

ORDINANCE NO. 219

AN ORDINANCE OF LOWER HEIDELBERG TOWNSHIP, SOUTH HEIDELBERG TOWNSHIP AND THE BOROUGH OF WERNERSVILLE, BERKS COUNTY, PENNSYLVANIA, AMENDING ARTICLE VI OF THE SOUTHWESTERN BERKS COUNTY ZONING ORDINANCE, AS AMENDED, SECTION 604, PERTAINING TO REGULATIONS GOVERNING THE DETERMINATION OF DENSITY AND REQUIRED PROTECTED AREAS.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Lower Heidelberg, Berks County, Pennsylvania, the Board of Supervisors of South Heidelberg Township, Berks County, Pennsylvania, and the Borough Council for the Borough of Wernersville, Berks County, Pennsylvania, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Article II, § 201 of the Southwestern Berks County Joint Zoning Ordinance is hereby amended to revise and/or incorporate the following definitions:

Protected Area: The area of a tract containing those natural resources calculated and listed in Section 604 of this Chapter. Such Protected Areas are not to be included in the area used in calculating the permissible density, lot coverage, impervious coverage, or intensity of development on a tract of land, and are generally not allowed to be developed upon, except as provided for in this Ordinance.

Slopes, Steep: Those slopes between 15% and 25%, inclusive.

Slopes, Very Steep: Those slopes in excess of 25%.

Tract Area, Adjusted: The area of a Tract calculated by subtracting the Protected Areas from the Total Site Area.

SECTION 2. Article VI, Section 604, of the Southwestern Berks County Zoning Ordinance, is hereby amended as follows:

Section 604. Determination of Density.

1. The permitted density, maximum impervious coverage, maximum building coverage, and maximum lot coverage for any development shall be determined as applied to the Adjusted Tract Acreage of a Tract. It shall be noted that, solely for the purpose of calculating the maximum impervious coverage or the maximum lot coverage for a subdivision and/or land development, the Total Site Area shall not exclude from the gross acreage of the parcel the proposed utility rights of way.
2. Protected Areas.

(A) The "Protected Areas" of a parcel shall be calculated as follows:

Natural Resources	Open Space Percentage	Acres of Land in Resource	Protected Area (Acres in Resource x Open Space Percentage)
Floodplain	100%	x _____ =	_____
Wetlands	100%	x _____ =	_____
Watercourses	100%	x _____ =	_____
Very steep slope (slopes over 25%)	100%	x _____ =	_____
Woodland	70%	x _____ =	_____
Woodland (if overlapping another protected feature)	90%	x _____ =	_____
Steep slope (slopes 15% to 25%)	70%	x _____ =	_____
Wetlands margin	70%	x _____ =	_____
Total Protected Area			_____

- (B) Individual acreage results shall be totaled to result in the "Protected Area." The Protected Area shall be deducted from the Base Site Area. The resulting figure shall be the "Developable Area." Calculations of permissible density or intensity of development (number of dwelling units on lots) shall be based on this figure.
- (C) In the event that two or more resources overlap, the resource with the greatest protection standard (the largest Open Space Percentage) shall apply.
- (D) Protected areas shall not be developed unless specifically permitted by this Chapter or other municipal ordinance.
- (E) Protected areas shall be identified and delineated on a subdivision, land development or other plan as required by the Zoning Officer. Metes and bounds or other method acceptable to the Zoning Officer shall be used.
- (F) The protected area regulations set forth above apply regardless of whether a subdivision qualifies for the less than 6 acre exemption from the greenway land regulations, under Section 404.2.h(4) of the Zoning Ordinance.
- (G) For tracts under six (6) acres in area existing as of the date of this Ordinance in the RC Rural Conservation District, where subdivision

