slope – characterized by a grade greater than 25%

(b) Determination of Steep Slope Areas:

[1] In any application for a subdivision, land development, building permit or grading permit, the applicant shall, using two foot contours, delineate Class I, Class II and Class III Steep Slopes. The applicant shall use an actual field topographic survey or aerial survey as the source of contour information and as the basis for depicting the slope categories.

(c) The following standards shall apply, except where specifically modified by this Ordinance in accordance with the conditional use standards and procedures:

[1] Class I (8% to less than 15%) Steep Slopes - no more than fifty (50) percent of such areas shall be altered, graded, cleared or built upon.

[2]. Class II (15% to 25%) Steep Slopes - no more than thirty (30) percent of such areas shall be altered, graded, cleared or built upon.

[3] Class III (>25% or steeper) Steep Slopes: no alterations, grading, clearing or building permitted. In addition, no building shall be placed nor shall grading occur within 25 feet of the boundary of any Class III Steep Slope area.

[4] Protection of Class I, Class II, and Class III slopes may be reduced by conditional use approval provided that other resources (such as woodlands) are protected to a greater extent to compensate for the additional slope disturbance, in accordance with conditional use standards and procedures.

(d) Exemptions for steep slopes. Areas of steep slope that are less than 3,000 square feet shall be exempted from these standards.

(e) Steep Slopes - At the sole discretion of the Board of Supervisors, the Board may, through a conditional use process, reduce the slope protection standards provided that the additional disturbance for slopes is offset by the preservation of woodlands. The Board of Supervisors may grant Conditional Use approval to reduce the percentage of steep slopes required to be preserved by up to an additional ten (10) percent less than required, when the Board, in its sole discretion, determines that a lesser percentage of protection is warranted applying the standards and procedures hereafter set forth.

[1] Application Procedure.

[a] Applicant shall prepare an Existing Resources and Site Analysis Map ("ERSAM") containing the information required at Section 178-13.B.3 of the SALDO.

[b] Applicant shall comply with the provisions of Section 178-13.C and 178-13.D of the SALDO including a site visit with Township representatives and attendance at a preplanned conference.

[c] Applicant shall determine the areas to be left undisturbed and shall prepare a proposed Resource Conservation Plan in accordance with the provisions of Section 178-13.E, Step 1 and Step 2 of the SALDO.

[d] If the Applicant determines that in order to optimize protection of the most highly valued natural resources on the property disturbance of percentages of steep slopes greater than those required is necessary, the Applicant shall file a Conditional Use application requesting approval to protect a lesser percentage of steep slopes.

[2] Standards for Grant of Conditional Use Approval. The Board of Supervisors shall determine, based upon the natural resources specific to the property under consideration, the extent to which steep slopes may be disturbed in order to optimally protect the natural resources of the Township to achieve the objectives of the Lower Makefield Comprehensive Plan, to assure the sustainability of the community of which the subdivision is a part and to achieve those purposes set forth under Section 200-51.B.(5) hereof. In determining whether, and to what extent, to grant conditional use relief, the Board shall consider the following standards and guidelines.

(f) Steep Slope Protection.

[1] The effect protecting less than the required percentage of steep slopes would have on adjacent properties, particularly when such slopes abut another lot or tract of land.

[2] The extent to which protection of less than the required percentage of steep slopes would result in excessive grading, land form alteration and extensive vegetation removal.

[3] The extent to which the ecological balance may be disturbed by increased runoff, flooding, soil erosion and sedimentation, blasting and ripping of rock, landslide and soil failure.

[4] The extent to which steep slopes can be protected as open space and other uses which are compatible with preservation of natural resources and protection of areas of environmental concern.

[5] The Board may consider the extent to which the Steep Slope is manmade rather than natural and whether its disturbance will facilitate, in the opinion of the Board, the optimal design for the development of the property.

Section 19. The provisions of **Article XIV, General Regulations Applicable to All Uses, Section 200-52. Site Capacity Calculations, Subsection B(1)** shall be deleted and in lieu thereof shall read as follows:

(1) Determine land subject to natural resources. Each site has unique natural features. All applications shall include maps showing the locations of the resources together with the calculations on the following chart. In the event that

two or more resources overlap, only the resource with the highest protection ratio shall be used:

	I Natural Resource	II Percent of Resource to be Protected	III Total Natural Resource Land in Acres	IV Total Resource Protected Land (II x III)
HYDROLOGIC	Floodplain	100%		
SURFACE	Floodplain soils (Delaware River)	50%		
FEATURES:	Lakes or ponds	100%		
	Wetlands	100%		
	Lake and pond Shoreline	100%		
	Wetland and Watercourse Buffers ¹	100% ²		
SLOPES:	Class I Steep Slope (8% to less than 15%)	50%		
	Class II Steep Slope (15% to 25%)	70%		
	Class III Steep Slope (greater than 25%)	100%		
WOODLANDS:	Woodland Associations	70%		
TOTALS:			_____acres	_____acres

NOTES:

1 [Added 8-7-1995 by Ord. No. 296]

2 See §200-51B(4)(c), (d), and (e).

Section 20. The provisions of **Article XIV, General Regulations Applicable To All Uses, Section 200-61. Special Setbacks**, is hereby amended by adding a new **Subsection D** to read as follows:

- D. Exception for existing alignment. If the alignment of existing buildings on either side of a lot within a distance of fifty (50) feet of the proposed building and fronting on the same side of the same street in the same block is nearer to the street than the required front yard depth, the Board of Supervisors may accept the average of such existing alignment within that distance as the

required front yard, but in no case shall the front yard be less than twenty (20) feet. For lots fronting on collector or arterial roads, the front yard setback shall be increased a sufficient distance to provide an adequate driveway turnaround area so vehicles do not back out directly onto these roads.

Section 21. The provisions of **Article XV, Use Regulations, Section 200-68. Principal Uses**, is hereby amended by adding a new **Subsection 26.1** to read as follows:

(26.1) Open Space Cluster Development. In order to encourage Low Impact Development (LID) within the Township, open space cluster development is permitted as provided in the applicable sections relating to the R-RP, R-1, R-2 and R-3 Districts. The application of LID strategies to reduce total and effective impervious surfaces, retain natural features and vegetation, and reduce the development footprint may result in the significant reduction of traditional roadway, stormwater collection, storage and treatment system requirements. This will result in lower upfront infrastructure costs for the developer and reduce the long-term maintenance and replacement costs of these facilities.

- A. Minimum gross site area shall be: 10 acres
- B. Table of performance standards: Lot area and density for open space cluster development are specified in the applicable sections for each of the R-RP, R-1, R-2 and R-3 Districts.

Section 22. In all other respects, the Lower Makefield Township Codified Zoning Ordinance of 1996, as amended, is reaffirmed and ratified subject to the amendments to same as set forth in this Ordinance.

Section 23. Should any Section or provision of this Ordinance be declared invalid by any court of competent jurisdiction, such decision shall not affect the validity of the Ordinance as a whole or any part thereof not declared invalid.

Section 24. This Ordinance shall become effective five (5) days after enactment.

ORDAINED and ENACTED this 20th day of December, 2006.

LOWER MAKEFIELD TOWNSHIP
BOARD OF SUPERVISORS

By: _____

By: _____

By: _____

By: _____

By: _____