

Ordinance No. 25-02

**AN ORDINANCE AMENDING THE CODE OF MIDDLETOWN TOWNSHIP,
SPECIFICALLY CHAPTER 500, ZONING, TO AMEND ARTICLE XXII, OVERLAY ZONING
DISTRICTS, AND THE ZONING MAP OF MIDDLETOWN TOWNSHIP, TO CREATE THE
COMMUNITY DEVELOPMENT TRANSITIONAL OVERLAY DISTRICT (CDT) AND
ADDING REGULATIONS AND REQUIREMENTS RELATED TO SAID DISTRICT**

ARTICLE XXII Overlay Zoning Districts

§500-2205. Community Development Transitional Overlay District (CDT)

A. Purpose and Intent.

- (1) Providing for development with a compatible combination of land uses in conjunction with the existing uses and mission of Wood Services;
- (2) To promote economic development within the Township by combining both residential and nonresidential uses in a complementary development pattern;
- (3) Allowing a combination of residential and nonresidential uses within the Township in close proximity to major transportation corridors and intersections thereby mitigating adverse traffic impacts, including interconnections to coordinate traffic flow;
- (4) Encouraging adaptive reuse of existing buildings within the Township;
- (5) To promote public transportation and connectivity in proximity to the Langhorne Train Station and the abutting Boroughs of Middletown Township;
- (6) Providing for a wide-range of residential housing products in conjunction with the objective of the Comprehensive Plan including housing affordability;
- (7) Working with the Township to upgrade the pedestrian, bicycle, and trail network in a coordinated fashion with the surrounding Boroughs, including connectivity to the Langhorne Train Station;
- (8) Incorporating open space and environmental features into site design for the benefit of all Township residents;

- (9) Promoting sustainable development with stormwater management best management practices and construction methods that promote these objectives;
- (10) Promoting Middletown Township with welcoming gateways;
- (11) To recognize that transitional overlay developments are unique and require distinct and flexible zoning and subdivision standards.

B. These criteria are to establish the general vision of the Community Development Transitional Overlay District (CDT) and are not specific ordinance regulations.

§500-2205.1. Establishment of Overlay District. The Community Development Transitional (CDT) Overlay District is established as overlay zoning on certain Residential (R-1) zoned properties located in close proximity to major transportation corridors and allows for a transition between commercial and residential property, as designated on the Township Zoning Map identified in *Appendix A*. The provisions of the underlying R-1 District shall govern, unless an applicant elects to develop property pursuant to the terms of the Overlay District, then in such instance, all of the provisions of the CDT Overlay District must be met and shall supersede the provisions of the R-1 District. In the event of a conflict between this CDT Overlay District and other sections of the Zoning Ordinance, including the underlying R-1 District zoning regulations, the provisions of the CDT Overlay District shall apply.

§500-2205.2. No more than one Apartment Building with a maximum of 75 dwelling units may be permitted by-right in Community Development Transitional (CDT) Overlay District.

A. The following requirements shall be applicable solely to an apartment building allowed by-right in the Overlay District:

- (1) The building shall have an attainable housing component. Attainable housing shall be defined as housing units that are sold or rented to Target Households at an affordable price, inclusive of utility allowance and, if applicable, mortgage payments, taxes, insurance, and condominium or association fees. Target Households shall have an annual income of less than or equal to 100 percent of the Bucks County Area Median Income.
- (2) Minimum Lot Area: 3 acres
- (3) Minimum Lot Width: 100 feet
- (4) Maximum Impervious Surface Ratio: 60%
- (5) Minimum Building Setbacks:
 - (a) Front: 50 Feet
 - (b) Side: 50 Feet
 - (c) Rear: 50 Feet
- (6) Maximum Building Height: 55 feet
- (7) Maximum number of stories: Four Stories

- (8) Open Space, as required by Section 500-2604 and 440-424.B.(1), which may be provided anywhere within the site: 10% of site area
- (9) Access for ingress/egress shall be through parcels within the overlay district.

§500-2205.3. Uses: Any of the following uses may be permitted by conditional use in the Community Development Transitional (CDT) Overlay District:

A. Nonresidential Uses:

- (1) Business or Professional Office
 - a. Limited to no more than 50% of the square footage of nonresidential uses developed in the CDT Overlay District pursuant to §500-2205.3.A.
- (2) Medical Office Uses, including medical, dental, physical rehabilitation, behavioral health facilities, and medical aesthetics without surgery
- (3) Pharmacy
- (4) Retail Store with a maximum of 10,000 square feet of gross floor area within the entire CDT Overlay District
- (5) Institutional Uses, including affiliated uses as follows:
 - a. Family Guest House related to the mission and serving the needs of the institutional use, which is limited to no more than 10 rooms
 - b. Public or Private Educational Use in conjunction with the mission of the Institutional Uses

B. Residential Uses:

- (1) Single-family Detached Dwellings
- (2) Twin, Semi-Detached Dwellings

C. The following uses shall be permitted by-right as accessory uses:

- (1) Any other uses customarily incidental and compatible to any use set forth in subsections A and B above, including, but not limited to, No-Impact Home-Based Businesses, pursuant to §500-2407, and Structured Parking
- (2) Electric Vehicle Charging Equipment (Managed Smart Charging Services)

§500-2205.4. Development Requirements. A site plan for each phase shall be required and shall include a unified theme, including conceptual stormwater management design, conceptual land uses, and proposed amenities.

- A. All land within the CDT Overlay District shall be designated as either residential or nonresidential land on a master plan. No more than 90% of the gross tract shall be dedicated to any single residential or nonresidential use. Land use designation within the CDT Overlay District can be reassigned based on the proposed development of individual parcels as long as the maximum percentage of the overall tract is not exceeded. Developments can include common roads, stormwater facilities, water and sewer facilities, pedestrian connections, and infrastructure. The filling of vacancies after the initial development approval shall not require further conditional use approval.
- B. Individual lots or parcels may be developed in phases, which do not individually comply with all of the criteria contained herein provided that the overall tract complies with the identified criteria pursuant to §500-2205.4.G.
- C. When developing a parcel within the CDT Overlay District, the applicant shall take best efforts to incorporate open space amenities within the site design which may include, but is not limited to, passive lawn areas, sidewalks/trails, greenways, landscaping, natural areas, pocket parks, gardens, water features, gazebos, benches, or other similarly improved common areas for the benefit of the residents and customers.
- D. The applicant shall submit a Natural Resource Protection Plan for the parcel being developed identifying woodlands, floodplains, wetlands, steep slopes, and other environmental features pursuant to Article XXVI. During the course of the conditional use process and in conjunction with project phasing, the applicant shall work with the Township in a collaborative fashion to preserve, maximize, and protect natural resources on the site, or within the CDT Overlay District if such preservation cannot occur on the subject site. Understanding the flexible nature of the CDT Overlay District, the applicant can modify the Natural Resource Protection Plan in conjunction with the recommendation of the Township during the conditional use process to provide an optimal site design. Natural resources can be maintained in areas otherwise designated as open space areas. The applicant proposing to develop a parcel within the CDT Overlay District may elect to satisfy the natural resource protection requirements contained in §500-2601 by preserving the required amount of land area on a separate parcel within the CDT Overlay District, which shall be subject to a conservation easement, in which case such natural resources shall not be required to be preserved on the subject parcel.

| Bonus Features | Bonus Feature Standard | Bonus Increase |
|----------------------------|---|---|
| Structured Parking | A minimum of 35% of the total required number of parking spaces in an individual phase or development is provided in structured parking. | A 2% increase in impervious surface and building coverage is permitted. |
| Green Roof | The green roof shall cover at least 20% of the net roof area (the total gross area minus areas covered by mechanical equipment) of a building with a footprint of at least 20,000 square feet. Green roofs shall be designed and installed under the direction of a professional with demonstrated expertise in green roof design and construction. Vegetation must be maintained for the life of the building. | A 2% increase in impervious surface and building coverage is permitted. |
| Alternative Transportation | Qualifying features (Must Include 3): (1) Provide electric plug-in charging stations for electric/hybrid vehicles for 1% of total required parking. (2) Provide bike racks throughout the development. (3) Implement a bike-share program within the development. (4) Provide a public transit stop. | A 2% increase in impervious surface and building coverage is permitted. |
| Alternative Energy Sources | Install a solar, geothermal, or other renewable energy power-generation facility that is designed to provide at least 10% of the expected annual energy use for the building. The facility shall be designed and installed under the direction of a professional with demonstrated expertise in the design and construction of such facilities. | A 2% increase in impervious surface and building coverage is permitted. |

§ 500-2205.7. Parking Standards. Parking must comply with the requirements of §500-2702 – Off- Street Parking Required, unless a different requirement is identified below:

- A. Nonresidential Uses: 4 spaces per 1,000 square feet of gross floor area
- B. Apartments: 1 space per bedroom
- C. Residential Uses: 2 spaces per dwelling unit
- D. The overall required number of spaces may be reduced by the Board of Supervisors during the conditional use process provided a shared parking analysis is submitted by the applicant. Parking may also be placed in reserve or a combination of parking in reserve and/or a reduction may be permitted.

§ 500-2205.8. Design Standards. The intent of these standards is to ensure development contributes to a high-quality design without limiting flexibility and innovation. The applicant shall submit plans, elevations, renderings, reports, impact and consistency statements, pursuant to §500-3305, documents, and samples as necessary in the form of proposed design guidelines to demonstrate compliance with the following standards as part of the conditional use process:

- A. Building Design for Nonresidential Developments.
 - (1) Coherent Architectural Theme. Phases of developments shall have a common and coherent architectural theme throughout the development.
 - (2) Primary Facade. Any building facade with a customer or visitor entrance shall be treated as a primary facade. Primary facades shall consist of windows, glass doors, or other transparent or semi-transparent building surfaces. Mirrored glass is prohibited. Walls or portions of walls where windows are not provided shall have architectural treatments and details, such as a change in building material or color, lighting fixtures, decorative tiles, hanging planters, awnings and/or similar features.
 - (3) Secondary facade. All other building facades shall be treated as a secondary facade. Secondary facades must have architectural treatments and building materials that are complimentary to the primary facade.

- (4) Building entrances. All building entrances on primary facades shall be accentuated. Permitted entrance accents include: recessed, protruding, canopy, portico, overhang and/or similar features.
- (5) Parapets, etc. Buildings shall be designed with parapets, mansards, or other architectural treatment along all roof edges to conceal large vents, HVAC, and other rooftop equipment and structures.
- (6) Building breaks. Buildings should have an offset in depth or similar feature every 350 feet where appropriate along the primary façade without limiting design flexibility and innovation.
- (7) Signage. Signage shall comply with the applicable requirements set forth in Article XXVIII – Sign Regulations, as follows:
 - (a) Non-Residential Uses (other than institutional uses) shall comply with the sign regulations set forth in Section 500-2811.
 - (b) Institutional Uses shall comply with the sign regulations set forth in Section 500-2810.
 - (c) Residential Uses shall comply with the sign regulations set forth in Section 500-2809.
- (8) Public transit. Transit facilities and shelters shall be provided in mutually agreeable location(s) in accordance with the design standards established by the Southeastern Pennsylvania Transit Authority (SEPTA) in the most appropriate phase(s) of the development.

§500-2205.9. CDT Overlay District Design Flexibility.

- A. Given the vision of the CDT Overlay District requiring design flexibility, unique site constraints, and in an effort to meet the goals and objectives of the Comprehensive Plan, the Township can modify any of the requirements and standards contained herein during the course of the conditional use process.
- B. When a parcel or parcels are developed collectively, then the creation of and conveyance of a lot or parcel(s) within such development shall be permitted upon compliance with the following conditions:

- (1) Irrevocable cross-easements in favor of, and duly binding on, all title owners within the area of the development, their successors and assigns, with respect to use, control and maintenance of the common areas including access, green space, and parking areas are in effect and recorded. All easements shall be submitted to the Township Solicitor for review prior to recording of same.

SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent or otherwise foreclose enforcement of any of the remaining portions of this ordinance.

SAVINGS CLAUSE. Nothing shall not be construed to prohibit or restrict any current or otherwise lawful use on any underlying parcels.

REPEALER. All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

ORDAINED and ENACTED by the Board of Supervisors of Middletown Township this 7th day of April, 2025.

ATTEST: Dawn Quirple
Dawn Quirple, Secretary

**BOARD OF SUPERVISORS
MIDDLETOWN TOWNSHIP**

Mike Ksiazek
Mike Ksiazek, Chairperson

4/8/25

APPENDIX A

