

## Article 6

### R-C RESIDENTIAL CONSERVATION DISTRICT

#### **Section 601. PURPOSE.**

The purpose of the R-C Residential Conservation District is to: (1) protect and stabilize the natural resources of these designated areas; (2) promote and encourage a safe and healthful environment for family life; (3) adhere with and further support Article 1, Section 27, of the Constitution of Pennsylvania which states, in part, that the people have a right to clean air, pure water, and to the preservation of the natural, scenic, and esthetic values of the environment; (4) promote the goals and objectives of the East Pennsboro Township Comprehensive Plan which relate to preserving and protecting environmentally sensitive areas and conserving the forested area of the Township; (5) promote the public health, safety and welfare by the protection of forest slope areas and by encouraging the retention of open space located and designed so as to constitute a harmonious and appropriate part of the physical development of East Pennsboro Township; (6) prohibit the placement of commercial and industrial uses throughout predominantly forested areas; (7) permit only those uses of slope areas which are compatible with the conservation of natural conditions and which maintain stable soil conditions by: (i) minimizing disturbances to trees and other vegetative ground covers, (ii) restricting the grading of slope areas, and (iii) encouraging construction of residences which blend with the natural terrain/environment; (8) limit soil erosion and the resultant destruction of the land, siltation of streams and damage to the property of individuals; (9) protect downslope areas from flooding, by limiting the increase in stormwater runoff caused by grading of sloped areas, changes of ground cover, or the erection of structures; (10) maintain the ecological integrity and habitat value of forested sloped areas, i.e., indigenous vegetation and wildlife, which could be adversely affected by otherwise permitted disturbances; and (11) allow the continuing replenishment of groundwater resources and the maintenance of springs. To these ends, development is restricted to conventional low-density, single-family detached dwellings and related land uses.

#### **Section 602. PERMITTED USES.**

A building may be erected or used and a lot may be used or occupied for any of the following uses:

- A. Preservation of natural amenities including public and private conservation areas, and structures for the conservation of open land, water, soil, fish and wildlife resources and historical preservation.
- B. Single-family detached dwellings.
- C. Municipal recreation areas and facilities.
- D. No Impact, Home-based businesses
- E. Public Utility Facilities (below ground)
- F. Timber Harvesting \*
- G. Accessory uses on the same lot with and customarily incidental to any of the above permitted uses excluding those accessory uses detailed in Section 613.

An \* indicates that additional regulations found in Article 19 apply.

**Section 603. CONDITIONAL USES.**

The following conditional uses and no other may be allowed by the Township Board of Commissioners after recommendations by the Planning Commission, pursuant to the express standards and criteria set forth in Article 23 and Article 24 of this Ordinance.

- A. Public Utility Facilities (above ground)
- B. Family child day care homes.

**Section 604. ACCESSORY BUILDINGS.**

- A. Accessory buildings shall be permitted in only in the Graded Area (See Section 605.E)

**Section 605. LAND CONSERVATION REQUIREMENTS.**

In order to promote the highest environmental quality possible, the extent to which an applicant for a permit under this Zoning Ordinance has preserved the existing salient natural features and land forms intrinsic to the site shall be assessed. Terms of the granting of a zoning permit may be subject to the manner in which the layout or design of the plan has preserved existing natural features such as, but not limited to, trees, wooded areas, wetlands, and water courses.

- A. A Grading Plan - showing the buildable area; the exclusion area, whether required or developer designed; and the buildable site area, shall be submitted with any Preliminary or Final Land Development Plan to the Township Board of Commissioners for their eventual approval or denial. A Grading Plan for a single family dwelling which is not land development must be submitted to the Township Board of Commissioners for approval prior to any additional permits being granted. The Grading Plan will define excavation, earthmoving procedures and other changes to the landscape.
- B. Exclusion areas may be owned as a separate lot by a homeowners association as common open space or may be apportioned among adjoining lots. Each lot within a subdivision shall be required to have a buildable area equal to at least twenty (20) percent of the required minimum lot size.
- C. All site improvement plans shall be reviewed by the Township Plan Review Board and the Planning Commission before issuance of any permits. The purpose of plan review shall be to insure that the environmental integrity of the site and area is maintained, and that stormwater is properly and adequately collected, managed and controlled. Plans shall be approved and permits issued only if the proposed development shall not have detrimental environmental impact upon the site and adjoining properties, or upon the existing stormwater collection system, and only if stormwater and environmental impact conform to generally acceptable engineering and other standards pertaining to improvement and development under like circumstances.
- D. Trees, natural vegetation and vegetative covering shall be removed only to the extent absolutely necessary to allow for the proposed improvements. All trees six (6) inches or more in caliper at breast height shall not be removed unless within the slope limits of the proposed right-of-way line of a street or drive, within the slope limits of proposed building lines or within proposed utility location or mandatory access for equipment. Relocation of noteworthy plant material shall be encouraged where retention is impractical. Land with a slope of twenty-five (25) percent or greater shall not be graded and shall remain in its natural state

except that natural vegetation may only be supplemented by other plant material indigenous to the area. The removal of dead or hazardous vegetative material for use on the premises or disposal shall not be prohibited in light of these requirements.

E. Development within this zoning district shall be subject to a maximum percentage of grading based upon individual lot size. The total area of all grading and clearing on a lot for buildings, driveways, parking areas, yards, walls, and accessory structures shall conform with the following requirements:

1. On Lots Less Than 3 Acres:

$$\text{Graded Area (Acres)} = (\text{Lot Area (Acres)}) / 30 + 0.30 \text{ Acres}$$

2. On Lots of 3 to 10 Acres:

$$\text{Graded Area (Acres)} = (\text{Lot Area (Acres)}) / 30 + 0.50 \text{ Acres}$$

3. On Lots Greater Than 10 Acres:

$$\text{Graded Area (Acres)} = (\text{Lot Area (Acres)}) / 30 + 0.67 \text{ Acres}$$

F. No topsoil shall be removed from the site or used as spoil. Topsoil must be removed from the areas of construction and stored separately. Upon completion of construction and/or site improvements, the topsoil must be redistributed over the disturbed area uniformly. All disturbed areas of the site shall be stabilized by seeding or planting.

G. A soil erosion and sedimentation control plan must be prepared and submitted for the improvement of any lot within this district.

H. The following environmental reports shall be required as supporting documentation for all subdivision plans that propose more than three (3) lots within this district.

1. Soils and Geologic Report - prepared by a soils engineer and a professional geologist. The report shall contain a geologic map of the project area. Mapping shall reflect careful attention to the rock composition, structural elements, surface and subsurface distribution of the earth materials exposed or inferred within both bedrock and surface deposits. A clear distinction shall be made between observed and inferred features and/or relationships. The report shall contain the information required by the Township's current Land Development Ordinance.

2. Grading and Drainage Plan - prepared by a professional engineer or surveyor registered in the Commonwealth of Pennsylvania. The plan must be sufficient to determine the erosion control measures necessary to prevent soil loss during construction and after project completion. The plan shall include the requirements of the Township's Storm Water Management Ordinance, the Township's Land Development Ordinance and the Cumberland County Subdivision and Land Development Ordinance.

3. Landscape Plan - prepared by a landscape architect, arborist, or other professional qualified by training and experience to have expert

knowledge of the subject and shall contain the information required by the Township's current Land Development Ordinance.

- I. Any area which is determined by the Township Board of Commissioners to contain natural hazards, geologic hazards, or hydrologic hazards, shall not be approved for development unless the applicant fully demonstrates through the above outlined environmental reports that such identified hazards or limitations can be overcome in such a manner as to minimize hazard to life or property; adverse effects on the safety, use, or stability of any public improvements; and other adverse impacts on the natural environment.
- J. In the event that a property has no means of access to the buildable area other than via a twenty-five (25) percent or greater slope, the required prohibition of grading within such slopes as detailed in this Ordinance may be modified upon application to the Zoning Officer. The applicant shall be required to adequately demonstrate to the Zoning Officer's satisfaction that no other alternative is available for access to the area. Said applications shall be reviewed by the Zoning Officer, the Township Engineer. The Township Planning Commission shall consider all comments prior to making a recommendation to the Township Board of Commissioners.
- K. All other permits or approvals required by federal, state or local statute, rule or Ordinance shall be obtained before any Township permits shall be issued.

**Section 606. LOT AREA AND WIDTH REQUIREMENTS.**

- A. The minimum lot size shall be one and one-half (1 ½) acres when the average slope of the buildable area before grading is less than twelve (12) percent and the site has a lot width of two hundred (200) feet measured at the minimum required building setback line. The lot must front on an ordained or accepted Township street or highway and is served by public sewer and public water.
- B. The minimum lot size shall be three (3) acres when the average slope of the buildable area before grading is twelve (12) percent to fifteen (15) percent and the site has a lot width of two hundred and fifty (250) feet measured at the minimum required building setback line, a minimum of two hundred (200) feet of frontage on an ordained or accepted Township street or highway and is served by public sewer.
- C. The minimum lot size shall be five (5) acres when the average slope of the buildable area before grading is fifteen (15) percent to twenty (20) percent and the site has a minimum lot width of two hundred fifty (250) feet measured at the minimum required building setback line, a minimum of two hundred (200) feet of frontage on an ordained or accepted Township street or highway and is served by public sewer.
- D. The minimum lot size shall be ten (10) acres when the average slope of the buildable area before grading is twenty (20) percent to twenty-five (25) percent and the site has a minimum five hundred (500) feet measured at the minimum building setback line, a minimum of two hundred (200) feet of frontage on an ordained or accepted Township street or highway, and is served by public sewer.
- E. The minimum lot size shall be five (5) acres when the average slope of the buildable area before grading is less than fifteen (15) percent and the site has a minimum two hundred fifty (250) feet width measured at the minimum building setback line, a minimum of two hundred (200) feet of frontage on an ordained or

accepted Township Street and is not served by public sewer.

- F. The minimum lot size shall be ten (10) acres when the average slope of the buildable area before grading is fifteen (15) percent to twenty-five (25) percent and the site has a minimum five hundred (500) feet width measured at the minimum required building setback line, a minimum of two hundred (200) feet of frontage on an ordained or accepted Township street or highway, and is not served by public sewer.
- G. Where the average slope of the buildable area exceeds twenty-five (25) percent, development is prohibited.

**Section 607. LOT COVERAGE.**

No more than ten (10) percent of the lot shall be covered with buildings, structures and other impervious services.

**Section 608. BUILDING HEIGHT LIMIT.**

The height of a principal building shall be not greater than thirty-five (35) feet; and no residential accessory building shall exceed one story or fifteen (15) feet in height and no non-residential accessory building shall exceed twenty-five (25) feet in height.

**Section 609. MINIMUM SETBACKS.**

- A. Front - fifty (50) feet.
- B. Side - fifty (50) feet each.
- C. Rear - fifty (50) feet.

**Section 610. BUFFERS AND SCREENING.**

Buffer yards and screening shall be provided in accordance with the development standards outlined in Section 1901.B of this Ordinance.

**Section 611. OFF-STREET PARKING.**

Parking shall be provided in accordance with Article 21 of this Ordinance.

**Section 612. FENCING.**

Fences shall be permitted in accordance with Section 1901.D of this Ordinance.

**Section 613. PROHIBITED USES.**

Accessory uses that are land consumptive and that entail significant grading and earth disturbance: such as recreational uses including, but not limited to, swimming pools, tennis courts, basketball courts, volleyball courts, and athletic fields.

**Section 614. SIGNS.**

Signs shall conform to the requirements of Article 20 of this Ordinance.

**Section 615. PRINCIPAL USES.**

No more than one principal use shall be permitted on a lot.