

**TOWNSHIP OF NEW BRITAIN
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2015-09-06

AN ORDINANCE OF THE TOWNSHIP OF NEW BRITAIN, BUCKS COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF CHAPTER 27, ZONING, OF THE NEW BRITAIN TOWNSHIP CODE BY ADOPTING A NEW DEFINITION OF HEIGHT AND AMENDING OTHER DEFINITIONS; ADOPTING THE FOLLOWING NEW USES – B11 PRD, C6 ADULT DAY CARE, J33 SPECIAL PERSONAL SERVICES, AND L14 NONRESIDENTIAL SOLAR ENERGY SYSTEM; REVISING REGULATIONS FOR CERTAIN EXISTING USES; AMENDING DISTRICTS WHERE NEW AND EXISTING USES ARE PERMITTED; REVISING NATURAL RESOURCES PROTECTION STANDARDS; REVISING BUFFER STANDARDS; REVISING PARKING STANDARDS; AND CORRECTING TYPOGRAPHICAL ERRORS IN THE EXISTING CHAPTER 27, ZONING.

NOW THEREFORE, be it, and it is hereby ENACTED and ORDAINED by the Board of Supervisors of the Township of New Britain, Bucks County, Commonwealth of Pennsylvania, as follows:

ARTICLE I. Zoning Definitions

Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding the following new definitions:

HEIGHT - The vertical measurement taken from the average level of grade beneath the entire exterior of a structure, which grade shall be substantially unchanged from the natural grade existing at the time of construction/erection of the structure, and the highest point of the structure. For buildings, see the definition of "Building Height".

ARTICLE II. Zoning Definitions

Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by deleting the definition of "AREA: BUILDABLE AREA" found as subsection c. under the definition of "AREA". In addition, the Buildable Area diagrams titled Figure 1 and Figure 2 shall also be deleted.

ARTICLE III. **Zoning Definitions**

Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by revising the existing definitions of "BUILDING HEIGHT", "SITE CAPACITY" and "STREET LINE" to read as follows:

BUILDING HEIGHT - the vertical distance from the average level of finished grade beneath the entire exterior of a building to the top of the highest roof beams on a flat or shed roof, the deck level on a mansard roof and the average distance between the eaves and the ridge level for gable, hip, and gambrel roofs. Such height of buildings shall not include chimneys, spires, and similar projections and housings for equipment, provided that said projections shall be a usual and normal appurtenant to a building, not in excess of 12 feet in height, and not occupy more than 10% of the roof area. See Figure 5.

SITE CAPACITY - the number of lots or dwelling units satisfying the maximum impervious surfaces on the site area calculated under the provisions of this Chapter with each individual lot satisfying the minimum lot area and building envelope requirements of this Chapter.

STREET LINE - the dividing line between the street and the lot. The street line shall be the same as the legal right-of-way. Where the ultimate right-of-way for a road or street has been established, however, that ultimate right-of-way shall determine the location of the street line. In the case where there is no dedicated right-of-way or lot, the street line shall be measured from where the ultimate right-of-way would be required if provided, unless otherwise approved by the Board of Supervisors.

ARTICLE IV. **Use Definitions and Regulations**

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by deleting Subsection b.1 under Use B5, Single-Family Attached, and renumbering the remaining Subsections under B5.b so that they start with b.1.

ARTICLE V. **Use Definitions and Regulations**

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by deleting Subsection b.1 under Use B6, Multifamily, and renumbering the remaining Subsections under B6.b so that they start with b.1.

ARTICLE VI. **Use Definitions and Regulations**

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by deleting Subsection b.1 under Use D1, Nursery

School/Day Care Center, and renumbering the remaining Subsections under D1.b so that they start with b.1.

ARTICLE VII. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by revising Subsection b.10 under Use B7, Apartment Building, to read as follows:

10. Parking: In conformance with the requirements of §27-2901; however, when two or more parking spaces per unit are required, 50% of all garage spaces may be counted toward this parking requirement, even when a parking space is located immediately in front of the garage.

ARTICLE VIII. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new Use, B11, Planned Residential Development, which shall read as follows:

B11. Planned Residential Development (PRD).

- a. Definition. Planned residential development shall be permitted as an optional form of development. The review and approval process shall follow the procedures described in the Pennsylvania Municipalities Planning Code for PRDs.
- b. Use Regulations
 1. In a PRD, the following Uses shall be permitted by right:
 - A2 Crop Farming
 - B1 Single-Family Detached Dwelling
 - B2 Cluster Subdivision
 - B3 Single-Family Semi-Detached Dwelling
 - B4 Two-Family Detached Dwelling
 - B5 Single-Family Attached
 - B6 Multifamily
 - B7 Apartment Building
 - E1 Public Recreational Facility
 - E2 Private Recreational Facility

- E8 Library or Museum
- F1 Municipal Building
- H Residential Accessory Uses:
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls
 - H4 Non-Commercial Swimming Pools
 - H5 Tennis Court
 - H10 Air Conditioner
 - H12 Garage or Yard Sale
 - H13 Household Pets
- L General Accessory Uses and Structures
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs

2. In a PRD, the following Uses shall be permitted by special exception:

- E7 Community Center
- F2 Emergency Service Center
- H Residential Accessory Uses:
 - H6 Residential Solar Energy System
 - H7 Residential Wind Energy System
 - H8 Satellite Antennas
 - H9 Amateur Radio Antennas
 - H15 Home Occupation

c. Performance and Design Regulations

1. In a PRD, there is no requirement that the individual dwellings or uses be placed on separate lots. Where the PRD is not fully lotted out (each dwelling/use placed on a separate lot), the Applicant shall submit a "Conformance Plan" showing that the unlotted portion of the development, as designed, could conform with all Zoning requirements if it was fully lotted out.

2. Minimum site area: 20 acres.
3. Minimum open space: 40%.
4. Maximum density: five (5) dwelling units and/or nonresidential Uses per acre.
5. Maximum impervious surface coverage for the site: 35%.
6. Performance Standards:

Use	Minimum Lot Area (sq. ft.)	Minimum Lot Width (Feet)	Maximum Lot Building Coverage (%)	Maximum Lot Impervious Surface Ratio (%)	Minimum Yards for each Lot (feet)		
					Front	Side (each)	Rear
B1	10,000	80 (at setback) 50 (at ROW)	20%	25%	35	15	40
B2	8,500	70 (at setback) 50 (at ROW)	25%	30%	30	10	35
B3	8,500 (per unit)	70 (at setback) 50 (at ROW)	25%	30%	30	10	35
B4	15,000	75 (at setback) 50 (at ROW)	20%	30%	30	15	35
B5, B6, B7	Must comply with the individual Use Regulations described in §27-305.						
Other	15,000	70 (at setback) 50 (at ROW)	20%	25%	50	20	50

7. Dwelling unit and use mix.

Total Dwelling Units	Minimum Number of Dwelling Types	Maximum % of any Dwelling Type	Minimum % of any Dwelling Type
1-49	1	-	-
50-199	2	60%	15%
200-499	3	60%	10%
500+	4	60%	5%

(a) There must be a minimum of 50 dwelling units in a PRD before a nonresidential use can be included in the PRD. Thereafter, there can be one (1) nonresidential use per 25 dwelling units.

8. Accessory Uses and Structures. Accessory uses and structures such as fences, decks, storage sheds, etc., shall be regulated by deed restrictions and the regulations of the homeowner's association.

9. Special Parking Regulations.

- (a) Parking for the PRD shall be the sum of the required parking for each individual Use per Part 29; or the sum of one (1) parking space per 200 square feet of total floor area of any nonresidential Use plus three (3) parking spaces for each dwelling unit; whichever is greater. In addition, two employee parking spaces per nonresidential Use shall be provided.
- (b) Parking spaces shall be located on the same lot as the dwelling or use they are required to serve. Where the dwellings or uses are not located on separate lots, the parking spaces shall be located within 50 feet of the dwelling or use they are required to serve.
- (c) 0.5 parking spaces per dwelling unit and 0.25 parking spaces per nonresidential use shall be provided upon the site as overflow parking.
- (d) Sufficient loading and unloading areas shall be provided for each nonresidential building along the rear of the building, in accordance with Part 29 and subject to approval by the Board of Supervisors during the PRD hearing.

10. Buffer Yards.

- (a) There shall be a minimum buffer yard of at least 50 feet separating the PRD from adjacent residential properties and existing public rights-of-way. The buffer yard shall be landscaped in accordance with the provisions of this Chapter. No proposed lot area or required yard area shall be calculated as part of the required buffer area.
 - 1) The 50 foot buffer requirement may be waived or reduced when the adjacent property contains an existing buffer yard of at least 50 feet in depth.
 - 2) The 50 foot buffer requirement may be waived or reduced for the purpose of creating large parcels of open space. When a buffer is not required by the Board of Supervisors, the minimum setback on the perimeter of the site shall be 75 feet.
- (b) There shall be a minimum buffer yard of at least 50 feet to separate the residential lots from any areas proposed for agricultural use, nonresidential use, or active recreational use. Each such buffer area shall be landscaped in accordance with the provisions of this

Chapter. The buffer yard shall not be calculated in the required residential lot area or required yard area.

ARTICLE IX. **Use Definitions and Regulations**

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new Use, C6 Adult Day Care, which shall read as follows:

C6. Adult Day Care

- a. Definition. A use involving the supervised care of four (4) or more adults with functional impairments, as defined by the Commonwealth, outside of their home for periods of 18 hours or less and that does not involve overnight stays. The facility shall provide daily living services, including personal care, nutritional, health, social, educational, recreational, therapeutic, rehabilitative, habilitative, and developmental activities.

- b. Regulations.
 - 1. Minimum lot size shall be one (1) acre or the minimum lot area for other permitted uses in the applicable zoning district, whichever requirement is greater.

 - 2. A minimum of 20% of the site shall be suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks and shall be enclosed by a 6 foot fence.

 - 3. Adequate provisions shall be in place to protect residents and secure the premises. This should include a secure fence along any lot line abutting an arterial or collector street.

 - 4. The minimum yard, setback and lot width requirements for other permitted uses in the applicable zoning district shall be met.

 - 5. The buffer requirements of this Chapter shall be met.

 - 6. The days and hours of operation shall be limited to Monday through Saturday, 7:00 a.m. through 6:00 p.m.

- b. This Use does not include services provided for persons whose needs are such that they can only be met in a long-term-care facility on an inpatient basis receiving professionally supervised nursing care and related medical and other health services.

- c. The applicant for an adult day care shall obtain a license from the Pennsylvania Department of Aging in compliance with Title 6, Chapter 11, of the Pennsylvania Code before an occupancy permit is issued for the Use.
- d. The Board of Supervisors may set such conditions as deemed necessary for fire safety, beyond State requirements.
- e. Sufficient facilities for passenger loading and unloading shall be provided. A drop-off area and automobile stacking lane shall be provided.
- f. The Applicant shall comply with all applicable state and federal laws, rules, and regulations.
- g. The operator of the Use shall submit annually and/or upon revision the State required and approved Emergency Operations Plan to the Township and the local fire and emergency medical services companies.

ARTICLE X. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new subsection c. to the existing F6 Use, Business Campus, which shall read as follows:

- c. Special Parking Regulations.
 - 1. Parking for this Use shall be the sum of the required parking for each individual Use per Part 29, or one parking space per 200 square feet of total floor area, whichever is greater; plus, two additional employee parking spaces per Use shall be provided.
 - 2. Sufficient loading and unloading areas shall be provided for each building along the rear of the building in accordance with the regulations set forth in this Chapter.

ARTICLE XI. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new subsection c. to the existing F7 Use, Commercial Campus, which shall read as follows:

- c. Special Parking Regulations.
 - 1. Parking for this Use shall be the sum of the required parking for each individual Use per Part 29, or one parking space per 200 square feet of

total floor area, whichever is greater; plus, two additional employee parking spaces per Use shall be provided.

2. Sufficient loading and unloading areas shall be provided for each building along the rear of the building in accordance with the regulations set forth in this Chapter.

ARTICLE XII. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new subsection c. to the existing G1 Use which shall read as follows:

- c. Solar Energy System. Any solar collector or other solar energy device, or any structural design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for sale on the open market.
 1. Solar Panels - A structure containing one or more receptive cells; the purpose of which is to convert solar energy into usable energy by way of a solar energy system.
 2. Ground array solar panels shall be permitted in accordance with the following:
 - (a) Ground arrays shall meet the setback requirement for the principal use on the property, provided that no solar panel shall be located closer to the property line than 2 times the height of the solar panel or 75 feet, whichever is greater.
 - (b) Ground arrays shall be located so that any glare or reflection is directed away or is properly buffered from adjoining properties.
 - (c) Ground arrays shall not exceed a height of 35 feet.
 3. Roof-mounted solar panels shall be permitted in accordance with the following:
 - (a) Permitted roof-mounted solar panels on sloped or flat roofs shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
 - (b) Any roof-mounted solar panels other than those described in Subsection 3(a) above shall only be permitted on flat roofs and

shall not project vertically more than ten (10) feet above the surface of the roof, not including the parapet, wall, or other projection along the edge of the roof.

- (c) In no event shall the placement of any solar panels result in a total height of the building (including the panels) exceeding 35 feet.
 - (d) Roof mounted solar panels shall be placed so as to prevent reflection and glare to adjacent properties.
4. Design and Installation. To the extent applicable, the solar energy system shall comply with the Pennsylvania Construction Code (Act 45 of 1999), 35 P.S. §7210.101 *et seq.*, as amended, and the applicable regulations adopted by the Department of Labor and Industry, 34 Pa.Code §401.1 *et seq.*
 5. The design of the solar energy system shall conform to applicable industry standards.
 6. On existing construction, a solar energy system may be installed as long as it meets the requirements of this Chapter and all other applicable construction codes.
 7. Easements. On plans for new subdivisions or land developments that propose to provide for solar energy systems, a notation shall be placed on the approved plan stating that restrictions have been placed on the lots in question, pursuant to a recorded deed of easement, concerning the placement of structures and vegetation as they relate to the solar energy systems. The terms of the easement shall be as approved by the Township Solicitor.
 8. Abandonment and Removal of Solar Energy Systems. Any solar panel (roof or ground) which has not been in active and continuous service for a period of one year shall be removed from the property to a place of safe and legal disposal.
 9. Solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from the property line.
 10. The design of solar energy systems shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.

11. The installation of solar energy systems is subject to all public utility requirements for interconnection with the utility's system, if applicable.

ARTICLE XIII. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by revising the provisions of the H6 Use to read as follows:

H6. Residential Solar Energy System.

- a. **Definition.** Any solar collector or other solar energy device, or any structural design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity for a residential property that may be mounted on a building or on the ground and is not the primary use of the residential property.

Solar Panels. A structure containing one or more receptive cells; the purpose of which is to convert solar energy into usable energy by way of a solar energy system.

- b. **Regulations.**
 1. This Section applies to accessory solar energy systems to be installed and constructed after the effective date of this Section, and all applications for solar energy systems on existing structures or property. Solar energy systems constructed prior to the effective date of this Section shall not be required to meet the requirements of this Section; provided that any structural change, upgrade or modification to an existing solar energy system that materially alters the size or placement of the existing solar energy system shall comply with the provisions of this Section.
 2. Ground array solar panels shall be permitted in accordance with the following:
 - (a) Ground arrays shall meet the setback requirement for the principal use on the property, provided that no solar panel shall be located closer to the property line than 1.25 times the height of the solar panel.
 - (b) Ground arrays shall not be permitted in a front yard.
 - (c) Ground arrays shall be located so that any glare or reflection is directed away or is properly buffered from adjoining properties.

- (d) Ground arrays shall not exceed a height of 20 feet.
3. Roof-mounted solar panels shall be permitted in accordance with the following:
- (a) Permitted roof-mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
 - (b) Any roof-mounted solar panels other than those described in Subsection (a) of this Section shall only be permitted as a special exception, in accordance with the following conditions.
 - 1) Such other roof-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street.
 - 2) Such other roof-mounted solar panels installed on a building or structure with a sloped roof shall not exceed a height of three (3) feet from the surface of the roof at any point and shall not project vertically above the peak of the roof to which it is attached. Such other roof-mounted solar panels installed on a building or structure with a flat roof shall not project vertically more than five (5) feet above the surface of the roof, not including the parapet, wall, or other projection along the edge of the roof.
 - (c) In no event shall the placement of any solar panels result in a total height of the building (including the panels) exceeding 35 feet.
 - (d) Roof mounted solar panels shall be placed so as to prevent reflection and glare to adjacent properties.
4. Solar energy systems are permitted under this Use only as accessory uses to a residential principal use for which the solar energy system is providing energy. Any solar energy systems designed or proposed to primarily sell energy on the open market shall be deemed a G1 Utilities Use.
- c. Design and Installation. To the extent applicable, the solar energy system shall comply with the Pennsylvania Construction Code (Act 45 of 1999), 35 P.S. §7210.101 *et seq.*, as amended, and the applicable regulations adopted by the Department of Labor and Industry, 34 Pa.Code §401.1 *et seq.*

- d. The design of the solar energy system shall conform to applicable industry standards.
- e. On existing construction, a solar energy system may be installed as long as it meets the requirements of this Chapter and all other applicable construction codes.
- f. Easements. On plans for new subdivisions or land developments that propose to provide for solar energy systems, a notation shall be placed on the approved plan stating that restrictions have been placed on the lots in question, pursuant to a recorded deed of easement, concerning the placement of structures and vegetation as they relate to the solar energy systems. The terms of the easement shall be as approved by the Township Solicitor.
- g. Abandonment and Removal of Solar Energy Systems
 - 1. Any solar panel (roof or ground) which has not been in active and continuous service for a period of one year shall be removed from the property to a place of safe and legal disposal.
 - 2. All structural enclosures accessory to the solar panels shall be completely removed from the property to a place of safe and legal disposal.
 - 3. The former solar site shall be restored to as natural condition as possible within six months of the removal from the property.
- h. Solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from the property line.
- i. The design of solar energy systems shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
- j. The installation of solar energy systems is subject to all public utility requirements for interconnection with the utility's system, if applicable.

ARTICLE XIV. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by revising the provisions of the H7 Use to read as follows:

H7. Residential Wind Energy Systems.

- a. Definition. Wind energy systems accessory to residential uses, including structures, such as a windmill, which convert wind energy to mechanical or electrical energy.
- b. Regulations.
 1. No wind energy system shall exceed 55 feet in height, including all moving and rotating parts, unless a shorter height is required by FAA regulations or the provisions of the airport zones in this Chapter. The height of the system shall be measured from the undistributed ground elevation at the base of the device, to the highest point of the arc of the blade, or to the top of the tower, whichever is greater.
 2. No wind energy system shall be permitted with a design which permits any vane, sail or rotor blade to pass within 10 feet of the ground.
 3. All electrical wiring leading to or from a wind energy system shall be located underground.
 4. Wind energy systems shall not be located in the required front, side, or rear yard setback and shall be set back from every property line a distance not less than 100 feet or 3 times the height of the system, whichever is greater..
 5. Wind energy systems shall be located no less than 100 feet from overhead utility lines and no less than 300 feet from a street line unless the building located on the parcel is located closer to the street line than 300 feet, in which case, the system shall be located no closer to the street than the façade of the principle dwelling on the property. In no event shall the distance between the street line and the wind energy system be less than 100 feet or 3 times the height of the system, whichever is greater.
 6. There shall be a maximum of one device per one acre of property on a single parcel or multiple parcels in single ownership.
 7. Wind energy systems shall be a non-obtrusive, non-reflective color such as white, off-white or gray, or the original factory galvanized steel.
 8. Shadow flicker upon any occupied building on any adjacent property caused by a wind energy system located within 1,000 feet of the occupied building shall not exceed 10 hours per year.
 - (a) Noise and/or shadow flicker provisions may not be applicable if the following conditions are met:

- 1) The applicant and affected property owner(s) sign an agreement that allows the noise and/or flicker to exceed the above noted requirements.
 - 2) The written agreement shall state the zoning ordinance requirements, indicating in what respect(s) the system does not comply with requirements, and shall state the maximum limit the noise and/or flicker may be above the zoning requirement.
 - 3) Any such agreement shall be recorded with the Bucks County Recorder of Deeds and shall run with the land.
 - 4) The agreement shall note that it cannot be modified without the written approval of the Township.
9. Wind systems shall not interfere with the reception of any radio, television or other communication equipment, nor inhibit solar access to adjacent properties.
 10. No artificial lighting (unless required by the FAA), signage (with the exception of warning signage at the base of the tower), or any forms of advertising shall be utilized or attached to the wind system.
 11. Minimum lot size: one (1) acre.
 12. No wind energy system shall be permitted in any open space that has been set aside as part of a development whether owned by a single owner or a homeowner's association, nor shall a wind energy system be permitted on any property preserved through a township, county, State, Federal, conservancy preservation program.
 13. Each proposed wind energy system shall be designed and engineered to provide for safe operation. Detailed plans shall be submitted with the zoning permit application. The engineering studies shall demonstrate to the satisfaction of the Township that the system shall be structurally sound and operate safely and in compliance with the requirements of this Section, the Pennsylvania UCC, and any other applicable State and Federal statutes, rules, and regulations.
 14. The power generated by a wind energy system shall not be sold to any other person or entity except the energy utility designated to serve the property. Use of the power generated by the wind energy system shall be limited to the lot on which the system is located.

15. A hazard warning sign, a minimum of two (2) feet by two (2) feet in size, shall be posted near ground level at the base of the wind energy system. There shall be no other signs or advertising on the system.
16. Within six months of the time that the use of the wind energy system is discontinued, the system shall be dismantled and removed from the property.

ARTICLE XV. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new Use, J33 Special Personal Services, which shall read as follows:

J33. Special Personal Services.

- a. Definition: a retail facility offering massages, psychic readings, body piercing, branding, tattooing, smoking parlor, and/or other similar uses.
- b. The service must be performed in compliance with all federal, state, and local regulations, rules and laws regulating such practices.
- c. When bodily contact is an intrinsic part of the service provided (i.e. massages, psychic readings, body piercing, branding, and tattooing), the service must be performed in sanitary conditions.
- d. Any special personal services Use shall be a minimum of 1,000 feet from the nearest public or private school, public parks, religious institutions, and residential neighborhoods.
- e. No more than two (2) special personal services shall be located within 500 feet of each other.
- f. The personal service provider shall display notices as required by Pennsylvania law regarding the necessity of parental consent before any procedure is performed on a minor.
- g. No person shall operate a massage business, health center, or health salon whereby a masseur or masseuse or any other person shall treat a person of the opposite sex. This prohibition shall not apply to any of the following type treatments:
 1. In the office of a licensed physician, osteopath, chiropractor, or a physical therapist.

2. In a regularly established medical center, hospital, or sanatorium.
3. In a residence of a person under a medical doctor's care by the direction of such doctor.
4. Upon the order of a licensed physician, osteopath, chiropractor, or physical therapist.

ARTICLE XVI. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new subsection c. to the existing K19 Use, Small Lot Industrial, which shall read as follows:

- c. Special Parking Regulations.
 1. Parking for this Use shall be the sum of the required parking for each individual Use per Part 29, or one parking space per 200 square feet of total floor area, whichever is greater; plus, two additional employee parking spaces per Use shall be provided.
 2. Sufficient loading and unloading areas shall be provided for each building along the rear of the building in accordance with the regulations set forth in this Chapter.

ARTICLE XVII. Use Definitions and Regulations

Section 27-305, Use Definitions and Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by adding a new L14 Use with the following requirements:

L14. Nonresidential Solar Energy System.

- a. Definition. Any solar collector or other solar energy device, or any structural design feature whose primary purpose is to provide for the collection, storage, and distribution of solar energy for space heating or cooling, water heating, or electricity for a nonresidential property that may be mounted on a building or on the ground and is not the primary use of the property.

Solar Panels. A structure containing one or more receptive cells; the purpose of which is to convert solar energy into usable energy by way of a solar energy system.

- b. Regulations.

1. This Section applies to accessory solar energy systems to be installed and constructed after the effective date of this Section, and all applications for solar energy systems on existing structures or property. Solar energy systems constructed prior to the effective date of this Section shall not be required to meet the requirements of this Section; provided that any structural change, upgrade or modification to an existing solar energy system that materially alters the size or placement of the existing solar energy system shall comply with the provisions of this Section.
2. Ground array solar panels shall be permitted in accordance with the following:
 - (a) Ground arrays shall meet the setback requirement for the principal use on the property, provided that no solar panel shall be located closer to the property line than 2 times the height of the solar panel or 75 feet, whichever is greater.
 - (b) Ground arrays shall not be permitted in a front yard.
 - (c) Ground arrays shall be located so that any glare or reflection is directed away or is properly buffered from adjoining properties.
 - (d) Ground arrays shall not exceed a height of 20 feet.
3. Roof-mounted solar panels shall be permitted in accordance with the following:
 - (a) Permitted roof-mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
 - (b) Integrated or separate flush-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing installation.
 - (c) Any roof-mounted solar panels other than those described in Subsections (a) and (b) of this Section shall only be permitted in accordance with the following conditions.

- 1) Such other roof-mounted solar panels shall be located on a rear- or side-facing roof, as viewed from any adjacent street.
 - 2) Such other roof-mounted solar panels installed on a building or structure with a sloped roof shall not exceed a height of three feet from the surface of the roof at any point and shall not project vertically above the peak of the roof to which it is attached. Such other roof-mounted solar panels installed on a building or structure with a flat roof shall not project vertically more than five feet above the surface of the roof, not including the parapet, wall, or other projection along the edge of the roof.
 - 3) Applicant shall demonstrate to the satisfaction of the Township Engineer that the proposed use of roof-mounted solar panels is the only effective or possible means for utilizing solar energy on the property. Such information shall be certified by a professional deemed qualified by the Board of Supervisors and may be reviewed by any other Township professional that the Board of Supervisors deems necessary.
- (d) In no event shall the placement of any solar panels result in a total height of the building (including the panels) exceeding 35 feet.
 - (e) Roof mounted solar panels shall be placed so as to prevent reflection and glare to adjacent properties.
4. Solar energy systems are permitted under this Section only as accessory uses to a nonresidential principal use for which the solar energy system is providing energy. Any solar energy systems designed or proposed to primarily sell energy on the open market shall be deemed a G1 Utilities Use.
- c. Design and Installation. To the extent applicable, the solar energy system shall comply with the Pennsylvania Construction Code (Act 45 of 1999), 35 P.S. §7210.101 *et seq.*, as amended, and the applicable regulations adopted by the Department of Labor and Industry, 34 Pa.Code §401.1 *et seq.*
 - d. The design of the solar energy system shall conform to applicable industry standards.
 - e. On existing construction, a solar energy system may be installed as long as it meets the requirements of this Chapter and all other applicable construction codes.

- f. Easements. On plans for new subdivisions or land developments that propose to provide for solar energy systems, a notation shall be placed on the approved plan stating that restrictions have been placed on the lots in question, pursuant to a recorded deed of easement, concerning the placement of structures and vegetation as they relate to the solar energy systems. The terms of the easement shall be as approved by the Township Solicitor.
- g. Abandonment and Removal of Solar Energy Systems
 - 1. Any solar panel (roof or ground) which has not been in active and continuous service for a period of one year shall be removed from the property to a place of safe and legal disposal.
 - 2. All structural enclosures accessory to the solar panels shall be completely removed from the property to a place of safe and legal disposal.
 - 3. The former solar site shall be restored to as natural condition as possible within six months of the removal from the property.
- h. Solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from the property line.
- i. The design of solar energy systems shall, to the extent reasonably possible, use materials, colors, textures, screening and landscaping that will blend the facility into the natural setting and existing environment.
- j. The installation of solar energy systems is subject to all public utility requirements for interconnection with the utility's system, if applicable.

ARTICLE XVIII. Zoning Districts

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by changing the reference to "H6. Solar Energy System" to read "H6. Residential Solar Energy System": §27-401.a, §27-501.a, §27-701.b, §27-801.b, §27-901.b, §27-1001.b, and §27-1101.b

ARTICLE XIX. Zoning Districts

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by changing the reference to "H7. Wind Energy System" to read "H7. Residential Wind Energy System": §27-401.a, §27-501.a, §27-701.b, §27-801.b, §27-901.b, §27-1001.b, and §27-1101.b

ARTICLE XX.

RR Residential District

Section 27-901, Use Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

§27-901. Use Regulations.

a. Uses Permitted by Right.

- A2 Crop Farming
- A5 Commercial Forestry
- A12 Wildlife Sanctuary
- B1 Single-Family Detached Dwelling
- B2 Cluster Subdivision
- E1 Public Recreational Facility
- H Residential Accessory Uses:
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls
 - H4 Noncommercial Swimming Pool
 - H5 Tennis Court
 - H10 Air Conditioner
 - H11 Recreational or Other Vehicle Storage
 - H12 Garage or Yard Sales
 - H13 Household Pets
- L General Uses and Structures:
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs

b. Uses Permitted by Special Exception.

- B3 Single-Family Semi-Detached Dwelling
- B4 Two-Family Detached Dwelling

- C4 Group Home
- E4 Non-Household Swimming Pool
- E6 Golf Course
- E7 Community Center
- F2 Emergency Service Center
- H6 Residential Solar Energy System
- H7 Residential Wind Energy System
- H8 Satellite Antennas
- H9 Amateur Radio Antennas
- H15 Home Occupation

c. A B11 Planned Residential Development Use is permitted in this District in compliance with all the applicable PRD regulations in this Chapter and in the Pennsylvania Municipalities Planning Code.

ARTICLE XXI. RR Residential District

Section 27-904, Use Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby deleted in its entirety.

ARTICLE XXII. VR Village Residential District

A new Subsection d. shall be added to Section 27-1001, Use Regulations, of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

d. A B11 Planned Residential Development Use is permitted in this District in compliance with all the applicable PRD regulations in this Chapter and in the Pennsylvania Municipalities Planning Code.

ARTICLE XXIII. IN Institutional District

The “Use Regulations” Section under Part 16, IN Institutional District, of Chapter 27, Zoning, of the New Britain Township Code is currently incorrectly numbered as “§27-1602”. This Section is hereby amended to be correctly numbered as “§27-1601”.

ARTICLE XXIV. Zoning Districts - C6. Adult Day Care

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by adding “C6. Adult Day Care” as a Use permitted by right: §27-1301.a, §27-1401.a, (newly renumbered) §27-1601.a, and §27-1801.a.

ARTICLE XXV. Zoning Districts - C6. Adult Day Care

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by adding “C6. Adult Day Care” as a Use permitted by special exception: §27-501.b, §27-701.b, §27-801.b, and §27-1501.b.

ARTICLE XXVI. Zoning Districts - J33. Special Personal Services

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by adding “J33. Special Personal Services” as a Use permitted by special exception: §27-1701.a, and §27-1801.a.

ARTICLE XXVII. Zoning Districts - L14. Nonresidential Solar Energy System

The following Sections of Chapter 27, Zoning, of the New Britain Township Code are hereby amended by adding “L14. Nonresidential Solar Energy System” as a Use permitted by Conditional Use: §27-1201.c, §27-1301.c, §27-1401.c, §27-1501.c, (newly renumbered) §27-1601.c, §27-1701.c, and §27-1801.c.

ARTICLE XXVIII. Natural Resources

Section 27-2400, Natural Resources, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by revising Subsections a., b., c., and d. to read as follows:

- a. Watercourses. The entire extent of such areas shall not be altered, regraded, filled, piped, diverted or built upon except roads and trails may cross watercourses where design approval is obtained from the Township and, if required, the Pennsylvania Department of Environmental Protection.
- b. Floodplains. See Part 19 of this Chapter.
- c. Floodplain (Alluvial) Soils. See Part 19 of this Chapter.
- d. Wetlands. The entire extent of such areas shall not be altered, regraded, filled, piped, diverted or built upon. Where the property owner demonstrates to the Township’s satisfaction that there is no reasonable alternative, minor road crossings, utility line

crossings, streambank rehabilitation, and endwalls may be permitted, so long as State and Federal permits have been obtained for such work. Wetland boundaries shall be delineated through an onsite assessment conducted by a professional soil scientist. Such a person shall certify that the methods used correctly reflect currently accepted technical concepts, including the presence of wetlands vegetation, floodplain soils and/or hydrologic indicators. The study shall be submitted with sufficient detail to allow a thorough review by the Township prior to approval by the Board of Supervisors. The Township shall have the right to inspect the site as a part of its review of the study, and the Township reserves the right to verify the presence and/or extent of wetlands through the retention of its own professional soil scientist.

ARTICLE XXIX. Natural Resources

Section 27-2402, Site Capacity Calculations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

§27-2402. Site Capacity Calculations.

Unless specified in §27-305 or Part 5 for the proposed use, the following site capacity calculations shall be provided on the record plan for all subdivision and land development applications. Through these calculations, the net buildable site area, maximum number of lots or dwelling units, and required open space will be determined for the specific site.

- a. Gross Site Area. Determine the Gross Site Area by an onsite boundary survey.
- b. Base Site Area. Base Site Area is calculated by subtracting land within existing road rights-of-way, existing utility easements or rights-of-way; conservation easements, land which is not contiguous or which is separated from the parcel by a road, railroad or major stream; or land shown on previous subdivision or land development plans as reserved open space from the Gross Site area.

$$\begin{array}{r}
 \text{_____ acres (Gross Site Area)} \\
 - \text{_____ acres (ROWS, easements, noncontiguous, open space, etc.)} \\
 \hline
 \text{Base Site Area = _____ acres}
 \end{array}$$

- c. Land With Resource Restrictions and Resource Protection Land. Calculate the land with resource restrictions and the resource protection land through the use of the following chart. In the event that two or more resources overlap, only the resource with the highest open space ratio shall be used in the calculations.

Natural Resources	Protection Ratio	Acres of Land in Resources	Resource Protection Land (acres x protection ratio)	Acres of Land to be Disturbed
Watercourses	1.00			
Riparian Buffer	1.00			
Floodplain	1.00			
Floodplain (Alluvial) Soils	1.00			
Wetlands	1.00			
Lakes or Ponds	1.00			
Woodlands	0.80			
Steep Slopes 8-15%	0.60			
Steep Slopes 15-25%	0.70			
Steep Slopes 25% or more	0.85			
Total Land With Resource Restrictions		_____ acres		
Total Land With 1.00 Protection Ratio Resource Restrictions		_____ acres		
Total Resource Protection Land Required			_____ acres	
Total Resource Protection Land Provided			_____ acres	
Total Disturbed Resources				_____ acres

d. Minimum Open Space. Calculate the minimum open space using the following.

Base Site Area _____ acres

Multiply by Minimum Open Space Ratio x _____ acres

Standard Minimum Open Space = _____ acres

e. Determine Required Open Space. The required open space is the total of the resource protection land with a 1.00 Protection Ratio or the minimum open space, whichever is greater.

_____ acres

f. Net Buildable Site Area. Calculate the net buildable site area using the following.

Base Site Area _____ acres
Subtract Required Open Space - _____ acres
Net Buildable Site Area = _____ acres

g. Number of Dwelling Unit/Lots. Calculate the maximum number of dwelling units using the following.

Net Buildable Site Area _____ acres
Multiply by Maximum Density x _____
Number of Dwelling Units Permitted = _____ units/lots

h. Impervious Surfaces. Calculate the maximum area of impervious surfaces using the following.

Base Site Area _____ acres
Multiply by Maximum Impervious Surface Ratio x _____
Maximum Permitted Impervious Surface= _____ acres

ARTICLE XXX. Natural Resources

Section 27-2701, Applicability of Open Space Standards, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

§27-2701. Applicability of Open Space Standards.

a. The open space regulations specified in this Part pertain to the following minimum open space ratios which are specified elsewhere in this Chapter.

Use	Minimum Open Space
B-2 Cluster Subdivision	50% open space
B-8 Manufactured Homes I	45% open space
B-9 Manufactured Homes II	30% open space
B-11 Planned Residential Development (PRD)	40% open space

C-2 Nursing Home	20% passive recreation
C-3 Personal Care Center	20% passive recreation
C-8 In-patient drug and alcohol rehabilitation center	20% passive recreation

- b. Both active and passive recreation area may be included in the required open space calculation except as otherwise stated.
- c. Required yard areas shall not be included in the required open space calculation, unless otherwise permitted by the Board of Supervisors.
- d. Sensitive environmental areas such as steep slopes, floodplains and other such areas whose development is regulated in Part 24 may be included in the open space calculation where left undeveloped.
- e. Parking areas, driveways or other manmade impervious surface shall not be included in the required open space calculation.
- f. Specific requirements for open space for the B-2 Cluster Subdivision Use are provided in Part 3.

ARTICLE XXXI. Buffer Yard Requirements

Subsection c. of Section 27-2800, Purpose and Applicability, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

- c. Where a buffer yard exists on an adjacent property, an applicant may request by conditional use that the buffer yard requirements of this Part be waived or reduced.

ARTICLE XXXII. Buffer Yard Requirements

Section 27-2802 of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

§27-2802. Content of Planting Strips.

- a. The following minimum spacing and composition are required for planting strips:
 - 1. Each strip shall contain two staggered rows of evergreens or a combination of trees and shrubs listed below.

2. Where rows of evergreens are being planted, each row shall be no greater than 20 feet apart, and the plants in each row shall be planted at a density of one plant every nine (9) linear feet.
3. Where a combination of trees and shrubs are being planted, this mixture of plants shall be chosen and planted in such a fashion and density as to provide the required screening of the neighboring properties.

b. **Plant Diversity.** To promote diversity and minimize the impact of disease on tree, shrub, and plant populations, the following table shall be followed to determine the number of different genera (plural of the taxonomic rank genus) to be planted:

1. **Trees:**

Number of Trees Proposed	Minimum Number of Tree Genera	Maximum Percentage of any One Genus*
1-10	1	100%
11-25	2	75%
26-50	3	50%
51-100	4	40%
101-200	6	30%
201+	8	20%

* Pin Oaks (*Quercus palustris*) and Red Oaks (*Quercus rubrus*) shall constitute no more than 10% of the total number of trees proposed.

2. **Shrubs and Hedge/Hedgerow Plants:**

Number of Plants Proposed	Minimum Number of Plant Genera	Maximum Percentage of any One Genus
1-25	1	100%
26-50	2	75%
51-100	3	50%
101-200	4	40%
201-400	6	30%
400+	8	20%

- c. Plant materials shall be selected from the following list:

1. Canopy Trees (two inches caliper minimum)
 - Acer rubrum* — Red Maple
 - Acer saccharum* — Sugar Maple
 - Betula alba* — European White Birch
 - Fagus grandifolia* — American Beech
 - Fagus sylvatica* — European Beech
 - Ginkgo biloba* — Ginkgo (male only)
 - Gleditsia triacanthos inermis* — Thornless Honey Locust
 - Liquidambar styraciflua* — Sweet Gum
 - Liriodendron tulipifera* — Tulip Tree
 - Phellodendron amurense* — Amur Cork Tree
 - Platanus acerifolia* — London Plane Tree
 - Quercus alba* — White Oak
 - Quercus rubrus* — Red Oak
 - Quercus palustris* — Pin Oak
 - Quercus phellos* — Willow Oak
 - Robina psuedoacacia inermis* — Thornless Black Locust
 - Sophora japonica* — Japanese Pagodatree
 - Tilia* *** — Linden/Basswood (all species hardy to the area)
 - Zelkova serrata* — Japanese Zelkova

2. Flowering Trees (two inches caliper minimum)
 - Amelanchier canadensis* — Shadblow Serviceberry
 - Cornus florida* — Flowering Dogwood
 - Cornus kousa* — Kousa Dogwood
 - Cornus maps* — Cormelian Cherry
 - Crataegus phaenopyrum* — Washington Hawthorn
 - Koelreuteria paniculata* — Golden Rain Tree
 - Laburnum vossi* — Goldenchain
 - Magnolia soulangeana* — Saucer Magnolia
 - Magnolia virginiana* — Sweetbay Magnolia
 - Malus baccata* — Siberian Crab
 - Malus floribunda* — Japanese Flowering Crab
 - Malus hopa* — Hopa Red-Flowering Crab
 - Oxydendrum arboreum* — Sourwood
 - Prunus kwanzan* — Kwanzan Cherry
 - Prunus yeodensis* — Yoshino Cherry

3. Evergreens (four feet high minimum)
 - Abies concolor* — White Fir
 - Ilex Opaca* — American Holly
 - Juniperus virginiana* — Eastern Red cedar
 - Picea abies* — Norway Spruce
 - Picea omorika* — Serbian Spruce
 - Picea pungens* — Colorado Spruce
 - Pinus nigra* — Austrian Pine

Pinus strobus — Eastern White Pine
Pseudotsuga menziesii — Douglas Fir
Tsuga canadensis — Canada Hemlock

4. Hedge (four feet high minimum)
 - Crataegus intricata — Thicket Hawthorn
 - Forsythia intermedia — Border Forsythia
 - Rhamnus fraxula columnaris — Tallhedge Buckthorn
 - Syringa chinensis — Chinese Lilac
 - Syringa vulgaris — Common Lilac
 - Viburnum alatus — Viburnum

5. Hedgerow (four feet high minimum)
 - Crataegus crus-galli — Cockspur Hawthorn
 - Crataegus haenopyrum — Washington Hawthorn
 - Euonymus alatus — Winged Euonymus
 - Viburnum sieboldii — Siebold Biburnum
 - Viburnum tomentosum — Doublefile Viburnum

6. Shrubs (three feet high minimum)
 - Ilex verticillata — Winter berry
 - Juniperus virginiana — Upright Juniper
 - Pyracantha lalandi — Laland Firethorn
 - Taxus capitata — Upright Yew
 - Taxus hichsi — Hicks Yew
 - Thuja occidentalis — American Arborvitae (four feet high minimum)
 - Euonymus alatus — Winged Euonymus
 - Hamamelis vermalis — Vernal Witch Hazel
 - Hamamelis virginiana — Common Witch Hazel
 - Rhamnus frangula — Glossy Buckthorn
 - Viburnum dentatum — Arrowwood Viburnum
 - Viburnum lantana — Wayfaring tree Viburnum

ARTICLE XXXIII. Off-Street Parking

Section 27-2901, Off-Street Parking Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by amending or adding the following Uses and associated parking requirements:

Use	Off-Street Parking Requirements	Plus
A13 Pet Resort	1 space per 8 animals of capacity	1 space per every 2 employees
B10 Village House Development	See B10 Use Regulations	See B10 Use Regulations

B11. Planned Residential Development (PRD)	See B11 Use Regulations	See B11 Use Regulations
F6 Business Campus	See F6 Use Regulations	See F6 Use Regulations
F7 Commercial Campus	See F7 Use Regulations	See F7 Use Regulations
J31 Planned Community Center	See J31 Use Regulations	See J31 Use Regulations
J32 Neighborhood Commercial Center	See J32 Use Regulations	See J32 Use Regulations
K19 Small Lot Industrial	See K19 Use Regulations	See K19 Use Regulations

ARTICLE XXXIV. Off-Street Parking

Section 27-2901, Off-Street Parking Regulations, of Chapter 27, Zoning, of the New Britain Township Code is hereby amended by making the following changes:

- Under Residential Uses, “B1a Watershed Conservation Development” shall be changed to read “B1a Watershed Conservation Subdivision”.
- Under Retail and Service Uses, “J29 Package Delivery Service” shall be changed to read “J29 Package Delivery Services”.
- Under Retail and Service Uses, “J30 Photocopying Service” shall be changed to read “J30 Photocopying Services”.
- Under Industrial Use, “K3 Wholesale, Storage, Warehousing” shall be changed to read “K3 Wholesale Business, Wholesale Storage, Warehousing”.
- Under Industrial Use, “K17 Solid Waste Landfill Facility” shall be changed to read “K17 Solid Waste Landfill”.
- Under General Accessory Uses and Structures, “L2 Outside Storage of Display” shall be changed to read “L2 Outside Storage or Display”.
- Under General Accessory Uses and Structures, “L4 Temporary Community Events” shall be changed to read “L4 Temporary Community Event”.
- Under General Accessory Uses and Structures, “L5 Oil and Gas Drilling” shall be changed to read “L5 Oil and Gas Drilling Well”.
- Under General Accessory Uses and Structures, “L8 Nonresidential radio and television, towers, masts, aerials, etc.” shall be changed to read “L8 Nonresidential Radio and Television Towers, Masts, Aerials, Dish Antenna and Silos”.

ARTICLE XXXV.**Attachment 2**

Attachment 2 to Chapter 27 of the New Britain Code of Ordinances is hereby amended to read as follows:

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
B. RESIDENTIAL USES														
B3. Single Family Semi-Detached Dwelling	N	N	N	N	SE	Y	N	N	N	N	N	N	N	N
B4. Two Family Detached Dwelling	N	N	N	N	SE	Y	N	N	N	N	N	N	N	N
B5. Single Family Attached	N	N	N	N	N	Y	N	N	N	N	N	N	N	N
B6. Multifamily	N	N	N	N	N	Y	N	N	N	N	N	N	N	N
E. RECREATIONAL USES														
E4 Commercial Swimming Pool	Y	SE	SE	SE	SE	SE	SE	N	N	Y	Y	Y	Y	Y
F. PUBLIC, SEMI-PUBLIC USES														
F7. Commercial Campus	N	N	N	N	N	N	N	N	N	N	N	N	N	N
H. RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE														
H6. Residential Solar Energy System	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
H7. Residential Wind Energy Systems.	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
J. RETAIL AND SERVICE USES														
J2 Adult Commercial	N	N	N	N	N	N	N	N	N	N	N	N	CU	N

ARTICLE XXXVI. Attachment 2

Attachment 2 to Chapter 27 of the New Britain Code of Ordinances is hereby amended by adding the following rows:

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
B. RESIDENTIAL USES														
B11. Planned Residential Development (PRD)	N	N	N	N	P	P	N	N	N	N	N	N	N	N
C. INSTITUTIONAL USES														
C6. Adult Day Care	N	SE	SE	SE	N	N	N	N	Y	Y	SE	Y	N	Y
J. RETAIL AND SERVICE USES														
J33. Special Personal Services.	N	N	N	N	N	N	N	N	N	N	N	N	SE	SE
L. GENERAL ACCESSORY USES AND STRUCTURES														
L14. Nonresidential Solar Energy System.	N	N	N	N	N	N	N	CU	CU	CU	CU	CU	CU	CU

ARTICLE XXXVII. Attachment 2

The “Key” to Attachment 2 to Chapter 27 of the New Britain Code of Ordinances is hereby amended by adding the following rows:

Key:

Y – Permitted by Right

SE – Permitted as a Special Exception

CU – Permitted as a Conditional Use

P – Permitted pursuant to PRD regulations

N – Not permitted

Y/CU – Possibly permitted by Right or as a Conditional Use pursuant to the conditions and requirements contained in Section 27-305.G.G4.

ARTICLE XXXVIII. Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

NEW BRITAIN TOWNSHIP - OMNIBUS ZONING AMENDMENT
Ordinance No. 2015-09-06

ARTICLE XXXIX. **Severability**

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE XXXX. **Effective Date**

This Ordinance shall become effective five (5) days after final enactment.

ENACTED and *ORDAINED* this _____ day of _____, 2015.

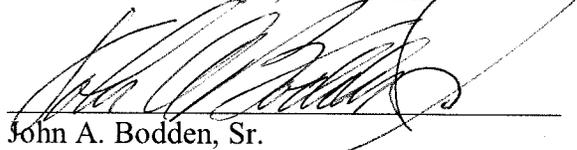
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