

ARTICLE XXII

PLANNED RESIDENTIAL DEVELOPMENT

History: Adopted by the Board of Supervisors of Center Township as Ordinance NO. 2017-03-02, dated March 8, 2017 and further amended by Ordinance No. 2022-06-04, June 8, 2022

§20-2201. Purpose

- A. The purpose of this Section is to encourage residential development and renewal so that the growing demand for housing may be met by greater variety in type, design and layout of dwellings and by the conservation and more efficient use of open space ancillary to said dwellings; so that greater opportunities for better housing and recreation may extend to all citizens and residents of this Township; and in order to encourage a more efficient use of land and of public services and to reflect changes in the technology of land development; and, in aid of these purposes, to provide a procedure which can relate the type, design and layout of residential development to the particular site and the particular demand for housing existing at the time of development in a manner consistent with the preservation of the property values within existing residential areas, and to ensure that the increased flexibility of regulations over land development authorized herein is carried out under such administrative standards and procedures as shall encourage the disposition of proposals for land development without undue delay.
- B. A planned residential development is a permitted use in the "R-2" Multi-Family Residential District.

§20-2202. Plans for Tentative Approval

The developer shall submit for review by the Planning Commission a plan with the following information:

- A. A written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of Center Township;
- B. The location, size and topography of the site and the nature of the landowner's interest in the land proposed to be developed;

- C. The density of land use to be allocated to parts of the site to be developed;
- D. The location and size of the common open space and the form of organization proposed to own and maintain the common open space and services;
- E. The use and the approximate height, bulk and location of buildings and other structures;
- F. The feasibility of proposals for the disposition of sanitary wastes and storm water;
- G. The substance of covenants, grants of easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures, including proposed easements or grants for public utilities;
- H. The provisions for parking of vehicles and the location and width of proposed streets and public ways;
- I. In the case of development plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed, and this schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted;
- J. The location, size and type of planting for buffer yards.

§20-2203. Tentative Review and Approval

- A. Prior to the issuance of a planned residential development permit by the Zoning Officer, a plan must be reviewed by the Township Planning Commission and the Butler County Planning Commission and approved by the Township Board of Supervisors. The County Planning Commission shall be required to report to Center Township within thirty [30] days or forfeit the right to review.
- B. Upon review of the plan and recommendations by the Butler County Planning Commission, the Township Planning Commission shall present to the Board of Supervisors their recommendations. Before approving the plan, the Board of Supervisors shall hold a public hearing thereon, pursuant to public notice,

within sixty [60] days after filing of the application. The Board of Supervisors may continue the hearing from time to time, provided, however, that in any event the hearings shall be concluded within one hundred [100] days after the date of the first public hearing. The Board of Supervisors, within forty-five [45] days following the conclusion of the public hearing, shall by official written communication to the applicant, either:

1. Grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 2. 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. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within thirty [30] days after receiving a copy of the official written communication of the Board of Supervisors, notify such Board of its refusal to accept all said conditions, in which case the Board shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the governing body of his refusal to accept all said conditions, they shall stand as granted.
- C. Subsequent to the written grant or denial of tentative approval by official written communication, the Township shall submit, within thirty [30] days, 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 communications 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 of the following:
1. In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of the municipality;
 2. The extent to which the development plan departs from zoning and/or subdivision regulations otherwise applicable to the subject property, including but not limited to density, bulk and use, and the reasons why such departure are or are not deemed to be in the public interest;
3. The purpose, location and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the 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 said 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 visual enjoyment;
 5. The relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and
 6. In the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
- D. In the event a development plan is granted tentative approval, with or without conditions, an application for final approval of the development shall be filed not later than one [1] year. In the case of a development plan which provides for development over a period of years, applications for final approval of each part of the plan shall be filed within twelve [12] months of the previous application for final approval of a portion of the development.
- E. A copy of the official written communication provided for in this Article shall be filed in the office of the Township, and the original shall be mailed to the landowner or the applicant, as the case may be for Planned Residential Development approval. Where tentative approval has been granted, this shall be recorded on the Township zoning map.

- F. Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any 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, shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application 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 communications granting tentative approval.
- G. In the event that a development plan is given tentative approval, and thereafter but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the Township in writing, or in the event the landowner shall fail to file application or 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 that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the Township map and in the records of the Secretary of the Township.

§20-2204. Plans for Final Approval

The developer shall submit for review by the Planning Commission a plan with the following information:

- A. Tract boundary lines, right-of-way lines of streets, easements and other rights-of-way and property lines of residential lots and other sites, when applicable, with accurate dimensions, bearings or deflection angles and radii, arcs and central angles of all curves;
- B. Name and right-of-way width of each street or other right-of-way;
- C. Location and dimension and purpose of easements;
- D. Number to identify each lot and/or site, when applicable;
- E. Purpose for which sites other than residential are dedicated or reserved;
- F. Minimum building setback line on all lots and other sites;
- G. Location and description of survey monuments;
- H. Names of record owners of adjoining unplotted land;
- I. Reference to recorded subdivision plats of adjoining platted land by record name, date and number;
- J. Certification by surveyor or engineer certifying to accuracy of survey and plat;
- K. Certification of title showing that applicant is the landowner;
- L. Statement by owner dedicating streets, right-of-way and sites for public uses;
- M. Title, scale, north arrow and date.

§20-2205. Final Approval

- A. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Township Secretary within the time set forth in Section 27-102, above. The application shall include any drawings, specifications, covenants, easements, performance bond and such other requirements as may be specified by the Board of Supervisors, as well as any conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or part thereof, shall not be required provided the development plan, or the part thereof, submitted for final approval, is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto.
- B. In the event the application for final approval has been filed together with all drawings, specifications and other documents in support

thereof, and as required by the Ordinance and the official written communications of tentative approval, Center Township shall, within thirty [30] days of such filing, grant such development plan final approval.

- C. In the event the development plan as submitted contains substantial variations from the development plan given tentative approval, the governing body shall refuse to grant final approval and shall, within thirty [30] days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one, or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
1. Re-file his application for final approval without the variations objected, or
 2. File a written request with the governing body that it hold a public hearing on his application for final approval. If the landowner wishes to take either such alternate action, he may do so at any time within which he shall be 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 said time, he shall be deemed to have abandoned the development plan. Any such public hearing 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 in this article for public hearings on applications.
- D. A development plan, or any part thereof, which has been given final approval, shall be so certified without delay by the governing body and shall be filed of record forthwith in the office of the recorder of deeds before any development shall take place in accordance therewith. Upon filing of, record of the development plan, the zoning and subdivision regulations otherwise applicable to the land

included in such plan shall cease to apply thereto, Pending completion within a reasonable time of said planned residential development nor of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made by the Township except with the consent of the landowner.

- E. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, and shall so notify the governing body in writing or, in the event the landowner shall fail to commence and carry out the planned residential development, no further development shall take place on the property included in the development plan until after said property is re-subdivided and is reclassified by enactment of an amendment to the Center Township Zoning Ordinance unless written request for an extension of the time period is granted by the Board of Supervisors to the landowner.

§20-2206. Permitted Uses

- A. Permitted Residential Uses:
1. Single family, detached;
 2. Single family, semi-detached or duplex;
 3. Single family, attached [townhouses, triplexes or quadraplexes];
- The above listed physical structures are permitted regardless of form of ownership; i.e. planned communities, condominium ownership are permitted.
- B. Auxiliary Structures: Structures such as clubhouse, pool and other recreational facilities serving the permitted residential uses are permitted so long as there is residential development of the auxiliary structures planned alongside the development of auxiliary structures.
- C. Accessory Uses:
1. Private garages;
 2. Parking areas for guests; and
 3. Garden and storage sheds.

§20-2207. Density

The maximum gross density for the total acreage within the Planned Residential Development Program of a specific developer, shall not exceed eight (8) dwelling units per gross acre.

§20-2208. Setbacks Generally

- A. All structures shall have a front yard setback from both public and private street right-of-way lines not less than thirty [30] feet. All structures shall have a setback not less than fifty [50] feet from all perimeter property lines to the Planned Residential Development tract.
- B. If there are sidewalks to be included in the front yard which are outside of the public or private street right-of-way lines, then it is further required that all structures shall be set back from the pedestrian easement not less than thirty [30] feet.

§20-2209. Building Height

No building shall be erected to a height in excess of thirty-five [35] feet.

§20-2210. Minimum Plot

The minimum plot for a Planned Residential Development shall be not less than twenty-five [25] acres.

§20-2211. Interior Yards

Interior yards and/or structural spacing shall be provided in accordance with the following schedule:

- A. One [1] Dwelling Unit Per Structure:
 - 1. Front to Front - Seventy (70) feet
 - 2. Front to Side - Fifty (50) feet
 - 3. Front to Rear - Seventy (70) feet
 - 4. Side to Rear - Thirty (30) feet
 - 5. Side to Side - Twenty (20) feet
 - 6. Rear to Rear - Fifty (50) feet
 - 7. Corner to Corner - Twenty (20) feet
- B. Two [2] Dwelling Units Per Structure:
 - 1. Front to Front - Seventy (70) feet
 - 2. Front to Side - Fifty (50) feet

- 3. Front to Rear - Seventy (70) feet
- 4. Side to Rear - Thirty (30) feet
- 5. Side to Side - Twenty (20) feet
- 6. Rear to Rear - Fifty (50) feet
- 7. Corner to Corner - Twenty (20) feet

§20-2212. Vegetative Cover

At least forty [40] percent of the gross area of the Planned Residential Development shall be maintained with a vegetative material.

§20-2213. General Regulations

Any development plan shall comply with the parking, loading and unloading, highway access, stream protection and any other applicable General Regulations of the Township.

§20-2214. Utilities

A development shall be served by the existing sewerage system and treatment facility and water supply system or tied into these systems or a separate water and sewerage system to support the entire development. All plans shall be subject to review and approval by the Township and the Pennsylvania Department of Environmental Resources.

§20-2215. Parking

See Chapter 20, Article XVI of the Center Township Codified Ordinances.

§20-2216. Drainage, Grading and Stormwater Management Control

All areas of a planned residential development shall comply with the stormwater management requirements of Chapter 21 of the Center Township Codified Ordinances.