

ARTICLE 6

SPECIAL OVERLAY DISTRICTS

Section 601: Statement of Intent

- (A) The purpose and objective of the Special Overlay Districts is to implement the goals, objectives and policies of the Joint Comprehensive Plan for Northern Berks County, which pertain to land use planning and economic development. In order to strategically implement these goals, objectives and policies, the following Special Overlay Districts are hereby established:

Adaptive Reuse and Redevelopment Overlay District

Old Route 22 Corridor Overlay District

Interstate 78 Interchange Overlay District

Appalachian Trail Overlay District

Historical Preservation Overlay District

- (B) The Special Overlay Districts incorporated under Article 6 include provisions to supplement and enhance the existing underlying district regulations for certain land areas and zoning districts. These supplemental regulations should not replace the existing underlying zoning district regulations. In cases where the Special Overlay Districts should overlap, the more restrictive standards shall apply.
- (C) The land and water areas encompassed by the Special Overlay Districts shall be subject to the interpretation of the Zoning Officer.

Section 602: Adaptive Reuse and Redevelopment Overlay District

- (A) The Adaptive Reuse and Redevelopment Overlay District shall be a special overlay to the existing commercial and industrial uses within the underlying Shartlesville Village (SV), Highway Commercial (HC), and General Industrial (GI) Zoning Districts. The objectives of this special overlay district are outlined as follows:
- (1) To permit the planned reuse, division and/or redevelopment of existing non-residential buildings, structures and land areas within the SC, HC and GI Zoning Districts, subject to specific design criteria and procedural requirements.
 - (2) To retain and expand existing businesses to preserve a sound tax base and provide employment opportunities.
 - (3) To provide incentives to occupy vacant commercial and industrial land uses.
 - (4) To pursue economic development targets that will build upon the existing commercial and industrial base.
 - (5) To maintain a positive relationship with the local business community.
 - (6) To implement the recommendations concerning land use planning and economic development, as outlined within the Joint Comprehensive Plan for Northern Berks County.
- (B) The provisions for adaptive reuse and redevelopment, as specified under this section of the Zoning Ordinance shall apply to all non-residential uses, buildings and land areas within the SC, HC and GI Zoning Districts, which have been abandoned, unoccupied or not utilized for a period of (1) year or more.
- (C) All land uses permitted by right within the underlying SC, HC and GI Zoning Districts, as specified in Article 4 of this Zoning Ordinance, shall be permitted by conditional use within the Adaptive Reuse and Redevelopment Overlay

District, provided the permitted use is located within that same underlying zoning district and that the permitted use complies with the provisions of this Zoning Ordinance.

- (D) The following provisions shall apply to any proposed use, which is intended to convert and occupy an abandoned non-residential building:
- (1) The existing building may be expanded to accommodate the new permitted use provided it conforms to all dimensional requirements of the underlying zoning district.
 - (2) Where the existing building is considered nonconforming based upon its lot area, height or building coverage, the existing building may be enlarged by no more than 20 percent, provided that the expansion is completed within five (5) years from the date of the initial occupancy permit.
 - (3) Where the existing building is considered nonconforming based upon its proximity to property lines, the existing building may be enlarged by no more than 20 percent, provided that the expansion does not further violate the yard requirement of the underlying zoning district and that expansion is completed within five (5) years from the date of the initial occupancy permit.
 - (4) Where the existing building is considered nonconforming based upon lot coverage, the existing building may be enlarged by no more than 20 percent, provided that the expansion is conducted on other impervious surfaces and that the expansion is completed within five (5) years from the date of the initial occupancy permit.
 - (5) The total number of off-street parking and loading spaces for each use may be reduced by no more than 25 percent of the minimum requirements specified under Article 10 of this Zoning Ordinance, provided that the applicant demonstrates that the total number of proposed off-street parking and loading spaces can safely and efficiently accommodate the employees and patrons on the largest shift.
- (E) All projects considering adaptive reuse and redevelopment, which involve the division of any parcels of land, shall be subject to all pertinent subdivision requirements, as specified under the Upper Bern Township Subdivision and Land Development Ordinance. The perimeter of all subdivided parcels of land shall be accurately described by bearings and distances.
- (F) All projects considering adaptive reuse and redevelopment, which involve the division of any internal building or structural space, shall be subject to all pertinent subdivision requirements, as specified under Upper Bern Township Subdivision and Land Development Ordinance. The perimeter of all divided areas or subcomponents of the principal building shall be described by bearings and distances.
- (G) Where applicable, the divided or subcomponents of the principal building may be either owned by fee simple deed or leased as a commercial or industrial condominium. All deeds or lease agreements shall contain a description of the occupied land area by bearing and distances, the existing and proposed facility improvements, a maintenance agreement, a list of restrictive covenants, and all other relevant documentation required by the Upper Bern Township Solicitor. The deed or lease agreement shall be subject to the approval of the Upper Bern Township Board of Supervisors and shall be recorded with the Berks County Recorder of Deeds.
- (H) Unless otherwise required by the Board of Supervisors as part of the conditional use application, a land development plan shall be required to satisfy all pertinent provisions specified under Upper Bern Township Subdivision and Land Development Ordinance. This provision may be waived by the Board of Supervisors if the applicant demonstrates:
- (1) The project does not involve the subdivision of land or the division of any internal building or structural space.
 - (2) The project does not impose any significant impacts or improvements associated with traffic, stormwater management, erosion and sedimentation control, off-street parking and loading, sanitary sewage facilities, water supply facilities, or other significant impacts and improvements determined by the Upper Bern Township Engineer and Zoning Officer.
 - (3) The project does not involve any zoning conflicts or variances.

- (I) Unless otherwise required by the Board of Supervisors as part of the conditional use application, the applicant shall prepare and submit an Environmental Impact Assessment (EIA) Report to Upper Bern Township. The EIA Report shall contain text, tables, floor plans, maps and analyses, which document the probable environmental impact resulting from the previous use to the new use, and the mitigation measures that are proposed to offset any environmental impacts or hazards.
- (J) Unless otherwise required by the Board of Supervisors as part of the conditional use application, the applicant shall prepare and submit a Traffic Impact Study to Upper Bern Township. If required, the Traffic Impact Study shall be conducted in accordance with the provisions of Upper Bern Township in order to assess transportation conditions and needs.
- (K) All commonly owned land uses, buildings or subcomponents of building areas considering adaptive reuse and redevelopment shall be required to have separate sanitary sewer connections, water supply connections, and all other utilities servicing the property. All utility connections shall be installed in accordance with all specifications adopted by Upper Bern Township and the public utility company providing service to the use.
- (L) All uses shall be planned and designed to minimize and reduce light, noise and air emissions onto adjacent properties. Where feasible, buffer yards and landscaping enhancements should be established around the perimeter of the property.
- (M) All uses shall comply with the minimum building code requirements, as specified by Upper Bern Township and by the Pennsylvania Department of Labor and Industry. Prior to the issuance of a Use and Occupancy Permit for the proposed use, the applicant shall provide evidence to Upper Bern Township that all plans and permits have been approved by all pertinent local, state and federal agencies.

Section 603: Old Route 22 Corridor Overlay District

- (A) The Old Route 22 Corridor Overlay District shall be a special overlay to the underlying zoning district within Upper Bern Township. The objectives of this special overlay district are outlined as follows:
 - (1) To improve the aesthetics, architectural appearance, commercial centers, and streetscape design along both sides of Old Route 22 (also known as Main Street and Township Route 721).
 - (2) To consider streetscape improvements and enhancement measures such as street trees, streetlights, curbing, sidewalks, pedestrian crosswalks, controlled signage, traffic calming measures, drainage improvements and gateway planning.
 - (3) To improve the modes of transportation by enabling automobile, pedestrian and bicycle traffic to coexist in a planned and harmonious community.
 - (4) To retain and expand existing businesses to preserve a sound economic tax base and provide employment opportunities.
 - (5) To provide opportunities for new village commercial uses and new highway commercial uses.
 - (6) To maintain a positive relationship with the local business community.
 - (7) To implement the recommendations concerning land use planning and economic development, as outlined within the Joint Comprehensive Plan for Northern Berks County.
- (B) The Old Route 22 Corridor Overlay District shall be defined as all land areas along both sides of Old Route 22, between 1st Street and 6th Street and having frontage along Old Route 22. Where necessary, the limits of the Old Route 22 Corridor Overlay District shall be determined by the Upper Bern Township Zoning Officer.
- (C) All land uses permitted within the underlying zoning districts, as specified within Article 4 of this Zoning Ordinance, shall be permitted within the Old Route 22 Corridor Overlay District.

- (D) As part of all subdivision plan applications, land development plan applications and building permit applications, the following design requirements and site improvements shall be considered:
- (1) **Sidewalks:** The installation of sidewalks should be considered along both sides of Old Route 22 to accommodate pedestrian movements. All proposed sidewalks should be four (4) feet in width and constructed in accordance with the provisions and specifications established under the Upper Bern Township Subdivision and Land Development Ordinance and with the Americans with Disabilities Act .
 - (2) **Crosswalks:** Crosswalks should be considered to integrate the sidewalk system and to accommodate pedestrian movements. All crosswalks shall be at least six (6) feet in width and provide for safe movements across Old Route 22 at the street intersections, which are controlled by traffic signal.
 - (3) **Curbs:** Curbs shall be placed along both sides of Old Route 22 in accordance with the provisions of the Upper Bern Township Subdivision and Land Development Ordinance. New curb cuts shall be minimized to reduce traffic conflicts and congestion along Old Route 22. Where appropriate, shared access drives shall be utilized to minimize curb cuts.
 - (4) **Street Trees and Landscaping:** Street trees and other aesthetic landscaping improvements should be incorporated into the design of the subdivision or land development plan. Unless otherwise directed by Upper Bern Township Board of Supervisors, all proposed street trees shall not be located within the legal right-of-way line and clear sight triangle at street intersections. The selected street trees and landscaping materials shall comply with the provisions of Section 915 of this Zoning Ordinance.
 - (5) **Streetlights:** Streetlights should be considered and strategically located at consistent intervals. All streetlights shall have a diffused light source at the luminaries so as to avoid glare. Any parking lot lights, which interfere with the location of the required sidewalk system shall be relocated. The size, type and location of the streetlights shall be subject to the approval of the Board of Supervisors.
 - (6) **Signs:** The total number and size of all signs along Old Route 22 should be limited to avoid clutter and to serve the basic needs of the use. All proposed signs shall comply with the provisions of Article 11 of this Zoning Ordinance.
 - (7) **Off-Street Parking and Loading:** The off-street parking spaces and loading spaces for all uses should be located along the sides or rear of the principal building. Whenever the proposed off-street parking spaces interfere with the location of the required sidewalk system, such off-street parking shall be relocated.
 - (8) **Guiderail:** Where required by either Upper Bern Township, guiderail shall be installed and constructed from pressure-treated wood, galvanized steel, or an approved equal.
 - (9) **Fencing:** Unless otherwise permitted for safety or security purposes, all proposed fencing within the front yard shall not exceed four (4) feet in height. All other fencing shall comply with the requirements of Section 911 of this Zoning Ordinance.
 - (10) **Street Furniture:** Bus shelters, benches, clocks and waste receptacles should be considered. The type and location of the proposed street furniture shall be subject to the approval of the Board of Supervisors.
 - (11) **Utilities:** Unless otherwise directed by the utility company providing service, all proposed utilities shall be installed underground and within a utility easement or right-of-way.
 - (12) **Dumpsters:** All dumpsters shall be located in the rear yard of the lot and within an enclosed fence with a lockable gate. The location of the dumpster and the specifications of the fence shall be subject to the approval of the Board of Supervisors.
 - (13) **Outdoor Storage and Displays:** Unless otherwise permitted by Upper Bern Township, the storage and sale of all materials or merchandise shall be within the principal building of the property. Sidewalk sales shall be limited to four (4) events per calendar year, with no more than five (5) days per event. Sidewalk sales shall not block or interfere with the pedestrian pathway along the sidewalk.

- (14) Abandoned Vehicles: No abandoned vehicles shall be permitted on any off-street parking area for a period of ten (10) consecutive days or twenty (20) cumulative days within a calendar year.
- (E) The design requirements and site improvements listed under this section of the Zoning Ordinance are intended to provide direction to all applicants seeking subdivision and land development plan approval. These design requirements and site improvements shall be applied to the subdivision and land development plan. If certain design requirements and site improvements are determined to be unwarranted or inappropriate based upon the existing site conditions and not for financial reasons, the Board of Supervisors may consider alternative options relative to the design and improvement of the lot or parcel.

Section 604: Interstate 78 Interchange Overlay District

- (A) The Interstate 78 Interchange Overlay District shall be a special overlay to the underlying zoning district within Upper Bern Township. The objectives of this special overlay district are outlined as follows:
- (1) To provide incentive minded parameters to attract or expand desirable land uses including: office and business parks; hospitals and medical campuses; hotel complex and conference centers; restaurants; medical research and laboratory centers; light industrial parks; higher learning institutions; and technology centers.
 - (2) To establish enterprise zones that will provide economic benefits to the tax base while creating employment opportunities.
 - (3) To make the most efficient use of the land areas near the existing interchanges.
 - (4) To maintain a positive relationship with the local business community.
 - (5) To implement the recommendations concerning land use planning and economic development, as outlined within the Joint Comprehensive Plan for Northern Berks County.
- (B) The Interstate 78 Interchange Overlay District shall be defined as all land areas in Upper Bern Township within a concentric zone, as measured by a 4,000 foot radius extending outward from the middle of the existing interchange along Interstate 78 (also known as the Shartlesville Exit) in the Resort Commercial (RC), Highway Commercial (HC), General Industrial (GI) and Agricultural-Industrial (AI) Zoning Districts. The limits of the Interstate 78 Interchange Overlay District shall be determined by the Upper Bern Township Zoning Officer.
- (C) All land uses permitted within the underlying zoning district, as specified within Article 4 of this Zoning Ordinance, shall be permitted within the Interstate 78 Interchange Overlay District.
- (D) The following principal uses and their accessory uses are permitted by conditional use within the Interstate 78 Interchange Overlay District, provided that: a conditional use is granted by the Board of Supervisors; only one (1) principal use is permitted per lot meeting the minimum and maximum dimensional requirements; and the use complies with all other supplemental development and design requirements specified within this Zoning Ordinance.
- (1) Office and Business Parks: All such uses shall be permitted provided the proposed office and business park contains at least 10 acres of land with 1 acre per permitted use, and subject to the provisions of Section 807 of this Zoning Ordinance.
 - (2) Hospitals and Medical Campuses: All such uses shall be permitted provided the proposed medical campus contains at least 10 acres of land with 1 acre per permitted use, and subject to the provisions of Sections 806 and 808 of this Zoning Ordinance.
 - (3) Medical Research and Laboratory Centers: All such uses shall be permitted provided the proposed medical research and laboratory center contains at least 10 acres of land with 1 acre per permitted use, and subject to the provisions of Section 808 of this Zoning Ordinance.

- (4) Light Industrial Parks: All such uses shall be permitted provided the proposed industrial park contains at least 10 acres of land with 2 acres per permitted use, and subject to the provisions of Section 809 of this Zoning Ordinance
 - (5) Higher Learning Institutions and Technology Centers: All such uses shall be permitted provided the proposed higher learning institution and technology center contains at least 3 acres per permitted use and subject to the provisions of Section 806 of this Zoning Ordinance.
 - (6) Hotel Complex and Conference Centers: All such uses shall be permitted provided the proposed hotel complex and conference center contains at least 2 acres per permitted use.
 - (7) Restaurants: All such uses shall be permitted, provided the proposed restaurant is either: part of the permitted hotel complex/conference center; located as a separate parcel of land exceeding one (1) acre in land area; and does not include drive-through services.
 - (8) Recreational Uses: All such uses shall be permitted provided the proposed recreational use is accessory to the permitted uses described in this section as well as the requirements specified under Section 805 of this Zoning Ordinance.
- (E) Unless otherwise specified by the Board of Supervisors as part of the conditional use application, all proposed uses shall be serviced by municipal sanitary sewage disposal facilities.
 - (F) Unless otherwise specified by the Board of Supervisors as part of the conditional use application, all proposed uses shall be serviced by public water supply facilities. A private water supply system may be considered provided the system is designed and permitted to consider the regional water supply needs of Upper Bern Township.
 - (G) The following minimum and maximum dimensional requirements shall apply to all uses within the Interstate 78 Interchange Overlay District.
 - (1) The minimum lot width shall be 200 feet per lot.
 - (2) The front yard setback shall be 60 feet, as measured from the ultimate right-of-way line.
 - (3) The side yard setback shall be 30 feet for each side.
 - (4) The rear yard setback shall be 50 feet.
 - (5) Each permitted use shall be located at least 100 feet from an existing lot containing an existing residential use.
 - (6) The maximum height of the buildings shall be 50 feet.
 - (7) The maximum building coverage shall be 40 percent of the approved lot.
 - (8) The maximum lot coverage shall be 60 percent of the approved lot.
 - (H) The following architectural and aesthetical design requirements shall be applied to all permitted uses within the Interstate 78 Interchange Overlay District:
 - (1) Where developments contain multiple buildings and uses, the architectural appearance should be compatible or harmonious to each other.
 - (2) A landscaping plan shall be submitted to comply with the provisions of Section 915 of this Zoning Ordinance.
 - (3) Unless otherwise directed by the utility company providing service, all proposed utilities shall installed underground.

- (4) Where feasible, all dumpsters shall be located in the rear yard within an enclosed fence with a lockable gate. The location of the dumpster and the specifications of the fence shall be subject to the approval of the Board of Supervisors as part of the conditional use application.
 - (5) Where feasible, streetlights should be considered and strategically located at consistent intervals. All streetlights shall have a diffused light source at the luminaries so as to avoid glare. Any parking lot lights, which interfere with the location of the required sidewalk system shall be relocated. The size, type and location of the streetlights shall be subject to the approval of the Board of Supervisors.
 - (6) The total number and size of all signs within the Interstate 78 Interchange Overlay District should be limited to the basic needs of the use. All proposed signs shall comply with the provisions of Article 11 of this Zoning Ordinance. As part of the conditional use application, the Board of Supervisors may permit alternative signs provided that a study has been submitted to support the need for the alternative signs.
 - (7) Where feasible, the off-street parking spaces and loading spaces for all uses should be located along the sides or rear of the principal building. Whenever the proposed off-street parking spaces interfere with the location of the required sidewalk system, such off-street parking shall be relocated.
- (I) The design requirements and site improvements listed under this section of the Zoning Ordinance are intended to provide direction to all applicants seeking conditional use approval. Where feasible, these design requirements and site improvements shall be applied to the conditional use application as well as the subdivision and land development plan. If certain design requirements and site improvements are determined to be unwarranted based upon the existing site conditions and not for financial reasons, the Board of Supervisors may consider alternative options relative to the design and improvement of the lot or parcel.

Section 605: Appalachian Trail Overlay District

- (A) The Appalachian Trail Overlay District shall be a special overlay to the underlying zoning district within Upper Bern Township. The objectives of this special overlay district are outlined as follows:
- (1) To establish a zone that emphasizes the preservation of selected areas that have historical significance.
 - (2) To protect scenic vistas and other visual enhancements.
 - (3) To promote tourism and recreation opportunities within this region of Berks County.
 - (4) To implement the recommendations concerning historical and cultural resources, recreation and open space planning, as outlined within Upper Bern Township Comprehensive Plan of 1992 and the Joint Comprehensive Plan for Northern Berks County.
 - (5) To comply with the goals and objectives of the Pennsylvania Appalachian Trail Act.
- (B) The Appalachian Trail Overlay District shall include the land and water areas within Upper Bern Township, which are located along both sides of the Appalachian Trail, extending 1,000 feet outward from the center of the Appalachian Trail, from Tilden Township to Upper Tulpehocken. Where necessary, the limits of the Appalachian Trail shall be determined by the Upper Bern Township Zoning Officer.
- (C) Within the Appalachian Trail Overlay District, no buildings, structures and/or accessory uses shall be permitted unless they are directly affiliated with the Appalachian Trail. All such uses shall be approved by Upper Bern Township as well as the appropriate state and federal authorities have jurisdiction.
- (D) Within the Appalachian Trail Overlay District, no earth disturbance or woodland extraction activities shall be permitted unless they are directly affiliated with the Appalachian Trail. All such activities shall be approved by Upper Bern Township as well as the appropriate state and federal authorities have jurisdiction.
- (E) Where appropriate, all proposed site improvements within the Appalachian Trail Overlay District shall be reviewed by Tilden Township, Upper Tulpehocken Township and South Manheim Township.

Section 606: Historical Preservation Overlay District

- (A) The Historical Preservation Overlay District shall be a special overlay to the underlying zoning district within Upper Bern Township. The objectives of this special overlay district are outlined as follows:
- (1) To establish a zone that emphasizes the preservation of selected areas that have historical significance.
 - (2) To establish effective historical enhancement provisions, which consider provisions for buffer yards, scenic vistas, landscaping, signs and other visual enhancements.
 - (3) To initiate a process of public and technical review prior to the demolition or relocation of historic structures.
 - (4) To promote tourism within this historical region of Berks County.
 - (5) To provide for adaptive reuse and redevelopment alternatives as a means of encouraging their preservation and use.
 - (6) To implement the recommendations concerning historical and cultural resources, natural features and land use planning, as outlined within the Joint Comprehensive Plan for Northern Berks County
- (B) The Historical Preservation Overlay District shall include the land areas within Upper Bern Township that are located within 1,000 feet of an historical resource or is considered to be historically significant, as referenced within the Joint Comprehensive Plan for Northern Berks County or as referenced as part of an inventory maintained by Upper Bern Township or the Berks County Planning Commission. Where necessary, the limits of the Historical Preservation District shall be determined by the Upper Bern Township Zoning Officer.
- (C) All proposed land uses, developments and/or site improvements within the Historical Preservation Overlay District shall be reviewed by the Upper Bern Township Planning Commission and the Upper Bern Township Historical Commission prior to any approvals or the issuance of any permits.
- (D) All permitted uses within the underlying zoning district to which the historical resource or historically significant structure is located may be permitted within the Historic Preservation Overlay District.
- (E) The following provisions shall apply to the adaptive reuse and redevelopment of historical sites and structures:
- (1) The provisions for Adaptive Reuse and Redevelopment, as specified under Section 602 of this Zoning Ordinance, shall apply to historical resources or historically significant structures that are located within the Historic Preservation Overlay District.
 - (2) Bed and Breakfasts, subject to the provisions of Section 711 of this Zoning Ordinance.
 - (3) Educational uses, subject to the provisions of Section 806.1 of this Zoning Ordinance.
 - (4) Places of worship or religious uses, subject to the provisions of Section 806.4 of this Zoning Ordinance.
 - (5) Medical, dental, vision and counseling clinics.
 - (6) Restaurants, excluding drive through and/or fast food restaurant
 - (7) Retail business establishments.
 - (8) Business and professional offices.
 - (9) Personal service establishments.
 - (10) Banks and financial institutions.

- (11) Alternative uses permitted by the Upper Bern Township Board of Supervisors, which has been determined to be: compatible with the adjacent land uses; enables the preservation, restoration or rehabilitation of the historical resource or historical structure; and meets the overall purpose statements and objectives of this Zoning Ordinance.
- (F) As part of all future subdivision and land development applications within the Historical Preservation Overlay District, the following design requirements and site improvements shall be considered:
- (1) All proposed buildings or structures located within the Historical Preservation District shall be reviewed by the Upper Bern Township Planning Commission and the Upper Bern Township Historical Commission.
 - (2) All proposed buildings or structures, which are permitted within the Historical Overlay District, shall be designed to consider the architectural characteristics of the existing properties within the Historical Preservation Overlay District. Where appropriate, the developer shall utilize building materials that are either compatible to these existing properties or will compliment the historical character of Upper Bern Township.
 - (3) Where feasible, street trees and other aesthetic landscaping improvements should be incorporated into the design of the subdivision or land development plan.
 - (4) The total number and size of all signs within the Historical Preservation Overlay District should be limited to avoid clutter and to serve the basic needs of the use. All proposed signs shall comply with the provisions of Article 11 of this Zoning Ordinance.
 - (5) Unless otherwise directed by the utility company providing service, all proposed utilities shall installed underground and within a utility easement or right-of-way.
 - (6) All proposed developments shall be designed with regard to the topographic and natural features of the site. The purpose of this provision is to insure that the natural features of the development are preserved and protected to the extent that it is not necessary to disturb the site in order to implement the criteria and standards of this Zoning Ordinance. All natural features not proposed for disturbance, as otherwise permitted by the objective standards and criteria of this Zoning Ordinance shall be preserved and incorporated into the final landscaping and open space design of the development.
 - (7) All proposed developments and site improvements shall be designed to preserve and incorporate scenic, natural, historical and cultural features. Where feasible, the development shall incorporate, locate and identify scenic vista points, which will remain after construction of the proposed residential dwellings, other permitted uses, and related site improvements, and which will provide visual amenities to the development. The vista points may include unobstructed views looking into the development from adjacent public roads and unobstructed views within the development, each incorporating open space and/or other preserved natural features.
- (G) The following provisions shall apply to the demolition or relocation of historical resources and historically significant structures:
- (1) No historical resource or historically significant structure shall be demolished and/or relocated until it has been reviewed by the Upper Bern Township Planning Commission and the Upper Bern Township Historical Commission.
 - (2) The landowner or applicant shall provide documentation or evidence that the historical resource or historically significant structure can not be rehabilitated, revitalized, reused or redeveloped as a viable land use within the community.
 - (3) The Upper Bern Township Board of Supervisors shall consider all proposed proposals involving shall consider the demolition or relocation of historical resources and historically significant structures within the Historical Overlay District. If acceptable, the Upper Bern Township Board of Supervisors shall authorize the Upper Bern Township Zoning Officer to issue the appropriate permits.