

ARTICLE VII. PLANNED RESIDENTIAL DEVELOPMENT

Section 700 Purpose

It is the purpose of this Article to encourage and promote flexibility and ingenuity in the layout and design of large, new developments, enabling the developer to provide both residential and nonresidential uses in a community setting. Such a community would provide living, shopping, employment and recreational opportunities within walking distance of each other so as to promote pedestrian travel and street life and to reduce traffic congestion and dependence on the automobile. The intent of this Article is to utilize the planning and design principles of traditional towns in Bucks County. To meet these ends, procedures combining the administration of zoning and subdivision approval have been developed for use in Planned Residential Developments.

Section 701 Establishment of Districts

Any landowner may request the establishment of a Planned Residential Development (PRD) on a tract containing fifty (50) or more acres of contiguous land under one ownership, and zoned either SRC, SRL, SRM or SRH.

Section 702 Use Regulations

A PRD is a development in which a mix of residential and nonresidential uses is required. The PRD shall be divided into Residential Neighborhoods and a Town Center. The town center would be the focal point of the community where a diversity of uses are encouraged including civic uses, retail and consumer service uses and offices with residential units on the second floor. Residential neighborhoods would be located adjacent to the town center and would include a variety of housing types. The standards governing the design and layout of each area are listed below.

- a. The following requirements are applicable to the Residential Neighborhoods:
 - (1) All housing types permitted under Use B6 Performance Standard Subdivision shall be permitted subject to all requirements of Section 404.B6.
 - (2) The maximum density, maximum impervious surface ratio and minimum open space ratio requirements shall be those allowed for performance standard subdivisions in Sections 502 and 506 for the applicable district. These performance standards shall be calculated using only the area of land in the residential neighborhoods; land devoted to the town center shall not be included.

- b. The following requirements are applicable to the Town Center:
 - (1) Permitted Uses--The Town Center is the only area of a PRD in which nonresidential uses are permitted. In addition, dwellings in combination are permitted and encouraged. The following uses shall be permitted in the Town Center of the PRD:
 - (a) C1 Place of Worship
 - (b) C2 School
 - (c) C3 Commercial School
 - (d) C4 Library or Museum
 - (e) C6 Recreational Facility
 - (f) C9 Community Center
 - (g) C10 Child Care Center
 - (h) C16 Municipal Services

- (j) D1 Office
- (i) D2 Medical Office
- (k) E1 Retail Shop
- (l) E3 Service Business
- (m) E4 Financial Establishment
- (n) E5 Eating Place
- (o) E7 Repair Shop
- (p) E10 Indoor Entertainment
- (q) E11 Athletic Facility
- (r) E17 Car Wash
- (s) E27 Dwelling in Combination
- (t) F2 Emergency Services

- (2) The use regulations in Section 404 for the particular use shall be met.
- (3) The town center shall be a contiguous area. The minimum amount of land devoted to the town center shall be ten (10) percent of the base site area and the maximum amount of land devoted to the town center shall be twenty (20) percent of the base site area.
- (4) At least twenty (20) percent of the land area of the town center shall be developed for civic uses. Civic uses shall include uses C1, C2, C3, C4, C6, C9, C10, C16, D1 (government offices only) and F2.
- (5) The maximum impervious surface ratio for the town center shall be sixty (60) percent.
- (6) Nonresidential uses are subject to the following setback requirements unless a greater standard is specified in Section 404:
 - 0 ft. with a minimum 10 ft. sidewalk between building and street or parking
 - 15 ft. from parking with no sidewalk
 - 20 ft. from the curb line of a street with no sidewalk
 - 45 ft. from non-residential use to residential property line
 - 75 ft. between non-residential building and residential building
 - 15 ft. minimum spacing between non-residential buildings
 - 150 ft. maximum length of building
- (7) Uses D1, D2, E1, E3, E4 and E5 shall not include stores or businesses in excess of two thousand (2,000) square feet of floor area. A store or business may exceed the two thousand (2,000) square foot floor area limit, up to a maximum of ten thousand (10,000) square feet, if the front facade of the building is designed to appear to be a series of connected buildings.
- (8) All uses shall take access from an interior street.
- (9) The town center may be, and is encouraged to be, oriented towards an existing frontage road(s). This outward orientation is intended to attract passing motorists and residents from outside the village development to the town center.
- (10) The nonresidential uses in the town center shall not be designed as what is commonly known as a "strip shopping center." All commercial and office uses shall be located in individual buildings, or a small number of uses may be located in one building.

(11) Parking

- (a) Continuous parallel parking shall be permitted on the streets in the town center.
- (b) All off-street parking areas shall be located to the rear of buildings.

(12) Village Square

- (a) A village square or green of at least 25,000 square feet shall be provided in the Town Center of a Village Development as a focal point. The village square shall be useable land and shall be located adjacent to the area of highest intensity non-residential uses.
- (b) No more than twenty-five (25) percent of the village square or green shall contain impervious surfaces.
- (c) The pedestrian path system shall provide access to the village square.
- (d) The square shall be designed and landscaped as an activity space for concerts, exhibits and other public gatherings. Shade trees, park benches, trash receptacles and lighting shall be incorporated into the design.

c. General Design Guidelines

- (1) Village streets should be arranged as a generally rectilinear and interconnecting network with variation for topography, environmental or other design factors and should terminate at other streets.
- (2) Sidewalks/Pedestrian Paths
 - (a) Sidewalks shall be provided along all streets in the Town Center area. The sidewalk shall extend to the curb and shall be ten feet wide along all non-residential uses.
 - (b) Sidewalks shall be provided in all residential areas in such a manner that all dwelling units have access to the pedestrian path system.
 - (c) Sidewalks and pedestrian paths shall be provided in a comprehensive manner to provide pedestrian circulation throughout the development. All residential, non-residential and open space/recreation areas shall be accessible via a pedestrian path system.
 - (d) In designing the pedestrian system benches and trash receptacles shall be included in appropriate locations. These facilities are particularly important in the Town Center and in open space areas. Bike racks shall be provided in the Town Center and in open space/recreation areas.
 - (e) Sidewalks and pedestrian paths shall be paved with materials that are compatible with the architecture, durable, easily maintained and non-slip.

- (f) Sidewalks and pedestrian paths shall be a minimum of four (4) feet wide, except as noted in subsection (a) above.

Section 703 Application Procedure

The application procedure, as detailed below, is summarized as follows:

- Step 1. Feasibility Review and Recommendation (60 days).
- Step 2. Tentative Review including a Public Hearing (60 days).
- Step 3. Issuance of Findings, and a Tentative Decision (30 days). Zoning change granted upon approval of Tentative Plan.
- Step 4. Final Review (Time limit set by the Governing Body).
- Step 5. Final Decision in part or in whole (30 days).

Section 704 Feasibility Review

A feasibility review is recommended to provide a means of evaluating potential development sites to determine certain planning restraints, natural limitations, man-made capacities, or other factors which operate to limit the development potential of each particular site proposed for PRD. A fee shall be required at the time of submission in accordance with Section 712.

a. Natural Site Determinants:

The developer shall map all relevant natural resources information and shall complete the site capacity calculations of Section 501.

b. Capacity Determinants:

Traffic generation, including an analysis of the capacity of streets serving the site as well as predictions on traffic generated by the site. Sewer and water capabilities indicating the improvements needed to serve the site.

c. General Site Analysis:

The applicant shall submit a location map showing the area within one-half (1/2) mile radius of the site and to the nearest arterial highway designated in this Ordinance. The following information shall be provided: identifiable areas of homogeneous land use; structures of historical or architectural interest; and facilities including schools, fire companies, sewer, water and recreation areas. Standards designated in the municipal plan and Section 105 of this Ordinance for density and use, and any alterations required through the municipal plan and Section 105 of this Ordinance to permit the development, shall also be detailed.

- d. The Governing Body, after receiving the recommendations of the municipal planning commission, Quakertown Area Planning Committee, and Bucks County Planning Commission, shall respond in writing to the applicant within 60 days from the receipt of the feasibility review application, indicating general approval or disapproval of the proposal. The response shall detail areas of the site recommended for conservation, and any improvements or dedications on or off-site that shall be required.

- e. General disapproval of a proposed PRD during a feasibility review shall not preempt a developer from applying for tentative approval as specified in the ordinance.

Section 705 Application for Tentative Approval

An application for tentative approval shall be filed as specified below. A fee shall be required at the time of submission in accordance with Section 712.

- a. A plan indicating the location, size, topography, and vegetative cover of the site and the nature of the landowner's interest in the land proposed to be developed.
- b. A site plan and other drawings showing the overall density, impervious surface ratio, and open space ratio, and the density of the land use to be allocated to various portions of the site to be developed, the location and size of the common open space, the use, approximate height, bulk, and location of buildings and other information including building elevations, planting plan schedule, provisions for parking of vehicles, and location and width of streets and public ways.
- c. Such drawings and documents as are required to establish the feasibility of proposals for water supply and the disposal of sanitary wastes and storm water, the substance of covenants, grants, easements or other restrictions proposed to be imposed upon the use of the land, buildings and structures including easements or grants for public utilities, the feasibility of the proposed maintenance and use levels of various areas of the open space in sufficient detail so that the Municipality may evaluate the use of the open space and the maintenance that it is expected to receive. Elevations and perspective sketches are encouraged. The written document shall include 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 zoning plan and the best interests of the municipality. The required modifications to municipal land use regulations otherwise applicable to the property, the form of organization proposed to own and maintain common open space, and in the case of development plans calling for development over a period of years, a schedule of proposed time within which applications for final approval of the various sections of the proposed planned residential development are intended. This schedule must be updated annually on the anniversary of the grant of tentative approval.
- d. If water is to be provided by means other than by private wells owned and maintained by the individual owners of lots within the PRD, evidence shall be presented that the planned residential development is to be supplied by a certificated public utility, a bona fide cooperative association of lot owners, or by a municipal corporation, authority or utility. A copy of a Certificate of Public Convenience from the Pennsylvania Public Utility Commission or an application for such certificate, a cooperative agreement, or a commitment or agreement to serve the area in question, whichever is appropriate, shall be acceptable evidence. If only an application for a Certificate of Public Convenience from the Pennsylvania Public Utility Commission is provided, tentative approval shall be conditioned upon the applicant obtaining a Certificate of Public Convenience.
- e. Immediately upon receipt, the plans shall be referred to the municipal planning commission, the Quakertown Area Planning Committee, and the Bucks County Planning Commission for review.
- f. A fee, as stipulated in the fee schedule, adopted separately, shall be charged the developer by the municipality for reviewing tentative plans.

Section 706 The Public Hearing

- a. Within sixty (60) days after filing an application for tentative approval of a planned residential development pursuant to this Article, a public hearing pursuant to public notice on said application shall be held by the Governing Body in the manner prescribed in Section 1109.
- b. The Governing Body may continue the hearing from time to time and may refer the matter back to the Planning Commission for a report; provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

Section 707 The Findings

- a. The Governing Body, within sixty (60) days following the conclusion of the public hearing provided for in this Article, 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;
 - (3) Deny tentative approval of the development plan.
- b. 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 a Governing Body, notify the Board of his refusal to accept all said conditions, in which case the Governing Body 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, tentative approval of the development plan, with all said conditions, shall stand as granted.
- c. 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 communication shall set forth particularly in what respects the development plan would or would not be in the public interest, including but not limited to the findings of fact and conclusions on the following:
 - (1) Those respects in which the development plan is or is not consistent with the Municipal Plan and Section 105 of this Ordinance;
 - (2) The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, 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 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 provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation 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 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, the Governing Body 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 provides for development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be more than three (3) months; and in the case of development over a period of years, the time between applications for final approval of each part of a plan shall be not more than twelve (12) months.

Section 708 Status of Plan After Tentative Approval

- a. The official written communication provided for in this Article shall be certified by the Zoning Officer and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the zoning map. The notation shall be as follows: PRD - (SRC, SRL, SRM and SRH Districts as appropriate) and the date of tentative approval.
- b. 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 tentatively approved as submitted or which has been given tentative approval with conditions accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the municipality 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 communication granting tentative approval.
- c. 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 Governing Body 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 zoning map and in the records of the Zoning Officer.

Section 709 Application for 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 Zoning Officer of the municipality within the time or times specified by the official written communication granting tentative approval. The application shall include any drawings, specifications, covenants, easements, funds or securities in sufficient amount as determined by the Governing Body to insure performance and such other requirements as may be specified by ordinances, as well as any conditions set forth in the official written communication at the time of tentative approval. A fee shall be required at the time of submission in accordance with Section 712. A public hearing on an application for final approval of the development plan, or a part thereof, shall not be required provided the development plan, or 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 communication of tentative approval, the Governing Body shall, within forty-five (45) days of such filing, grant such development plan final approval.
- c. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Governing Body may refuse to grant final approval and shall, within forty-five (45) 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) Refile his application for final approval without the variations objected to; or
 - (2) File a written request with the Governing Body that it hold a public hearing on his application for final approval. All plans will be referred to the municipal planning commission, Quakertown Area Planning Committee, and Bucks County Planning Commission for review. 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 conducted in the manner prescribed in this Article for public hearings on applications for tentative approval. Within (30) days after the conclusion of the hearing, the Governing Body shall by official written communication either grant final approval to the development plan or deny final approval. 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 in this Article.
- 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 on record forthwith in the office of the Recorder of Deeds before any development shall take place in accordance therewith. Upon the 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, in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code (Act 247, as amended by Act 170), of said planned residential development or part thereof as finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner. Upon approval of the final plat, the developer shall record the plat and post financial security in accordance with the provisions of sections 513(a) and 509 of the Pennsylvania Municipalities Planning Code (Act 247, as amended by Act 170).

Section 710 Abandonment of PRD

When the landowner fails to meet the schedules fixed in the tentative approval and does not appear to request an extension prior to the scheduled date, or when final approval has been granted and the developer fails to start work within one (1) year, or when work is stopped for a period of one (1) year, the PRD shall be considered to be abandoned. If the landowner fails to meet the above deadlines, and within such time does not request an extension, abandonment shall be considered to have taken place.

Section 711 Required Number of Copies for Reviews

Feasibility Application	12 copies required
Tentative Application	18 copies required
Final Application	14 copies, including 2 linen copies, required

Section 712 Fees

All applicants for PRD approval (feasibility, tentative, and final) shall, at the time of making application, pay to the Zoning Officer for use of the municipality a fee in accordance with a fee schedule adopted by resolution of the Governing Body upon enactment of this Ordinance or as such schedule may be amended by resolution of the Governing Body.

