

CHAPTER 27

ZONING¹

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¹ Editor's Note: This Chapter was codified and reenacted as part of the adoption of the Code of the Township of New Britain by Ord. 2007-04-01, 4/26/2007.

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PART 1

TITLE, PURPOSE, JURISDICTION, CLASSIFICATION OF DISTRICTS AND ZONING MAP

§27-100. Title.

An ordinance regulating the location, height, bulk, erection, construction, alteration, razing, removal and size of structures, the percentages of lot which may be occupied, the size of yards, courts and other open spaces, the density and distribution of population, the intensity of use of land or bodies of water for trade, industry, residence, recreation, public activities or other purposes and the uses of land for agriculture, water supply, conservation or other purposes, in all portions of New Britain Township.

(Ord. 8-14-1995, §100)

§27-101. Short Title.

This Chapter shall be known as and may be cited as the “New Britain Township Zoning Ordinance of 1995.”

(Ord. 8-14-1995, §101)

§27-102. Purpose.

The purposes of this Chapter are:

- a. To implement the New Britain Township Comprehensive Plan.
- b. To promote, protect and facilitate the public health, safety, morals, general welfare, coordinated and practical community development, proper density of population, civil defense, disaster evacuation, airports and national defense facilities, the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewage, schools, public grounds and other public requirements.
- c. To prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers in accordance with an overall program and with consideration for the character of the Township, its various parts and the suitability of the various parts for particular uses and structures.
- d. To preserve prime agriculture and farmland considering topography, soil type, classification and present use.

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- e. To provide standards to control the amount of open space and impervious surfaces within a development, to control the intensity of development in areas of sensitive natural resources or natural features in order to reduce or eliminate adverse environmental impacts.
- f. To provide methods to implement Article I, §27 of the Constitution of the Commonwealth of Pennsylvania, which decrees that the people have a right to clean air, pure water and to the preservation of the natural, scenic, historic and aesthetic values of the environment and to protect natural resources which are a part of the ecological system to which we are all bound and therefore are the common property of all the people, including generations yet to come and must be protected to ensure the health, safety and welfare of all the people.
- g. To provide standards for a variety of types of dwelling units so that all the people may have access to decent, sound and sanitary housing.
- h. To regulate the growth of the Township, concentrating development in areas where adequate sewage and water facilities, roads and schools can be provided and limiting development in areas where these facilities are not provided.
- i. To lessen the danger and congestion of traffic on the roads and highways and to reduce excessive numbers of roads.
- j. To provide standards for commercial, industrial and institutional development.
- k. To secure economy in local government expenditures.

(Ord. 8-14-1995, §102)

§27-103. Interpretation.

In interpreting and applying the provisions of this Chapter, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience and general welfare.

- a. Whenever any regulations made under authority of this Chapter require a greater width or size of yards, courts or other open spaces or require a lower height of buildings or smaller number of stories or require a greater percentage of lot to be left unoccupied or impose other higher standards than are required in or under any other statute, the provisions of the regulations made under authority of this Chapter shall govern.
- b. Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot

to be left unoccupied, or impose other higher standards than are required by any regulations made under authority of this Chapter the provisions of such statute shall govern.

- c. Whenever any regulations pertaining to a specific use or activity under authority of this Chapter require a greater width or size of yards, courts or other open space, or require a lower height of buildings or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required for the zoning district or generally required under this Chapter, the greater or higher standards shall govern.
- d. This Chapter does not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or impliedly repealed by this Chapter or any private restrictions placed upon property by covenant, deed or other private agreement unless repugnant hereto.
- e. Those provisions in the New Britain Township Subdivision and Land Development Ordinance [Chapter 22] concerned with varying design standards shall not be considered to be in conflict with the provisions of this Chapter.

(Ord. 8-14-1995, §103)

§27-104. Separability.

It is hereby declared to be the intent of the Board of Supervisors that:

- a. If a court of competent jurisdiction declares any provisions of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective and all other provisions of this Chapter shall continue to be separately and fully effective.
- b. If a court of competent jurisdiction finds that the application of any provision or provisions of this Chapter to any lot, building or other structure or tract of land to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property or situation immediately involved in the controversy and the application of any such provision to other persons, property or situations shall not be affected.

(Ord. 8-14-1995, §104)

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§27-105. Establishment of Districts.

The Township of New Britain is hereby divided into districts of different types, each type being of such number, shape, kind and area and of such common unity of purpose and adaptability of use, that are deemed most suitable to carry out the objectives of this Chapter and the Comprehensive Plan. For the purpose of this Chapter, New Britain Township is hereby divided into districts which shall be designated as follows:

C/R	Conservation and Recreation District
WS	Watershed District
RA 2 WS	Watershed District
SR-1	Single-Family Residential District
SR-2	Single-Family Residential District
RR	Residential District
VR	Village Residential District
MHP	Mobile Home Park District
C-1	Commercial District
C-2	Commercial District
C-3	Commercial District
OP	Office Park District
IN	Industrial District
I	Industrial District
IO	Industrial Office District
-	Floodplain Overlay District
-	Airport Overlay District

In addition to the zoning districts identified above, there are several court approved zoning districts in which special zoning conditions apply. These provisions have been defined in stipulations of agreement in individual court approved settlements. Where the settlement does not address a specific zoning issue, the provisions of the underlying zoning district shall prevail.

(Ord. 8-14-1995, §105; as amended by Ord. 2007-04-01, 4/26/2007)

§27-106. Zoning Districts Map.

- a. A map entitled "Zoning Map for the Township of New Britain" accompanies this Chapter and is declared a part of this Chapter.

- b. The Official Zoning Map shall be identified by the signature of the Chairman of the Board of Supervisors, attested by the Township Secretary and shall bear the adoption date of this Chapter and the seal of the Township.
- c. Changes of any nature to the Official Zoning Map shall be made in conformity with the amendment procedures set forth in this Chapter. All changes shall be noted by date with a brief description of the nature of the change.
- d. Regardless of the existence of purported copies of the Official Zoning Map which may, from time to time, be made or published, the Official Zoning Map shall be located in the Township Office and shall be the final authority on boundaries and districts. The Zoning Officer shall have a certified copy of the Official Zoning Map for official use.
- e. If the Official Zoning Map becomes damaged, destroyed, lost or difficult to interpret because of changes and additions, the Board of Supervisors may, by resolution, adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map.
- f. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall include an amendment thereof, unless the amendment has been duly advertised and adopted.
- g. Unless the prior Official Zoning Map has been lost or has been totally destroyed, the prior map or any part or parts thereof remaining shall be preserved together with all available records pertaining to its adoption or amendment.

(Ord. 8-14-1995, §106)

§27-107. Interpretation of District Boundaries.

Where uncertainty exists with respect to the boundaries of the district as indicated on the zoning map, the Zoning Officer shall make an interpretation. The following rules shall apply:

- a. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, railroad lines or streams, such centerlines shall be construed to be such boundaries.
- b. Where district boundaries are so indicated that they approximately coincide with lot lines, such lot lines shall be construed to be said boundaries or where district boundaries are extensions of lot lines or connect the intersections of lot lines, such lines shall be said district boundaries.

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- c. Where district boundaries are so indicated that they are approximately parallel to centerlines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.
- d. Where a district boundary is not fixed by dimensions and where it approximately follows lot lines and where it does not scale more than 10 feet therefrom, such lot lines shall be construed to be such boundaries unless specifically shown otherwise.
- e. In unsubdivided land or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the map.
- f. In case any further uncertainty exists, the Zoning Hearing Board shall review the Zoning Officer's determination and interpret the intent of the map as to location of district boundaries.

(Ord. 8-14-1995, §107)

PART 2

GENERAL DEFINITIONS

§27-200. General Usage and Meanings.

- a. Unless the context clearly indicates a different meaning, for the purposes of this Chapter, the following words and terms shall be defined as follows.
- b. For the purpose of this Chapter, words and terms used herein shall be interpreted as follows:
 1. Words used in the present tense include the future.
 2. The singular includes the plural.
 3. The word “person” includes an individual, firm, partnership, corporation, company, association or government entity; including a trustee, a receiver, an assignee or a similar representative.
 4. The word “lot” includes the word “plot” or “parcel.”
 5. The term “shall” is mandatory.
 6. The word “used” or “occupied” as applied to any land or building shall be construed to include the words “intended, arranged or designed to be occupied.”
 7. The word “Supervisors” and the words “Board of Supervisors” always mean the New Britain Township Board of Supervisors.
 8. The word “Commission” and the words “Planning Commission” always mean the New Britain Township Planning Commission.
 9. The word “Board” or the words “Zoning Hearing Board” always mean the New Britain Township Zoning Hearing Board.
 10. The words “Zoning Officer” or the words “New Britain Zoning Officer” always mean the Township Zoning Officer. The Zoning Officer is also the Code Enforcement Officer.
- c. Any word or item not defined herein shall be used with a meaning of standard usage.

(Ord. 8-14-1995, §200)

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§27-201. General Definitions.

ACCESSORY –

ACCESSORY BUILDING — see “building, principal.”

ACCESSORY USE — see “use, accessory.”

ACRE — a measure of land area containing 43,560 square feet.

ADDITION –

- a. A structure added to the original structure at some time after the completion of the original;
- b. An extension or increase in floor area or height of a building or structure.

ADJACENT LAND — see “adjoining lot or land.”

ADJOINING LOT OR LAND — a lot or parcel of land that shares all or part of a common lot line or parcel of land.

AGRICULTURAL SOILS — those soils that have been designated by the Natural Resource Conservation Service of the U.S. Department of Agriculture as Capability I Land, Capability Class II Land and Capability Class III Land. These soils are best suited for producing food, feed, forage, fiber and oilseed crops and also available for these uses based upon their soil quality, growing season and moisture supply needed to produce high yield crops. For purposes of this Chapter, the 1996 Soil Survey of Bucks County, as amended, shall be utilized in determining soil classifications for either use or preservation.

ALTERATIONS — any change or rearrangement in the supporting members of an existing building, such as bearing walls, columns, beams, girders or interior partitions, as well as any change in doors, windows, means of ingress or egress, or any enlargement to or diminution of a building or structure, whether horizontally or vertically, or the moving of a building or structure from one location to another.

AMERICANS WITH DISABILITIES ACT (ADA) — a 1990 federal law designed to bring disabled Americans into the economic mainstream by providing them equal access to jobs, transportation, public facilities and services.

APPLICANT — a person submitting an application for development.

APPLICATION FOR DEVELOPMENT — the application form and all accompanying documents and exhibits required of an applicant by an approving authority for development review purposes.

AREA –

a. LOT AREA –

1. The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Chapter, excluding any area within an existing or designated future street right-of-way or any area required as open space under this Chapter and excluding the area of any easements.

b. FLOOR AREA — The sum of the areas of the several floors of the building or structure, including areas used for human occupancy or required for the conduct of the business or use, and including basements, attics and pent-houses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, and attics not used for human occupancy, nor any floor space in an accessory building nor in the main building intended or designed for the parking of motor vehicles in order to meet the parking requirements of this Chapter, nor any such floor space intended and designed for accessory heating and ventilating equipment.

1. FLOOR AREA, GROSS — The sum of the gross horizontal areas of the several floors of a building or structure from the exterior face of exterior walls or from the centerline of a wall separating two buildings, but excluding any space where the floor-to-ceiling height is less than six feet.
2. FLOOR AREA, NET — The total of all floor areas of a building, excluding stairwells and elevator shafts, equipment rooms, interior vehicular parking or loading and all floors below the first or ground floor, except when used or intended to be used for human habitation or service to the public.

c. BUILDABLE AREA – The area of a lot remaining after the minimum yards, buffer zones, open space, natural features with 100% protection standard and the portion of those natural features that may not be developed or intruded upon have been satisfied. See Figures 1 and 2.

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ATTIC — that part of a building that is immediately below and where wholly or partly within the roof framing. See Figure 3.

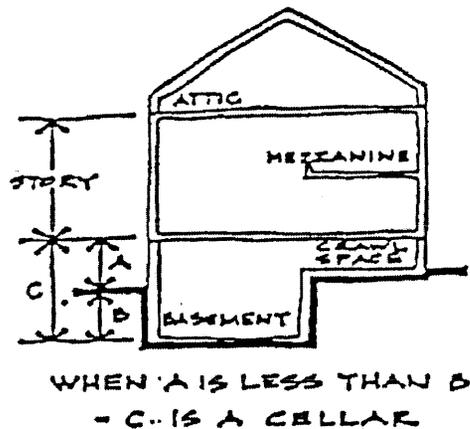


Figure 3

AWNING — a roof-like cover that is temporary or portable in nature and that projects from the wall of a building for the purpose of shielding a doorway or window from the elements and is periodically retracted into the face of the building.

BANKFULL FLOW OR LEVEL — the discharge that just fills the water channel to the top of its banks and at a point where the water begins to overflow onto a floodplain. Bankfull discharge is a relatively frequent event with a return rate of 1.0 year.

BASEMENT — a basement is a space having 1/2 or more of its floor-to-ceiling height above the average level of the adjoining ground and with a floor-to-ceiling height of not less than seven feet. A basement shall be counted as a story for the purposes of height measurement or the determination of square footage or floor area.

BEDROOM — a private room planned and intended for sleeping, separated from other rooms by a door and accessible to a bathroom without crossing another bedroom.

BERM — a mound of earth or the act of pushing earth into a mound.

BLOCK — a unit of land bounded by streets or by a combination of streets and public land, railroad right-of-ways, waterways or any other barrier to the continuity of development. See Figure 4.

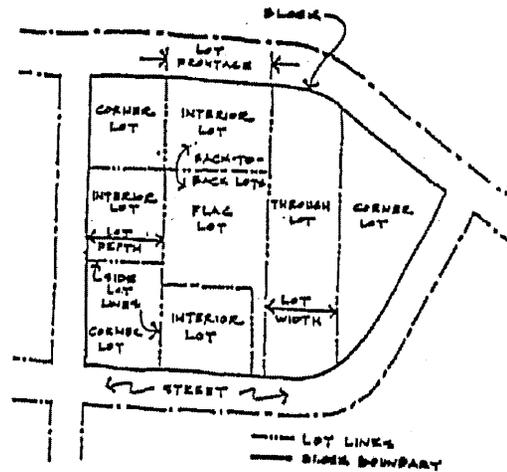


Figure 4

BOARDER, ROOMER OR LODGER — a person, except a family member, occupying any rooms or group of rooms forming a single and habitable unit used or intended to be used for living and sleeping, but not for cooking or eating purposes and paying compensation for lodging or board and lodging by prearrangement for a week or more at a time to an owner or operator. Any person occupying such room or rooms and paying such compensation without prearrangement for less than a week at a time shall be classified for purposes of this Chapter not as a roomer, boarder or lodger but as a guest of a commercial lodging establishment (motel, hotel, inn, guest house, tourist home).

BUFFER STRIP — open spaces, landscaped areas, fences, walls, berms or any combination thereof used to physically separate or screen one use or property from another so as to visually shield or block noise, lights or other nuisances.

BUFFER ZONE — see “transition zone.”

BUILDING —

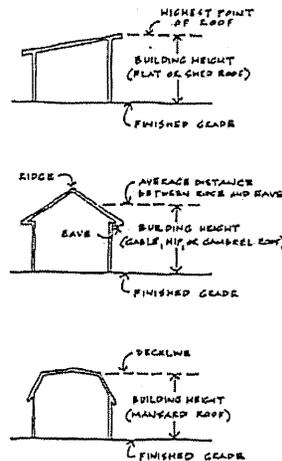
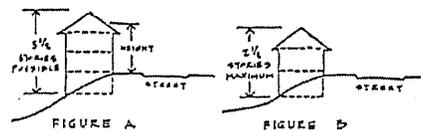
- a. **BUILDING** — Any structure having a roof supported by columns or walls and intended for the shelter, housing, or enclosure of any individual, animal, process, equipment, goods or materials of any kind.
- b. **BUILDING, ACCESSORY** — A subordinate building on the same lot as the principal or main building or use. See also “structure, accessory.”
- c. **BUILDING, PRINCIPAL** — A building in which is conducted the principal use of the lot on which it is located.

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BUILDING COVERAGE — the ratio of the horizontal area measured from the exterior surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the total lot area.

BUILDING ENVELOPE — the building envelope is that area of a lot where structures are permitted. The building envelope shall not include the area of any required setbacks, (except for driveways which would cross yards), buffer yards, open space, easements, natural resources with 100% protection standard and the portion of those natural features that may not be developed or intruded upon as specified and identified in this Chapter. See Figures 1 and 2.

BUILDING HEIGHT — the vertical distance from finished grade 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. See Figure 5.



BUILDING HEIGHT

Figure 5

BUILDING SETBACK LINE — the rear line of the minimum front yard, as herein designated for each use and each district, measured at a distance equal to and no greater than the minimum front yard from the street line as defined in “street line.” For exceptions, see “lane lot.”

BUILDING SPACING — the minimum distance between buildings. The minimum building spacing shall be measured from the outermost wall or projection, excluding bay windows, chimneys, flues, columns, ornamental features, cornices

and gutters. These exceptions may encroach no more than two feet into the minimum building spacing area.

CALIPER — the diameter of a tree trunk. See Figure 6.

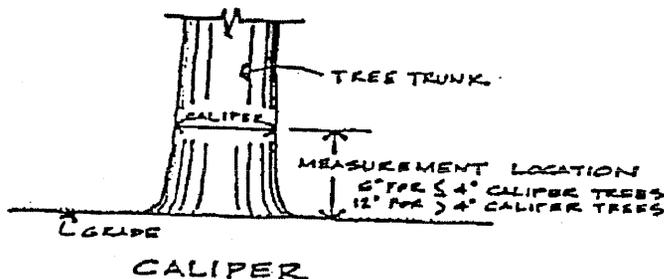


Figure 6

CELLAR — a cellar is a space with less than 1/2 of its floor-to-ceiling height above the average finished grade of the adjoining ground or with a floor-to-ceiling height of less than 6.5 feet. A cellar is not counted as a story for the purposes of height measurement or the determination of square footage or floor area unless the cellar is used for dwelling, office, or business purposes.

CERTIFICATE OF OCCUPANCY — a document issued by a governmental authority allowing the occupancy or use of a building and certifying that the structure or use has been constructed and will be used in compliance with all the applicable municipal codes and ordinances.

CHANGE OF USE — any use that substantially differs from the previous use of a building or land.

CHIMNEY — a structure containing one or more flues for drawing off emissions from stationary sources of combustion.

COMPREHENSIVE PLAN — maps, charts and text duly adopted by the Township of New Britain Board of Supervisors as the official comprehensive plan of the Township.

CONDITIONAL USE — any use that is permitted subject to additional conditions, as specified in this Chapter, beyond those contained in the general provisions of this Chapter and the specific provisions of the particular district in which the lot is located and subject to the approval of the Board of Supervisors.

CONDOMINIUM — an ownership arrangement, portions of which are designated for separate ownership and the remainder of which is designated for restricted ownership solely by the owners of those portions. Real estate is not a condomin-

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ium unless the undivided interests on the restricted elements are vested in the unit owners. A condominium is a unit with all of the following characteristics:

- a. The unit may be any permitted land use as regulated by this Chapter. A condominium is an ownership arrangement, not a land use.
- b. All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Pennsylvania Uniform Condominium Act 68 Pa. C.S.A. §3101 et seq., and in accordance with the provisions for open space, roads or other development features in this Chapter and the New Britain Township Subdivision and Land Development Ordinance [Chapter 22].

CONDOMINIUM ASSOCIATION — the community association that administers and maintains the common property and common elements of a condominium.

CONTIGUOUS — next to, or touching and having a boundary, or portion thereof, that is coterminous.

CRAWL SPACE — a space between the ceiling of one story and floor of the next story, which usually contains pipes, ducts, wiring and lighting fixtures, and permits access but is too low for an individual to stand. See Figure 3.

DECIDUOUS — plants that drop their foliage annually before becoming dormant.

DEDICATION — the transfer of property by the owner to another party.

DEMOLITION PERMIT — Official authorization to remove part, or all, of a building or structure.

DENSITY — the number of families, individuals, dwelling units, households or housing structures per unit of land.

DETENTION BASIN (POND) — a facility for the temporary storage of stormwater runoff.

DEVELOPER — the legal or beneficial owner or owners of a lot or of any land included in a proposed development, including the holder of an option or contract to purchase or other persons having enforceable proprietary interests in such land.

DEVELOPMENT — the division of a parcel of land into two or more parcels; the construction, reconstruction, conversion, structural alteration, relocation or enlargement of any structure.

- a. **DEVELOPMENT, MAJOR** — Any development not a minor development.

- b. DEVELOPMENT, MINOR — Any development involving three or fewer lots and/or a land area of less than five acres and not requiring the extension of any new streets or other municipal or governmental facilities.
- c. DEVELOPMENT REGULATION — Any zoning, subdivision, site plan, official map, floodplain regulation, or other governmental regulation that affects the use and intensity of land development.

DOUBLE-WIDE UNIT — two manufactured housing components, attached side by side, to make one complete housing unit.

DRAINAGE –

- a. Surface water runoff.
- b. The removal of surface water or groundwater from land by drains, grading, or other means, which include runoff controls to minimize erosion and sedimentation during and after construction or development.
 - 1. DRAINAGE AREA — That area in which all of the surface runoff resulting from precipitation is concentrated into a particular stream.
 - 2. DRAINAGE SYSTEM — Pipes, swales, natural features and man-made improvements designed to carry drainage.
 - 3. DRAINAGEWAY — Any natural or artificial watercourse, trench, ditch, swale or similar depression into which surface water flows.

DRIP LINE — an imaginary ground line around a tree that defines the limits of the tree canopy.

DWELLING — a structure or portion thereof that is used exclusively for human habitation.

DWELLING UNIT — any room or group of rooms located within a residential building and forming a single, habitable unit with facilities used or intended to be used for living, sleeping, cooking and eating, by one family.

EASEMENT — a restriction granted for limited use of private land within which the owner of the property may be restricted from erecting permanent structures but shall have the right to make any other use of the land which is not inconsistent with the rights of the grantee.

- a. EASEMENT, CONSERVATION — The grant of a property right stipulating that the described land will remain in its natural state and precluding future or additional development.

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- b. **EASEMENT, DRAINAGE** — Land required for the installation of stormwater sewers or drainage ditches and/or required for the preservation or maintenance of a natural stream or watercourse or other drainage facility.

ELEVATION — a vertical distance above or below a fixed reference level; a fully dimensioned drawing of the front, rear, or side of a building showing features such as windows, doors, and relationship of grade to floor level.

- a. **ELEVATION, FINISHED** — The proposed elevation of the land surface of a site after completion of all site preparation work.

EMPLOYEE — a person who is employed or is engaged in gainful activity. For the purposes of this Chapter, the term shall refer to the maximum number of employees on duty at any time, at a place of business whether the employees are full or part time. If shifts are involved in which two shifts overlap, it refers to the largest total of employees serving two consecutive shifts.

ENCROACHMENT — any obstruction or illegal or unauthorized intrusion in a delineated floodway, right-of-way, or on adjacent land.

ENVIRONMENT — all external conditions and influences affecting the life, development, and, ultimately, the survival of an organism.

- a. **ENVIRONMENTAL IMPACT STATEMENT (EIS)** — A statement of the effect of proposed development, and other major private or governmental actions, on the environment prepared by a registered professional, a registered land planner or a landscape architect in accordance with the guidelines as written in Appendix A.

EROSION — the detachment and movement of soil or rock fragments or the wearing away of the land surface by water, wind, ice or gravity.

EXCAVATION — removal or recovery by any means whatsoever of soil, rock, minerals, mineral substances, or organic substances, other than vegetation, from water or land, on or beneath the surface thereof or beneath the land surface, whether exposed or submerged.

EXCEPTION — permission to depart from the design standards in the ordinance.

EXISTING GRADE OR ELEVATION — the vertical location above some elevation point of the ground surface prior to excavating or filling.

EXTENSION — an increase in the amount of existing floor area beyond the exterior wall.

EXTERIOR WALL — any wall that defines the exterior boundaries of a building or structure.

FAMILY — a group of individuals not necessarily related by blood, marriage, adoption or guardianship living together in a dwelling unit as a single housekeeping unit under a common housekeeping management plan based on an intentionally structured relationship providing organization and stability. The key words in the definition are “single housekeeping unit,” which is defined as common use and access to all living and eating areas, bathrooms, and food preparation and serving areas. In addition to the single housekeeping unit, a family also represents an intentionally structured relationship and implies a permanent and long-term relationship as opposed to one that is short-term or transient.

FINAL APPROVAL — the last official action of the approving agency taken on a development plan that has been given preliminary approval, after all conditions and requirements of preliminary approval have been met and the required improvements have either been installed or guarantees properly posted for their installation or approval conditioned upon posting of such guarantees.

FIRE LANE — an unobstructed paved or improved surface area clearly defined by pavement markings and signs, at least 12 feet wide and designed to provide access for fire-fighting equipment.

FIRE ZONE — an area clearly delineated and marked to facilitate access to hydrants and buildings and as designated by the chief of the fire district in which the building, structure, or use is situated.

FLOOD — the temporary overflowing of water onto land that is usually devoid of surface water.

FLOOD INSURANCE RATE MAP — the official map on which the Federal Insurance Administration has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

FLOODPLAIN — the channel and the relatively flat area adjoining the channel of a natural stream or river that has been or may be covered by floodwater.

FLOODPLAIN SOILS — areas subject to periodic flooding and listed in the most current Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service as being “on the floodplain” or subject to “flooding.”

FLOODPROOFING — a combination of structural provisions and changes or adjustments to properties and structures subject to flooding for the reduction or elimination of flood damage to properties, water and sanitary facilities and other utilities, structures, and the contents of buildings.

FLOOR AREA RATIO — the gross floor area of all buildings or structures on a lot divided by the total lot area.

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FORESTS — forests are areas, groves or stands of 10 or more largely mature trees (i.e., greater than twelve-inch caliper measured 14 inches above the ground or with an average canopy height of 25 feet or greater) covering an area of 1/4 acre or larger. The forest area shall be measured from the drip line of the outer trees.

FRONTAGE — that side of a lot abutting on a street; the front lot line.

GARAGE — a deck, building, or parking structure, or part thereof, used or intended to be used for the parking and storage of vehicles.

GRADE —

- (1) The average elevation of the land around a building.
- (2) The percent of rise or descent of a sloping surface.
 - a. **GRADE, FINISHED** — The final elevation of the ground level after development.
 - b. **GRADE, NATURAL** — The elevation of the ground level in its natural state, before construction, filling, or excavation.
 - c. **GRADING** — Any stripping, cutting, filling, or stockpiling of earth or land, including the land in its cut or filled condition, to create new grades.

GROUND FLOOR — the first floor of a building other than a cellar or basement.

HEARING — an administrative proceeding conducted by a board pursuant to §909.1 of the Pennsylvania Municipalities Planning Code.

HOME OCCUPATION — an activity for gain customarily carried on in a dwelling, or in a building or structure accessory to a dwelling. Said activity shall be clearly incidental and secondary to the use of the dwelling for residential purposes.

HOMEOWNERS ASSOCIATION — a community association, other than a condominium association, that is organized in a development in which individual owners share common interests and responsibilities for costs and upkeep of common open space or facilities.

HOUSEHOLD — a family living together in a single dwelling unit, with common access to and common use of all living and eating areas and facilities for the preparation and serving of food within the dwelling unit.

HYDRIC SOILS — a soil that is saturated, flooded or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of wetlands vegetation as listed in the most current soil survey of

Bucks County and Philadelphia, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service. Wetlands vegetation are those plant species that have adapted to the saturated soils and periodic inundations occurring in wetlands.

IMPERVIOUS SURFACE—impervious surfaces are those exterior surfaces which do not absorb water. All buildings, parking areas, driveways, roads, sidewalks and any area in concrete, asphalt, packed stone and similar materials shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classified as impervious surfaces.

IMPERVIOUS SURFACE RATIO—the impervious surface ratio is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the base site area.

IMPROVEMENT—any permanent structure that becomes part of, placed upon, or is affixed to real estate.

JUNK VEHICLES—a motor vehicle, recreational vehicle, trailer or truck or other chassis or body of such vehicle, that meets two of the following conditions: 1) does not display a license plate with a current State registration sticker, 2) does not have a valid State inspection sticker, and 3) cannot be immediately operated on a public street.

LAKES AND PONDS—natural or artificial bodies of water $\frac{1}{4}$ acre or larger which retain water year-round. Artificial ponds may be created by dams, or result from excavation.

LAND DEVELOPMENT—

- a. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 1. A group of two or more residential or non-residential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or the tenants; or
 2. The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- b. A subdivision of land.
- c. Development in accordance with §503(1.1) of the Pennsylvania Municipalities Planning Code.
- d. The condominium of land or buildings. [Ord. 2010-11-01]

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LAND DISTURBANCE—any activity involving the clearing, cutting, excavating, filling, or grading of land or any other activity that alters land topography or vegetative cover.

LANDSCAPE—

- a. An expanse of natural scenery;
- b. Lawns, trees, plants and other natural materials, such as rock and wood chips, and decorative features, including sculpture, patterned walks, fountains, and pools.

LANDSCAPE PLAN—a component of a development plan on which is shown; proposed landscape species (such as number, spacing, size at time of planting, and planting details); proposals for protection of existing vegetation during and after construction; proposed treatment of hard and soft surfaces; proposed decorative features; grade changes; buffers and screening devices; and any other information that can reasonably be required in order that an informed decision can be made by the approving agency.

LAND SURVEYOR—one who is licensed by the state as a land surveyor and is qualified to make accurate field measurements and to mark, describe, and define land boundaries.

LEVEL OF SERVICE—a description of traffic conditions along a given roadway or at a particular intersection.

LOT—

- a. **LOT**—A lot is a parcel of land, used or set aside and available for use of one principal building thereto or for any other permitted purpose, in one ownership and not divided by a street, nor including any land within the right-of-way of a public street upon which said lot abuts, even if the ownership to such right-of-way is in the owner of the lot. A lot for the purpose of this Chapter may or may not coincide with a lot of record.
- b. **LOT AREA**—See “area.”
- c. **CORNER LOT**—A lot which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than 135°.
- d. **FLAG LOT**—A large lot not meeting minimum frontage requirements. See “lane lot.”

- e. LANE LOT — A lot which meets the criteria for an exception to the minimum lot width requirements, as specified in §27-2104.
- f. THROUGH LOT — An interior lot having frontage on two parallel or approximately parallel streets.
- g. LOT DEPTH — The mean distance from the street line of the lot to its opposite rear line, measured in the general direction of the side lines of the lot.
- h. LOT WIDTH — The horizontal distance between the side lines of a lot measured at right angles to its depth along a straight line parallel to the front lot line at the minimum required building setback line. If the front lot line is curvilinear, the front lot line shall be considered a straight tangential line perpendicular to the line representing the minimum lot depth. In a case where there is only one side lot line, lot width shall be measured between such side lot line and the opposite rear lot line or street line. In no case shall the lot width between the side lot lines at any location (other than at the required building setback line as specified above) be less than 2/3 (66%) of the minimum required lot width. See Figure 4.
- i. MINIMUM LOT AREA — The smallest lot area established by this Chapter on which a use or structure may be located in a particular district.
- j. REVERSE FRONTAGE LOT — A through lot that is not accessible from one of the parallel or nonintersecting streets upon which it fronts.
- k. SUBSTANDARD LOT — A parcel of land that has less than the minimum area or minimum dimensions required in the zone in which the lot is located.

LOT AVERAGING — a design technique permitting one or more lots in a subdivision to be undersized, providing the same number of lots in the same subdivision are oversized by an equal or greater area.

LOT FRONTAGE — the length of the front lot line measured at the street right-of-way line. On corner lots, each side abutting the street is considered the frontage. See Figure 4.

LOT LINES –

- a. LOT LINES — Any boundary line of a lot.
- b. LOT LINE, FRONT — The lot line separating a lot from a street right-of-way.
- c. LOT LINE, REAR — Any lot line which is parallel to or within 45° of being parallel to a street line, except for a lot line that is itself a street line, and except that in the case of a corner lot the owner shall have the option of

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choosing which of the two lot lines that are not street lines is to be considered a rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one lot line furthest from any street shall be considered a rear lot line.

- d. LOT LINE, SIDE — Any lot line which is not a street line or a rear lot line.
- e. STREET LINE — The right-of-way line of a street. Where an ultimate right-of-way is established, the ultimate right-of-way line shall be the street line.

FIGURE 1 - LOT DEFINITIONS

(Example with forest, pond & flood plain areas)

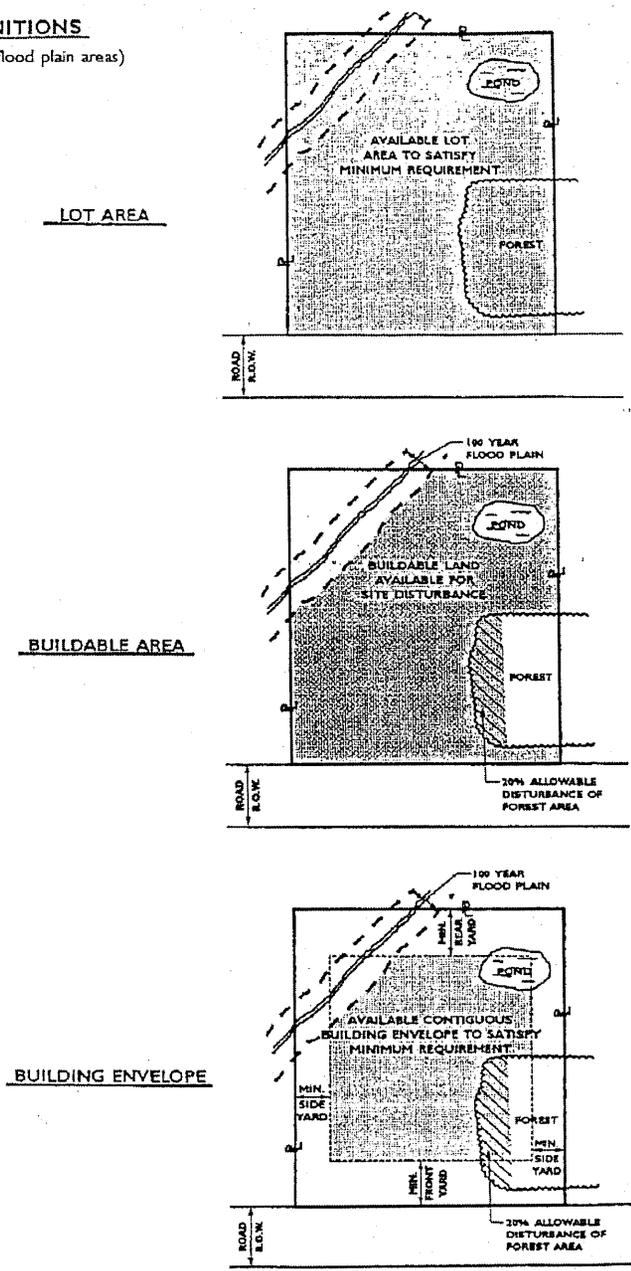
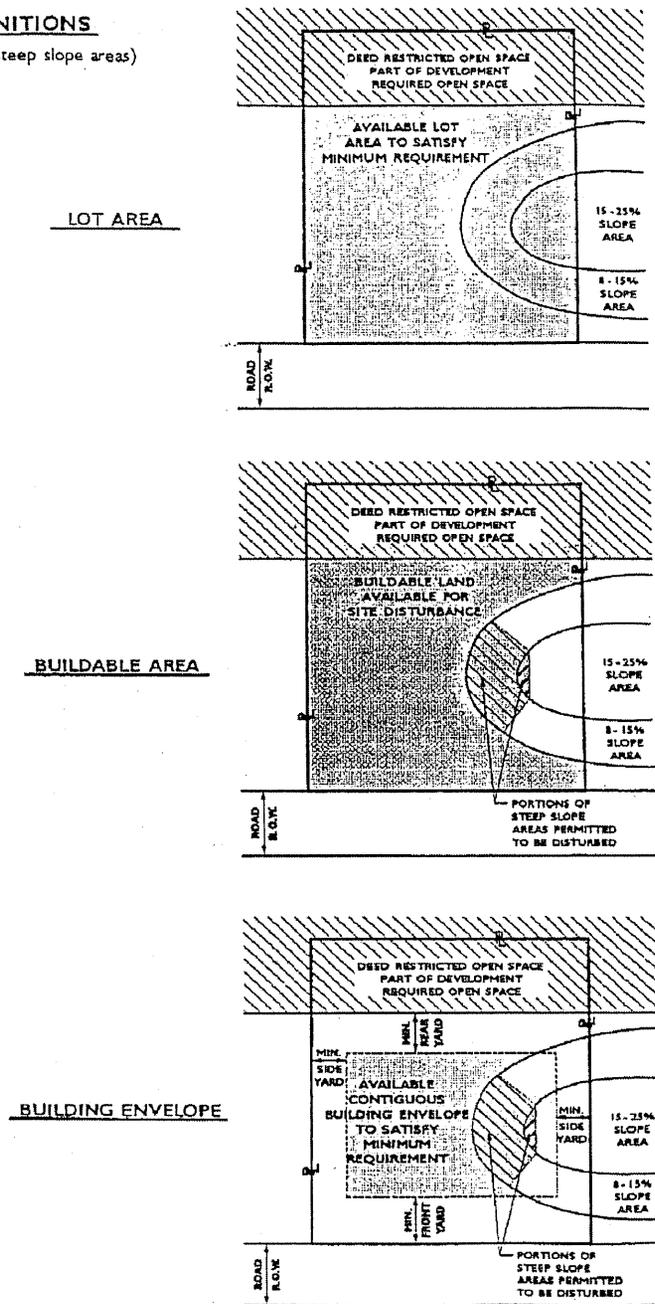


FIGURE 2 - LOT DEFINITIONS

(Example with open space & steep slope areas)



METES AND BOUNDS — a method of describing the boundaries of land by directions (bounds) and distances (metes) from a known point of reference.

MOBILE HOME — a transportable, single-family dwelling unit intended for permanent occupancy, contained in one unit or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental

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unpacking and assembly operations and constructed so that it may be used with or without a permanent foundation. For the purposes of this Chapter, any inhabited mobile home not located in a mobile home park shall be considered a detached dwelling unit and as such shall be subject to all applicable regulations in this or other Township ordinances.

- a. **MANUFACTURED HOME** — A manufactured home constructed in accordance with the provisions of Federal Manufactured Housing Construction and Safety Standards of 1976. A manufactured home does not represent a mobile home since it is not designed to be towed or transported and is intended for installation on a permanent foundation.

MOBILE HOME LOT — a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances (accessory attachments) necessary for the erection thereon of a single mobile home.

MOBILE HOME PARK — a parcel of land under single ownership which has been planned for the placement of more than one mobile home in accordance with the provisions of §27-305 of this Chapter.

MODULAR HOME — a manufactured dwelling unit erected on a foundation and made of one or more sections built in a factory. The completed unit shall meet the building code in effect. A modular home does not represent a mobile home since it is not designed to be towed or transported and is intended for installation on a permanent foundation.

NATIONAL FLOOD INSURANCE PROGRAM — a Federal program that provides for flood insurance.

NO-IMPACT HOME-BASED BUSINESS — a business of commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- b. The business shall employ no employees other than family members residing in the dwelling.
- c. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- d. There shall be no outside appearance of a business use including, but not limited to, parking, signs or lights.

- e. The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- f. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- g. The business activity shall be conducted only within the dwelling and may not occupy more than 25% of the habitable floor area.
- h. The business may not involve any illegal activity.

NOISE — any undesired audible sound.

NONCONFORMANCE —

- a. NONCONFORMING LOT — A lot, the area, dimensions, or location of which was lawful prior to the adoption, revision, or amendment of the zoning ordinance but fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
- b. NONCONFORMING SIGN — Any sign lawfully existing on the effective date of an ordinance, or amendment thereto, that renders such sign nonconforming because it does not conform to all the standards and regulations of the adopted or amended ordinance.
- c. NONCONFORMING STRUCTURE OR BUILDING — A structure or building, the size, dimensions, or location of which was lawful prior to the adoption, revision, or amendment to the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.
- d. NONCONFORMING USE — A use or activity that was lawful prior to the adoption, revision, or amendment of the zoning ordinance but that fails by reason of such adoption, revision, or amendment to conform to the present requirements of the zoning district.

NUISANCE — an interference with the enjoyment and use of property.

NUISANCE ELEMENT — any environmental pollutant, such as smoke, odors, liquid wastes, solid wastes, radiation, noise, vibration, glare, or heat.

OCCUPANCY OR OCCUPIED — the residing of an individual or individuals overnight in a dwelling unit or the storage or use of equipment, merchandise, or machinery in any public, commercial, or industrial building.

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OCCUPANCY PERMIT — a required permit allowing the use of a building or structure after it has been determined that all the requirements of applicable ordinances have been met.

OPEN SPACE — open space is land used for recreation, agriculture, resource protection or amenity; is freely accessible to all residents of the development, except in the case of agricultural lands or deed restricted private open space where access may be restricted; and is protected by the provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22] to ensure that it remains such uses. Open space does not include land occupied by non-recreational buildings, roads, or road rights-of-way; nor does it include the yards or lots of dwelling units or parking areas as required by the provisions of this Chapter. Open space for recreational uses may contain impervious surfaces; and such surfaces shall be included in the calculation of the impervious surface ratio.

- a. **OPEN SPACE, COMMON** — Land within or related to a development, not individually owned or dedicated to public use, that is designed and intended for the common use or enjoyment of the residents and their guests of the development and may include such complementary structures and improvements as are necessary and appropriate.
- b. **OPEN SPACE, PUBLIC** — Open Space owned by a public agency and maintained by it for the use and enjoyment of the general public.

OPEN SPACE RATIO — total area of open space divided by the base site area in which the open space is located.

OUTDOOR STORAGE — the keeping, in an unenclosed area, of any goods, junk, material, merchandise, or vehicles in the same place for more than 24 hours.

PARCEL — a contiguous lot or tract of land owned and recorded as the property of the same persons or controlled by a single entity.

PERVIOUS SURFACE — any material that permits full or partial absorption of stormwater into previously unimproved land. See “impervious surface.”

PLANNED RESIDENTIAL DEVELOPMENT — an area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and nonresidential uses, the development plan for which does not correspond on lot size, bulk, type of dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of a municipal zoning ordinance.

PORCH — a roofed open area, which may be screened, usually attached to or part of and with direct access to or from a building.

PRELIMINARY APPROVAL — preliminary approval means the conferral of certain rights, prior to final approval, after specific elements of a development have been approved by the approving authority and agreed to by the applicant.

PRINCIPAL –

- a. **PRINCIPAL BUILDING** — See “building, principal.”
- b. **PRINCIPAL USE** — See “use, principal.”

PROPERTY — a lot, parcel, or tract of land together with the building and structures located thereon.

PROTECTIVE COVENANT — see “restrictive covenant.”

PUBLIC GROUNDS — includes:

- a. Parks, playgrounds, trails, paths and other recreational areas and other public areas.
- b. Sites for schools, sewage treatment, refuse disposal and other publicly owned or operated facilities.
- c. Publicly owned or operated scenic and historic sites.

PUBLIC HEARING — a formal meeting held pursuant to public notice by the Board of Supervisors or planning agency, intended to inform and obtain public comment, prior to taking action in accordance with this Chapter.

PUBLIC MEETING — a forum held pursuant to notice under 65 Pa.C.S. Chapter 7 (relating to open meetings).

PUBLIC NOTICE — notice published once each week for two successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

RECREATION –

- a. **ACTIVE RECREATION** — Leisure-time activities, usually of a formal nature and often performed with others, requiring equipment and taking place at prescribed places, sites, or fields.
- b. **PASSIVE RECREATION** — Activities that involve relatively inactive or less energetic activities, such as walking, sitting, picnicking, card games, chess, checkers, and similar table games.

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REPORT — an letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at cost of reproduction.

RESTRICTIVE COVENANT — a restriction on the use of land usually set forth in the deed or in a plan of record.

RETENTION BASIN — a pond, pool, or basin used for the permanent storage of water runoff.

RIGHT-OF-WAY –

- a. **RIGHT-OF-WAY** — A strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary sewer, and other similar uses, generally, the right of one to pass over the property of another.
- b. **RIGHT-OF-WAY LINES** — The lines that form the boundaries of a right-of-way.
- c. **ULTIMATE RIGHT-OF-WAY** — The right-of-way deemed necessary to provide adequate width for future street improvements as regulated by this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

RIPARIAN BUFFER — an area adjoining surface water bodies, including lakes, ponds and watercourse. These areas intercept surface runoff, subsurface flow and deeper groundwater flows from upland sources which remove and buffer the effects of associated nutrients, sediment, organic matter, pesticides or other pollutants prior to entry into surface waters or groundwater recharge areas.

SETBACK — the distance between the building and any lot line.

SETBACK LINE — that line that is required minimum distance from any lot line and that establishes the area within which the principal structure must be erected or placed.

SEWER — any pipe or conduit used to collect and carry away sewage or stormwater runoff from the generating source to treatment plants or receiving streams.

- a. PUBLIC SEWER SYSTEM — A public sewer system is any municipal or privately owned sewer system in which sewage is collected from more than one lot and piped to an approved sewage disposal plant or central sewage disposal system. It may also be referred to as “off-lot” or “off-site” sewer system. This shall include capped sewers when installed to Township specifications.
- b. PRIVATE SEWER SYSTEM — An “on-lot” sewage disposal system providing for disposal of effluent for only one building or a group of buildings on a single lot.
- c. COMMUNITY SEWAGE SYSTEM — A public system under private ownership for the treatment of effluent from two or more homes that is applied to the land either on the surface or below.
- d. SANITARY SEWAGE — Any liquid waste containing animal or vegetable matter in suspension or solution or the water-carried waste resulting from the discharge of water closets, laundry tubs, washing machines, sinks, dishwashers, or any other source of water-carried waste of human origin or containing putrescible material.
- e. SANITARY SEWERS — Pipes that carry domestic or commercial sewage and into which storm, surface, and ground waters are not intentionally admitted.
- f. STORM SEWER — A conduit that collects and transports runoff.

SIGN — see §27-2601 for specific definition of this and other related terms.

SITE — the site shall be defined as a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

SITE AREA — all land within the site as defined in the deed. This area shall be determined from an actual site survey rather than from a deed description.

- a. SITE AREA, BASE — The base site area is the area of the site remaining after subtracting ultimate road rights-of-way of existing roads; existing utility rights-of-way; 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 for open space.
- b. SITE AREA, NET BUILDABLE — The net buildable site area is the portion of the base site area which may be altered, disturbed or regraded for development purposes. The net buildable site area could contain buildings, roads, parking areas, sewage systems and stormwater management facilities. The net buildable site area would not contain required open space, recreation areas and natural resource protection areas identified as restricted land with a 100% protection standard.

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SITE CAPACITY — the number of lots or dwelling units satisfying the maximum impervious surfaces on the net buildable 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.

SITE PLAN — the development plan for one or more lots on which is shown the existing and proposed conditions of the lot, including topography, vegetation, drainage, flood plains, wetlands, and waterways; landscaping and open spaces; walkways; means of ingress and egress; circulation; utility services; structures and buildings; signs and lighting; berms, buffers, and screening devices; surrounding development; and any other information that reasonably may be required in order that an informed decision can be made by the approving authority.

SLOPE — the deviation of a surface from the horizontal, usually expressed in percent or degrees.

STEEP SLOPES — areas greater than 3,000 square feet measured at five-foot contours that are subject to high rates of stormwater run-off and therefore erosion and related environmental problems due to the slope of the site.

- a. **LIMITED** — Areas of limited slope are those areas of a slope of 8% to 15%.
- b. **MODERATE** — Areas of moderate slope are those areas of a slope of 16% but less than 25%.
- c. **SEVERE** — Areas of severe slope are those areas of a slope of 26% or greater.

STORMWATER DETENTION — any storm drainage technique that retards or detains runoff, such as a detention or retention basin, parking lot storage, rooftop storage, porous pavement, dry wells, or any combination thereof.

STORMWATER MANAGEMENT — the control and management of stormwater to minimize the detrimental effects of surface water runoff.

STORY — a story is that portion of a building included between the surface of any floor and the surface of the floor next above it, or if there is no floor above it, then the space between the floor and the ceiling next above it and including those basements used for the principal use. A half story is a space under a sloping roof which has the line of intersection of the roof and wall face not more than three feet above the floor level and in which space the possible floor area with head room of five feet or less occupies at least 40% of the total floor area of the story directly beneath.

- a. **STORY, GROUND** — That story with its floor level immediately above the average finished grade level of the adjoining ground at any particular point or side of the building.

- b. **STORY, HALF** — A space under a sloping roof that has the line of intersection of the roof and wall face not more than three feet above the floor level and in which space the possible floor area with head room of five feet or less occupies at least 40% of the total floor area of the story directly beneath.

STREET — any vehicular way that is an existing state, county, or municipal roadway, is shown upon a plat approved pursuant to law, is approved by other official action, or is shown on a plat duly filed and recorded in the Office of the County Recording Officer prior to the appointment of a Planning Board and the grant to such board of the power to review plats; includes the land between the street lines, whether improved or unimproved.

STREET LINE — the dividing line between the street and the lot. The street line shall be the same as the legal right-of-way provided that where a future right-of-way width for a road or street line has been established, then that width shall determine the location of the street line.

STRUCTURE –

- a. **STRUCTURE** — A combination of materials to form a construction for use, occupancy, or ornamentation whether installed on, above, or below the surface of land or water.
- b. **STRUCTURE, ACCESSORY** — A structure detached from a principal building located on the same lot and customarily incidental and subordinate to the principal building or use.
- c. **STRUCTURE, TEMPORARY** — A structure without any foundation or footings and that is removed when the designated time period, activity, or use for which the temporary structure was erected has ceased.

SUBDIVIDER — any person having an interest in land that is the subject of an application for subdivision.

SUBDIVISION — the division or redivision of a lot, tract or parcel of land by any means into two or more lots, tracts, parcels or other division of land including changes in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the subdivision by lease of land for agricultural purposes into parcels of more than 10 acres, not involving any new street or easement of access or any residential dwelling, shall be exempted.

SURVEY –

- a. The process of precisely ascertaining the area, dimensions, and location of a piece of land.

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- b. Determining the characteristics of persons, land, objects, buildings, or structures by sampling, census, interviews, observations, or other methods.

SWALE — a depression in the ground that channels runoff.

TAX MAP — the recorded map of delineated lots or tracts in a municipality showing boundaries, bearings, sizes, and dimensions, including the block and lot numbers.

TRACT — an area, parcel, site, piece of land or property that is the subject of a development application.

TRANSITION ZONE — a zoning district that permits uses compatible with uses permitted in two adjacent zones that, without the transition zone, could be considered incompatible to each other.

TREE PROTECTION ZONE (TPZ) — an area that is radial to the trunk of a tree in which no construction activity shall occur. The tree protection zone shall be 15 feet from the trunk of the tree to be retained, or the distance from the trunk to the dripline, whichever is greater. Where there is a group of trees or woodlands, the tree protection zone shall be the aggregate of the protection zones for the individual trees.

USE –

- a. USE — The purpose or activity for which land or buildings are designed, arranged, or intended or for which land or buildings are occupied or maintained.
- b. USE, ACCESSORY — A use of land or of a building or portion thereof customarily incidental and subordinate to the principal use of the land or building and located on the same lot with the principal use.
- c. USE, PRINCIPAL — The primary or predominant use of any lot or parcel.
- d. USE, EXISTING — The use of a lot or structure at the time of the enactment of a zoning ordinance.
- e. USE, PREEXISTING — The use of a lot or structure prior to the time of the enactment of a zoning ordinance.
- f. USE, TEMPORARY — A use established for a limited duration with the intent to discontinue such use upon the expiration of the time period.

UTILITIES — those services customarily rendered by public utility companies, municipalities or municipal authorities, in the nature of electricity, gas, telephone, cable television, water and sewerage, including the appurtenances used in

connection with the supplying of such services (buildings, wires, pipes, poles, and the like).

UTILITY EASEMENT — the right-of-way acquired by a utility or governmental agency to locate utilities, including all types of pipelines, telephone and electric cables, and towers.

VARIANCE — permission or approval granted by the Zoning Hearing Board in accordance with this Chapter constituting a modification of, or deviation from, the exact provisions of this Chapter as applied to a specific piece of property.

WATERCOURSE — any natural or artificial stream, river, creek or canal in which water flows in a definite direction or course, either continuously or intermittently and has a definite channel, bed and banks and includes any area adjacent thereto subject to inundation by reason of overflow or flood water.

WATER SYSTEM –

- a. **PUBLIC WATER SYSTEM** — Any water supply and distribution system that is owned and managed by the Township, the Bucks County Water and Sewer Authority, North Wales Water Authority, North Penn Water Authority or Aqua of Philadelphia.
- b. **PRIVATE INDIVIDUAL WATER SYSTEM** — A system for supplying and distributing water to a single dwelling or other building from a source located on the same lot.
- c. **COMMUNITY WATER SYSTEM** — A privately owned system for supplying and distributing water from a common source(s) to two or more dwellings and/or other buildings in a single neighborhood and/or land development.

WETLANDS — areas that are inundated or saturated by surface water or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. (The term includes, but is not limited to, wetland areas listed in the State Water Plan, the United States Forest Service Wetlands Inventory of Pennsylvania, the Pennsylvania Coastal Zone Management Plan and a wetland area designated by a river basin commission.) Wetlands shall be delineated by a professional soil scientist/engineer and shall be determined by current standards established by the U.S. Army Corps of Engineers and/or the Pennsylvania Department of Environmental Protection.

WETLANDS MARGIN — a transitional area extending from the outer limits of the wetlands, as defined in this Chapter. Wetlands margins serve to filter pollutants, reduce stormwater velocities, provide for flood water storage, provide wildlife habitat (which may include endangered and threatened species), facilitate ground water recharge and allow for slight variations of the wetlands boundary

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seasonally or over time. For the purpose of this Chapter, the wetlands margin shall extend 25 feet from the wetland boundary.

YARD –

- a. YARD — An open space unobstructed from the ground up except for permitted projections and plantings, on the same lot with a building, extending along a lot line or street line and inward to the building. The size of a required yard shall be measured as the shortest distance between the building and a lot line, street line or easement line. See Figure 7.

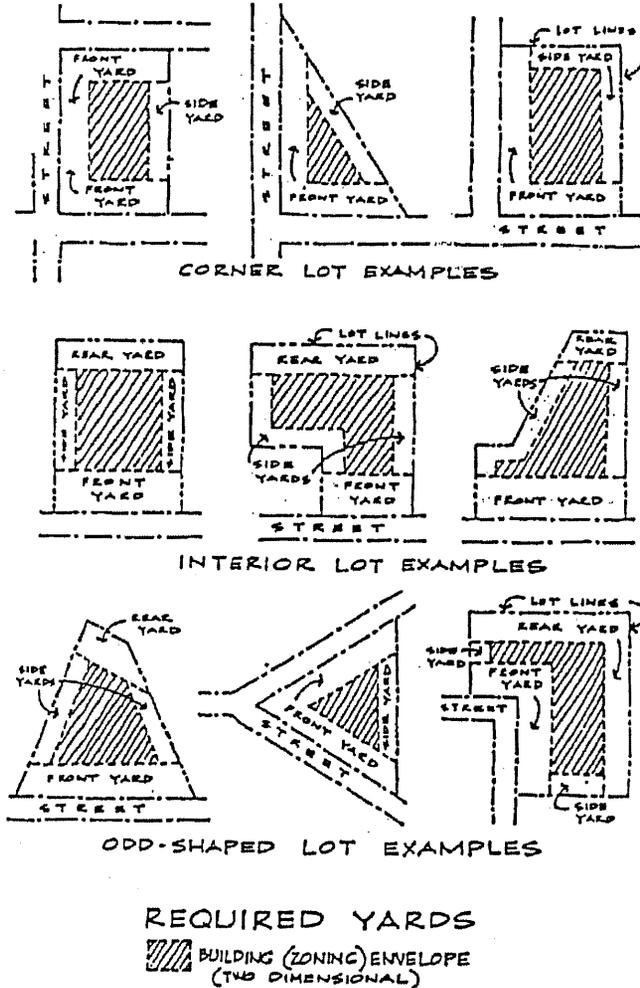


Figure 7

- b. YARD, FRONT — A yard between a building and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.

- c. YARD, REAR—A yard between a building and rear lot line and extending the entire length of the rear lot line.
- d. YARD, SIDE—A yard between a building and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

YARD DEPTH—the shortest distance between a lot line and a yard line.

ZONING ENVELOPE—the three dimensional space within which a structure is permitted to be built on a lot and that is defined by maximum height regulations, minimum yard setbacks, and sky exposure plane regulations when applicable. See Figure 8.

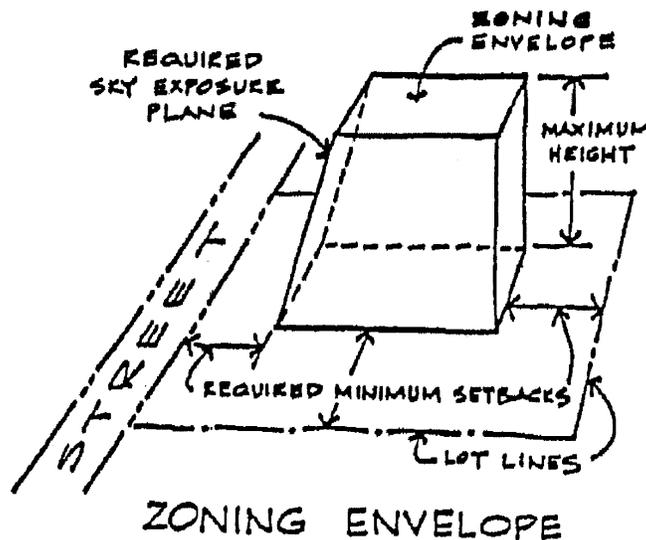


Figure 8

ZONING MAP—the map or maps that are a part of this Chapter and delineate the boundaries of zone districts.

ZONING OFFICER—the administrative officer designated to administer this Chapter and issue zoning permits.

ZONING PERMIT—a document signed by a Zoning Officer, as required in this Chapter, as a condition precedent to the commencement of a use, or the erection, construction, reconstruction, restoration, alteration, conversion, or installation of a structure or building, that acknowledges that such use, structure, or building complies with the provisions of this Chapter or authorized variance therefrom.

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(Ord. 8/14/1995, §201; as amended by Ord. 98-06-02, 6/22/1998; by Ord. 00-12-02, 12/20/2000, §§2, 3, 30; by Ord. 03-04-02, 4/28/2003, §X; by Ord. 2007-04-01, 4/26/2007; and by Ord. 2010-11-01, 11/22/2010, Art. I)

PART 3

USE DEFINITIONS AND REGULATIONS

§27-300. Applicability of Regulations.

- a. Except as provided by law or in this Chapter, in each district no building, structure or land shall be used or occupied except for the purposes permitted in §27-305 and for the zoning districts so indicated in Parts 4 through 20. On any property, parcel or tract of land, only one principal use and principal structure shall be permitted unless otherwise stated in this Chapter.
- b. The Zoning Officer shall determine the use and associated set of applicable regulations under which each application shall be reviewed.
- c. Land to be or previously preserved as open space, either by virtue of the transfer of development rights, easement purchase, fee simple purchase or any other means, cannot be used to satisfy in whole or in part any open space or recreation land requirements for another development or use nor shall it be used to meet the minimum lot area or yard requirements for any other use or for any other purpose that would support or serve development.

(Ord. 8/14/1995, §300; as amended by Ord. 00-12-02, 12/20/2000, §4)

§27-301. Uses by Right, Special Exception, Conditional Use and Uses Not Permitted.

- a. A use listed in Parts 4 through 20 as a use permitted by right is permitted subject to such requirements specified in §27-305.
- b. A use listed in Parts 4 through 20 as a use by special exception is permitted provided the Zoning Hearing Board authorizes the issuance of a zoning permit by the Zoning Officer, subject to the requirements of §§27-305 and 27-3102 and such further restrictions as said Board may establish.
- c. A use listed in Parts 4 through 20 as a conditional use is permitted provided the Board of Supervisors, having received positive recommendations from the Planning Commission, grants the conditional use subject to the expressed standards set forth in §27-305 and Part 30 and such further conditions that the Board of Supervisors may impose to ensure the protection of adjacent uses, or the health, safety or general welfare of the community.
- d. A use not listed in Parts 4 through 20 as noted above, is not permitted except as stated in §27-304.

(Ord. 8/14/1995, §301)

§27-302. Uses Subject to Other Regulations.

- a. Uses permitted by right, by conditional use or by special exception shall be subject, in addition to use regulations, to such regulations of yard, lot size, lot width, building area, easements, provisions for off-street parking and loading; sign regulations, buffer requirements and to such other provisions as are specified in other Parts of this Chapter or as specified by approving authority.
- b. Zoning permits may be withheld by the Township until such time as all other permits necessary for the operation or occupancy of the proposed use have been issued by the appropriate agencies. The applicant shall comply with all other County, State and Federal regulations including, but not limited, to those relating to water supply, sanitary sewage disposal, wetlands, and highway access.

(Ord. 8/14/1995, §302)

§27-303. Temporary Accessory Uses.

- a. No garage or other accessory building, partial structure or temporary structure shall be erected or moved onto a lot and used for any purposes unless authorized by the issuance of a temporary zoning permit. Such permit shall clearly set forth that the structure proposed is intended for temporary dwelling purposes and that the authorized structure is to be vacated upon the expiration of a specified time limit, not to exceed one year. On receipt of the zoning permit, the applicant shall certify that he has knowledge of the terms of the permit and the penalty that can be invoked for violation.
- b. Nonconforming temporary buildings or uses incidental to a building development and reasonably required for such development may be granted temporary zoning permits, according to §27-305.
- c. The Supervisors or their designees shall have the right to issue temporary zoning permits.

(Ord. 8/14/1995, §303)

§27-304. Other Uses.

Other uses, not specifically or adequately defined in §27-305 of this Chapter, may evolve after the enactment of this Chapter or were not uses commonly in use at the time of the enactment of this Chapter. From time to time, however, such uses may become reason-

able and appropriate uses. It is the purpose of this Section to establish a mechanism for inclusion of such additional uses in the Township.

- a. The landowner, equitable or otherwise, shall submit his request for inclusion of a specific use to the Board of Supervisors and Planning Commission with illustrations and explanatory information which fully describe the use and the manner in which the proposed use substantially differs from permitted uses in this Chapter.
- b. The Zoning Officer shall review the submission and advise the Planning Commission. It shall be determined if the proposed use falls within any of the permitted use classifications of this Chapter, is a variation of a permitted use or is a use which is not reasonable and appropriate. The Supervisors then shall be advised by the Planning Commission. The Board of Supervisors shall review the recommendations of the Planning Commission, Zoning Officer, Township Engineer and determine if the proposed use is suitable.
- c. It is the intent of this Chapter that reasonable and appropriate uses not specifically or not adequately described in this Chapter shall be provided for as follows:
 1. Residential Uses in the RR Residential District.
 2. Institutional, Office, Commercial, Consumer Service Uses in the C-2 Commercial District.
 3. Industrial Uses in the I Industrial District.
- d. Such reasonable and appropriate uses shall be permitted in the districts noted above as Conditional Uses and shall be subject to density, area, dimensional and other requirements of the district under Part 30 of this Chapter.

(Ord. 8/14/1995, §304)

§27-305. Use Definitions and Regulations.

A. Agricultural Uses.

A1. General Farming.

- a. **Definition.** The production of agricultural, horticultural, arboricultural, viticultural and dairy products; the keeping of livestock, poultry and the products thereof; the raising of fur bearing animals and the products thereof; and bee raising. All buildings (barns, shed, silos, etc.) associated with this use.

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b. Regulations.

1. Minimum lot area: 3 acres.
2. Any building or structure used for the keeping or raising of bees, livestock, horses or poultry shall be situated not less than 100 feet from any street line or property line.
3. Silos shall be situated not less than 1 1/4 times the height of the silo from any street line or property line.
4. Any building or structure, other than noted in subsections (2) and (3) above, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
5. Maximum impervious surface ratio: 3%.
6. Riding academies, livery or boarding stables and commercial dog kennels are not included under this use.
7. Retail sales shall meet the requirements of Use A3 Agricultural Retail.
8. The keeping or raising of livestock and poultry on parcels of land less than 10 acres in area shall be limited to the keeping and raising of two head of livestock or 100 fowl per one acre.

A2. Crop Farming.

- a. Definition. The cultivating, raising, harvesting and storing of products of the soil produced on the premises. The definition of crop farming shall also include orchards, but shall not include, animal husbandry, commercial forestry, riding academies, kennels, plant nurseries or Christmas tree farms.

b. Regulations.

1. Minimum lot area: 3 acres.
2. Indoor storage shall not occur in ways that threaten an explosion.

A3. Agricultural Retail.

- a. Definition. The retail sales of agricultural products to the general public at roadside stands or other structures.

b. Regulations.

1. Agricultural retail shall be an accessory use clearly subordinate to primary agricultural uses.
2. Products sold must be grown, produced or raised on the property.
3. The maximum floor area of an agricultural retail structure shall be limited to 2,000 square feet.
4. Agricultural retail uses shall meet the yard and setback requirements for the related primary agricultural use.
5. The buffer requirements of this Chapter shall be met.

A4. Intensive Agricultural.

- a. Definition. Greenhouses; mushroom houses; feedlots; confinement livestock or poultry operations taking place in structures or closed pens.
- b. Regulations.
 1. Minimum lot area: 10 acres.
 2. Any building or structure used for the keeping or raising of livestock, horses or poultry shall be situated not less than 100 feet from any street line or property line.
 3. Silos shall be situated not less than 1 1/4 times the height of the silo from any street line or property line.
 4. Any building or structure, other than noted in subsections (2) and (3), shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
 5. Maximum impervious surface ratio: 20%.
 6. All applicable regulations of the Pennsylvania Department of Environmental Protection and any applicable federal regulations shall be met.
 7. Feedlots, pens and confinement areas shall not be situated less than 30 feet from any stream or swale. No structure or sewage waste disposal system shall be constructed less than 100 feet of any stream or swale.
 8. The raising of garbage-fed pigs is not permitted.
 9. Commercial dog kennels and the raising of animals for fur or skins are not included in this use.

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10. No area for the storage or processing of manure, garbage, or spent mushroom compost or structures for the cultivation of mushrooms shall be situated less than 200 feet from any street or property line.

A5. Commercial Forestry.

- a. Definition. The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.
- b. Regulations.
 1. A Forestry Management Plan shall be prepared and followed.
 2. This plan shall be prepared by a professional forester, who has graduated from a college or university with a four-year degree in Forest Resources Management.
 3. This Forestry Management Plan shall be submitted for an advisory review by the Pennsylvania Bureau of Forestry and the Township Planning Commission.
 4. The Forestry Management Plan shall be consistent with the Timber Harvesting Guidelines of the Pennsylvania Forestry Association.
 5. Clear cutting shall be prohibited except on tracts of less than two acres. This provision shall not apply to State Game Lands where clear cutting is done to benefit the natural habitat.
 6. On tracts larger than two acres, at least 30% of the forest cover (canopy) shall be kept and the residual trees shall be well distributed. At least 30% of these residual trees shall be composed of higher value species as determined by a professional forester.
 7. An Erosion and Sedimentation Control Plan shall be submitted to the Pennsylvania DEP and the County Conservation District for review and recommendation.
 8. The Township may require restoration of the forested area based upon State or Federal Regulations.
 9. Commercial forestry is prohibited on areas with slopes greater than 25% or within the one-hundred-year floodway or wetlands.

A6. Nursery.

- a. Definition. The raising of plants, shrubs and trees for wholesale use.
- b. Regulations.
 - 1. Minimum lot area: 2 acres.
 - 2. Any building or structure including greenhouses shall meet the yard, lot width and setback requirements for the applicable zoning district for Use B1 Detached Dwelling.
 - 3. Maximum impervious surface ratio: 20%.
 - 4. All products sold shall be grown on the premises.
 - 5. No retail sales shall be permitted, except for the seasonal sale of Christmas trees.

A7. Garden Center.

- a. Definition. The retail sale of floral items, flowers, plants, shrubs and trees in the field or indoors. This includes the sale of related accessory items for lawn and garden decoration or care.
- b. Regulations.
 - 1. Lot Area. A lot area of not less than five acres shall be provided.
 - 2. Maximum Building Area.
 - (a) Garden Center: 15,000 square feet.
 - (b) Nursery Production Facilities (including greenhouses and any seasonal shelter which is impervious such as overwintering structures): 20,000 square feet.
 - 3. Impervious Surface. Not more than 20% of the area of any lot, excluding the ultimate right-of-way and stabilized drives between nursery beds, shall be covered by impervious surfaces. Driveways and parking areas used to service retail customers shall be paved.
 - 4. Building Height. No building or structure shall exceed 2 1/2 stories, or 35 feet, whichever is less.
 - 5. Access. Ingress to the site and egress from the site shall be provided directly from an arterial or collector road as defined in the Township Subdivision and Land Development Regulations [Chapter 22].

A8. Farm Support Facility.

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- a. Definition. A commercial grain or commercial feed mill facility primarily for the warehousing, sale and service of agricultural feed, supplies and tools.
- b. Regulations.
 1. Minimum lot area: 2 acres.
 2. Maximum impervious surface ratio: 40%.
 3. The buffer requirements of this Chapter shall be met.

A9. Commercial Kennel.

- a. Definition. An establishment, structure or any portion of a lot, on or in which dogs, cats or other domestic animals are kept, housed, raised, maintained or sheltered at any time, for any of the following purposes; or which are subject to any of the following regulations. Dog shows and/or competitions are specifically excluded.
 1. Keeping, housing or care of such animals for compensation.
 2. Training of such animals whether public or private.
 3. ~~Boarding of animals for other parties.~~
 4. Public auction or sale of domestic animals.
 5. Veterinary care, or facilities therefore, requiring the boarding or outdoor keeping of dogs, cats or domestic pets.
 6. Grooming, bathing, tick or insect removal facilities.
 7. Any other similar non-residential use, determined by the Zoning Officer or designated to be a commercial kennel.
- b. Regulations.
 1. Specific dimensional requirements for a commercial kennel shall be as follows:
 - (a) Minimum lot area: 10 acres.
 - (b) Minimum lot width at building line: 700 feet.
 - (c) Minimum yard requirements (fences, enclosures or unenclosed animal runs):

- 1) Front: 200 feet.
 - 2) Side: 100 feet each.
 - 3) Rear: 200 feet.
- (d) Minimum yard requirements (shelters, washing facilities or similar structures):
- 1) Front: 300 feet.
 - 2) Side: 300 feet.
 - 3) Rear: 300 feet.
2. One off-street parking space shall be provided for each employee of the kennel, plus a minimum of one parking space per acre of the tract.
 3. The total number of dogs, cats or other domestic pets on the property shall not exceed five dogs per acre, excluding dogs under three months old.
 4. Stream Setback Requirement: No structure or sewage or waste disposal system shall be placed or constructed within 100 feet of any stream or natural watercourse or floodplain thereof. Pens or confinement areas shall not be less than 30 feet from a swale or stream.
 5. No material shall be placed on or around any kennel in such a manner that it is capable of being transferred out of the kennel by wind, water or other natural causes.
 6. All paper, cloth and other fibers and activities involving same, other than loading and unloading, shall be within fully enclosed buildings.
 7. All areas of the kennel tract, exclusive of the setback and buffer zones shall be delineated and shall be surrounded by a suitable fence at least eight feet in height, and maintained in good condition. Any gate in such fence shall be similarly constructed and maintained, and shall be kept locked at all times when the kennel is not in operation. All kennel materials and activities not within fully enclosed buildings shall be kept within the fenced in portion of the property, and shall not be stacked, piled or otherwise caused to be higher than eight feet above the natural grade of the portion of the property upon which it is placed.
 8. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin. When necessary, this shall be accomplished by enclosure in containers, raising of

materials above the ground, separation of types of materials, preventing the collection of stagnant water, extermination procedures or other means. The kennel shall be open to the periodic inspection of the Bucks County Board of Health and New Britain Township.

9. Where the proposed commercial kennel will adjoin residential uses or lots, buffering shall be provided so as not to be less than that outlined in Part 28.
10. All methods and plans for sewage or waste disposal shall be submitted to the appropriate authority or other regulating body and shall be designed in accordance with all applicable regulations pertaining to the treatment and disposal of sewage and wastes.
11. No burning shall be carried on in any kennel. Fire shall be prevented and hazards avoided by organization and segregation of stored materials. The kennel shall be open to the inspection of the Township Fire Marshal and other Township Officials, as deemed necessary.
12. Concrete drainage areas shall be constructed and maintained for the collection of waste and other liquids. All such liquids shall be collected from kennels and other facilities and disposed of properly, in accordance with applicable federal, state and local regulations. No such liquids shall be allowed to flow or seep into the ground. No hazardous or potentially hazardous chemical or any combustible material or explosive type material may be stored or disposed of on this site.
13. The hours of operation of kennel uses shall be limited to between 8:00 a.m. and 6:00 p.m.
14. Permit Fee: The operation of a commercial kennel shall require payment of an annual fee which shall be established.
15. Administration/Enforcement: The standards contained within this Chapter shall apply including all administration enforcement proceedings, as well as penalties for violation thereof.
16. Buildings should be adequately soundproofed so that sounds generated within the buildings are in compliance with the noise/sound provisions of this Chapter.

A10. Riding Academy/Stable.

- a. Definition. An establishment where horses are boarded and cared for and/or where instruction in riding, jumping and showing of horses is offered and/or where the general public may hire horses for riding.
- b. Regulations.

1. Minimum lot area: 10 acres.
2. Any building or structure used for the keeping or raising of livestock or horses shall be situated not less than 100 feet from any street line or property line.
3. Silos shall be situated not less than 1¼ times the height of the silo from any street line or property line.
4. Any building or structure, other than noted in subsections (2) and (3) above, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
5. Maximum impervious surface ratio: 10%.
6. Retail sales of related items shall be limited to a maximum floor area of 750 square feet.
7. The buffer requirements of this Chapter shall be met.

A11. Animal Hospital.

- a. Definition. Facilities routinely used for the medical treatment and associated boarding of animals under the supervision of trained veterinary professionals.
- b. Regulations.
 1. A minimum lot size of at least two acres shall be required for those animal hospitals treating only small animals (such as cats, birds or snakes). A minimum lot size of at least three acres shall be required for those animal hospitals treating large animals (such as cattle, horses or pigs).
 2. All buildings in which animals are housed or provided care shall be located at least 100 feet from all lot lines.
 3. Buildings should be adequately soundproofed so that sounds generated within the buildings are in compliance with the noise/sound provisions of Township Ordinances.
 4. Outdoor animal runs may be provided for small animals so long as the runs are at least 100 feet from any property line.
 5. Commercial kennels shall be permitted only as a use in association with the animal hospital, provided requirements of subsection A11 are satisfied.

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A12. Wildlife Sanctuary.

- a. Definition. Preservation of land for the appreciation of wildlife habitats, forests and/or scenic natural features.
- b. Regulations.
 1. No structures shall be permitted on the site except those used for nature study and customary administration/maintenance.
 2. Building setback, yard and lot sizes shall be governed by the regulations of the district in which the facility is located.

A13. Pet Resort.

- a. Definition. Facilities routinely used for daily and overnight boarding of pets, doggy daycare, grooming and spa services, training, rehabilitation therapy, swim therapy, massage, exercise and socialization of pets.
- b. Regulations.
 1. Area and Dimensional Requirements.
 - (a) Minimum lot area: 3 acres
 - (b) Minimum lot width: 200 feet
 - (c) Minimum lot depth: 200 feet
 - (d) Maximum building coverage: 50%
 - (e) Maximum impervious surface ratio: 65%
 - (f) Yards:
 - 1) Front: 50 feet
 - 2) Rear: 50 feet
 - 3) Side: 25 feet
 2. A pet resort may board household pets such as dogs, cats, birds, and the like. There shall be no boarding of livestock or larger animals such as pigs, horses, cattle, or exotic animals.
 3. The capacity of a pet resort shall be limited as follows:
 - (a) A maximum of 80 pets in day-care.

- (b) A maximum of 60 pets in boarding.
 - (c) A daily maximum of 30 pets per day for grooming or other purposes.
 - (d) The Board of Supervisors reserves the right to limit the maximum number of pets in any of the foregoing categories as a condition of conditional use approval in the event that the condition of the proposed facility is insufficiently sized to meet the maximum capacities as outlined in the foregoing paragraphs. The Board may consider the physical condition of the facility, floors, walls, ceilings, inside pens, lighting, water facilities, ventilation, need for isolation facilities, cages, and shelters from inclement weather when approving a proposed pet resort.
4. The use may include an accessory on-site retail component for sale of pet food and pet accessories.
 5. Animals shall be housed indoors. There shall be no unsupervised keeping of animals in outdoor pens, cages, or play areas. Supervised outdoor exercise shall be permitted. No more than twenty dogs may be in outdoor play areas at any given time, and no animals shall be outdoors between 7:00 p.m. and 7:00 a.m. For agility training and similar activities where dogs have supervision at a ratio of one person to one dog this time limit shall not apply.
 6. Outdoor play areas shall be completely enclosed by a fence and shall be adequately screened and buffered along all property lines. The minimum buffer width shall be 25 feet. In no event shall any outdoor play areas be permitted within the minimum required setback and/or buffer areas.
 7. Buildings should be adequately sound proofed so that sounds generated within the buildings are in compliance with the noise/sound provisions of the Township ordinances.
 8. Hours of operation shall be 24 hours per day, but the hours during which the facility is normally open to the public shall be limited to 6:30 a.m. to 7:00 p.m. Emergency drop off or pick up, special events, charity fundraisers and classes that take place on a non-recurring basis may take place after 7:00 p.m., but no later than 9:00 p.m.
 9. Animal waste shall be collected and disposed of in containers and removed from the facility by a septic hauler and disposed of at a properly licensed waste disposal facility. All conditional use applications for a pet resort shall specify the proposed collection and storage facilities for animal waste and identify coverage and impermeability of collection facilities and length of storage time before disposal. Proof of the septic hauler and proper disposal, and compliance with the Bucks County Department of Health shall be submitted at the time of the hearing.

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10. There shall be no breeding or retail sale of pets associated with the use (this shall not preclude not-for-profit pet adoption activities).
11. A tract of land may be developed, used and occupied as and for a pet resort use in addition to another principal use permitted in the IO District.
12. All pet resorts shall obtain licensing from the United States Department of Agriculture and successfully meet any and all inspections by the U.S.D.A. and successfully complete any and all inspections by the U.S.D.A.
13. All pet resorts shall provide one parking space per full-time employee and one half parking space per part-time employee. Additionally, all facilities shall provide for a temporary loading and unloading area for the facility.

[Ord. 2010-07-02]

B. Residential Uses.

B1. Single-Family Detached Dwelling. A dwelling unit accommodating a single family on an individual lot with private yards on all sides of the house, including a factory-built modular home placed on a permanent perimeter foundation and a mobile home placed in accordance with this Chapter.

B1a. Watershed Conservation Subdivision. [Ord. 2013-04-01]

B1b. Watershed Conservation Subdivision/2. [Ord. 2013-04-01]

B2. Cluster Subdivision.

- a. Definition. Detached single-family dwelling units on individual lots with private yards on all sides of the house and which are clustered to preserve common open space.
- b. Regulations.
 1. Permitted Uses in a Cluster Subdivision:
 - (a) Single-family detached dwelling and permitted accessory uses.
 2. Performance Standards.
 - (a) Minimum site area: 10 acres.
 - (b) Maximum Gross Density: 1.0 dwelling unit per acre. However, no more dwelling units shall be permitted than allowed in use B1 for

the applicable zoning district unless otherwise stated in this Chapter.

3. Minimum Open Space Ratio: 0.50—The minimum open space ratio for single-family detached cluster development is 0.50. Each site must also observe the Natural Resource Protection Standards for the site. In the event that the Natural Resource Protection Standards require a greater area of open space, the greater standard shall apply. Open space areas shall include all required buffer yards, natural resource

protection areas and agricultural areas. An existing farmhouse and existing accessory farm buildings shall be permitted in the open space area.

4. Maximum Gross Site Impervious Surface Ratio: 20%
5. Area and Dimensional Standards. The following area and dimensional standards shall apply to the residential lots created for the single-family detached cluster development:
 - (a) Minimum lot area: see zoning district requirements.
 - (b) Minimum lot width: 100 feet at ultimate right-of-way.
 - (c) Minimum yards:
 - 1) Front: 40 feet.
 - 2) Side: 15 feet.
 - 3) Rear: 40 feet.
6. Buffer Yards.
 - (a) There shall be a minimum buffer yard of at least 50 feet separating the residential cluster lots 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 fifty-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 fifty-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 rear yard setback on perimeter properties shall be 75 feet for principal building and 50 feet for accessory buildings or structures.
 - (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 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.

7. Water and Sanitary Sewer Facilities. A single-family detached cluster development shall be permitted only on land served by public or community sanitary sewer systems and a public or community water system with water available for firefighting purposes either through hydrants or surface storage. If the water supply is drawn from the site, a water study shall be prepared by the developer and appropriate funds escrowed with the Township to protect surrounding individual wells that may be adversely affected by the new public or community water system.
8. Traffic Impact Study. The impact of the proposed development on the Township's circulation system shall be analyzed and a written Traffic Impact Study shall be prepared in accordance with the provisions of this Chapter and submitted as part of the application.
9. Open Space Covenants. Open space areas shall be offered for dedication to the Township at the time of final approval of any single-family detached cluster development. The Township may accept or reject at its sole discretion, dedication of any or all open space. If open space is not accepted, an alternative ownership must be approved by the Township. All open space shown on the final development plan, as filed with the Township and subsequently recorded in the Office of the Recorder of Deeds of Bucks County, must be conveyed in accordance with one or more of the following methods:
 - (a) Dedication in fee-simple to the Township, provided:
 - 1) The Township agrees to own and maintain such lands, and
 - 2) The titles are conveyed at no cost to the Township.
 - (b) Conveyance of title (including beneficial ownership) to a conservancy, corporation, association, funded community trust, condominium, individual or other legal entity, provided:
 - 1) The lands are permanently restricted from any future development by the granting of a deed restriction which is held jointly by the single-family detached cluster lots of the development and the Township and by simultaneously granting a conservation easement that will also insure the continued use of such land for the preservation of open space in perpetuity to a conservancy that will be long standing.

- 2) There shall remain the right of the Township to enter upon and maintain such open space at the expense of the owner.
 - 3) There shall be a homeowners association established which shall include all of the lot owners within the proposed development. The purpose of the homeowners association is to maintain all open space that is owned by the association and to police the open space from vandals and trespassers.
- B3. Single-Family Semi-Detached Dwelling. One dwelling unit accommodating one family that is attached to another unit and completely separated from that unit by a vertical unpierced fire wall. Only one additional unit and one side yard shall be adjacent to each dwelling unit. Each unit shall be on a separate lot.
- B4. Two-Family Detached Dwelling. Two dwelling units within in one building, and both dwelling units within one lot and without the dwelling units being completely separated by vertical and horizontal fire walls. The building shall have two side yards.
- B5. Single-Family Attached.
- a. Definition. A single-family dwelling unit that is attached to two or more dwelling units or that is attached to a dwelling unit that is attached to two more dwelling units and with each dwelling unit being completely separated from each other by vertical fire resistant walls. Each dwelling shall have its own outside access. Side yards shall be adjacent to each end unit.
 - b. Regulations.
 1. Single-family attached are permitted in a Planned Residential Development (PRD) in the Village Residential District (VR) and, if approved by conditional use, as part of a Planned Community Center Mixed Use (J31).
 2. Single-Family Attached Lot Area. The building footprint plus 200 square feet for a patio or similar outdoor use. Maximum building footprint not to exceed 3,000 square feet.
 3. Minimum Lot Width: Twenty feet, except 26 feet if a lot has a garage for two or more vehicles with a door(s) opening onto the front of the dwelling or lot.
 4. Facade. For every attached grouping of single-family attached, a minimum of two changes in the front wall plane shall be provided. Such change shall involve a minimum variation or offset of four feet.

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5. Impervious Coverage: Maximum of 35%.
6. Minimum Front Yard Setback: Thirty feet from an ultimate right-of-way of a street, and 20 feet from any off-street parking space other than a driveway leading to a garage or carport of an individual dwelling unit.
7. Units Attached: A maximum of eight dwelling units may be attached.
8. Separation. All single-family attached shall be separated by 30 feet from any other principal building.
9. Buffer Yard. A twenty-foot wide buffer yard with screening shall be required, as described in Part 28, between any townhouse and any abutting single-family detached dwelling.

B6. Multifamily.

- a. Definition. Three or more dwelling units within a building that are separated by only horizontal floors or by a combination of horizontal floors and vertical walls. This shall include buildings with a maximum height of 3-1/2 stories or 35 feet, whichever is less.
- b. Regulations.
 1. Multifamily are permitted in a Planned Residential Development (PRD) in the Village Residential District (VR) and, if approved by conditional use, as part of a Planned Community Center Mixed Use (J31).
 2. Minimum Tract Area: 5,000 square feet per dwelling unit or five acres whichever is greater.
 3. Impervious Coverage: Maximum of 30% per lot.
 4. Minimum Building Setback: Fifty feet from the ultimate right-of-way of a street and 30 feet from any off-street parking spaces.
 5. Units: Maximum of 16 dwelling units per building.
 6. Separation: All Multifamily buildings shall be separated by 50 feet from any other principal building.
 7. Minimum Tract Width: One hundred feet minimum at the ultimate street right-of-way.
 8. Buffer Yards: A twenty-foot wide buffer yard with screening shall be required, as described in Part 28, between any multifamily and any abutting Single-family detached dwelling. The buffer yard maintenance shall be the responsibility of the multifamily owner.

nance shall be the responsibility of the owner(s) of the multifamily building.

B7. Apartment Building.

- a. Definition. Three or more dwelling units, for rent only, within a building that is no higher than 40 feet, containing a maximum of 24 dwelling units per building.
- b. Regulations. Notwithstanding the area and dimensional regulations and performance standards at §§1402 and 1403 of Part 14 of this Chapter, B7 Apartment Building uses shall meet the requirements set forth below.
 1. Apartments are only permitted in the C-3 Zoning District on a minimum lot of 15 acres.
 2. Maximum Density: 14 dwelling units per gross acre of the site.
 3. Minimum Unit Size: 750 square feet.
 4. Impervious Coverage: Maximum of 60% per site.
 5. Buffer Yard: In lieu of the minimum buffer area requirements of §2801 of this Chapter, a 30-foot wide buffer yard shall be required around the perimeter of the tract in accordance with §2802 of this Chapter which shall be maintained by the owner of the apartment building use.
 6. Setbacks:

Front:	50 feet
Rear:	50 feet
Side:	20 foot minimum, 60 foot aggregate, both side
 7. Separation: All apartment buildings shall be separated by 50 feet from any other principal building.
 8. Minimum Building Setback: 15 to 25 feet from any off-street parking spaces or 10 feet from any curb line or any edge of paving. Minimum Building Setback does not apply to driveways intended to serve a single unit.
 9. Minimum Lot Width: 500 feet.
 10. Parking: Two parking spaces per unit; 50% of all garage spaces may be counted toward the parking requirement. Garage spaces may count even when a parking space is located immediately in front of the garage, notwithstanding the requirements of §27-2904.a.1., Parking Design Standards.

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- 11. Community Center: Any residential community center or clubhouse shall have a minimum size of 3,500 square feet. Any such center shall be limited to use by residents of the community and no commercial or retail use shall be permitted.

[Ord. 2011-09-02]

B8. Mobile Home Park I.

- a. Definition. A parcel of land which has been so designed and improved that it contains 10 or more mobile home lots for the placement thereon of mobile homes. Modular homes are not permitted in this district.
- b. Regulations.

1. Dimensional Requirements

Rear	Minimum Lot Area Between (Sq. Ft.)	Minimum Lot Width at Bldg. Setback (feet)	Maximum Bldg. Coverage (%)	Maximum Distance Between Units (ft.)	Minimum Yards (feet)		
					Front	Side	Rear
Single-wide	4,800	45	25	20	10	15	20
Double-wide Units	6,500	60	25	20	10	15	20

2. Performance Standards:

- (a) Minimum site area: 10 acres.
- (b) Maximum density: 3.5 du/ac.
- (c) Minimum open space ratio: 45%. One-half of which shall be for active recreation.
- (d) Maximum impervious surface ratio: 25%.

3. The following conditions shall also apply:

- (a) No more than one mobile home shall be placed on a mobile home lot and such mobile home shall be occupied by not more than a single family.
- (b) The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.
- (c) Each mobile home shall be placed on a permanent foundation of at least eight poured concrete or masonry pillars set on a concrete base at least eight inches thick. The pillars shall be spaced no

more than 10 feet apart with the end piers being no farther than five feet from the ends of the unit. The pillars shall be at least one by two feet in size and at least 36 inches below grade. Each pillar shall have installed a tie-down ring to which the mobile home shall be secured. The anchoring system shall be approved by the Township Engineer.

4. Every mobile home shall have access to an improved street in the mobile home park in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22].
5. The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be 10.
6. No space shall be rented for residential use of a mobile home in any such park except for periods of 30 days or more.

- 7. Plans for any mobile home park shall be submitted in conformance with the Township Subdivision and Land Development Ordinance [Chapter 22] and applicable Township ordinances.
- 8. Public or community sewer and water services shall be provided in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22] and the Township Sewage Facilities Plan.
- 9. A buffer yard shall be provided around the perimeter of the mobile home park in accordance with the provisions of this Chapter.

B9. Mobile Home Park II.

- a. Definition. A parcel of land which has been so designed and improved that it contains 10 or more mobile home lots for the placement thereon of mobile homes. In addition, the mobile homes must be occupied and used by and for single individuals 55 years of age or older, married couples at least one of which is 55 years of age or older; two persons other than married couples both of whom are 55 years of age or older; one person 18 years of age or older residing within a dwelling unit with one or two persons 55 years of age or older, if the presence of such person is essential for the physical care of another resident of the dwelling unit. Modular homes are not permitted in this district.
- b. Regulations.

1. Dimensional Requirements.

	Minimum Lot Area (sq ft)	Minimum Lot Width at Bldg. Setback (feet)	Maximum Bldg. Coverage (%)	Minimum Distances Between Units (ft)	Minimum Yards (feet)		
					Front	Side	Rear
Single-wide	3,600	36	30	20	8	10	16
Double-wide Units	4,500	50	35	20	8	10	16

2. Performance Standards

- (a) Minimum site area: 10 acres.
- (b) Maximum density: 6.0 du/ac.
- (c) Minimum open space ratio: 30%. One-fourth of which shall include walkways with benches.
- (d) Maximum impervious surface ratio: 25%.

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3. The following conditions shall also apply:
 - (a) No more than one mobile home shall be placed on a mobile home lot and such mobile home shall be occupied by not more than a single family.
 - (b) The area between the ground level and the perimeter of the manufactured home shall be enclosed by means of a suitable skirting.
 - (c) Each mobile home shall be placed on a permanent foundation of at least eight poured concrete or masonry pillars set on a concrete base at least eight inches thick. The pillars shall be spaced no more than 10 feet apart with the end piers being no farther than five feet from the ends of the unit. The pillars shall be at least one by two feet in size and at least 36 inches below grade. Each pillar shall have installed a tie-down ring to which the mobile home shall be secured. The anchoring system shall be approved by the Township Engineer.
4. Every mobile home shall have access to an improved street in the mobile home park in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22].
5. The minimum number of lots completed and ready for occupancy before the first occupancy is permitted shall be 10.
6. No lot shall be rented for residential use of a mobile home in any such park except for periods of 30 days or more.
7. Plans for any mobile home park shall be submitted in conformance with the Township Subdivision and Land Development Ordinance [Chapter 22] and applicable Township ordinances.
8. Public or community sewer and water services shall be provided in accordance with the Township Subdivision and Land Development Ordinance [Chapter 22] and the Township Sewage Facilities Plan.
9. A buffer yard shall be provided around the perimeter of the manufactured home park in accordance with the provisions of this Chapter

B10. Village House Development.

- a. General Regulations.
 1. Regulations.

- (a) Minimum gross site area: 20 acres.
 - (b) Minimum site width: 200 feet.
 - (c) Access. The site must have access to a collector road, or higher, as defined by the New Britain Township Subdivision and Land Development Ordinance [Chapter 22].
 - (d) Density. The maximum density shall not exceed two dwelling units per acre of the net buildable site area. However, a B10 Development with de minimis reductions (less than 5% of natural resource protected land) in the site capacity calculations as set forth in Part 24 shall not result in a lowering of site density.
 - (e) Open Space. A minimum of 50% of the base site area. The location of the open space shall be subject to the approval of the Board of Supervisors. A substantial portion of the open space shall be contained in a large contiguous area.
 - (f) Dwelling Types. Single-family detached dwelling and permitted accessory uses.
2. A Village House Development shall be designed in a “village style” layout with homes situated close to the roads and garages located to the rear of the dwelling units.
3. Alley, Garages.
- (a) Alleys are required in the SR-1 District under Village Home (VH) conditional use, as a means for providing direct off-street parking and access for narrow lots, except where waived by the Board.
 - (b) Alleys shall be designed in accordance with the New Britain Township Subdivision and Land Development Ordinances [Chapter 22].
 - (c) Alleys are intended to provide access to the rear of residential lots for services and on-lot parking.
 - (d) Frontage on an alley shall not be construed to satisfy the requirements of this Chapter for frontage on a street.
 - (e) A separate two-car garage structure is required. Garages will be offset from the garage across the alley. The garage shall have a minimum side yard setback of five feet. Garages that are semi-detached are permitted.

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4. Where alleys and garages are provided for all homes on a street, the Board may approve a reduction in street width to 24 feet. Otherwise, street width shall be 26 feet.
 5. Curb Cuts. Curb cuts shall be permitted only on lots that do not have alley frontage. The maximum width of the curb cut at the street shall be 12 feet, plus 18-inch flare at the curb.
 6. Parking. In addition to the parking standards of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22], all streets shall be designated no parking on one side and two hour parking on the other side. Overflow parking spaces shall be provided on the site to accommodate spaces totaling 20% of the total dwelling units.
 7. There shall be a homeowners association that, in addition to the requirements of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22], shall maintain stormwater facilities, common open space, alleys (to local streets standard of the SALDO) and shall contract for development-wide trash collection. Association rules shall require trash containers to be in opaque standards of the community to assure the continuation of the village style, colors and architecture.
 8. Utilities. All utilities shall be underground. All utility boxes, transformers, dog houses and the like shall only be located in areas designated for the same.
 9. Streetlights. Streetlights may be of a distinctive colonial style if they will be owned and maintained by the homeowners association. If the streetlights are to be owned and maintained by the Township, they shall be of Township standard for number, location and style.
- b. Dimensional Standards.
1. Minimum lot area: 5,500 square feet.
 2. Minimum lot width: 50 feet.
 3. Minimum lot depth: 110 feet, excluding alley width.
 4. Minimum front yard: 10 feet.
 5. Minimum side yard: 5 feet, 20 feet aggregate.
 6. Minimum rear yard: 8 feet.

7. Minimum dwelling unit size: 1,600 square feet, excluding garage, unheated spaces and basements whose height is more than 1/2 below grade.
8. Minimum garage size: 22 feet by 22 feet.
9. Maximum building coverage per lot: 40%.
10. Maximum impervious surface ratio: 70%.
11. Maximum building height: 35 feet.
12. Permitted projection into required yard: 5 feet (front) and two feet (side).
13. Parking Standards: Two spaces per dwelling unit, plus two spaces per garage per dwelling unit.
14. Snow Removal: All common areas shall have a blanket easement for the deposit of snow. One area of 10 feet by 15 feet per 20 dwelling units or portion thereof will be eased in areas designated by the Public Works Superintendent for deposit of snow.

c. Design Criteria.

1. All dwelling units proposed as part of a Village House Development shall be subject to conditional use review and approval by the New Britain Township Board of Supervisors.
2. Design criteria, which may be modified during the conditional use process shall include, but not be limited to:
 - (a) Roofs shall be steeply pitched and irregularly shaped. Front facing gables shall have a minimum pitch of 10/12. Roofs shall have patterned or textured shingles and any overhangs shall be a minimum of 12 inches and rake projections must be a minimum of eight inches.
 - (b) Street facing windows and a minimum of 60% of all other windows shall have a dimension ratio of 2/1 or greater. Bay, angled, walkout and boxbay windows shall be permitted.
 - (c) Facades on adjacent lots shall be dissimilar.
 - (d) Deed restrictions and homeowners association documents shall limit the opacity of fences to not more than 25%.

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- (e) Each dwelling shall have a minimum of two of the following street front features:
 - 1) An unenclosed porch, running across at least 3/4 of the house front and being at least seven feet in width.
 - 2) A front yard raised above sidewalk grade by at least 18 inches with a retaining wall of at least 18 inches at the sidewalk line
 - 3) A front yard enclosed by a permanent wall or fence of wood, wrought iron or masonry construction at least 30 inches, but not more than 42 inches in height.
 - 4) A hedge across the width of the front yard, except for locations where crossed by driveways, pedestrian path or sidewalks.
 - 5) Front facing foundations may be brick, stone or stucco.
- (f) Minimum ground floor elevations of 18 inches above sidewalk elevation.

C. Institutional Uses.

C1. Hospital.

- a. Definition. A use that is licensed by the American Hospital Association and involves the diagnosis, treatment or other medical care of humans that includes care requiring stays overnight and that may also include outpatient care. A medical care use that does not involve stays overnight shall be considered a "Medical Office." A hospital may involve care and rehabilitation for medical, dental or mental health, but shall not include housing of the criminally insane nor primarily involve housing or treatment of persons actively charged with or serving a sentence after being convicted of a felony. A hospital may also involve medical research and training for health care professions.
- b. Regulations.
 - 1. Shall be located on a lot with its main access onto an arterial or collector street, as defined by the Subdivision and Land Development Regulations [Chapter 22].
 - 2. At least two access roads with a minimum width of 20 feet shall be provided from such arterial or collector street.

3. More than one means of emergency access to the property shall be provided.
4. All facilities shall be located on the ground floor, unless an elevator sufficient to accommodate rolling beds or litters provides access to other than ground floor levels.
5. The Board of Supervisors may set such conditions as deemed necessary beyond State requirements for fire safety.
6. Adequate measures shall be taken to comply with Township Ordinances.
7. Shall have a minimum lot size of 10 acres.

C2. Nursing Home.

- a. Definition. A facility licensed by the State for the housing and intermediate or fully-skilled nursing care of four or more persons.
- b. Regulations.
 1. The Board of Supervisors may set such conditions as deemed necessary, beyond State requirements, for fire safety.
 2. The use shall provide a minimum of 20% of the site suitable and developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks.
 3. The density shall not exceed more than 1,000 square feet of total lot area per bed or resident.
 4. Setback: Principal and accessory buildings shall be setback a minimum of 100 feet from the lot line of an existing dwelling.
 5. 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.
 6. Minimum lot size shall be 10 acres.

C3. Personal Care Center.

- a. Definition. A residential center providing residential and support services primarily to persons age 65 and over. The facility shall be licensed as a Personal Care Center by the State.
- b. Regulations. The regulations listed above for nursing homes shall apply.

C4. Group Home.

- a. Definition. A use involving the residence of more than one person who may or may not be related by blood, marriage, adoption or formal foster relationship to a family living in a dwelling unit, need non-routine support services, and who reside in a family-like residential environment. This shall only include a use licensed or certified under an appropriate State program. These residents are intended to be persons who might otherwise be confronted with institutionalization. Group homes shall be limited to persons needing special care and oversight because of physical illness or infirmity, age, physical disability, mental illness that is not criminal in nature, mental retardation or emotional disability not criminal in nature.
- b. Regulations.
 1. A special exception approval shall be required and shall be contingent upon the manner of operation and nature of the group home. If the type of client or operation should significantly change, a new application shall be submitted for a special exception.
 2. A statement setting forth full particulars on the operation to be conducted and to include any needed approvals of the Pennsylvania Departments of Health, Labor and Industry, Aging and Public Welfare shall be filed with the Township where applicable.
 3. The group home shall register its location, number of residents and sponsoring agency with the Township and such information shall be available to the public.
 4. Dwelling Type: A group home shall only be allowed in a single-family detached house.
 5. There shall be twenty-four-hour supervision by people qualified by training and experience in the field for which the group home is intended.
 6. The use shall be licensed under the applicable State program.
 7. Any medical or counseling services provided shall occur on the lot only for residents and up to two nonresidents.
 8. The lot on which a Group Home is located shall be at least 500 feet from the lot on which another Group Home is located; (such distance shall be measured in a horizontal straight line from the nearest point on one lot to the nearest point on the other lot).

9. One off-street parking space shall be provided for a) the supervisor, b) each additional employee per shift and c) every two residents reasonably capable of driving a vehicle.
10. The group home activity shall not be related to criminal rehabilitation of either juveniles or adults nor the criminally insane nor serious alcohol or drug addiction, nor the care or housing of any persons prone to violence.
11. If the group home is an existing or new structure, located in a residential district it shall be maintained and/or constructed to ensure that it is closely similar in appearance, condition and character to the other residential structures in the area.
12. The group home shall notify the Township if there is any suspension, loss or change in type of certification by the State.
13. Minimum lot area. Unless a larger minimum is required in a specific district, the following is required for each applicable number of clients in a group home in a single-family detached dwelling:
 - (a) 1 to 5 clients: 20,000 square feet minimum lot size.
 - (b) 6 to 7 clients: 30,000 square feet minimum lot size.
 - (c) 8 clients: 40,000 square feet minimum lot size.
 - (d) No group home shall include more than eight clients.
14. Off-street parking areas of more than five spaces shall be buffered from adjacent existing single-family dwellings by an appropriate ever-green planting screen.
15. Utilities. Both public water and public sewer service shall be provided.

C5. In-Patient Drug and Alcohol Rehabilitation Center.

- a. Definition. A residential care facility for the treatment of chemical substance and alcohol abuse.
- b. Regulations.
 1. A special exception approval shall be required and shall be contingent upon the manner of operation and nature of the group home. If the type of client or operation should significantly change, a new application shall be submitted for a special exception.
 2. There shall be no out-patient care.

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3. There shall be no detoxification facilities.
4. The facility must be a licensed non-hospital freestanding drug and alcohol rehabilitation facility with the Commonwealth of Pennsylvania.
5. The minimum lot area shall be 0.5 acre for each patient bed.
6. There shall be a landscaped buffer area of 100 feet around the perimeter of the site. Buffering shall meet the requirements of §27-2802 of this Chapter.
7. Twenty percent of the lot shall be developed for active and passive recreation facilities. A minimum of 5% shall be active.
8. There shall be a staff to patient ratio of 6:1 during the period 7:00 a.m. to 10:00 p.m.

D. Educational Uses.

D1. Nursery School/Day Care Center.

- a. Definition. A use involving the supervised care of children outside of their home under age 16 for periods of 18 hours or less and that does not involve overnight stays. This use may also include educational programs that are supplementary to State required education. This use shall meet the applicable State requirements for minimum number of students.
- b. Regulations.
 1. Approval of this use is subject to issuance of a zoning permit by the Zoning Officer and special exception by the Zoning Hearing Board.
 2. Minimum lot area shall be one acre or the minimum lot area for other permitted uses in the applicable zoning district, whichever requirement is greater.
 3. The maximum number of children shall be 25 children per acre.
 4. The minimum yard, setback and lot width requirements for other permitted uses in the applicable zoning district shall be met.
 5. An outdoor play area shall be provided. This area shall be fully enclosed by a four-foot high fence and shall be located to the side or rear of the lot. The minimum required areas of such an outdoor recreational facility shall be 100 square feet for each child.
 6. The buffer requirements of this Chapter shall be met.

- 7. Prior to final approval of this use by the Zoning Hearing Board and the granting of a permit by the Zoning Officer, the applicant must obtain a license from the Department of Public Welfare, Bureau of Child Development Programs. Licensure is certification of compliance with Chapter II, Section 8A of the Department of Public Welfare's Social Services manual by this Department to the applicant, subject to licensure under Article X of the Public Welfare Code.
- 8. Outside play areas in residential districts shall be limited to use between 8:00 a.m. and 8:00 p.m. if located within 200 feet of a dwelling.
- 9. No portion of an outside play area shall be 30 feet or less from an adjacent existing occupied dwelling.

D2. College, Primary or Secondary School.

- a. Definition. Religious, sectarian or non-sectarian, denominational or public educational institution providing educational programs at the college, primary and secondary scholastic levels; shall not include commercial trade schools.
- b. Regulations.
 - 1. Access shall be taken only from an arterial or collector highway.
 - 2. Dimensional Requirements.

	Primary or Secondary School	College
Minimum lot area:	10 acres	10 acres
Minimum lot width:	200 feet	150 feet
Minimum front yard:	75 feet	60 feet
Minimum side yard:	100 feet	75 feet
Minimum rear yard:	100 feet	75 feet

- 3. Outdoor play areas shall be 60 feet from all property lines.
- 4. The buffer requirements of this Chapter shall be met.

D3. Commercial Trade School.

- a. Definition. Commercial trade or professional school; art, music or dancing school. Other schools not included under Use D2.

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b. Regulations.

1. Minimum lot area: 1 acre.
2. The buffer requirements of this Chapter shall be met.

E. Recreational Uses.

E1. Public Recreational Facility.

- a. Definition. Recreational facility or park, owned or operated by the Township or other governmental agency.
- b. Regulations.
 1. No outdoor active recreation area shall be located nearer to any lot line than 100 feet.
 2. Outdoor play areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.
 3. The buffer requirements of this Chapter shall be met.

E2. Private Recreational Facility.

- a. Definition. A recreational facility operated by a nonprofit organization, and open only to bona fide members and guests of such nonprofit organizations.
- b. Regulations.
 1. Minimum lot area: 5 acres.
 2. The use shall not include amusement parks, wild animal parks or zoos.
 3. No outdoor active recreation area shall be located nearer to any lot line than 100 feet.
 4. Outdoor play areas shall be sufficiently screened so as to protect the neighborhood from inappropriate noise and other disturbances. The buffer requirements of this Chapter shall be met.

E3. Campground.

- a. Definition. A tract of land and buildings or structures planned as a whole for seasonal recreational use primarily by transients, travelers, or including privately operated recreational or instructional camps for boys or girls, ei-

ther of which includes two or more cottages for shelter or sleeping purposes and/or recreational vehicles or camping sites for lease.

b. Regulations.

1. Minimum site area: 10 acres
2. The main use of the proposed development shall be seasonal, that is for periodic use over a limited number of months during particular seasons of the year, and no occupant shall be permitted to remain for a total period exceeding 120 days during any one calendar year with the exception of a caretaker, grounds keeper or other staff.
3. Sewage disposal methods shall conform with the requirements of the Bucks County Department of Health and New Britain Township regulations.
4. Completely detached buildings or structures on the same lot shall not be less than 20 feet from one another.
5. Adequate measures to prevent noise and other noxious influences from disturbing nearby residential properties shall comply with §27-2200 of this Chapter.
6. The buffer requirements of this Chapter shall be met.
7. There shall be a maximum average of two recreational vehicle sites or five family tent sites or two cabins per acre of total lot area. Vehicles, tents, and campsites shall have a maximum sleeping capacity of six persons.

E4. Commercial Swimming Pool.

- a. Definition. Any manmade area including water with a depth greater than six inches that is intended primarily for swimming and which is not limited to use by members of one household and their guests. This includes, but is not limited to, a swim club or a pool open to the general public.

b. Regulations.

1. All pools shall be entirely enclosed by a well-maintained fence at least seven feet high, which is adequate to keep out children.
2. All pools shall meet the applicable State and Federal public bathing requirements.

E5. Private Club.

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- a. Definition. Private club or lodge other than Use E2.
- b. Regulations.
 1. The use shall be for members and their authorized guests only.
 2. The buffer requirements of this Chapter shall be met.

E6. Golf Course.

- a. Definition. Golf course (not including miniature golf course), including club house, restaurant and other accessory uses, provided these are clearly accessory to the golf course.
- b. Regulations.
 1. Minimum Lot Area:
 - (a) Regulation, 18-hole: 130 acres.
 - (b) Executive, 18-hole: 60 acres.
 - (c) Nine hole, 9-hole: 50 acres.
 - (d) Par 3, 18-hole: 45 acres.
 - (e) Par 3, 9-hole: 25 acres.
 2. No building shall be closer than 100 feet to any lot line.
 3. The maximum building coverage shall be 5% and the maximum impervious coverage 10%.
 4. Fairways and greens shall be setback a minimum of 100 feet from the lot line of any existing dwelling.

E7. Community Center.

- a. Definition. Community center, adult education center or other similar facility operated by an educational, civic philanthropic or religious institution.
- b. Regulations.
 1. Minimum lot area: 5 acres.
 2. No outdoor recreation area shall be located nearer to any lot line than 100 feet.

3. The buffer requirements of this Chapter shall be met.

E8. Library or Museum.

- a. Definition. Library or museum, open to the public or connected with a permitted educational use and not conducted as a private gainful business.
- b. Regulations.
 1. Minimum lot area: 2 acres.
 2. The buffer requirements of this Chapter shall be met.

F. Public, Semi-Public Uses.

F1. Municipal Building/Use.

- a. Definitions. New Britain Township municipal buildings or uses including administration buildings, police facilities, recreation facilities, libraries, road maintenance facilities, and emergency management facilities.
- b. Performance Standards/Dimensional Requirements.
 1. On any lot, more than one building or use may be erected or used for municipal use purposes.
 2. Dimensional Criteria:
 - a) Minimum lot area: 1 acre.
 - b) Minimum front yard: 50 feet.
 - c) Minimum side yard: 25 feet.
 - d) Minimum rear yard: 50 feet.
 - e) Maximum building height: 45 feet.
 - I) Maximum building coverage: 50%.
 - g) Maximum impervious coverage: 65%.
 - h) All municipal buildings or uses shall be screened with evergreen plantings and/or solid fencing as approved by the Township Zoning Officer for the use if adjacent to a residentially occupied dwelling.

F2. Emergency Service Center.

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- a. Definition. A building for the housing of fire, ambulance, rescue, police or paramedic equipment and for related activities. A membership club may be included as an accessory use. Also, this use may include housing for emergency personnel.
- b. Regulations.
 - 1. The station shall maintain adequate and safe access on to a public street.
 - 2. The buffer requirements of this Chapter shall be met.

F3. Recycling Collection Center.

- a. Definition. A use for collection of common household materials for recycling. This use does not involve transfer, processing or recycling other than sorting of materials.
- b. Regulations.
 - 1. All materials shall be kept in appropriate containers, with appropriate sanitary closures to prevent the attraction of insects or rodents and to avoid any fire hazards.
 - 2. Such facility shall have adequate provision for vehicular access and for off-street parking.
 - 3. The buffer requirements shall be met.
 - 4. This use may be an accessory use to a commercial use, an industrial use, a public or private primary or secondary school, a place of worship or a Township-owned use, subject to the limitations of this section.
 - 5. Materials to be collected shall be of the same character as the following materials: paper, cardboard, aluminum, glass, plastic.
 - 6. The use shall include no processing other than collection, sorting and routine cleaning. No bulk crushing of metal or aluminum, burning, transfer, land-filling or melting shall occur.
 - 7. Shall not include the collection or processing of any metals or pieces of metals that have a weight greater than 10 pounds.
 - 8. Shall not include the delivery of more than 100 tons of materials to the site in any twenty-four-hour period.

F4. Place of Worship.

- a. Definition. Any structure or structures used for worship or religious instruction, including social and administrative rooms accessory thereto.
- b. Regulations.
 1. Dimensional Requirements.
 - (a) Minimum lot area: 2 acres.
 - (b) Minimum lot width: 200 feet.
 - (c) Minimum front yard: 65 feet.
 - (d) Minimum side yard: 50 feet.
 - (e) Minimum rear yard: 100 feet.
 2. The buffer requirements of this Chapter shall be met.
 3. A parsonage, weekly religious education rooms, meeting rooms, child nursery, day care center and bus storage area are permitted accessory uses provided that such uses are of such a character and intensity that they would be clearly customary and incidental to the place of worship.

F5. Cemetery.

- a. Definition. A burial place or graveyard including mausoleum, crematory, columbarium or chapel.
- b. Regulations.
 1. Regulations shall be as follows:
 - (a) Minimum lot area (except for pet cemetery): 10 acres.
 - (b) Minimum yards and setbacks: 100 feet.
 - (c) Minimum lot area for pet cemetery: 3 acres.
 - (d) Maximum lot area for pet cemetery: 10 acres.
 - (e) Minimum yards and setbacks: 25 feet.
 2. Lot Coverage of Accessory Buildings and Parking Facilities: No more than 10% to a maximum of five acres may be devoted to above-ground

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buildings or impervious surfaces not serving as burial markers or memorials.

3. No burial plots, structures or parking areas shall be located within the one-hundred-year floodplain.
4. No outside storage shall be permitted.
5. All structures open to the public shall be supplied with water and sewer and all utilities shall be placed underground.
6. The buffer requirements of this Chapter shall be met.
7. A zoning permit shall be obtained on an annual basis.
8. Additional requirements for pet cemetery:
 - (a) All grave markers shall be placed flush to the ground.
 - (b) All caskets shall be of durable construction and not subject to breakage or deterioration. Caskets shall not be stacked one above another underground and the top of every casket shall be at least three feet below the existing grade. To ensure compliance, the Building Inspector or Zoning Officer shall be notified before every interment for the purposes of conducting an inspection for which the owner or operator of the cemetery shall pay an inspection fee. All inspection fees shall be set by the Board of Supervisors pursuant to Resolution. The owner or operator shall maintain at all times a current burial plot diagram showing all plots in use, which shall be available to the Township for inspection upon request.

F6. Business Campus.

- a. Definition. A large tract of land that is planned, developed and operated as an integrated facility for a number of individual businesses including offices and limited commercial uses. The design of this use will require special attention to coordinated access and appropriate landscaping. This use shall include the following uses: I1, I2, I3, I4, J4, J28, J29, K2, K3, K4, K7.
- b. Regulations.
 1. Minimum tract area: 25 acres.
 2. The tract must have frontage on an arterial highway.
 3. Minimum tract width:

- (a) Arterial highway: 300 feet.
 - (b) Other public roads: 200 feet.
4. Minimum tract depth: 200 feet.
5. Minimum tract front yard setbacks:
 - (a) Arterial highway: 50 feet.
 - (b) Other public road: 50 feet.
6. Minimum tract side yard setback: 25 feet.
 - (a) Adjacent to residential zoning district: 100 feet.
7. Minimum tract rear yard setback: 50 feet.
 - (a) Adjacent to residential zoning district: 100 feet.
8. Minimum distance between buildings: 30 feet.
9. Maximum building coverage on tract: 50%.
10. Maximum impervious surface on tract: 65%.
11. Maximum building height: 45 feet.
12. Within the tract, the following applies to individual lots:
 - (a) Minimum lot: 3 acres.
 - (b) Minimum front yard setback [may be part of required tract perimeter]:
 - 1) Arterial highway: 50 feet.
 - 2) Other public road: 50 feet.
 - 3) Private road: 25 feet.
 - (c) Minimum side yard [may be part of required tract perimeter]: 50 feet.
 - (d) Minimum rear yard [may be part of required tract perimeter]: 50 feet.

F7. Commercial Campus.

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- a. Definition. A large tract of land that is planned, developed, and operated as an integrated facility for a number of individual businesses, including offices and limited commercial uses. The design of this use will require special attention to coordinated access and appropriate landscaping. This use shall include the following uses:

D1 Nursery School/Day Care Center: permitted by special exception only

I1 Medical Office

I3 Professional Office

I4 Medical and Pharmaceutical Sales Office

J3 Service Business

J4 Financial Establishment

J6 Eating Place without drive-through or drive-up lanes. All J6 eating places permitted within the Commercial Campus Use shall be located within 750 feet of a major collector or arterial road and shall not be located within 500 feet of any Township park or recreational property or facility.

J11 Indoor Athletic Club

J15 Hotel/Motel

J28 Office Supplies and Equipment Sales and Services: maximum floor area for this use shall be 10,000 square feet

J29 Package Delivery Services

J30 Photocopying Services

- b. Regulations.

1. Minimum tract area: 25 acres.

2. The tract must have frontage on an arterial highway.

3. Minimum tract width:

(a) Arterial highway: 300 feet.

(b) Other public roads: 200 feet

4. Minimum tract depth: 200 feet.
5. Minimum front yard setbacks:
 - (a) Arterial highway: 50 feet.
 - (b) Other public road: 50 feet.
6. Minimum yard setbacks:
 - (a) Side yard: 25 feet.
 - (b) Rear yard: 100 feet.
 - (c) Adjacent to a residential zoning district: 100 feet.
7. Minimum distance between buildings: 30 feet.
8. Maximum building coverage: 50%.
9. Maximum impervious surface: 65%.
10. Maximum building height: 45 feet.
11. Minimum lot size per use: No minimum lot size shall be required; however, the maximum number of uses in a Commercial Campus shall be equal to the total gross tract area divided by three.

G. Utility and Transportation Uses.

G1. Utilities.

- a. Definition. Transformer station, pumping station, relay station, towers, transmission, water or relay substations, switching center, sewage treatment plant and any similar or related installation, not including public incinerators, public or private landfills and wireless telecommunications facilities.
- b. Regulations.
 1. Except in commercial and industrial zoning districts, no public business office or any storage yard or storage building shall be operated in connection with this use.
 2. A buffer yard shall be provided along all property lines which shall include adequate means for visual screening and meet the requirements of this Chapter.

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G2. Terminal.

- a. Definition. Bus, taxi station, terminal, public parking lot or parking garage.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.

G3. Airport.

- a. Definition. A facility designed for aircraft, including airplanes and helicopters, to take off and land. An airport includes hangers for the storage of aircraft, facilities for refueling and repairing aircraft and various accommodations for passengers.
- b. Regulations.
 1. In addition to the airport accessory office, service, industrial or commercial uses may be approved by the Township Board of Supervisors as conditional uses. The area, dimensional, coverage, buffering, impervious surface limitations and parking requirements for the specific use and the Industrial District shall be met.
 2. Approval shall be secured from the Pennsylvania Department of Transportation, Bureau of Aviation. This shall include approval for both Private and Public airports. Failure to maintain compliance with the State and Federal regulations shall void all Township approvals.
 3. A "stopway" of at least 200 feet in length and having a width equal to that of the paved runway shall be provided between each end of the runway and the property line of the airport tract.
 4. All buildings, runways, taxiways, parking areas, warm-up pads, aprons, lights, communication facilities, tie-down areas, repair facilities, refueling facilities, etc., shall conform to the setback requirements of this Chapter.
 5. A steel post and mesh Class "E" wire fence having a height of seven feet shall enclose that part of the airport tract which is used by aircraft so that animals and unauthorized persons and vehicles are restrained from entering the aircraft operating area.
 6. The owners, lessees and operators of the airport shall take all possible actions to protect the peace, safety and air quality of the environment of the area surrounding the airport. This shall include:
 - (a) The establishment of flight patterns and ground traffic patterns.

- (b) The location of warm-up ramps, parking areas, tie-down areas or hangars.
 - (c) Flight training shall not be scheduled before 7:00 a.m. or after 10:00 p.m.
- 7. The buffer requirements of this Chapter shall be met. In addition, warm-up ramps, parking areas, tie-down areas and hangars shall meet the buffer requirements of this Chapter.
 - 8. No airport shall be established if its flight pattern will conflict with the flight pattern of any existing airport or heliport.

G4. Wireless Telecommunications Facility.

- a. Purpose. The purpose of this Section is to establish uniform standards for the siting, design, permitting, maintenance, and use of wireless telecommunications facilities in New Britain Township. While the Township recognizes the importance of wireless telecommunications facilities in providing high quality communications service to its residents and businesses, the Township also recognizes that it has an obligation to protect public safety and to minimize the adverse visual effects of such facilities through the standards set forth in the following provisions.
- b. Design. By enacting this Section, the Township intends to:
 - 1. Promote the health, safety, and welfare of Township residents and businesses with respect to wireless telecommunications facilities.
 - 2. Provide for the managed development of wireless telecommunications facilities in a manner that enhances the benefits of wireless communication and accommodates the needs of both Township residents and wireless carriers in accordance with Federal and State laws and regulations.
 - 3. Establish procedures for the design, siting, construction, installation, maintenance, and removal of both tower-based and non-tower based wireless telecommunications facilities in the Township, including facilities both inside and outside the public rights-of-way.
 - 4. Address new wireless technologies, including but not limited to, distributed antenna systems, data collection units, cable wi-fi, and other wireless telecommunications facilities.
 - 5. Encourage the co-location of wireless telecommunications facilities on existing structures rather than the construction of new tower-based structures.

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6. Protect Township residents from potential adverse impacts of wireless telecommunications facilities and preserve, to the extent permitted under law, the visual character of established communities and the natural beauty of the landscape.
 7. Update the Township's wireless facilities regulations to incorporate changes in Federal and State laws and regulations.
- c. Definitions. The following are applicable to wireless telecommunications facilities:

ANTENNA—any system of wires, rods, discs, panels, flat panels, dishes, whips, or other similar devices used for the transmission or reception of wireless signals. An antenna may include an omnidirectional antenna (rod), directional antenna (panel), parabolic antenna (disc) or any other wireless antenna. An antenna shall not include tower-based WTF defined below. For the purposes of this use, this definition shall not include private residents' mounted satellite dishes or television antennas or amateur radio equipment, including without limitation, ham or citizen band radio antennas.

CO-LOCATION—the mounting of one or more WTFs, including antennae, on an existing tower-based WTF or utility or light pole.

COMMUNICATIONS EQUIPMENT BUILDING—an unmanned building, cabinet or structure containing communications equipment required for the operation of communications antennas and covering an area on the ground not greater than 250 square feet per user unless approved by the Township.

DISTRIBUTED ANTENNA SYSTEMS (DAS)—network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

EMERGENCY—a condition that (a) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (b) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of the services provided.

FCC—Federal Communications Commission.

HEIGHT OF A TOWER-BASED WTF—the vertical distance measured from the ground level, including any base pad, to the highest point on a tower-based WTF, including antennas mounted on the tower and any other appurtenances.

MONOPOLE—a WTF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure, to support communications antennae and connecting appurtenances.

NON-TOWER WIRELESS TELECOMMUNICATIONS FACILITY (NON-TOWER WTF)—all non-tower wireless telecommunications facilities, including

but not limited to, antennae and related equipment. Non-tower WTF shall not include support structures for antennae and related equipment.

PERSONS—individuals, corporations, companies, associations, joint stock companies, firms, partnerships, limited liability companies, corporations, and other entities established pursuant to statutes of the Commonwealth of Pennsylvania; provided that “person” does not include or apply to the Township or to any department or agency of the Township.

STEALTH TECHNOLOGY—camouflaging methods applied to wireless communications towers, antennae and other facilities which render them more visually appealing or blend the proposed facility into the existing structure or visual backdrop in such a manner as to render it minimally visible to the casual observer. Such methods include, but are not limited to, architecturally screened roof-mounted antennae, building-mounted antennae painted to match the existing structure, and facilities constructed to resemble trees, shrubs, and light poles.

SUBSTANTIALLY CHANGE—(a) Any increase in the height of a wireless support structure by more than 10%, or by the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet, whichever is greater, except that the mounting of the proposed wireless telecommunications facility may exceed the size limits set forth herein if necessary to avoid interference with existing antennas; or (b) any further increase in the height of a wireless support structure which has already been extended by more than 10% of its originally approved height or by the height of one additional antenna array.

TOWER-BASED WIRELESS TELECOMMUNICATIONS FACILITY (TOWER-BASED WTF)—any structure that is used for the purpose of supporting one or more antennae, including, but not limited to, self-supporting lattice towers, guy towers and monopoles, utility poles, and light poles. DAS hub facilities are considered to be tower-based WTF’s.

TOWNSHIP—New Britain Township, Bucks County, Pennsylvania.

WBCA—Pennsylvania Wireless Broadband Collocation Act (53 P.S. §11702.1 et seq.)

WIRELESS—transmissions through the airwaves including, but not limited to, infrared line of sight, cellular, PCS, microwave, satellite, or radio signals.

WIRELESS TELECOMMUNICATIONS FACILITY (WTF)—the antennae, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics, and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless communications services.

WIRELESS TELECOMMUNICATIONS FACILITY APPLICANT (WTF APPLICANT)—any person that applies for a wireless communication facility

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building permit, zoning approval, and/or permission to use the public ROW or other Township-owned land or property.

WIRELESS SUPPORT STRUCTURE—a freestanding structure, such as a tower-based wireless telecommunications facility or any other support structure that could support the placement or installation of a wireless telecommunications facility if approved by the Township.

- d. **General Requirements—All Facilities.** Unless otherwise prohibited by the WBCA, all wireless telecommunications facilities shall be permitted only by conditional use in accordance with §§27-3007 through 27-3010 of this Chapter. Where conditional use approval is prohibited by the WBCA, such covered facilities shall be allowed by right. All WTFs shall be subject to the following regulations:
 1. **Standard of Care.** Every WTF shall be designed, constructed, operated, maintained, repaired, modified, and removed in strict compliance with all current applicable technical, safety, and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as (when applicable) the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors. Every WTF shall, at all times, be kept and maintained in good condition, order, and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.
 2. **Wind.** Every WTF and support structure shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/TIA-222-E Code, as amended). Such structures must be designed to withstand wind gusts of at least 100 miles per hour.
 3. **Interference.** No WTF shall interfere with public safety communications or the reception of broadband, television, radio, or other communication services enjoyed by occupants of nearby properties.
 4. **Radio Frequency Emissions.** No WTF may, by itself or in conjunction with other WTFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled “Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields,” as amended.
 5. **Aviation Safety.** All WTFs shall comply with all federal and state laws and regulations concerning aviation safety.

6. **Lighting.** WTFs shall not be artificially lit, except that security lighting may be used as long as it is shielded and pointed towards the ground to retain the light within the boundaries of the property or except as required by law. If lighting is required or proposed, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under state and federal regulations.
7. **Noise.** All WTFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under State law and the Township Code of Ordinances, except in emergency situations requiring the use of a backup generator, where such noise standards may be exceeded on a temporary basis only.
8. **Historic Buildings or Districts.** No WTF may be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or eligible to be so listed, or has been designated by the Township as being of historic significance.
9. **Natural Resources.** The location of the WTF and all accessory structures and equipment shall comply with all applicable natural resource protection standards of this Chapter.
10. **Security.** All communications equipment buildings and similar structures/areas shall be equipped with an appropriate security or alarm system for detection of fire. All towers, poles, and similar structures shall be fitted with anti-climbing devices, as approved by the manufacturer.
11. **Monitoring and Maintenance.** The following requirements shall apply:
 - (a) Every WTF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.
 - (b) Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the general public.
 - (c) All maintenance activities shall utilize nothing less than the best available technology for preventing failures and accidents.
12. **Graffiti.** Any graffiti or unapproved signs on a tower-based or non-tower WTF or on any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti or signs.
13. **Indemnification.** Every applicant for a WTF shall complete an indemnification provision as a part of the application process. This provision shall provide that each person that owns or operates a WTF will, at its sole

cost and expense, indemnify, defend, and hold harmless the Township, its elected and appointed officials, employees, and agents, at all times, against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by, or connected with any act or omission of the person, its officers, agents, employees, or contractors arising out of, but not limited to, the construction, installation, operation, maintenance, or removal of the WTF. Each person that owns or operates a WTF shall defend any actions or proceedings against the Township in which it is claimed that personal injury, including death, or property damage was caused by the construction, installation, operation, maintenance, or removal of the WTF. The obligation to indemnify, hold harmless, and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorneys' fees, reasonable expert fees, court costs, and all other costs of indemnification.

14. Inspection.
 - (a) All WTFs shall be inspected every two years by an expert who is regularly involved in the maintenance, inspection, and/or erection of such facilities. At a minimum, this inspection shall be conducted with the tower inspection class checklist provided in the Electronics Industries Association (EIA) Standard 222, Structural Standards for Steel Antennae Towers and Antenna Support Structures. A copy of said inspection report shall be provided to the Township.
 - (b) The Township reserves the right to inspect any WTF to ensure compliance with the provisions of this Chapter and any other provision found within the Township Code of Ordinances or State or Federal law. The Township shall have the authority to enter the property upon which a WTF is located at any time, upon reasonable notice to the operator, to ensure such compliance.
 - (c) All WTF applicants shall provide the Township with a written commitment that they will allow the Township to inspect their WTF to ensure compliance with the provisions of this use and any other provisions found within the Township Code of Ordinances or State or Federal law and that they grant the Township and/or its agents the authority to enter the property upon which a WTF is located at any time, upon reasonable notice to the operator, to ensure such compliance.
15. Application. Subsequent to conditional use approval and prior to construction/installation of the WTF, the applicant shall obtain a building permit from the Township. The plan and design calculations for the construction of any WTF shall contain the seal and signature of a Pennsylvania licensed structural engineer.

- e. General Requirements–Tower-Based WTFs. All tower-based wireless telecommunications facilities shall be subject to the following regulations:
1. Location. Tower-based WTFs shall only be allowed in the following wireless telecommunications overlay zones:
 - (a) The strip of land 400 feet in width, measured from the right-of-way line of County Line Road (SR. 2038).
 - (b) The strip of land 400 feet in width, measured from the right-of-way line of Swamp Road (SR. 313).
 - (c) The I-Industrial Zoning District.
 - (d) Attached to a tower or structure existing as of January 6, 2014, and located in any zoning district.
 2. Gap in Coverage. An applicant for a tower-based WTF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of WTF being proposed is the least intrusive means by which to fill that gap in wireless coverage.
 3. Co-Location. An application for a new WTF shall not be approved unless the Township finds that the wireless communications equipment planned for the proposed WTF cannot be accommodated on an existing structure or building, including, but not limited to utility and traffic light poles. Any application for approval of a WTF shall include a comprehensive inventory of all existing towers, buildings, and other suitable structures within a two-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized. If an existing building or structure is found, it shall be used to mount the antenna unless the applicant provides written proof to the Township that the owner denied permission to the applicant to install the antenna on this building or structure.
 4. Timing of Approval. Within 30 calendar days of the filing of an application for a tower-based WTF with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Any application for a tower-based WTF shall be acted upon within 150 days of the receipt of a fully completed application for a tower-based WTF. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the 150-day review period. The Township shall advise the applicant in writing of its decision on the application.

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5. Removal. In the event that use of a tower-based WTF is planned to be discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WTFs or portions of WTFs shall be removed as follows:
 - (a) All unused or abandoned tower-based WTFs and accessory facilities shall be removed within six months of the cessation of operations at the site unless a time extension is approved by the Township.
 - (b) If the WTF and/or accessory facility is not removed within six months of the cessation of operations at a site, or within any longer period approved by the Township, the WTF and accessory facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WTF, including any expenses incurred in conjunction with the removal of these facilities, including, but not limited to, engineering fees, attorney's fees, construction or demolition costs, and repair costs.
 - (c) Any unused portions of tower-based WTFs, including antennas, shall be removed within six months of the time of cessation of operations. The Township must approve all replacements of portions of a tower-based WTF previously removed.
 - (d) If the owner of the WTF fails to reimburse the Township for the costs of any removal activities undertaken by the Township within 30 days of being invoiced for the same, the Township may make demand upon any bond or other financial security maintained with the Township for such WTF for the full amount owed to the Township, including any expenses incurred in conjunction with the collection of these monies, including, but not limited to, legal costs and attorney's fees.
 - (e) Removal of a tower-based WTF located in the ROW shall comply with the regulations set forth below for such facilities.
6. Signs. All WTFs shall post a sign in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency.
7. Additional Antennae. All tower-based WTF applicants shall provide the Township with a written commitment that it will allow other service providers to co-locate antennae on its tower-based WTF where technically and economically feasible. The owner of a tower-based WTF shall not install any additional antennae without obtaining the prior written approval of the Township.

8. Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a tower-based WTF, as well as inspection, monitoring, and other related costs.
 9. Bond. Prior to the issuance of a permit, the owner of a tower-based WTF shall, at its own cost and expense, obtain and maintain a bond or other form of security acceptable to the Township Solicitor, in an amount of \$100,000, from a surety licensed to do business in Pennsylvania. Such bond or security shall assure the faithful performance of the terms and conditions of this Chapter and shall provide that the Township may recover from the principal and surety any and all compensatory damages incurred by the Township for violations of this Chapter, after reasonable notice and opportunity to cure. The original of said bond or security shall be provided to and held by the Township.
- f. General Requirements—Tower-Based WTFs Inside of ROW. The following regulations shall apply to all wireless telecommunications facilities located within the right-of-way of any public street and all such WTFs shall comply with these requirements:
1. Height. Every WTF shall be designed at the minimum functional height. All WTF applicants must submit documentation to the Township justifying the total height of the structure. The maximum total height of any WTF located in the public rights-of-way shall not exceed 50 feet, which height shall include all subsequent additions or alterations.
 2. Design Requirements.
 - (a) WTF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.
 - (b) Antennae and all support equipment shall be treated to match the supporting structure. WTFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
 3. Equipment Location. All WTF's and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:

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- (a) In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb, the nearer edge of a sidewalk or pedestrian/bike path, or any building.
 - (b) Ground-mounted equipment that cannot be underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.
 - (c) Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.
 - (d) Any underground vaults related to non-tower WTF's shall be reviewed and approved by the Township.
4. Relocation or Removal of Facilities. Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WTF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WTF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:
 - (a) The construction, repair, maintenance, or installation of any Township or other public improvement in the right-of-way.
 - (b) The operations of the Township or other governmental entity in the right-of-way.
 - (c) Vacation of a street or road or the release of a utility easement.
 - (d) An emergency as determined by the Township.
5. Compensation for ROW Use. In addition to permit fees as described above, every tower-based WTF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each WTF shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above. The annual ROW management fee for tower-based WTFs shall be determined by the Township and authorized by resolution of Township Board and shall be based on the Township's actual ROW management costs as applied to such WTFs.

- g. Specific Requirements–Tower-Based Facilities Outside of ROW. The following regulations shall apply to tower-based wireless telecommunications facilities located outside of the right-of-way of any public street and all such WTFs shall comply with these specific requirements:
1. Height. Any tower-based WTF shall be designed at the minimum functional height. All tower-based WTF applicants must submit documentation to the Township justifying the total height of the structure. The maximum total height of any tower-based WTF shall not exceed 175 feet, which height shall include all subsequent additions or alterations.
 2. Design Regulations and Finishes.
 - (a) To promote the aesthetics and compatibility of the use within the existing areas of the Township, tower-based WTFs located outside the public rights-of-way shall employ the most current Stealth Technology available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact. The application of the Stealth Technology chosen by the WTF applicant shall be subject to the approval of the Township. At a minimum, all applications for a new WTF shall propose an alternate design in the form of a tree or silo where feasible.
 - (b) Any height extensions to an existing tower-based WTF shall require prior approval of the Township, and shall not increase the overall height of the tower-based WTF to more than 175 feet. The Township reserves the right to deny such requests based upon aesthetic and land use impact, or any other lawful considerations related to the character of the Township.
 - (c) Any proposed tower-based WTF outside the public rights-of-way shall be designed structurally, electrically, and in all respects to accommodate both the WTF applicant’s antennae and comparable antennae for future users.
 - (d) At a minimum, all tower-based WTFs outside the public rights-of-way shall be galvanized and/or, painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings.
 3. Surrounding Environs.
 - (a) The tower-based WTF applicant shall ensure that the existing vegetation, trees, and shrubs located within proximity to the WTF structure shall be preserved to the maximum extent possible.
 - (b) The tower-based WTF applicant shall submit a soil report to the Township complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA 222-E, as amended, to

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document and verify the design specifications of the foundation of the tower-based WTF, and anchors for guy wires, if used.

4. Notice. In conjunction with an application for any WTF which shall be located outside the public rights-of-way, the applicant shall mail notice thereof to the owners and tenants of every property within 1,000 linear feet of the site of the proposed facility and shall provide proof of the mailing of such notice to the Township.
5. Sole Use on a Lot. A tower-based WTF is permitted as a sole use on a lot subject to the following:
 - (a) Minimum lot size: 1 acre.
 - (b) Minimum setbacks measured from the required security fence: Thirty-five percent of the height of the wireless support structure or the yard setbacks applicable to the zoning district in which the WTF is located, whichever is greater.
6. Combined with Another Use. A tower-based WTF may be permitted on a lot with an existing agricultural, industrial, commercial, institutional, or municipal use, subject to the following conditions:
 - (a) The existing use on the property shall be any permitted use in the applicable zoning district, and need not be affiliated with the WTF.
 - (b) Minimum Lot Size. The minimum lot area shall be the area needed to accommodate the tower/pole (guy wires if used), the communications equipment building, security fence, and buffer planting, which shall be in addition to the required lot area for the existing permitted use.
 - (c) Minimum Setbacks. Minimum setbacks measured from the required security fence: Thirty-five percent of the height of the wireless support structure or the yard setbacks applicable to the zoning district in which the WTF is located, whichever is greater.
 - (d) Access. Whenever feasible, the vehicular access to the communications equipment building shall be provided along the circulation driveways of the existing use.
7. Fence/Screen.
 - (a) An eight-foot high security fence shall completely surround any tower-based WTF, guy wires, communications equipment building, or any other structure housing, WTF equipment.
 - (b) An evergreen screen, consisting of arborvitae trees six feet in height, planted at three-foot intervals, shall be planted along the

perimeter of the security fence, unless otherwise approved by the Board of Supervisors.

8. Accessory Equipment.
 - (a) Ground-mounted equipment associated to, or connected with, a tower-based WTF shall be underground or screened from public view using Stealth Technologies, as described above.
 - (b) All communications equipment buildings, utility buildings, and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback requirements of the underlying zoning district.
9. Access Road. An access road, turnaround space and parking shall be provided to ensure adequate emergency and service access to a tower-based WTF. Maximum use of existing roads, whether public or private, shall be made to the extent practicable. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion. Two off-street parking spaces, or one space per employee, whichever requires the greatest number of spaces, shall be provided. Where necessary, the WTF owner shall present documentation to the Township that the property owner has granted an access easement for the proposed facility.
- h. General Requirements–Non-Tower Facilities Outside of ROW. All non-tower wireless telecommunications facilities, except for those located in the public rights-of-way, shall be subject to the following regulations:
 1. Permitted in All Zones Subject to Regulations. Non-tower WTFs are permitted in all zones in accordance with the restrictions and conditions prescribed within this Chapter and subject to the prior written approval of the Township.
 2. Removal. In the event that use of a non-tower WTF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned WTFs or portions of WTFs shall be removed as follows:
 - (a) All abandoned or unused WTFs and accessory facilities shall be removed within three months of the cessation of operations at the site unless a time extension is approved by the Township.
 - (b) If the WTF or accessory facility is not removed within three months of the cessation of operations at a site, or within any longer period approved by the Township, the WTF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the WTF.

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- (c) Removal of a non-tower WTF located in the ROW shall comply with the regulations set forth below for such facilities.
 3. Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a non-tower WTF, as well as related inspection, monitoring, and related costs. Where the non-tower WTF does not substantially change the physical dimensions of the wireless support structure to which it is attached, the Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of this non-tower WTF or \$1,000, whichever is less.
 4. Timing of Approval. Within 30 calendar days of the date that an application for a non-tower WTF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 90 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the Township's 90-day review period.
 5. Bond. Prior to the issuance of a permit, the owner of a non-tower WTF shall, at its own cost and expense, obtain from a surety licensed to do business in Pennsylvania and maintain a bond, or other form of security acceptable to the Township Solicitor, in an amount of \$25,000 to assure the faithful performance of the terms and conditions of this Chapter. The bond shall provide that the Township may recover from the principal and surety any and all compensatory damages incurred by the Township for violations of this Chapter, after reasonable notice and opportunity to cure. The owner shall file a copy of the bond with the Township.
- i. General Requirements—Non-Tower Facilities in ROW. All non-tower wireless telecommunications facilities located in the public rights-of-way shall be subject to the following regulations:
1. Co-location. Non-tower WTFs in the ROW shall be co-located on existing poles, such as existing utility poles or light poles.
 2. Design Requirements.
 - (a) WTF installations located above the surface grade in the public ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All

equipment shall be the smallest and least visibly intrusive equipment feasible.

- (b) Antennae and all support equipment shall be treated to match the supporting structure. WTFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.
3. Compensation for ROW Use. In addition to permit fees as described above, every non-tower WTF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each non-tower WTF shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above. The annual ROW management fee for non-tower WTFs shall be determined by the Township and authorized by resolution of Township Board and shall be based on the Township's actual ROW management costs as applied to such non-tower WTF.
4. Time, Place and Manner. The Township shall determine the time, place and manner of construction, maintenance, repair, and/or removal of all non-tower WTFs in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place, and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.
5. Equipment Location. Non-tower WTFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:
 - (a) In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb, the nearer edge of a sidewalk or pedestrian/bike path, or any building.
 - (b) Ground-mounted equipment that cannot be undergrounded shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.
 - (c) Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.

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- (d) Any underground vaults related to non-tower WTFs shall be reviewed and approved by the Township.
- 6. Relocation or Removal of Facilities. Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a WTF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WTF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:
 - (a) The construction, repair, maintenance, or installation of any Township or other public improvement in the right-of-way.
 - (b) The operations of the Township or other governmental entity in the right-of-way.
 - (c) Vacation of a street or road or the release of a utility easement.
 - (d) An emergency as determined by the Township.
- 7. Visual or Land Use Impact. The Township retains the right to deny an application for the construction or placement of a non-tower WTF based upon visual and/or land use impact.
- j. Specific Requirements–Non-Tower Facilities That Change Support Structure. All non-tower wireless telecommunications facilities located outside the rights-of-way that substantially change the wireless support structure to which they are attached shall be subject to the following additional regulations:
 - 1. Development Regulations. Non-tower WTFs shall be co-located on existing structures, such as existing buildings or tower-based WTF's, subject to the following conditions:
 - (a) If the WTF applicant proposes to locate the communications equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.
 - (b) An eight-foot high security fence shall surround any separate communications equipment building, and an evergreen screen, consisting of arborvitae trees six feet in height, planted at three-foot intervals, shall be planted along the perimeter of the security fence, unless otherwise approved by the Board of Supervisors. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.

2. Design Regulations.

- (a) Non-tower WTFs shall employ stealth technology and be treated to match the supporting structure in order to minimize aesthetic impact. The application of the stealth technology chosen by the WTF applicant shall be subject to the approval of the Township.
- (b) Non-tower WTFs, which are mounted to a building or similar structure, may not exceed a height of 50 feet above the roof or parapet, whichever is higher.
- (c) All non-tower WTF applicants must submit documentation to the Township justifying the total height of the non-tower structure. Such documentation shall be analyzed in the context of such justification on an individual basis.
- (d) Antennae, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension than is reasonably necessary for their proper functioning.
- (e) Non-Commercial Usage Exemption. Persons utilizing satellite dishes and antennae for the purpose of maintaining television, phone, and/or internet connections at their respective residences shall be exempt from the regulations enumerated in this subsection.

3. Removal, Replacement, and Modification.

- (a) The removal and replacement of non-tower WTFs and/or accessory equipment for the purpose of upgrading or repairing the WTF is permitted, so long as such repair or upgrade does not increase the overall size of the WTF or the numbers of antennae.
- (b) Any material modification to a WTF shall require a prior amendment to the original permit or authorization.

k. Conditional Use Requirements. Applicants for a wireless telecommunications facility shall present testimony and evidence to the Board of Supervisors in support of the following requirements:

- 1. The applicant shall present documentation that the facility is designed in accordance with all the standards cited in this Chapter for WTFs.
- 2. The applicant shall demonstrate that the antenna/tower/pole for the WTF is the minimum height necessary for the service area.
- 3. The applicant shall demonstrate that the proposed WIT complies with all State and Federal laws and regulations concerning aviation safety.

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4. The need for additional buffer yard treatments shall be evaluated.
 5. The applicant shall demonstrate that the WTF must be located where it is proposed in order to serve the applicant's service area and that no other viable alternative location exists.
 6. Where the WTF is located on a property with another principal use, the applicant shall present documentation that the owner of the property has granted an easement for the proposed facility and that vehicular access is provided to the facility.
1. Township Facilities. Proposed or existing WTFs owned, operated, or leased by New Britain Township or located upon property owned by New Britain Township shall not be subject to the requirements of this Chapter, nor to the conditional use provisions of this Chapter. This exemption does not apply to proposed or existing WTFs located in Township-owned rights-of-way and owned by non-Township entities.

[Ord. 2014-01-01]

H. Residential Accessory Building, Structure or Use.

H1. Garage/Off-Street Parking.

- a. Definition. Garages, enclosed structures or parking for commercial vehicles.
- b. Regulations.
 1. No more than one commercial vehicle shall be parked on a residential property.
 2. The commercial vehicle shall be parked in a garage.
 3. Only the tractor of a tractor/trailer combination may be parked on properties of three acres or less.

H2. Storage Shed.

- a. Definition. Buildings such as storage shed, bath houses and private green-houses.

H3. Fences, Walls.

- a. Definition. Structures such as fences, and free standing walls.
- b. Regulations.
 1. Fences:

- (a) Any fence located in the front yard shall have a minimum ratio of 4:1 of opaque to non-opaque areas and shall not exceed four feet in height. Wire mesh may be attached to the inside of split rail fences if desired.
- (b) Fences may be located on the side or rear lot line, except along a public street.
- (c) A fence located anywhere except the front yard may have a height of up to six feet and may be non-opaque. Solid wooden or split rail fences are permitted.
- (d) A fence of up to eight feet high may be allowed in a rear yard for the sole purpose of enclosing a court for tennis or similar sports. Such fence shall be set back a minimum of 10 feet from the side and rear lot lines.
- (e) A fence shall not be required to comply with accessory structure setbacks.

2. Walls.

- (a) Engineering retaining walls necessary to hold back slopes are exempted from the regulations for this section and are permitted by right as needed.
- (b) Walls may be one-foot in height for every two feet they are setback from a property line, up to a maximum height of six feet in the rear or side yard. No wall shall exceed four feet in the front yard.

H4. Noncommercial Swimming Pools.

- a. Definition. A noncommercial swimming pool is a recreation facility designed to contain a water depth of 24 inches or more for use of the residents and their guests, subject to the following.
- b. Regulations.
 - 1. A zoning permit shall be required to locate, construct or maintain a non-commercial swimming pool.
 - 2. A swimming pool shall be located no closer to a property line or the street line than the minimum front, side or rear yard requirements or 15 feet, whichever is greater. The setback shall be measured from the waters edge.
 - 3. The pool may be lighted by underwater or exterior lights, or both, provided all exterior lights are located so that the light is neither directed nor reflected upon adjacent properties in such a manner as to

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be a nuisance or an annoyance to neighboring properties. Underwater lighting shall be in compliance with the applicable National Electrical Code.

4. A fence shall be provided in conformance with the Township's Building Code [Chapter 5].
5. There shall be no cross-connection with a public sewerage system.
6. The permanent inlet shall be above the overflow level of the pool.

7. At the time of application for a zoning permit it shall be demonstrated that the drainage of a pool is adequate and will not interfere with the water supply system, with existing sewage facilities, with public streets and neighboring properties.

H5. Tennis Court.

- a. Definition. A defined area either enclosed or unenclosed for playing tennis.
- b. Regulations.
 1. A tennis court shall not be located in the required front yard of a dwelling and shall be set back a minimum of 10 feet from any side or rear lot line.
 2. No lighting shall shine directly beyond a boundary of the lot where the tennis court is located.
 3. A tennis court shall not be located over a drainage field of a sewage disposal system.

H6. 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, for water heating or for electricity 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. Solar panels shall be permitted as ground arrays in any district in accordance with the following:

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- (a) Ground array solar panels setback same as setbacks for principal use in district, 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 reflection is directed away or is properly buffered from an adjoining property.
 - (d) Ground arrays shall not exceed a height, at the highest point of the structure, of 20 feet.
 - (e) Ground arrays shall be placed so as to prevent glare to adjacent properties.
3. Any roof-mounted solar panels subject to the provisions of this Section shall be permitted in any zoning district and 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. Front-facing installation may be permitted by conditional use in accordance with the following provisions.
 - 1) Applicant must indicate valid reasons as to why this 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 New Britain Township and reviewed by the New Britain Township Engineer and any other Township professional deemed necessary.
 - (c) Any roof-mounted solar panels other than those described in Subsections (a) and (b) of this Section shall be permitted as a conditional use, 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 shall not exceed a height of three feet from the rooftop at any point. Solar

panels installed on a building or structure with a sloped roof shall not project vertically above the peak of the roof to which it is attached, or project vertically more than five feet above a flat roof installation.

- 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 exceeding 35 feet.
 - (e) Roof mounted solar panels shall be placed so as to prevent glare to adjacent properties.
4. Solar energy systems are permitted under this Section only as accessory uses to a principal use for which the solar energy system is providing heating. Any solar energy systems commercially designed or proposed to resell excess electricity 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 subdivision or land development 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.

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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.
 - k. This Section's height provisions shall supersede all height provisions of other Sections with respect to solar energy systems. The highest point of solar panels on rooftops shall not exceed 35 feet.

[Ord. 2011-04-03]

H7. 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, 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, unless a greater restriction is imposed by FAA regulations and the requirements of the airport zones in this Chapter.
 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 a distance not less than 1.25 times the height of the windmill from any side or rear property line.
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 wind system shall be located no closer than the front yard setback of the house and/or primary building from the street line. In no event shall the distance between the street line and the wind energy system be less than 1.25 times the height of the wind energy system.
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 at 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 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 signed by the applicant and the applicable adjacent property owner. The agreement shall include a provision that the agreement is not binding on future owners, but must be renegotiated with each change of ownership of the adjacent property.
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.

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11. Minimum lot size of one 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 wind energy system shall be structurally sound and operate safely and in compliance with the requirements of this Section.
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. Landscaping and fencing (where fencing is permitted by this Chapter) shall be installed to buffer the wind energy system from view of adjacent properties and street rights-of-way.
16. A hazard warning sign, a minimum of one two foot by two foot 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.
17. 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.

[Ord. 2011-04-04]

H8. Satellite Antennas.

- a. Definition. Satellite antennas shall be subject to the following restrictions:
- b. Regulations.
 1. A satellite antenna shall not be located within the required front yard setback and shall not be placed in front of a dwelling.
 2. A satellite antenna shall comply with the setback requirements of an accessory use, but shall not be setback from property line a distance less than one and 1.25 times the height of the antenna structure.
 3. No satellite antenna shall be placed on the roof of a structure in a residential district.

4. A maximum of one satellite antenna shall be permitted on any lot.
5. A satellite antenna shall have a maximum diameter of 11 feet.
6. A satellite antenna shall have a maximum possible height of 15 feet above the average ground level.
7. Any satellite antenna that is ground mounted shall be screened by appropriate evergreen plantings on approximately 180° of the 360° horizontally surrounding the satellite antenna. Such evergreens shall be six feet high at the time of planting.
8. If a satellite antenna is to be located a minimum of 200 feet from all exterior lot lines, the requirements of this Section, other than the height requirements shall not be binding.
9. Satellite antenna on mobile stands are prohibited except as may be initially needed to determine the best location for an antenna.
10. No satellite antenna provided for under this Section shall be used for the transmission of commercial electronic signals within the residential districts.

11. Any satellite antenna shall be properly secured so that it will be resistant to high winds.

H9. Amateur Radio Antenna.

- a. Definition. An amateur radio antenna shall be subject to the following regulations.
- b. Regulations.
 1. Height. No amateur radio antenna, including its supporting structure, shall have a total height above the average surrounding ground level of greater than 50 feet.
 2. Anchoring. Any amateur radio antenna shall be properly anchored to resist high winds.
 3. Location. An amateur radio antenna that is not attached to the principal building shall be located no less than 1.25 times the height of the structure from any property line. Also the same requirements as subsection H8b1 shall apply.

H10. Air Conditioner.

- a. Definition. Air conditioners shall be subject to the following regulations.
- b. Regulations.
 1. Shall comply with the noise limitations of this Chapter.

H11. Recreational and Other Vehicle Storage.

- a. Definition. A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure time or recreational use. Recreational vehicles or units include, but are not limited to, the following: travel trailers, truck-mounted campers, motor homes, folding tent campers, autos, busses or trucks adapted for vacation use, snowmobiles, minibikes, all-terrain vehicles, go-carts, boats, boat trailers and utility trailers.
- b. Regulations.
 1. Recreational vehicles or units shall not be stored in the front yard setback.

H12. Garage or Yard Sales.

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- a. Definition. The temporary display and sale of goods and craft items on residentially used property.
- b. Regulations.
 1. Such temporary uses shall be limited to occurrences of not more than three consecutive days. Such occurrences shall be limited to not more than four occurrences in a calendar year. There shall be at least a thirty-day period between such occurrences.
 2. Signs advertising garage or yard sales shall be limited to 12 square feet in size. Such signs shall be posted no more than two days prior to the first day of the sale and shall be removed on the final day of the sale. No more than three off-premises signs shall be placed. The location of off-premises signs must be approved by the property owners of the properties upon which they are to be fixed.

H13. Household Pets.

- a. Definition. The keeping of a limited number of animals at home without commercial intent.
- b. Regulations.
 1. No use shall involve the keeping of animals or fowl in such a manner that it creates a nuisance (including noise or smell) or a health hazard or a safety hazard.
 2. No more than six dogs or cats may be kept for private purposes, unless the nearest dwelling other than that of the owner is at least 300 feet from any area in which the animals are regularly kept, or except as a Commercial Kennel (A9), as regulated herein. No numerical restriction shall apply to cats and dogs of less than three months of age.
 3. The area in which dogs are kept shall be suitably enclosed if the dogs are not chained. This area shall not be within the front or side yards and shall be located at least 20 feet from any adjacent dwelling.
 4. Up to a total of 12 pigeons or other fowl may be maintained in a rear yard provided it is on a noncommercial basis and is strictly an incidental use. The area in which the fowl or pigeons are kept shall be enclosed by a fence that will contain them, all parts of which are at least 50 feet from any lot line and are not closer than 100 feet to the nearest dwelling other than that of the owner.
 5. Up to two saddle horses may be maintained on a lot of two acres or more, provided no exercise area, horse barn, corral, fenced-in area or

stable is less than 100 feet from any lot line and is not closer than 200 feet to the nearest existing dwelling that is exterior to the lot with the horses on it.

6. The keeping of more than six dogs or cats or other domestic pets shall be considered to be a Commercial Kennel (A9) above.
7. The keeping of more than the specified number of fowl or horses shall be considered to be General Farming (A1) or Intensive Agriculture (A4).

H14. Accessory Dwelling.

- a. Definition. A single-family detached dwelling used as a residence by relatives, tenant farmers or employees of a farm or estate.
- b. Regulations.
 1. All setback requirements, maximum building area and other dimensional requirements of the zoning district are observed.
 2. A separate permit shall be obtained from the Bucks County Department of Health for the sanitary waste disposal system if an onsite system is proposed for the accessory dwelling.
 3. Only one accessory dwelling shall be allowed for each lot or parcel of land.
 4. An accessory dwelling shall be allowed only a lot or a parcel of land on which the principal use is B1 Single-Family Detached Dwelling.
 5. An accessory dwelling shall be allowed only a lot or a parcel of land which is twice the minimum lot area requirement of the zoning district.

H15. Home Occupation.

- a. Definition. A use for occupational gain conducted entirely within a dwelling or in a building accessory thereto that is clearly incidental and secondary to the use of the building for dwelling purposes.
- b. Regulations.
 1. A home occupation must be conducted within a dwelling which is the bona fide residence of the principal practitioner or in an accessory building thereto which is normally associated with a residential use. The home occupation shall be carried on wholly indoors.

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2. The maximum amount of floor area devoted to this home occupation shall not be more than 25% of the ground floor area of the principal residential structure or 400 square feet, whichever is less. The ground floor area of the principal residential structure shall not include the area of an attached garage or other similar building. At least 850 square feet of the total floor area must remain in residential use.
3. In no way shall the appearance of the residential structure be altered or the occupation within the residences be conducted in a manner which would cause the premises to differ from its residential character by the use of colors, materials, construction, lighting, show windows or advertising visible outside the premises to attract customers or clients, other than those signs permitted by this Chapter.
4. One sign is permitted per home occupation providing that it is no larger than three square feet per side bearing only the name, occupation and office hours of the practitioner. In addition, it shall not be illuminated or placed in a window.
5. All commercial vehicles shall be parked on-lot in a garage or an enclosed structure. Only one commercial vehicle may be parked on a residential lot.
6. Off-street parking spaces are not permitted in the front yards. A ten-foot driveway providing access to parking areas in the side or rear of the property may be located in the front yard. All off-street parking areas must be located at least 10 feet from any property line. Off-street parking lots with three or more spaces shall be buffered from abutting residences. Hedge material as specified in §27-2802(b)(4) shall be placed on three-foot centers. Alternately, a four-foot to five-foot fence may be erected which provides a visual screen.
7. There shall be no exterior storage of materials or refuse resulting from the operation of the home occupation and no goods shall be publicly displayed.
8. No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, dust or electrical interference detachable to the normal senses off the lot. No equipment or process shall be used which creates visible or audible interferences in any radio or television receivers off the premises.
9. Home occupations shall not include the following: animal hospitals, commercial stables and kennels, funeral parlors or undertaking establishments, antique shops, tourist homes, restaurants and rooming-boarding-lodging houses.
10. A zoning permit shall be required for all home occupations.

11. No-impact home-based businesses are permitted in all residential zoning districts, as a use permitted by right, subject to §§107 and 603 of the Pennsylvania Municipalities Planning Code, as amended. All other home occupations as currently defined in this Chapter shall comply with this Section, the Use Regulations of the individual districts, and §27-306, Land Uses by Zoning District.

c. Specific Use Standards.

1. Specific Use Standards. The following shall apply to specific types of accessory home occupations.

H15a. Professional Offices. A professional office is a service oriented business use conducted within an enclosed area specifically designed for the functional needs of the use, wherein the professional services of the practitioner is the salable commodity offered to the client.

1. Professional offices shall include, but not be limited to, the following:

a. Salesmen, sales representative or manufacturer's representative.

b. Architect, engineer or land surveyor.

c. Real estate agent, realtor or broker.

d. Dentist, doctor, psychiatrist or veterinarian (not including a clinic).

e. Lawyer, accountant or insurance agent.

f. Office of a minister, rabbi or priest.

2. No more than two persons other than resident members of the immediate family may be employed.

3. The minimum lot area shall be two acres except in the C1 and VR district where it shall be permitted in any detached structure on lots of 10,000 square feet or larger.

H15b. Personal Services. A service business shall include, but not be limited to, barbers, beauticians or photographers.

1. Beauty parlors and barber shops may be permitted as a conditional use provided no more than two beauty parlor or barber chairs are provided.

2. No more than one person, other than resident members of the immediate family, may be employed.

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3. The minimum site area shall be two acres, except in the C1 and VR districts where it shall be permitted in any detached structure on lots of 10,000 square feet or larger.

H15c. Instructional Services. An instructional service shall be a home occupation in which the practitioner provides the client with special instruction in a specific area of study. The establishment of this home occupation shall not require a room or series of rooms specifically designed for that purpose.

1. Instructional services involving a maximum of four students at a time are permitted.
2. Instructional services involving musical instruments are only permitted in single-family detached dwellings.
3. No persons shall be employed other than resident members of the immediate family.

H15d. Home Crafts. Home crafts shall include business activities whereby the commodity for sale is manufactured and may be sold on the site by the resident craftsman.

1. Home crafts shall include, but not be limited to, the following: artists, sculptors, dressmakers, seamstresses and tailors; and include such activities as model making, rug weaving, lapidary work and furniture making.
2. Home crafts are permitted only in single-family detached dwellings and existing accessory buildings on the same lot.
3. No more than one person other than resident members of the immediate family may be employed.

H15e. Trades, Business. This shall be defined as the use of a residence as a base of operation for the business, but not including the conduct of any phase of the trade on the property. Trades included in this home occupation include, but are not limited to: electrician, plumber, carpenter, mason, painter, roofer and similar occupations.

1. No more than one business vehicle may be parked on the property including noncommercial trucks and vans with loading capacities not exceeding 3/4 (0.75) ton. The business vehicle shall be parked in an enclosed structure.
2. The area of the office, storage of materials and equipment (excluding vehicles) shall not exceed the limitations of subsection H15b3 above.
3. No assembling, manufacturing, processing or sales shall be conducted on the property.

4. The buffer requirements of this Chapter shall be met.

H15f. Repair Services. This use shall be defined as a repair shop for appliances, lawn mowers, watches, guns, bicycles, locks, small business machines or goods. This use shall not include automobile, truck and motorcycle repairs.

1. No additional people other than resident members of the immediate family may be employed.
2. The buffer requirements of this Chapter shall be met.
3. In addition to the off-street parking spaces required in this Chapter for the particular residential use concerned, this accessory use shall provide one off-street space for the home occupation.

H15g. Family Day Care. This shall be defined as a family day care use, and is a facility in which care is provided for one or more children, but no more than six children at any one time, who are not relatives of the caregiver and where the child care areas are being used as a family residence.

1. Licensing, Approval and Permit Procedures. Prior to the final approval of the use by the Zoning Hearing Board and the granting of a permit by the Zoning Officer, the applicant must obtain a license from the Department of Public Welfare, Bureau of Child Development Programs. Licensure is certification of compliance with Chapter H, Section 8C of the Department of Public Welfare's Social Services manual by this Department to the Applicant subject to licensure under Article X of the Public Welfare Code.
2. This use shall be conducted in a building designed for residential occupancy and for the safety and well-being of the occupants.
3. A minimum outdoor play area of 200 square feet of contiguous area shall be provided for each child as a recreational area for the children. This area shall not include any impervious surface or parking areas used for other purposes.
4. Family day care uses are only permitted as an accessory use in a detached dwelling.
5. If a family day care use is located adjacent to a nonresidential use, a parking lot or on a street classification higher than a residential access street, the outdoor play area must be enclosed by a four-foot high fence. The outdoor play area should be located to the side or rear of the property.
6. No more than one person other than resident members of the immediate family may be employed.
7. The buffer requirements of this Chapter shall be met.

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8. The use, by special exception, may be expanded to a Group Day Care Home which is a facility in which care is provided for more than six but no more than 11 children. The following criteria shall be met:
 - a. All standards noted above for family day care uses shall be met.
 - b. The regulations of the Pennsylvania Department of Welfare shall be met.
 - c. Such uses shall be permitted only in single-family detached dwellings or in an accessory building on the same lot.
 - d. Minimum lot area: 2 acres.
- I. OFFICE USES.
 11. Medical Office.
 - a. Definition. Office or clinic, including laboratories incidental thereto, for medical or dental examination or treatment of persons as out-patients.
 - b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 12. Veterinary Office.
 - a. Definition. Office of a veterinarian with accessory animal kennel. In no event shall kennels be allowed as a primary use.
 - b. Regulations.
 1. No animal shelter, kennels or runs shall be located closer than 200 feet from any lot line.
 2. The buffer requirements of this Chapter shall be met.
 13. General Office.
 - a. Definition. Business, professional or governmental office other than Uses I1 and I2.
 - b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 14. Medical and Pharmaceutical Sales Office.

- a. Definition. An office for the professional sales staff of firms engaged in the sale of medical equipment and supplies and Pharmaceuticals.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

J. RETAIL AND SERVICE USES.

J1. Retail Store.

- a. Definition. A shop or store selling commodities and goods to the ultimate consumer. Not included under this use are vehicular sales, over-the-counter sale of alcoholic beverages in a tavern or bar, or a store with greater than 15 square feet of floor area devoted to the display of pornographic materials.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

J2. Adult Commercial/Adult Entertainment. Any adult or sexually oriented business, including any business establishment that regularly features live performances, which are distinguished or characterized by an emphasis on the exposure of the genitals or buttocks of any person, or the breasts of any female person, or specified sexual activities that involve the exposure of the genitals or buttocks of any person, or the breasts of any female person, or any business whose primary purpose is the sale or display of matter that, because of its sexually explicit nature, may, pursuant to State law or other regulatory authority, be offered only to persons over the age of 18 years. Adult commercial/adult entertainment may include an adult arcade, adult bookstore, adult cabaret, adult motion-picture theater, or adult visual materials or video store as defined in this Section. Adult commercial/adult entertainment also includes any other use or business, regardless of how named or advertised, which is of a character like or similar to the uses and businesses described herein.

- a. The following definitions shall apply to use J2 Adult Commercial/Adult Entertainment:

ADULT ARCADE—any place in which the public is or private members are permitted or invited, whether open and accessible to the general public, or if limited by membership, and regardless of entry fee, or lack thereof, or other restriction or regulation, wherein coin-operated or slab-operated or electronically, electrically, or mechanically controlled still or motion picture, or video machines, projectors, or other image-producing devices are maintained to show images to five or fewer persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

ADULT BOOKSTORE—an establishment having as a substantial, significant, or preponderant portion of its stock in matter which are distinguished or

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characterized by their emphasis on content depicting, describing or relating to specified sexual activities or specified anatomical areas as defined herein.

ADULT CABARET—a building, or portion thereof, or area regularly featuring the presentation or exhibition of live performers whose performances are distinguished or characterized by an emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as hereinafter defined; or whose performances are rendered in a state of dress so as to expose the female breast below a point immediately above the top of the areola; male or female genitals; pubic areas; buttocks; or the female breast with only the nipple or areola covered, or any combination thereof, for observation by patrons or customers. Persons in a state of nudity, either full body or half-body nudity, shall at no time be closer than five feet to a patron. For the purpose of this Section half-body nudity shall be defined as a person without clothes on the bottom half of his or her body, or with no clothes, or only the nipple or areola covered, on the top half of his or her body.

ADULT MOTION-PICTURE THEATER—a building or portion thereof or area, open or enclosed, used for the presentation on more than one-third of the days in a calendar year during which motion-picture films, video cassettes, cable television or any other such visual media are displayed or exhibited, of films, videocassettes, cable television or other visual media which are distinguished or characterized by an emphasis on matter depicting, describing, or relating to specified sexual activities or specified anatomical areas as hereinafter defined for observation by patrons or customers. “Adult motion-picture theater” does not include any room or suite of rooms rented for human occupancy in a hotel or motel which is equipped or furnished with a video cassette playing machine or cable television.

ADULT VISUAL MATERIALS OR VIDEO STORE—a building or portion thereof used by an establishment having not less than 10% of its actual display area devoted to; or stock in trade for sale or rental to the public or any segment thereof consisting of books, magazines, other publications, films, video cassettes, or any combination thereof which are distinguished or characterized by their emphasis on matter depicting, describing or relating to specified sexual activities or specified anatomical areas as hereinafter defined.

DISTINGUISHED OR CHARACTERIZED BY AN EMPHASIS UPON—the dominant or essential theme of the object described by such phrase.

REGULAR FEATURES—with respect to an adult business means a regular, substantial course of conduct. The presentation, in or at any building or portion thereof, of live performances which are distinguished or characterized by an emphasis upon the display or specified anatomical areas or specified sexual activity on four or more occasions within a calendar year shall to the extent permitted by law be deemed to be a regular and substantial course of conduct.

SPECIFIED ANATOMICAL AREAS—any of the following: (a) Less than completely and opaquely covered human genitals, pubic region, buttocks and

female breast below a point immediately above the top of the areola; and (b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered; (c) Any device, costume or covering that simulates any of the body part included in (a) or (b) above.

SPECIFIED SEXUAL ACTIVITIES—any of the following whether performed directly or indirectly through clothing or other coverings: (a) Human genitals in a state of sexual stimulation or arousal; (b) Sexual acts, actual or simulated, including sexual intercourse, oral copulation or sodomy; and (c) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast; (d) Masturbation, actual or simulated; and (e) Excretory functions as part of or in a connection with any of the other activities described in (a) through (d) above.

- b. The building or structure of such use shall be located no less than 500 feet from any residential zoning district. The 500-foot separation distance shall be measured from the nearest property boundary of the two uses being measured for this locational restriction.
- c. No such use shall be located within 2,000 feet of a similar use.
- d. No person under the age of 18 years of age shall be permitted within a building whose operation would be considered an adult use.
- e. No adult commercial/adult entertainment use shall be operated in any manner that permits the observation of any material or activities depicting, describing or relating to specific sexual activities or specified anatomical areas from any public way or from any location outside the building or area of such establishment, or from any other part of a multi-use building not permitted and designed for use as an adult commercial/adult entertainment facility. This provision shall apply to any display, decoration, sign, show window or other opening. No exterior door or window on the premises shall be propped or kept open at any time while the business is open, and any exterior windows shall be covered with opaque covering at all times.
- f. All off-street parking areas and premises entries of the adult commercial/adult entertainment use shall be illuminated from dusk to closing hours of operation with a lighting system which provides an average maintained horizontal illumination of one footcandle of lighting on the parking surface and/or walkways. The required lighting level is established in order to provide sufficient illumination of the parking areas and walkways servicing the adult commercial/adult entertainment use for the personal safety of patrons and employees and to reduce the incidence of vandalism and criminal conduct.
- g. All parking areas must be located in front of the building.
- h. Such use shall only be operated between the hours of 9:00 a.m. to 1:00 a.m. (either on the eastern standard or daylight saving time system). Extended hours of operation may be approved by the Board of Supervisors upon

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submission of a written request by the applicant/owner of the facility. The Board of Supervisors shall take into consideration the type of facility, amount of usage, and impact on adjoining properties when reviewing such requests.

- i. An adult commercial/adult entertainment use shall not include the following:
 1. Any activity conducted or sponsored by a school district or other public agency; so long as such activity is being conducted as part of and within the scope of an authorized and regular part of the curriculum or is part of a training or instructional program being conducted by a public agency.
 2. Any activity conducted by a person pursuant to any license issued by the State of Pennsylvania or any agency thereof charged with the responsibility of licensing, prescribing standards for and supervising such activity or profession, in and to the extent that such activity is conducted within the course and scope of the exercise of the privileges authorized by such license, or the duties of such agency.
- j. Minimum parking requirement: One space for each 100 square feet of floor area.

[Ord. 2010-05-01]

J3. Service Business.

- a. Definition. Service business including, but not limited to, barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer, travel agency and photocopy center. This use shall not include auto repair.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.

J4. Financial Establishments.

- a. Definition. Bank, savings and loan association, credit union or other financial establishment.
- b. Regulations.
 1. Such uses with drive-up service windows shall have a vehicle waiting line area for at least six vehicles. The waiting line area shall be separated from other circulation lanes.
 2. The buffer requirements of this Chapter shall be met.

J5. Funeral Home or Mortuary.

- a. Definition. An establishment for the preparation of the deceased for burial or cremation and the display of the deceased, with ceremonies connected therewith before burial or cremation.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

J6. Eating Place.

- a. Definition. Eating place for the sale and consumption of food and beverages without drive-in service. The sale of alcoholic beverages must be incidental to the sale and consumption of food.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

J7. Drive-In and Other Eating Places.

- a. Definition. Place for the consumption of food and non-alcoholic beverages other than Use J6 Eating Place.
- b. Regulations.
 - 1. All trash containers shall be screened.
 - 2. Up to two outdoor menu boards may be provided with a maximum sign area each of 20 square feet and no printing larger than 10 inches high (in addition to the signs normally permitted) if drive-up service is provided to customers in their vehicles.
 - 3. The buffer requirements of this Chapter shall be met.

J8. Tavern.

- a. Definition. An establishment which serves alcoholic beverages for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board.
- b. Regulations.
 - 1. The buffer requirements of Chapter 28 of this Chapter shall be met.

J9. Indoor Entertainment.

- a. Definition. Private club or a recreation facility operated as a gainful business. Examples include, but are not limited to, a social club, bowling alley and skating rink. This use shall not include theaters, amusement halls, billiard parlors or indoor athletic clubs.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.
 - 2. No lighting shall be permitted which shines on nearby residential property.

J10. Theater.

- a. Definition. A building in which films are shown or stage shows are performed regardless of the type of film or program presented. This use does not include open air, outdoor or drive-in theaters.
- b. Regulations.

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1. The exterior display of any pornographic material which would violate the criminal laws of the Commonwealth of Pennsylvania in effect shall be prohibited.
2. The buffer requirements of this Chapter shall be met.

J11. Indoor Athletic Club.

- a. Definition. An indoor athletic club shall include buildings for indoor court games played with a ball such as racquetball, handball, squash, tennis, basketball and volleyball; facilities for exercise equipment and health clubs.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.

J12. Amusement Hall or Arcade.

- a. Definition. An entertainment facility operated as a gainful business within a building or structure providing amusement devices or games, including pool or billiard rooms or similar facilities.
- b. Regulations.
 1. An amusement device or game is defined to be each coin-operated machine, mechanical machine or electronic machine which operates or may be operated as a game or contest of skill or amusement of any kind or description. Such devices shall be governed by this use in any location where more than four such devices are located.
 2. This use shall be located no closer than 1,500 feet, measured in all directions, to a school or church.
 3. Such use shall only be operated between the hours of 10:00 a.m. and 10:00 p.m.
 4. No audio speakers or equipment shall be installed inside or outside the location of such use which would cause sounds to emanate to the exterior of the premises.
 5. The buffer requirements of this Chapter shall be met.

J13. Outdoor Entertainment.

- a. Definition. Outdoor entertainment and recreation facilities operated as a gainful business including, but not limited to, miniature golf, an outdoor skating rink, a golf driving range or an outdoor target range/gun club.

b. Regulations.

1. The buffer requirements of this Chapter shall be met.
2. Lighting facilities provided shall be arranged in a manner which will protect highway and neighboring properties from direct glare or hazardous interference.
3. Where an outdoor target range/gun club is established:
 - (a) All outdoor target ranges shall have an earthen barrier behind the target area which is of sufficient height and thickness to adequately provide for the public safety.
 - (b) The use shall comply with National Rifle Association standards and other applicable Federal, State and local regulations.
 - (c) The use shall be located a minimum of 1,000 feet from the lot line of any existing residential use or residential district.
 - (d) The use shall fully comply with the noise standards of this Chapter.
 - (e) The use shall clearly not result in a hazard to life or property.
 - (f) The use shall be completely fenced in and be properly posted.

J14. Outdoor Motion Picture Establishment.

- a. Definition. An open lot with its appurtenant facilities used for the showing of motion pictures, theatrical productions or concerts on a paid admission basis to patrons seated in automobiles.
- b. Regulations.
 1. Such uses shall have frontage on an arterial or collector highway and all access shall be taken from the arterial or collector highway. The applicant shall provide an analysis of the physical conditions of the road system at the proposed points of access. Improvements to insure safe turning movements and traffic safety shall be provided by the applicant as required by the Board of Supervisors. The applicant shall provide sufficient vehicle stacking area or marginal access road to ensure that entering vehicles will be able to pull off the road.
 2. The motion picture screen shall be no closer to any property line than 1 1/4 (1.25) times the height of the picture screen or the minimum yard requirements of the zoning district, whichever setback is greater.

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3. The motion picture screen shall not be oriented towards the arterial or a collector highway.
4. The applicant shall provide a plan for buffering in accordance with Part 28 and shall meet the following standards:
 - (a) Along an adjacent property line that is zoned or used for residential purposes, buffering shall be in accordance with the following:
 - 1) A six-foot solid wooden fence within the exterior 50 feet of the buffer yard and one deciduous tree, 1 1/2 inch caliper minimum, at an average of one tree per 40 linear feet of buffer plus one evergreen tree, three-foot minimum height, at an average of one tree per 20 linear feet of buffer. The trees shall be placed between the fence and the property line;
 - 2) A five-foot berm planted on top as in subsection (4)(a) above;
 - 3) One deciduous tree, 1 1/2 inch caliper minimum, at an average of one tree per 40 linear feet of buffer, plus one evergreen tree, three-foot minimum height, at an average of one tree per 20 linear feet of buffer, plus one deciduous shrub, three-foot minimum height, per four linear feet of buffer.

J15. Motel-Hotel.

- a. Definition. Motel, hotel; a building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 2. Motels and hotels may include accessory restaurant facilities, conference facilities, meeting rooms and tavern facilities. In addition to the parking requirements of this Chapter, parking shall be provided for the accessory facilities based on one off-street parking space for each 50 square feet of total floor area or one off-street parking space for every four seats, whichever requires the greater number of spaces.
 3. A hotel or motel shall serve only temporary guests. A use that is routinely inhabited by any persons for periods longer than 30 days shall be considered a boarding house and regulated as such.

4. Access. The site must have direct access onto either an arterial or a nonresidential street that intersects with an arterial street.
5. Fire Protection.
 - (a) Every building must have a complete sprinkler system, be supplied with smoke detectors and have automatic and manual fire alarm systems. No Motel or Hotel may be within 200 feet of any other primary building. All buildings shall be of fire-resistant construction. All fire lanes and driveways shall be at least 30 feet in width and be constructed so as to handle fire equipment of up to 20 tons in all types of weather. Fire hydrants shall be supplied so that no hose line from any pumper is in excess of 100 feet.

J16. Guest House.

- a. Definition. The use and occupancy of a detached residential dwelling for the accommodation of transient guests.
- b. Regulations.
 1. No more than eight guest rooms may be provided. No more than two adults and two children may occupy one guest room.
 2. The minimum lot size for the guest house use shall be three acres.
 3. The buffer requirements of this Chapter shall be met.
 4. There shall be no use of show windows for display or advertising visible outside the premises to attract guests other than a single, identification sign which may not exceed eight square feet.
 5. One bath facility shall be provided for every two public guest rooms.
 6. No external alterations, additions or character defining changes to the exterior structure shall be permitted except as required by the Pennsylvania Department of Labor and Industry or for safety reasons as required by another governmental agency.
 7. The use shall be carried on primarily by members of the immediate family which must reside on the premises. Non-resident employees shall be limited to three in addition to the resident members of the family.
 8. There shall be no separate kitchen or cooking facilities in any guest room.

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9. The maximum, uninterrupted length of stay at a guest house shall be 14 days.
10. The use of any amenities provided by the guest house such as a swimming pool or tennis courts shall be restricted in use to the guests of the establishment.
11. The use may not be established until there is compliance with the other Township rules and regulations. In addition to original compliance the guest house will be periodically inspected by the Fire Marshall for compliance with all Township safety standards.

J17. Repair Shop.

- a. Definition. Repair shop for items including, but not limited to, appliances, lawn mowers, watches, guns, bicycles, locks, small business machines: but not including automobiles, motor cycles, trucks, trailers and other heavy equipment.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 2. The minimum lot area for lawn mower repair shall be two acres.

J18. Laundry.

- a. Definition. An establishment providing washing, drying or dry cleaning machines on the premises for rental use to the general public for laundering or dry cleaning purposes: or a clothes cleaning and pressing pick-up point, or a clothes dry cleaning and pressing establishment.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 2. All State and Federal requirements for chemical waste disposal shall be met.

J19. Service Station or Car-Wash.

- a. Definition. The retail sale of vehicular fuels and/or a car-washing facility; and including as accessory uses the sale and installation of lubricants, tires, batteries and similar accessories and/or the sale of groceries and similar convenience-type products.
- b. Regulations.

1. Minimum lot width of not less than 250 feet shall be provided along each street on which the lot abuts.
2. The sale of convenience-type products shall be limited to a maximum floor area of 2,000 square feet.
3. Access to roads shall be at least 200 feet from the intersection of any streets.
4. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
5. Fuel pumps and canopies shall be at least 25 feet from any ultimate street right-of-way.
6. All automobile parts and similar articles shall be stored within a building.
7. All refuse shall be stored within a building or enclosed area.
8. Paint spraying or body and fender work shall not be permitted.
9. Lubrication, oil changes, tire changes and repairs are permitted if performed entirely within the principle building.
10. Vehicles shall not be stored outdoors for more than 5 days while awaiting repairs.
11. Junk vehicles may not be stored in the open at any time.
12. There shall be an ability for a minimum of four vehicles to be serviced at each cluster of gasoline pumps or to be lined up behind cars being serviced, without obstruction of access into or out of the use.
13. Where a car wash is present:
 - (a) On-lot traffic circulation channels and parking areas shall be clearly marked.
 - (b) Water used in the operation shall be collected and recycled, and shall not flow into any storm sewers.
 - (c) Water from the car wash operation shall not flow onto sidewalks or streets.
 - (d) Any car wash that is located within 200 feet of an existing residence shall not operate between the hours of 10:00 p.m. and 7:00 a.m.

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- (e) Any chemicals that may be hazardous to aquatic life shall be stored within an area that will completely contain any leaks or spills.
- (f) Approval shall be secured from the Pennsylvania State Police Fire Marshal for the underground storage of fuel. The Pennsylvania State Police Fire Marshal shall be contacted if fuel tanks are temporarily or permanently abandoned.
- (g) The buffer requirements of this Chapter shall be met.

J20. Automobile Sales.

- a. Definition. Sale of automobiles by a duly franchised new car dealership, or a used car dealership. Car, truck, trailer, cycle and boat rental facility including repair work conducted as an accessory use.
- b. Regulations.
 - 1. Minimum lot area: 2 acres.
 - 2. The buffer requirements of this Chapter shall be met.
 - 3. Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.

J21. Automobile Repair.

- a. Definition. Automobile repair garage, including paint spraying and body and fender work, provided that all repair and paint work is performed within an enclosed building.
- b. Regulations.
 - 1. All automobile parts, refuse and similar articles shall be stored within a building or enclosed area.
 - 2. Vehicles awaiting repairs and junk vehicles may not be stored outdoors more than five days.
 - 3. The buffer requirements of this Chapter shall be met.

J22. Automobile Accessories.

- a. Definition. Sale and/or installation of automotive accessories, parts, tires, batteries and other supplies. Installation and storage of parts shall be in an enclosed structure.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.
 - 2. Customers or patrons may not conduct repairs on store premises.

J23. Truck and Farm Equipment Sales.

- a. Definition. Truck, heavy equipment and farm equipment repair and sales.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

J24. Shopping Center.

- a. Definition. A shopping center which is planned and designed as a complex of related structures and circulation patterns.
- b. Regulations.
 - 1. In a shopping center, the following uses shall be permitted:
 - (a) Retail shops and stores selling apparel, books, confections, drugs, dry goods, flowers, foodstuffs, furniture, gifts, hardware, toys, household appliances, jewelry, notions, periodicals, shoes, stationary, tobacco, paint, records, cards, novelties, hobby and art supplies, music, luggage, sporting goods, pets, floor covering, garden supplies, greenhouses and fabrics, provided all products produced on the premises are sold on the premises at retail. Also included within this use shall be the sale of soft drinks and beer. However, not included within this use is a bar, tavern or tap-room, the principal business of which is the sale of alcoholic beverages. Also excluded are all slot machines, gaming devices and coin operated amusement devices.
 - (b) Service business including barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer and travel agency.
 - (c) Financial Establishment: Bank, savings and loan association, credit union and other financial establishment.
 - (d) Restaurant or eating place for the sale and consumption of food and beverages. The sale of alcoholic beverages must be inciden-

tal to the sale and consumption of food. Drive-in facilities shall be permitted provided there is a vehicle waiting lane for at least six vehicles. The waiting lane shall be separated from other circulation lanes.

- (e) Automotive Accessories: Sale of automotive accessories, parts, tires, batteries and other supplies. Installation of parts shall be in an enclosed structure and may be a separate structure.
 - (f) Entertainment: In-door movie theater and indoor entertainment.
 - (g) Motel-Hotel: A building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent.
 - (h) Medical Office: Office or clinic including laboratories incidental thereto, for medical or dental examination or treatment of persons as out-patients.
 - (i) Office: Business, professional, governmental or municipal services.
 - (j) Any use of the same general character as any of the above permitted uses, when authorized as a special exception by the Zoning Hearing Board, provided that such use shall be permitted subject to such reasonable restrictions as the Board may determine.
2. Buffer yard areas shall be provided and planted along all street frontages and around the perimeter of the shopping center development that adjoins adjacent properties. Along street frontages and adjoining properties in non-residential zoning districts, a minimum buffer of 30 feet shall be required. Along property lines of adjoining properties in residential zoning districts a fifty-foot buffer is required. A planting area at least 15 feet wide shall be provided on either side of all entrances to the mall separating the entrance drives from the parking areas.
 3. Outdoor storage and displays shall conform to the provisions of §27-305(L2).
 4. The distance at the closest point, between any two buildings or groups of units of attached buildings, shall be not less than 20 feet.
 5. Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.

J25. Mini-Warehouse.

- a. Definition. Warehouse/storage units provided for lease to the general public for the purpose of storage of articles commonly associated with residential properties.
- b. Regulations.
 1. Dimensional Requirements.
 - (a) Minimum lot area: 5 acres.
 - (b) Minimum setbacks from property lines:
 - 1) Front yard: 75 feet.
 - 2) Rear yard: 50 feet.
 - 3) Side yard: 50 feet.
 - (c) Minimum lot width: 150 feet.
 - (d) Maximum height storage units: 12 feet.
 - (e) Maximum height other buildings: 35 feet.
 - (f) Maximum building coverage: 30%.
 - (g) Maximum impervious surface ratio: 55%.
 2. Minimum aisle width between buildings shall be 26 feet.
 3. The storage facilities complex shall be surrounded by a fence at least eight feet in height of a type approved by the Township.
 4. Outdoor storage of automobiles, boats and recreation vehicles is permitted if they are within the fenced area. Outdoor exterior storage shall be limited to 10% of the indoor storage area. Parked vehicles shall not interfere with traffic movement through the complex and shall meet the minimum setbacks noted in subsection (1) above.
 5. Buffers shall be provided in accordance with Part 28 of this Chapter. In addition, any parked vehicles which are stored outdoors shall be properly screened so as not to be visible from any adjacent streets or property.

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6. One office and dwelling unit is permitted as an accessory use to provide for a full-time caretaker.
7. Approval shall be obtained from the Township Police Chief and Fire Marshall regarding security and fire protection.
8. Each structure shall not exceed 6,000 square feet in size.
9. Minimum Requirements for Lease Restrictions.
 - (a) No business activities other than leasing of storage units shall be permitted; and
 - (b) No explosive, toxic, radioactive or highly flammable materials shall be stored on the property.
10. A zoning permit shall be obtained on an annual basis.

J26. Dwelling in Combination.

- a. Definition. An accessory dwelling unit that is clearly subordinate to an institutional, commercial, consumer service or office use.
- b. Regulations.
 1. Where permitted, a dwelling in combination may be used as an accessory use with an institutional, commercial, consumer service or office use that is permitted within the applicable district. Where permitted, a dwelling in combination may be used as an accessory use with a nonconforming institutional, commercial, consumer service or office use under the requirements of this Chapter.
 2. The buffer requirements of this Chapter shall be met.
 3. In addition to the requirements for the principal use, the minimum floor area, minimum lot area and minimum off-street parking requirements of this Chapter for accessory dwelling shall be met.
 4. The maximum density in the C-1 District shall be 2.0 dwelling units per acre.

J27. Nonresidential Conversion.

- a. Definition. The conversion of an existing structure to a permitted nonresidential use.
- b. Regulations.

1. A nonresidential conversion shall be permitted where the character of the existing structure is maintained and where all parking and other requirements for the particular use are met.
2. A new zoning permit is required each time a structure is converted to a different nonresidential use.

J28. Office Supplies and Equipment Sales and Service.

- a. Definition. The sale of stationary and other supplies normally used in the operation of an office; and the sale and servicing of equipment normally used in the operation of an office, including but not limited to typewriters, copiers, computers and telephones.
- b. Regulations. The buffer requirements of this Chapter shall be met.

J29. Package Delivery Services.

- a. Definition. Pick-up stations for private or commercial package delivery services.
- b. Regulations.
 1. These uses shall not exceed 2,000 square feet of gross floor area.
 2. The buffer requirements of this Chapter shall be met.

J30. Photocopying Services.

- a. Definition. The reproduction of printed materials with the use of a copier.
- b. Regulations. The buffer requirements of this Chapter shall be met.

J31. Planned Community Center Mixed Use.

- a. Definition. A Planned Community Center Mixed Use ("PCCM") is a planned development designed as a complex of architecturally compatible structures with a traffic circulation pattern connecting the uses that comprise the center which will minimize traffic movements on external roads bordering the center, with appropriate landscaping designed to create an attractive, cohesive streetscape.
- b. Use Regulations.
 1. In a Planned Community Center Mixed Use, the following uses shall be permitted:

B5 Single-Family Attached

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- B6 Multifamily
 - C3 Personal Care Home
 - D1 Nursery School/Day Care Center
 - E7 Community Center
 - I1 Medical Office
 - I2 Veterinary Office
 - I3 Professional Office
 - I4 Medical and Pharmaceutical Sales Office
 - J1 Retail Store
 - J3 Service Business
 - J4 Financial Establishment
 - J5 Funeral Home or Mortuary
 - J6 Eating Place without Drive-In/Drive-Through Services
 - J11 Indoor Athletic Club
 - J19 Service Station or Car Wash
 - J22 Automotive Accessories
 - J26 Dwelling in Combination
 - J27 Nonresidential Conversion
 - J28 Office Supplies and Equipment Sales and Services
2. Neither outdoor kennels or runs nor overnight boarding of animals shall be permitted in conjunction with the I2 Veterinary Office Use.
 3. Drive-through services are permitted in conjunction with the J1 Retail Store and J4 Financial Establishment Uses.
 4. In connection with Use J19, Service Station or Car Wash, the sale of convenience-type products shall be limited to a maximum floor area of 6,000 square feet. The requirement of Use J19 for a minimum lot

width of 250 feet shall be deemed satisfied where the lots that are included in the PCCM have a combined minimum lot width of 250 feet or greater. This provision is intended to supersede any inconsistent provisions of §27-305.J19.

c. Performance and Design Regulations.

1. Minimum base site area (total tract): 15 acres.
2. The area and dimensional criteria for permitted nonresidential uses within the Planned Community Center Mixed Use shall be as set forth in §27-1202 for the C-1 Zoning District or as to specific uses set forth in §27-305. The area and dimensional criteria for nonresidential uses as set forth above may be modified by the Board of Supervisors during the conditional use process, provided that each individual nonresidential use provides for sufficient fire access and safety and sufficient areas for pedestrian and vehicular traffic to and from the proposed use.
3. Where residential uses are proposed, the applicable area and dimensional requirements shall be those set forth for the proposed use at §27-305, and no more than 25% of the base site area within any Planned Community Center Mixed Use may be developed for residential uses. Residential uses shall provide a minimum twenty-five-foot buffer yard between any existing or proposed commercial uses in accordance with the planning requirements of Part 28. The Board of Supervisors may require that a portion of a proposed PCCM be developed with residential uses if it determines that such uses are in accordance with §27-3008.b. of this Chapter.
4. Where the proposed PCCM consists of more than one lot or parcel, there shall be no required setbacks to buildings or other structures, such as parking spaces, provided a cross-easement agreement or declaration of covenants, conditions and restrictions enables the lots or parcels comprising the PCCM to function as one integrated development. The cross-easement agreement or declaration of covenants, conditions and restrictions shall be subject to review and approval by the Township.
5. Buffer Yard. A minimum forty-five-foot buffer yard shall be provided along any property line that adjoins a residential zoning district. The buffer yard shall be planted. Planting requirements of Part 28 shall be applicable to the buffer yard.
6. No outdoor service of food, outdoor sales, or outdoor displays shall be permitted unless approved by the Board of Supervisors. Outdoor seating may be permitted, provided that sufficient area for pedestrian traffic is provided. All outdoor storage and trash collection areas shall

be located to the rear of the building and shielded from adjacent properties and all streets.

7. Lighting facilities shall be installed in a manner which will protect the highway and neighboring properties from any direct glare or hazardous off-site interference.
8. The PCCM shall be designed to enhance the historic and cultural character of New Britain Township. No concrete-block or tilt-up concrete walls shall be permitted. Walls shall be differentiated with offsets, windows, facade details, changes in color or materials. All walls of a building should be architecturally consistent with the front facade, and all building faces visible from the street or abutting properties shall have the same architectural features and style as the front facade, with the exception of storefront glass, which may wrap around.
9. The PCCM shall be designed to accommodate pedestrian and vehicular traffic safely.
10. Vehicular Access. An effort shall be made to limit curb cuts onto adjacent arterial highways.
11. Pedestrian Access. The PCCM shall have internal walkways to provide pedestrian access from adjacent residential developments and to connect to adjacent commercial, office and institutional uses.
12. Special Sign Regulations. In lieu of the sign regulations set forth at §27- 2607 of this Chapter, all signs within a Planned Community Center Mixed Use shall comply with the following guidelines:
 - (a) Purpose of Sign Design Guidelines.
 - 1) To provide guidance to property owners, businesses, and sign makers to design and install only signage that is attractive as well as being functional.
 - 2) To help businesses and others identify themselves in a manner that promotes a positive image for the establishment and, if applicable, for the shopping center or commercial area in which a business is located.
 - 3) To promote well-designed signs which successfully communicate their messages in a clear and effective manner.
 - 4) To encourage creative and innovative approaches to signage which comply with the spirit and intent of the sign regulations of New Britain Township.

- 5) To enhance overall property values and the community's visual environment by encouraging signs that contribute to improving the overall visual image of the community through appropriate size, quantity, clarity and innovative designs, and discouraging visual clutter.
 - 6) To ensure that commercial signs are designed for the purpose of identifying a business in an attractive and functional manner rather than to serve primarily as product advertising.
- (b) General Design Principles. Signs should make a positive contribution to the general appearance of the streetscape and/or the commercial area in which they are located. Well-designed signs are an architectural asset to the business, the building, and the development. Where a business or a coordinated development has more than one sign, all signs should be designed to be compatible with one another in terms of materials, color, lettering style and logo usage. Where business uses are interspersed with residential uses, signs should be designed and located with sensitivity to the residential areas. Illumination should be designed to minimize impact on adjacent residences or residential uses.
- (c) Relationship to Building Architecture. Signs shall be designed with regard for, and to integrate with, the architectural style, historical significance, and/or inherent character of the building. Signs shall fit on a building as if they were one of its architectural elements. Signs enhance the primary design elements or unique architectural features of the building. Signs shall be designed with regard for the specific location where they will be placed on the building or site and shall be consistent in materials, colors, size and architectural style.
- (d) Sign Location and Placement. For wall signs, the architectural design of the building suggests the appropriate placement location. Signs shall be positioned to respect and complement the design of a building, including the arrangement of bays and openings. Wall-mounted signs or fascias above storefront windows shall be sized to fit within existing friezes, lintels, spandrels, and other such features and not extended above, below or beyond them. A wall sign shall be centered horizontally on the vertical surface to which it is affixed. In positioning a freestanding sign, consideration shall be given to general lot characteristics, roadway curves, and building location on the lot.
- (e) Size and Proportion. A sign shall be proportional in size to the area where the sign is to be located. Carefully consider the pro-

portion of the lettered and graphic area to the overall size of the sign background. When letters and graphics take up too much of a sign, they actually become harder to read. Large letters are not necessarily more legible than smaller ones. A general rule is that the text and graphic elements should not appear to occupy more than 2/3 of the sign panel area. Although the sign regulations herein prescribe the maximum sign size of a sign, or signs, notwithstanding the allowable size, as a general guideline, the length of a wall-mounted sign should not exceed 50% of the frontage width of the establishment or portion thereof.

- (f) Message and Content. To avoid unnecessary confusion and traffic distraction, signs shall use a brief message. The fewer the words, the less distracting the sign. A sign with a succinct message is easier to read, looks cleaner and is more attractive because it is less cluttered. For instance, a business's primary sign should typically contain only the name of the business and its logo or a distinctive graphic element. Avoid hard-to-read, overly intricate typefaces. Such typefaces reduce a sign's ability to communicate effectively. Fonts shall be selected to provide clarity. Typically, the following information should not be included on a business's primary sign:
 - 1) Telephone numbers;
 - 2) Business hours;
 - 3) Sale information;
 - 4) Listing of goods and services;
 - 5) Brand names carried; and
 - 6) Credit cards accepted – or hanging accessory signs – or labels/stickers.
- (g) Color. Colors shall be selected that enhance sign legibility for both day and nighttime viewing. Contrast can be used effectively to increase clarity. Building colors shall be considered when selecting sign colors. Sign colors and finishes shall be compatible with the color of the building or development.
- (h) Materials. Signs shall be constructed using high-quality, durable and low-maintenance materials. Sign materials shall be compatible with the design of the building and facade on which they are placed. Consider the architectural design of the building and select complementary sign materials. Select materials to

contribute to sign legibility. For example, glossy finishes on signs are often difficult to read because of glare and reflections.

(i) Lighting.

1) Internal Illumination. Window awning signs: if an awning sign is internally illuminated, only the sign letters, logo and ornamentation shall be translucent. The background material shall be opaque. These signs will be considered as part of the allowable signage. When signs other than channel letters are internally lit, only the sign copy (words/logo) shall be illuminated. The sign background or field shall be opaque and of a nonreflective material. If the background is lighted, it will be considered as part of the calculated sign area. The preferred forms of internally lit signs are those using:

(i) Push-through graphics and text;

(ii) Standard channel letters, also called back-lit or halo-lit; or

(iii) Reverse channel letters with a halo effect.

2) External Illumination. External lighting fixtures that project light on a sign from above or below are strongly encouraged. Light fixtures supported on the front of the building cast light on the sign and a portion of the facade immediately around the sign. The visual impact of this shall be considered in lighting selection. Light fixtures shall be simple and unobtrusive in appearance and size. Light fixtures shall be positioned as to not obscure the sign's message and graphics. Light sources shall be shielded and such that the light source is directed away from passersby. Light sources shall be directed against the sign such that it does not shine onto adjacent property or cause glare for motorists and pedestrians. Bare light bulbs shall not be exposed.

(j) Window Signs. Window signs are directed primarily at pedestrians and are meant to be read at close range at pedestrian eye level. From this vantage, pedestrians are able to notice a higher degree of detail, and small-scale signs are more appropriate. If the sign is easily readable from the roadway, or at a distance of more than 100 feet, it may be considered as part of the allowable wall signage. Hand-painted and paper window signs are discouraged. Window signs should be applied directly to the inte-

rior face of the glazed area of the window or hung inside the window.

- (k) Freestanding Signs. Single pole (lollipop, tee, cross, or flagpole-type) signs are prohibited. Monument or structured signs with monument base and landscaping as part of the overall coordinated design are required freestanding signs which should be architecturally designed and incorporate design details, materials and colors of the associated buildings. Freestanding signs shall be placed perpendicular to approaching vehicular traffic. All freestanding signs shall be placed within a substantial planted, landscaped area or raised planter which is of a shape, size and design to provide a compatible setting and ground definition to the sign.
- (l) Awning Signs. Opaque fabric is required. Lettering/logo details may be painted or screen-printed or cut-in. Lettering and/or graphic elements shall comprise no more than 30% of the total exterior surface of an awning or canopy. Awning signs shall be included within the maximum calculated signage permitted.
- (m) Projecting Signs. Mounting hardware shall be an attractive and integral part of the sign design. The design of a projecting sign may incorporate visually interesting elements such as painted or applied letters, two- or three-dimensional symbols or icons and internal cut-outs. No portion of the sign may extend at a level higher than the lowest portion of the closest roofline (i.e., if affixed to a wall, the sign may not be higher than the gutter line, even though the roof peak may be higher).
- (n) Prohibited Signs and Sign Elements:
 - 1) Signs without permits;
 - 2) Temporary or "sandwich board" type signs of any type;
 - 3) Signs painted upon vehicles or other stationary objects other than those approved signs affixed to structures or other permitted stationary signs;
 - 4) Signs being hand-held on premises;
 - 5) Signs with fluorescent or day-glow colors;
 - 6) The use of internally illuminated box/cabinet-type signs, particularly those with translucent backlit panels; also, the use of rectangular or square box/cabinet-type signs without any sort of distinctive or artistic curvilinear form;

- 7) Poorly crafted hand-painted signs;
 - 8) The use of pole-type freestanding signs. Monument or surface-mounts signs are required.
 - 9) The use of neon tubing or similar lighting to outline the perimeter of windows, doorways, storefronts, buildings, canopies, etc.; and
 - 10) Wall signs above the eaves of a building.
- (o) Permitted Signs. The following signs shall be permitted on each property with buildings thereon. All other signs are expressly prohibited.
- 1) General Standards.
 - (i) Permits. No sign, except as provided herein, shall be erected, altered or otherwise changed, except for normal maintenance, unless a zoning approval has been issued by the Zoning Inspector and a building permit has been issued by the Building Official. No zoning approvals or site plans shall be approved if the signage indicated is not in conformance with these regulations.
 - (ii) Illumination. Any illuminated sign or lighting device shall employ only lights emitting a light of constant intensity and shall be designed, located, erected and maintained to confine or direct all illumination to the surface of the subject sign and away from adjoining premises or the street upon which it fronts or faces.
 - (iii) Maintenance. All signs, together with their supports, shall be kept in good repair and in safe condition. The owner of the premises on which a sign is erected shall be directly responsible for keeping such sign and premises in a safe and neat condition.
 - (iv) Measurement of Sign Area.
 - Sign area is that area enclosed by one continuous line connecting the extreme points or edges of a sign. This area does not include the main supporting sign structure but shall include multiple signs attached to a single sign structure.

- Except for off-premises signs, when a sign is double-faced, only one face shall be counted in computing the sign's area.
 - Letter Size. Lettering shall be no larger than 18 inches in height, except as otherwise permitted by these regulations.
 - The total area of all on-premises signs, except for ground signs, shall not exceed 1 1/2 square feet in area for each linear foot of building frontage.
 - No one business use or tenant shall have more than two signs on the premises, except that one additional sign shall be allowed on one side wall of a structure facing two streets and computed at one square foot for every two linear feet of side wall.
 - In addition, one wall identification sign shall be permitted at a secondary business entrance facing a parking lot, not to exceed one square foot in area for every four linear feet of secondary wall frontage.
 - For buildings of 100,000 square feet or more, one additional wall identification sign shall be permitted at a secondary business entrance facing or directly across the street from a parking lot which is utilized to comply with the required parking for that building, not to exceed one square foot in area for every four linear feet of secondary wall frontage.
 - Letter Heights. Lettering on signs in business and industrial zones shall be no larger than 24 inches in height.
- 2) Wall Signs. All wall signs shall comply with the following requirements:
- (i) Standards for Wall Signs. No sign shall project more than 12 inches from the wall to which it is attached, nor shall it extend beyond the corners of a building or above the cornice of a building;

- (ii) Signs should be placed in the sign frieze area and shall not exceed a height of 20 feet from the ground to the top of the sign, regardless of the height of the building; and
 - (iii) A retail store having a minimum gross floor area of 80,000 square feet or more and located a minimum of 150 feet from the street line may have lettering no larger than 36 inches in height on a wall sign and, where located a minimum of 250 feet from the street line, may have lettering no larger than 48 inches on a wall sign, provided that the maximum wall sign area does not exceed one square foot for each linear foot of building frontage.
- 3) Window Signs. Window signs readily visible from the street shall be prohibited. Other window signs shall be limited to 10% of the window area.
- 4) Wall Murals. Painted wall murals shall be considered signs and shall comply with all regulations applicable thereto.
- 5) Projecting or Hanging Signs. Signs may project from the face of the building or hang from a roof canopy, provided that such signs shall not exceed six square feet in area, shall not project more than 40 inches from the building, and shall provide a minimum clearance of eight feet from a sidewalk or public walkway.
- 6) Ground Signs. All ground signs shall comply with the following requirements:
 - (i) One ground sign shall be permitted on a lot per 500 feet of street frontage on one street.
 - (ii) All ground signs shall be set back a minimum of five feet from any right-of-way line.
 - (iii) Ground signs shall not exceed 75 feet in area. No dimension of a ground sign shall exceed 20 feet.
 - (iv) The maximum height to the top of any ground sign shall not exceed 15 feet, nor shall it extend above the lowest part of the main roofline, whichever is lower.

- (v) A ground sign shall identify the name of the business accompanying the lot and shall include the street address number of the property at least four inches in height.
- 7) Gas Station Signs. Gas stations may have one combination name and product pricing/message sign per road frontage, with a maximum of two such signs permitted. Portable signs shall be prohibited.
- 8) Notwithstanding the provisions of §27-2613.a.2., LED electronically changing readerboard signs and animated or moving signs shall be permitted, provided that any advertising copy posted on the readerboard will not be changed more than once every 20 minutes and will not create the appearance of flashing, scrolling and/or intermittent lighting.
- (p) Multi-Tenant/Use Buildings. Multi-use developments or structures shall have a master sign plan for the development. All signs proposed shall be illustrated upon the master sign plan. Signs in a multi-tenant building or development shall share a generally common design in terms of type of sign, materials, size, shape, illumination, placement, alignment, and method of attachment. New or replacement signs proposed for existing buildings shall provide a compatible appearance with the existing signage of other tenants.
 - 1) In multi-use buildings, the total sign area permitted shall be prorated among the individual building tenants by the owners and made part of the approved signage plan.
 - 2) Signs for individual occupants of a PCCM shall comply with a coordinated signage plan for the entire property. Such signs shall be uniform in at least two of the following respects: letter size, letter type, and style or the coordination of sign colors and locations.
 - 3) Sign plans must be submitted as part of the conditional use application for the PCCM.
 - 4) The Board of Supervisors may waive, increase, decrease, or otherwise modify any particular aspect of the sign regulations as part of the conditional use process up to a maximum of 50% dimensionally, provided that any such modification is deemed necessary to satisfy the purpose and intent of this section or to improve the overall appearance of the sign plan.

- (q) Temporary Signs. Temporary signs shall comply with the following requirements:
 - 1) Signs temporarily affixed to a window or door are permitted, provided that they do not exceed 10% of the area of the window or door and are in place for not more than 30 days.
 - 2) Special advertising devices for new businesses, such as banners, pennants and streamers, are permitted by special permit of the Zoning Officer for not more than 30 days in a twelve-month period.
 - 3) Signs for a special event shall be removed immediately following the event should it occur prior to the thirty-day limitation.
 - 4) Real estate signs for a commercial building may be in place for the period of the offering. The size of the sign in a mixed-use or multi-tenant retail building shall be limited by the number of square feet available for lease. The size of the sign in all other commercial buildings shall be limited by gross floor area.

13. Special Parking Regulations.

- (a) Parking for the PCCM 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.
- (b) Sufficient loading and unloading areas shall be provided for each building along the rear of the building, subject to approval by the Board of Supervisors during the conditional use hearing.

14. The natural resource protection standards of Part 24 shall be applicable to the Planned Community Center Mixed Use, except to the extent they are specifically modified below:

- (a) Maximum Woodland Disturbance. A maximum of 65% of woodlands may be altered, regraded, cleared and/or built upon. The applicant shall be required to comply with the requirements of §27-2400.f.2.(a)(2b) and (2c).
- (b) Wetlands; Wetland Margins; Riparian Buffers. The regulations at §§27-2400.D., 27-2400.H. and 27-2400.1 which limit encroachments into wetlands and establish wetland margins and

riparian buffers shall not be applicable to the center; provided, however, that the applicant shall be required to obtain all applicable state and federal permits authorizing encroachment into wetlands, wetland margins and riparian buffers.

- (c) Tree Protection Zone. The twenty-five-foot tree protection zone required by §27-2400.b.2.(d) may be reduced or waived with approval by the Board during the conditional use proceedings.
15. Conditional Use Considerations. In addition to the general conditions for conditional uses set forth in §27-3008 of this Chapter, the applicant shall provide additional information set forth below necessary for the Board of Supervisors to evaluate the application.
- (a) All outdoor trash receptacle areas and loading areas shall be buffered and/or shielded from adjacent residential uses and the public view in a manner to be approved by the Board of Supervisors.
 - (b) The applicant shall incorporate traffic-calming devices on site to discourage cut-through traffic and to promote safe circulation and access to the site.
 - (c) Where deemed appropriate by the Board of Supervisors, additional green areas may be preserved on site in lieu of construction of required parking areas by including reserve parking areas on site.
 - (d) The applicant may increase building heights upon submission to the Board of Supervisors of increased green and/or buffer areas on site, and provided that any proposed building heights can be safely serviced by local fire service providers.
 - (e) The applicant shall show alternatives for future access and driveway connections to abutting commercial properties.
 - (f) The Board may modify tree removal and/or tree replacement requirements based upon the quality and species of trees to be removed.

J32. Neighborhood Commercial Center.

- a. Definition. A Neighborhood Commercial Center is planned and designed as a complex of related structures and circulation patterns and shall be designed as a single architectural style with appropriate landscaping.
- b. Use Limitations. In a Neighborhood Commercial Center, the following uses shall be permitted:

- D3 Commercial Trade School (limited to professional, art, music, dancing, or other instructional schools or services)
- E8 Library or Museum (whether or not conducted as a private for-profit business)
- I3 General Office (including business, professional or governmental offices)
- I4 Medical and Pharmaceutical Sales Offices
- J1 Retail Store
- J3 Service Business
- J4 Financial Establishment
- J6 Eating Place (except for uses serving and/or selling alcoholic beverages)
- J18 Laundry
- J28 Office Supplies and Equipment Sales and Service
- J30 Photocopying Services

1. No drive-through services are permitted in conjunction with any of the above uses except for financial establishment uses.
2. If one building is proposed, the Neighborhood Commercial Center shall have a minimum of three uses up to a maximum of seven uses. If multiple buildings are proposed, a minimum of two uses shall be required per building up to a maximum of seven uses.

c. Performance/Design Regulations.

1. The Neighborhood Commercial Center shall have a minimum of 1,200 square feet of floor area per use with an average of 1,600 square feet or more per use.
2. The Neighborhood Commercial Center shall provide for 30% open space in a contiguous area in order to soften the impact of the building, structure, parking, loading facilities and other paved areas. This open space shall be calculated on the gross site area and shall be in addition to any other required buffer yards, park and recreation facilities and landscaped areas. No public utilities or stormwater management facilities are permitted within the required open space.

3. A 45-foot buffer yard shall be provided along any property line that adjoins a residential zoning district in accordance with the planting requirements of Part 28.
 4. No outdoor service of food, outdoor sales, or outdoor displays shall be permitted unless approved by the Board of Supervisors. Outdoor seating may be permitted, provided that sufficient areas for pedestrian traffic is provided. All outdoor storage and trash collection areas shall be located to the rear of the building and shielded from adjacent properties and all streets.
 5. Lighting facilities shall be installed in a manner which will protect the highway and neighboring properties from any direct glare or hazardous off-site interference.
 6. The center shall be designed to enhance the historic and cultural character of New Britain Township. No concrete block or tilt-up concrete walls shall be permitted. There shall be no uninterrupted lengths of blank wall longer than 100 feet. Walls shall be differentiated with recesses, windows, facade details, changes in color or materials. All walls of a building should be architecturally consistent with the front facade, and all building faces visible from the street or abutting properties shall have the same architectural features and style as the front facade with the exception of store front glass, which may wrap around.
 7. The center shall be designed to accommodate pedestrian and vehicular traffic safely.
 8. Vehicular Access. All centers shall limit curb cuts onto arterial highways and shall provide for rear access to the use from a signalized intersection. Safe access shall be determined by the Board of Supervisors during the conditional use hearing.
 9. Pedestrian Access. All centers shall have internal walkways to provide pedestrian access from adjacent residential developments, and to connect to adjacent commercial, office and institutional uses.
- d. Parking and Loading Facilities.
1. Parking for the center 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 along the rear of the building.

2. Sufficient loading and unloading areas shall be provided for each building along the rear of the building, subject to approval by the Board of Supervisors during the conditional use hearing.

e. Signs.

1. One freestanding sign shall be permitted for any Neighborhood Commercial Center, unless the property on which the center use is located fronts on more than one street, in which event, one sign may be erected on each frontage.
2. All freestanding signs shall be monument-type signs and shall be limited to 50 square feet of sign area, with a maximum height of six feet.
3. Each commercial use in a center shall be permitted one sign per exposed front exterior wall. The surface area of each sign shall not exceed 10% of the surface area of the exposed exterior wall or up to a maximum of 32 square feet, whichever is smaller. These signs may not project more than two feet from the facade or building overhang, and if any sign projects more than six inches from the face of the building, the bottom of the sign must be at least eight feet above the sidewalk below. The height of a building sign shall not exceed the height to the uppermost projection of the building at the location on the facade where it is to be located. Each wall sign shall be a minimum of two feet from the edge of each building unit.
4. All freestanding monument signs shall have bases and supports designed and landscaped to screen associated utility and service equipment.
5. A maximum of one directional sign shall be permitted at each point of ingress/egress to a center. Directional signs shall not exceed six square feet per sign and no higher than three feet. The sign shall be limited to the necessary directional information plus the name and/or logo of the center.
6. Any proposed window signs shall not exceed a total of 15 square feet per building unit.

f Area and Dimensional Requirements.

1. Minimum lot/lease area: 1,200 square feet per use within the center with an average of 1,600 square feet per use.
2. Minimum lot area for Neighborhood Commercial Center: 2 acres.
3. Minimum lot width: 250 feet.

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4. Maximum impervious surface ratio: 65%.
5. Minimum front yard: 40 feet.
6. Minimum rear yard: 30 feet.
7. Minimum side yards: 15 feet.
8. Minimum buffer yard adjacent to residential district: 45 feet.
9. Building separation: 30 feet.

K. Industrial Uses.

K1. Manufacturing.

- a. Definition. The production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.

K2. Research.

- a. Definition. Research, testing or experimental laboratory, including the growing and breeding of laboratory animals.
- b. Regulations.
 1. The buffer requirements of this Chapter shall be met.
 2. Adequate provisions should be made for storage and disposal of any hazardous materials.

K3. Wholesale Business, Wholesale Storage, Warehousing.

- a. Definition. Wholesale business, wholesale storage or warehousing with no retail sales.
- b. Regulations.
 1. No explosive, toxic, radioactive or highly flammable materials shall be stored on the premises.
 2. The buffer requirements of this Chapter shall be met.

K4. Printing.

- a. Definition. Printing, publishing, binding.
- b. Regulations.

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

K5. Contracting.

- a. Definition. Contractor offices and shops such as building, electrical, heating, masonry, painting and roofing contractors.

- b. Regulations.

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

- 2. All materials and vehicles shall be stored within a building or an enclosed area which is properly screened.

K6. Truck Terminal.

- a. Definition. A use of land or structures for the storage of trucks and/or the transfer of freight from one truck to another.

- b. Regulations.

- 1. The minimum lot size for a truck terminal shall be 10 acres.

- 2. Short term warehousing may be permitted under this use.

- 3. The truck terminal shall be licensed by the Public Utilities Commission.

- 4. Trucks with compressors running 24 hours a day shall be located within a quadrangle of buildings or walls.

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

K7. Crafts.

- a. Definition. Plumbing, carpentry, upholstery, cabinet making, furniture making, planing mill and similar crafts.

- b. Regulations.

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

K8. Lumber Yard.

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- a. Definition. Lumber yard where lumber products are sold and/or processed. This principal use may be combined with a planing mill.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

K9. Mill.

- a. Definition. Mill where grain and similar products are processed.
- b. Regulations.
 - 1. The buffer requirements of this Chapter shall be met.

K10. Fuel Storage and Distribution.

- a. Definition. Storage and distribution of fuel oil or coal.
- b. Regulations.
 - 1. All applicable State and Federal requirements for underground and above ground storage of fuel shall be met.
 - 2. The buffer requirements of this Chapter shall be met.

K11. Junkyard.

- a. Definition. An area of land, with or without buildings, used for the storage of used or discarded materials, including but not limited to waste paper, rags, metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage in a licensed junkyard of two or more motor vehicles not having valid inspection stickers issued by the Pennsylvania Department of Transportation, excluding farm vehicles, or two or more wrecked or broken vehicles, or the major parts of two or more such vehicles.
- b. Regulations.
 - 1. No material shall be placed in any junkyard in such a manner that it is capable of being transferred out of the junkyard by wind, water or other natural causes.
 - 2. The boundaries of any junkyard shall at all times be clearly delineated.

3. All paper, rags, cloth and other fibers, and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.
4. The land area used for junkyard purposes shall not be exposed to public view from any public street or road by virtue of its location on a hillside or location on a plateau below street level.
5. Such junk yard shall be entirely enclosed by a solid fence or wall, at least eight feet but no more than 10 feet high, constructed of plank boards, brick, cinder block or concrete and with access only through solid gates. The fence or wall shall be situated no closer to any street or property line than 50 feet. Such fence or wall shall be kept in good repair and neatly painted in a uniform color.
6. The contents of such a junkyard shall not be placed or deposited to a height greater than the height of the fence or wall herein prescribed.
7. Between the fence or wall and the street or property line, buffer plantings shall comply with either of the following:
 - (a) One deciduous tree, 1 1/2 inch caliper minimum, at an average of one tree per 40 linear feet of buffer plus one evergreen tree, three-foot minimum height, at an average of one tree per 20 linear feet of buffer.
 - (b) One deciduous tree, 1 1/2 inch caliper minimum, at an average of one tree per 40 linear feet of buffer plus one deciduous shrub, three-foot minimum height, per four linear feet of buffer. Shrubs shall be privet, forsythia or viburnum species.
8. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects or other vermin. When necessary, this shall be accomplished by enclosure in containers, raising of materials above the ground, separation of types of material, preventing the collection of stagnant water, extermination procedures or other means.
9. No explosive, toxic, radioactive, highly flammable or hazardous materials shall be kept on the property.
10. No burning shall be carried on in any junkyard. Fire shall be prevented and hazards avoided by organization and segregating of stored materials, with particular attention to the separation of combustibles from other materials and enclosure of combustibles where necessary by the provision of adequate aisles, at least 15 feet, for escape and firefighting and by other necessary measures.

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11. All vehicles must be drained of all liquids before they are placed in the junkyard. An impervious base, free of cracks and sufficiently large for draining liquids from all vehicles, shall be provided. The base should be sloped to drain to a sump or holding tank and liquid shall be removed from the site as often as is necessary to prevent overflow of the system. Curbing around the pad must be able to retain run-off from a hundred-year, twenty-four-hour storm. All hazardous liquids shall be properly disposed of according to the Pennsylvania Department of Environmental Resources' Protection Rules and Regulations.
12. A zoning permit shall be obtained on an annual basis.

K12. Extractive Operations.

- a. Definition. Extractive operations are quarries for sand, clay, shale, gravel, topsoil, stone and similar operations including borrow pits.
- b. Regulations.
 1. Except where a railroad is a property boundary line, there shall be a berm of minimum height of 15 feet and maximum height of 50 feet surrounding the entire property site. The slope of the sides of the berm shall not exceed a 1:1 ratio. Berms shall be planted and erosion control measures shall be taken as may be approved by the U.S. Soil Conservation Service. Berms shall begin at a point no closer to a street than the ultimate right-of-way line. No berms shall be constructed closer than 25 feet to a district in which extractive operations are not permitted. Landscaping of the berms and yard areas shall be sufficient to screen the extractive operation. Both landscaping and berm construction shall be according to a plan approved by the Board of Supervisors. The plan shall include a reasonable timetable for completion. The landscaping shall consist of evergreens of such species and size as will produce, within three years, a complete, all season visual screen of at least eight feet in height.
 2. A chain link type fence at least eight feet in height surmounted by three strands of barbed wire, shall be required within the setback area at a point no closer than the ultimate right-of-way line and shall be maintained in a constant state of good repair. Appropriate warning signs shall be mounted or posted along the fence at intervals of not more than 100 feet.
 3. An adequate internal circulation pattern of streets shall be maintained between the excavation sites and processing areas. Use of public streets shall not be permitted for hauling between extractive and processing areas, or for weighing or access of vehicular traffic originating from, or destined to points beyond the limits of such excavation sites and processing areas. Access shall be regulated in accordance

with the Township Subdivision and Land Development Ordinance [Chapter 22].

4. No slope shall be maintained exceeding the normal limiting angle of repose of the material in which the excavation or extraction is being made. No undercutting shall be permitted within the setback area.
5. All operations shall be conducted with sufficient lateral support to be safe with respect to: (1) hazard to persons, (2) physical damage to adjacent lands or improvements or (3) damage to any street, sidewalk, parking area or utility by reason of slide, sinking or collapse.
6. Stock piles shall not exceed 75 feet in height from the original ground surface and shall not be located within the setbacks provided for in this Chapter. All reasonable precautions shall be taken to prevent any materials or waste deposited upon any stock pile from being washed, blown or otherwise transferred off the site by normal causes or forces.
7. All drainage from the site of extractive operations shall be controlled by dikes, barriers or drainage structures sufficient to prevent any silt, debris or other loose materials from filling any existing drainage course or encroaching on streets or adjacent property, or entering into any stream, pond, well, subterranean stream or other body of water.
8. No ground vibration caused by blasting or machinery shall exceed the limits established by the Act of July 10, 1957, P.L. 685, as amended, 73 P.S. §§164 – 168 and the rules and regulations adopted thereunder, with the exception that no blasting shall cause a peak particle velocity greater than 1.0 inch per second, measured at the immediate location of any dwelling, public building, school, church, hospital, commercial or other institutional building.
9. All off-street parking spaces shall be provided as determined by the Township to adequately serve customers, employees, visitors and vehicles normally parked on the premises. No parking shall be permitted in the front, side or rear yards except parking shall be permitted behind any berm.
10. Any application for a zoning permit or an annual renewal permit as hereinafter provided shall be accompanied by plans and other information to satisfy the criteria set forth above and, in addition, shall depict:
 - (a) Plan of general area within a .5-mile radius of the site at scale of 500 feet or less to the inch with a twenty-foot or less contour interval to show:
 - (1) Existing data, including location of proposed site.

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- (2) Land use pattern including building locations and historical sites.
- (3) Roads – indicating major roads and showing width, weight, limits, types of surfaces and traffic volume.
- (4) Existing and proposed uses of neighboring facilities including:
 - a) Subdivisions.
 - b) Parks, schools and churches.
 - c) Highways (new and reconstructed).
 - d) Other uses potentially affecting or affected by the proposed extractive operation.
- (b) Plan of proposed site at a scale of 100 feet, or less, to the inch with a five-foot, or less, contour interval to show:
 - (1) Basic data (soils, geology, ground water data, water courses).
 - (2) Vegetation (identify dominant species). Proposed tree locations.
 - (3) Wind data (directions and percentage of time).
 - (4) Proposed usage.
 - (5) Final grading by contours. Soil embankments for noise, dust and visual barriers and heights of soil mounds.
 - (6) Interior road pattern, (relation of operation yard and points of ingress and egress to State and Township roads.)
 - (7) Location and estimated amount and description of aggregate and overburden to be removed.
 - (8) Location of stock piles and present or proposed height.
 - (9) Ultimate use and ownership of site after completion of operation.

- (10) Source and amount of water if final plan shows use of water. Method of disposition of excess water during operation.
- (11) Plan of operation showing:
 - a) Location and typical schedule of blasting.
 - b) Machinery: type and noise levels.
 - c) Safety measures: monitoring of complaints.
11. Any application for an initial permit or for an annual renewal permit, as hereinafter provided, shall be referred to the Planning Commission for review and the Township Engineer for review prior to action by the Board of Supervisors. The Board of Supervisors in acting upon any original permit application or annual renewal permit application shall take into account the following:
 - (a) Compliance with the requirements set forth in this Part.
 - (b) The impact that the proposed operations would have upon the health, safety and welfare of the community, including specifically the finding that the use will not impact adversely upon the following:
 - (1) Ground water supply.
 - (2) Ground vibration.
 - (3) Noise.
 - (4) Dust dissemination.
 - (5) Ground, ground water or air contamination of toxic or hazardous substances.
12. No permit for any extractive operation shall be issued until the applicant has demonstrated to the Board of Supervisors that it has obtained all other permits and approvals required from any other regulatory agencies to conduct the extractive operations.
13. Annual Renewal Permit.
 - (a) Each operator/owner of extractive operations shall be required to apply for and obtain an annual renewal permit during each year of its operation.

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- (b) The renewal permit application must be received by the Township along with the appropriate fee not less than 45 days prior to the expiration of the then current permit.
 - (c) The application shall include updated plans and other materials showing the information required for the issuance of an original permit.
 - (d) The annual renewal permit will be issued upon the Board of Supervisors being satisfied that the applicant has satisfied all of the obligations required of the owner/operator for an original issue permit.
14. Fees. Applicants for zoning permits and annual renewal permits for extraction operations shall pay a fee, which shall be in accordance with the fee schedule, as may be from time to time, adopted and amended by the Township.
15. Rehabilitation and Conservation Requirements. The following provisions shall apply to all extraction operations:
- (a) The owner, operator, lessee of any extractive operation shall, at the time of application for a zoning permit, submit to the Township its reclamation plan as submitted to the Pennsylvania Department of Environmental Protection. No permit shall be issued where said reclamation plan provides for quarrying in areas of the site not permitted by this Chapter.
 - (b) Along with said plan, the applicant shall include a timetable for the reclamation proposed for the site in general with an actual timetable for reclamation of slopes as may be found reasonable by the Board of Supervisors within the setback areas.
 - (c) Owner, lessee or operator of any extraction operation within the Township shall, within six months from the date of this Chapter or receipt of a zoning permit authorizing said extraction operation, whichever is the latter, submit a plan which shall include descriptions and plans for suitable after-conditions or after-uses for all the land affected.
 - (d) Plans for the rehabilitation uses may include the following after-uses among others:
 - (1) Open areas suitably graded and covered with suitable shrubs, grasses or trees.
 - (2) Recreation land, ponds and lakes.

- (3) Agriculture of any type.
- (4) Sites for residential use.
- (e) Rehabilitation shall commence within one year following the completion or the discontinuance for a period of one year of any extractive operation (or the completion of the excavation of a portion of an entire operation which can feasibly be restored separately from other portions of the operation and which is not necessary to the operation). Such rehabilitation shall be completed within five years from the date rehabilitation commenced except where a longer period of time is specifically authorized as part of the rehabilitation program. Normal benching operations for sloping purposes shall not be construed as requiring the commencement of rehabilitation.
- (f) Rehabilitation shall include removal of all debris, temporary structures and stock piles.
- (g) A layer of arable soil of sufficient depth to sustain grass, shrubs and trees shall be provided in those parts of the operation where feasible to do so. Grass, shrubs and trees native to the area shall be planted thereon within six months after the providing of arable soil.
- (h) Where the extraction operations are to be filled as part of the rehabilitation process, no material shall be used for fill purposes other than earth, stone, sand, concrete or asphalt.
- (i) Water accumulation upon the site may be retained after the completion of such operations where the excavation cannot be reasonably drained by gravity flow, provided that adequate provision shall be made to avoid stagnation, pollution and the danger of improperly controlled release of such waters from the site.
- (j) Upon receipt of the rehabilitation plans, the Township shall review the plans to ensure compliance with all provisions of this performance standard. Upon approval thereof, the Township shall issue a certificate indicating approval of the plans as submitted or amended, and the approved plans should be permanently filed in the official records of the Township.
- (k) Plans may be amended from time to time by approval of the Township upon application of the owners.
- (l) A performance bond may be required by the Township in an amount determined by the Township to be sufficient to insure the rehabilitation of the affected site in accordance and compli-

ance with the standards for the issuance of any original permit or annual renewal permit in accordance with the provisions of the plan of rehabilitation as submitted pursuant to this Chapter, if the bond posted with the Commonwealth of Pennsylvania Department of Environmental Protection or other agency is not kept enforce or if the Township is not named therein. The Township may require that the bond posted with any state agency may not be withdrawn or reclaimed without Township approval. With the approval of the Township, and for such period or periods as may be specified, an owner may be permitted to post his own bond without corporate surety.

16. To ensure provisions of this article are strictly satisfied, the Township shall have the right to inspect any extraction operation. Such inspection, or inspections, as the Township may deem necessary shall be conducted on any working day of the year, during regular business hours.
17. No extraction operation or machinery connected therewith shall operate between the hours of 6:00 p.m. and 6:00 a.m.

K13. Asphalt Plant.

- a. Definition. An asphalt plant is an operation which has as its primary function the mixing of rock materials with asphalt oils or other binders for road building and construction purposes.
- b. Regulations.
 1. Any application for a use permit for an asphalt plant shall be accompanied by the following plans and materials:
 - (a) Plot plan of the site at a scale of 100 feet to the inch showing the location and dimensions of the plant in relation to an extractive or other operations within the site boundaries.
 - (b) Any and all permits necessary from any state or other governmental agency which regulates such operations.
 - (c) Proof that all governmental regulations and guidelines pertinent to the use have been satisfied.
 - (d) A plan illustrating methods by which noise, dust, spread of toxic or hazardous waste will be controlled.
 2. No asphalt plant shall operate between the hours of 6:00 p.m. and 6:00 a.m.

3. The asphalt plant shall be bermed in such fashion that the asphalt plant is not visible at the property line.
4. Prior to commencing operation of the asphalt plant (as described in K 14), all screening and berming shall be completed to totally screen the operation from view from any public street or neighboring property line.

K14. Ready Mix Concrete Plant.

- a. Definition. An operation which has as its primary function the mixing of materials to make concrete.
- b. Regulations.
 1. The use regulations stipulated for (K13) asphalt plant also shall apply to K14 ready mix concrete plants.

K15. Industrial Park.

- a. Definition. A planned development of industrial and related uses which includes improvements for internal streets, coordinated utilities, landscaping and buffering.
- b. Regulations.
 1. Industrial uses may be located in detached or attached structures.
 2. Dimensional Requirements:
 - (a) Minimum site area: 10 acres.
 - (b) Minimum setbacks from street and property lines—site: 100 feet.
 - (c) Minimum frontage at street lines—site: 250 feet.
 - (d) Minimum building spacing: 100 feet.
 - (e) Maximum height: 35 feet.
 - (f) Minimum setbacks—internal street: 50 feet.
 3. Permitted Uses: I3, D1, J4, J6, J11, J15, K1, K2, K3, K4, K5, K18, L1, L8, L11.
 4. At least 70% Chapter of the total floor space of the park must be used for industrial uses.

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5. Accessory outside storage of materials, goods or refuse must be buffered around the area devoted to storage either by a six-foot cedar or spruce fence or a hedge row at least three feet in height with appropriate material on three-foot centers (as specified in §27-2803).
6. Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
7. The buffer requirements of this Chapter shall be met.
8. Noise standards of this Chapter shall be met.
9. All uses within the industrial park shall take access from an interior roadway. Access for the park shall be from an arterial or collector highway.
10. All parking, loading facilities and outside storage areas shall be located to the rear or side of buildings.
11. Interior roadways shall have street trees in accordance with Part 28 of this Chapter.
12. A transportation impact study and water impact study shall be required.
13. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act or other ownership arrangement approved by the Board of Supervisors.
14. The applicant shall submit a plan for the overall design and improvements for the industrial park.

K16. Resource Recovery Facility.

- a. Definition. A facility or land that is used for any one or a combination of the following: composting, incineration, material separation, recycling or trash transfer.
- b. Related Definitions.
 1. Composting Facility: A facility for the composting of organic material.
 2. Incinerator: A facility designed to reduce solid waste by combustion. This use may, or may not, include heat exchange equipment for energy recovery.

3. Material Separation and/or Refuse Derived Fuel (RDF) Facility: The extraction of materials from solid waste for recycling or for use as refuse derived fuel (RDF).
 4. Solid Waste: The unseparated and/or unprocessed combination of residential and commercial solid waste materials originating in New Britain Township.
 5. Recycling Facility: A business that accumulates material such as paper, glass, aluminum and/or plastic that is no longer useful for its intended purpose. The materials are then sold to another business as a raw material which can be used to manufacture a new product.
 6. Transfer Station: A facility where solid waste is delivered for the purpose of compacting the material into larger vehicles for transport to a final disposal site or processing facility. (A transfer station may include the separation and collection of material for the purpose for recycling.)
- c. Regulations.
1. Minimum lot area: 10 acres.
 2. Any such use shall be a minimum of 200 feet from any public road as measured from the ultimate right-of-way of the road and 200 feet from any property line. Additionally, an incinerator or transfer station shall be a minimum of 300 feet from any residential zoning district or occupied residential dwelling unit.
 3. Parking areas shall be a minimum of 100 feet from any property line.
 4. Operation of a resource recovery facility shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania, the Rules and Regulations of the Department of Environmental Protection (DEP) and the provisions of this Chapter. In the event that any of the provisions of this Chapter are less restrictive than any Rules or Regulations of DEP, the more restrictive DEP regulations shall supersede and control.
 5. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized dumping, every resource recovery facility shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations. Such barricade shall be at least six feet high and shall be kept in good repair and neatly painted in a uniform color.

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6. Unloading of solid waste shall be continuously supervised by a facility operator.
7. Hazardous waste included on the list of hazardous waste maintained by the Department of Environmental Protection shall not be disposed of at a resource recovery facility.
8. Litter control shall be exercised to confine blowing litter to the work area. A working plan for clean up of litter shall be submitted to the Township. To control blowing paper, a fence shall be erected, having a minimum height of six feet, with openings not more than three inches by three inches along all boundaries. The entire area shall be kept clean and orderly.
9. All parts of the process, including unloading, handling and storage of solid waste shall occur within a building. However, certain separated recyclable materials like glass, aluminum and other environmentally stable materials may be stored outdoors.
10. The storage of paper shall be within a building.
11. Any materials stored outdoors shall be properly screened so as not to be visible from any adjacent streets or property.
12. No material shall be placed or deposited to a height greater than the height of the fence or wall herein prescribed.
13. No solid waste shall be processed or stored at a recycling facility. For all other types of resource recovery facilities, solid waste shall not be stored on the site for more than 72 hours.
14. A contingency plan for disposal of solid waste during a plant shut-down must be submitted to and approved by the Township.
15. Leachate from the solid waste and water used to wash vehicles or any part of the operation shall be disposed of in a manner in compliance with DEP regulations. If the leachate is to be discharged to a municipal sewage treatment plant appropriate permits shall be obtained from the applicable agencies and authorities. In no event shall the leachate be disposed of in a storm sewer, to the ground, or in any other manner inconsistent with the Pennsylvania Department of Environmental Protection regulations.
16. Waste from the resource recovery facility process (such as, but not limited to, ash from an incinerator) shall be stored in such a manner as to prevent it from being carried from the site by wind or water. Process waste shall be located at least 100 feet from any property line and stored in leak proof containers. Such process waste shall be dis

posed of in a sanitary landfill approved by DEP or in another manner approved by DEP.

17. A dense evergreen buffer shall be provided on the outside perimeter of the fenced area. Evergreens shall be four to five feet in height and planted on ten-foot staggered centers. In addition, the buffer requirements of this Chapter shall be met.
18. Solid waste landfill operations and open burning of any materials shall specifically be prohibited.
19. Noise standards of Township Ordinances shall be met.
20. A traffic impact study and water impact study shall be required.
21. A zoning permit shall be obtained on an annual basis.

K17. Solid Waste Landfill.

- a. Definition. A land site on which engineering principles are utilized to bury deposits of solid waste without creating public health or safety hazards, nuisances, pollution or environmental degradation.
- b. Regulations.
 1. Minimum lot area: 20 acres.
 2. The solid waste landfill operation shall be setback from any property line or street right-of-way line at least 100 feet.
 3. Direct access for arterial or collector streets shall be required for the operation of a solid waste landfill.
 4. A traffic impact study shall be required, meeting the standards set forth in the Township land development/subdivision regulations.
 5. Operation of any solid waste landfill shall at all times be in full compliance with the Statutes of the Commonwealth of Pennsylvania, the Rules and Regulations of the Department of Environmental Protection and the provisions of this Chapter. In the event that any of the provisions of this Chapter are less restrictive, the more restrictive State or Federal regulations shall supersede and control in the operation of such solid waste landfill.
 6. Suitable measures shall be taken to prevent fires by means and devices mutually agreeable to the Department of Environmental Protection and the Township.

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7. A solid waste landfill operation shall at all times be under the direction of a responsible individual who is qualified by experience or training to operate a landfill.
8. Access to the site shall be limited to those posted times when an attendant is on duty. In order to protect against indiscriminate and unauthorized dumping, every solid waste landfill shall be protected by locked barricades, fences, gates or other positive means designed to deny access to the area at unauthorized times or locations.
9. Unloading of waste shall be continuously supervised.
10. Measures shall be provided to control dust. To control blowing paper, a fence shall be erected along every property boundary, having a minimum height of six feet, with openings not more than three inches by three inches. The entire area shall be kept clean and orderly. Cracks, depressions, or erosion of cover shall be repaired daily.
11. Hazardous materials including, but not limited to, highly flammable materials, explosives, pathological wastes, radioactive materials, liquids and sewage, shall not be disposed of in a solid waste landfill.
12. The disposal of sewage liquids and solids and other liquids shall be specifically prohibited in a solid waste landfill.
13. Litter control shall be exercised to confine blowing litter to the work area. A working clean-up plan shall be established.
14. Salvaging shall be conducted only by the operator and shall be organized so that it will not interfere with prompt sanitary disposal of waste or create unsightliness or health hazards. The storage of salvage shall be controlled in a manner that will not permit the inhabitation or reproduction of deleterious vectors.
15. The entire site, including the fill surface, shall be graded and provided with drainage facilities to minimize runoff onto and into the fill, to prevent erosion or washing of the fill, to drain off rainwater falling onto the fill and to prevent the collection of standing water. The operator shall comply with the requirements of Chapter 75 and Chapter 102 of Title 25, Pennsylvania Code and applicable Township ordinances so that there is no adverse off-site impact from the drainage of surface water.
16. Operation of any solid waste landfill shall at all times be in full compliance with the Pennsylvania Clean Streams Law, Act 157 of 1980 as amended.
17. The buffer requirements of this Chapter shall be met.

18. A zoning permit shall be obtained on an annual basis.
19. A final inspection of the entire site shall be made by the Department of Environmental Protection and the Township and their authorized representatives to determine compliance with approved plans and specifications before the earth-moving equipment is removed from the site. Any necessary corrective work shall be performed before the solid waste landfill project is accepted as completed. Arrangements shall be made for the repair of all cracked, eroded and uneven areas in the final cover during the first two years following completion of the solid waste landfill. A bond shall be posted to ensure that all corrective work is completed.

K18. Flex Space.

- a. Definition. Flexible building space that can be used for either office, light manufacturing, assembly or warehousing.
- b. Regulations.
 1. Each flex space area shall have no less than 20%, or more than 50%, of the area devoted to an office use. Warehousing, light manufacturing or assembly shall occupy no more than 80% or less than 50% of the flex space area.

K19. Small Lot Industrial.

- a. Definition. A use which shall permit a mix of large and small industrial uses with coordinated infrastructure, utilities, and stormwater management facilities and shall be approved as a Conditional Use (CU) by the Board of Supervisors only within an Industrial Park setting and not upon a free standing parcel.
- b. Regulations. Small Lot Industrial shall be permitted as a Conditional Use (CU) upon approval by the Board of Supervisors for any use permitted by right or by Conditional Use within the Industrial (I) and the Industrial/Office (IO) zoning districts. This use shall also be approved as a Special Exception (SE) by the Zoning Hearing Board for uses permitted by Special Exception (SE) in the Industrial (I) and the Industrial/Office (IO) zoning districts.

L. GENERAL ACCESSORY USES AND STRUCTURES.

L1. Nonresidential Accessory Building.

- a. Definition. Accessory building, structure, or uses customarily incidental to the uses permitted within the zoning district, except outside storage. For

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any use accessory to a use permitted only as a special exception or conditional use, the accessory use shall only be provided as a special exception or conditional use.

b. Regulations.

1. Nonresidential accessory buildings shall meet the minimum setbacks for the principal nonresidential use.
2. School Bus Shelter: A structure for the use of persons waiting for a bus.
 - (a) Maximum floor area: 63 square feet.
 - (b) Such structures shall be located at least 12 feet from any street line or lot line.
 - (c) One sign, no more than six square feet per side may be erected. This sign may advertise goods, services, businesses or organizations not located on the property.

L2. Outside Storage or Display.

- a. Definition. Outside storage or display, other than storage as a primary use of the land, necessary but incidental to the normal operation of a primary use.
- b. Regulations.
 1. No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, no required parking areas and no part of the required front yard shall be occupied by outside storage or display.
 2. Outside storage and display areas shall occupy an area of less than 0.5 of the existing building coverage.
 3. Outside storage areas shall be shielded from view from all public streets.
 4. Uses requiring more substantial amounts of land area for storage or display may be exempt from the provisions of subsection (b)(1) and (B)(2) above when granted as a special exception by the Zoning Hearing Board and provided;
 - (a) No more than 25% of the lot area shall be used in outdoor storage or display.

- (b) A Special Exception is required for the following uses; nurseries (Use A6), lumber yards (Use K8), automobile sales (Use J20), truck terminals (Use K6) and agricultural retail (Use A3).
- (c) Among the uses that shall not be appropriate for inclusion under this provision are retail stores (Use J1), repair shops (Use J17), service station or car-washing facility (Use J19), automobile repair (Use J21), sale of automobile accessories (Use J22), wholesale business and storage (Use K3), contractor office and shops (Use K5) and crafts (Use K7).

L3. Temporary Structure.

- a. Definition. Temporary structure, building or use, including portable temporary storage containers, but excluding H2 uses. A temporary permit may be issued for structures or uses necessary during construction or other special circumstances of a nonrecurring nature.
- b. Regulations.
 - 1. The time period of the initial permit shall be six months. The permit may be renewed for one additional three-month time period, unless the applicant posts financial security as set forth in Subsection b3 below.
 - 2. Such structure or use shall be removed completely within 30 days of the expiration of the permit without cost to the Township.
 - 3. Upon application and approval of a renewal permit for more than nine months by the Board of Supervisors, the applicant shall provide a \$1,000 cash escrow account with the Township to guarantee the removal of the temporary use. The foregoing cash deposit shall be held by the Township until the use is removed by the applicant. In no event shall a temporary structure/use permit exceed 20 months from the initial permit, unless extended due to a hardship. If the use is not removed at the end of the renewal period, the cash escrow deposit shall be forfeited to the Township in order to enforce the terms of the temporary use permit.
 - 4. No residential parcel under this section may be issued more than one permit for the placement of any temporary structure, building or use on the property during any twelve-month period.
 - 5. If the use is a temporary storage container, an outdoor container commonly referred to as a "POD," or a similar type container, such uses shall meet the following standards:
 - (a) Temporary storage containers shall not exceed 20 feet in length.

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- (b) Temporary storage containers may only be located within the front yard of any property, provided that such containers are set back from the edge of the road or the sidewalk a minimum of five feet, whichever is greater, provided that there is no encroachment into the clear sight triangle for any intersecting roads or driveways.
 - (c) No more than one temporary storage container may be placed on any one residential parcel at one time.
 - c. Permits for Extended Hardship. Upon a finding by the Township that a property has experienced a flood, fire, natural disaster, or other act of God so as to render the primary residential dwelling on the property uninhabitable, the establishment of a temporary structure, building or use may be permitted for periods longer than nine months, provided that, if the temporary structure, building or use is for dwelling purposes, any and all requirements of the Bucks County Department of Health regarding water use and/or sewage are met and that all Township Building Code requirements are met by the applicant.

L4. Temporary Community Event.

- a. Definition. A temporary activity including, but not limited to, flea markets, public exhibitions, auctions, carnivals, circuses, picnics, air shows and suppers for fund raising and similar organizational events and meetings.
- b. Regulations.
 - 1. Such temporary uses shall be limited to occurrences of not more than three days per occurrence. Such occurrences shall be limited to not more than four occurrences in a calendar year for each organization. There shall be at least a thirty-day period between such occurrences.
 - 2. Signs advertising a temporary community event shall be posted no more than 14 days prior to the first day of the event and shall be removed on the final day of the event. No more than four off-premises signs shall be placed. The location of off-premises signs must be approved by the property owners of the properties upon which they are to be fixed.
 - 3. The Supervisors or their designate(s) shall have the power to grant permits for this use. The applicant shall provide plans to ensure adequate parking, emergency access, road access, sanitary facilities, refuse collection, noise control and clean-up after the event.

L5. Oil and Gas Drilling Well.

- a. Definition. An accessory use on a property such as, wells and other structures related to the drilling for, exploration for or production of oil and/or gas.
- b. Regulations.
 - 1. Wells and storage tanks shall be located not less than 200 feet from any property line or residential dwelling.
 - 2. All wells and storage tanks shall be located not less than 100 feet from a stream or other natural watercourse or from any private or public water well.
 - 3. All well locations shall be cleared of dead grass, brush and debris and any other hazard or inflammable material within a radius of 75 feet from each well.
 - 4. A fire bank shall be constructed around tanks to catch and impound oil in the event of spillage and seepage. Such areas shall be lined with an impermeable material to prevent pollution of groundwater.
 - 5. An adequate slush pit shall be maintained to collect tank drainage or draw-off. Such areas shall be lined with an impermeable material to prevent the pollution of groundwater.
 - 6. Zoning permit applications shall include the names and addresses of the property owners; the names and addresses of the oil, gas and mineral owners; the names and addresses of the lessees, if any, of the oil, gas and minerals.

L6. Wind Energy Conversion System (WECS).

- a. Definition. A wind energy conversion system as a nonresidential accessory use is a system in which a device, located on nonresidential property, converts wind energy to mechanical or electrical energy.
- b. Regulations.
 - 1. Siting.
 - (a) A WECS shall be set back from any property line, above-ground utility line or other WECS a distance no less than 1.25 times the height of the WECS structure (including blades).
 - (b) A WECS 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 WECS may be located no closer than the front yard setback of the house and/or primary building from the street line. In no event shall the distance between the

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street line and the wind energy system be less than 1.25 times the height of the wind energy system.

2. Size.
 - (a) Maximum output: 200 KW.
 - (b) Maximum height: 60 feet, including all moving and rotating parts, 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, unless a greater restriction is imposed by FAA regulations and the requirements of the airport zones in this Chapter.
3. Design, Use and Safety.
 - (a) All WECS shall serve on-site generation needs only, unless otherwise approved by the Board of Supervisors.
 - (b) Each proposed WECS shall be designed and engineered to provide for safe operation. Detailed plans, prepared by a licensed professional engineer, shall be submitted with the zoning permit application. The design of a proposed WECS shall be certified by a licensed engineer to insure that it will operate safely, without loss of structural integrity, under the following conditions:
 - 1) Loss of utility power (shall not back feed dead utility line).
 - 2) High wind speed (shall brake or feather below survival wind speed).
 - 3) Blade imbalance (shall support added blade weight of at least 10%).
 - (c) Minimum blade ground clearance: 15 feet at lowest point of arc.
 - (d) Access control:
 - 1) All ground mounted electrical controls shall be labeled or secured to prevent unauthorized access.
 - 2) The tower shall not provide steps or ladder readily accessible to the public for a minimum height of eight feet above ground surface.
 - 3) All access doors and gates shall be locked, as appropriate, to prevent entry by non-authorized persons.

- (e) A minimum of one sign per side shall be posted warning of high voltage. It shall be located near ground level on the tower structure.
- (f) Shadow Flicker. Shadow flicker at any occupied building on any adjacent property caused by a wind system located within 1,000 feet of the occupied building shall not exceed 30 hours per year.
 - 1) Noise and/or shadow flicker provisions may not be applicable if the following conditions are met:
 - a) The affected property owner(s) sign an agreement that allows the noise and/or flicker to exceed the above noted requirements.
 - b) The written agreement shall state the zoning ordinance requirements, indicating how the system does not comply with requirements, and state the maximum limit the noise and/or flicker may be above the zoning requirement.
 - c) Any such agreement shall be signed by the applicant and the applicable adjacent property owner(s), and recorded on all affected properties in the Recorder of Deeds Office.

4. Other.

- (a) The electric and utility lines to and from a WECS shall be underground.
- (b) At-ground structures shall be adequately buffered from adjacent properties and street rights-of-way with landscaping or fencing (where fencing is permitted by this Chapter).
- (c) A WECS shall not interfere with the reception of any radio, television or other communication equipment, nor inhibit solar access to adjacent properties.
- (d) There shall be a maximum of one device per one-half acre on a single parcel or multiple parcels in single ownership.
- (e) WECS shall be a non-obtrusive, non-reflective color such as white, off-white or gray, or the original factory galvanized steel.
- (f) 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 system.

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- (g) Within six months of the time that the use of the WECS is discontinued, all parts of the system shall be dismantled and removed from the property.

[Ord. 2011-04-04]

L7. Air Landing Field.

- a. Definition. A private, noncommercial air landing field.
- b. Regulations.
 1. Approval of the Pennsylvania Department of Transportation, Bureau of Aviation shall be secured.
 2. No air landing field shall be established if its flight pattern will overlap with the flight pattern of any existing air landing field.

L8. Nonresidential Radio and Television Towers, Masts, Aerials, Dish Antenna and Silos.

- a. Definition. Radio, television towers, masts, aerial, dish antennas and silos that are accessory uses to a permitted use.
- b. Regulations.
 1. The structure shall be set back from all property lines a distance at least 1.25 times the height of the structure.
 2. The structure shall be anchored to the ground in compliance with the Township Building Code.
 3. On lots of 10 acres or smaller, dish antenna, radio towers and television towers shall not be located in the front yard. On lots greater than 10 acres, these uses shall not be located in the minimum front yard as specified in this Chapter.
 4. The diameter of antenna shall not exceed nine feet.
 5. When separately supported, the total height of any antenna shall not exceed 10 feet, unless approved as a conditional use.
 6. Roof mounting of an antenna is not recommended. If roof mounted, the antenna shall be located on a portion of the roof sloping away from the front of the lot and no part thereof shall project above the ridge line. Provided, however, in no event shall a roof mounted antenna exceed three feet in diameter. Antennas shall not be mounted on chimneys.
 7. No more than one antenna shall be permitted on any lot.

8. When not roof mounted, a tower or antenna shall be screened by staggered plantings of evergreens which present a solid visual barrier to adjoining houses and to the street. Before a permit will be issued for erection of an antenna, a screening plan must be submitted to and approved by the Township.

L9. Off-Street Parking.

- a. Definition. Area used for the off-street parking of vehicles, boats, etc.
- b. Regulations.
 1. Regulations for this use are as contained in Part 29 of this Chapter.
 2. All requirements of the Township land development/subdivision regulations shall be met.

L10. Signs.

- a. Definition. See §27-2601 for definition of specific sign types.
- b. Regulations.
 1. Regulations for this use are as contained in Part 26 of this Chapter.

L11. Helistop.

- a. Definition. A helistop is an area, either at ground level or elevated on a structure, used for the loading, taking off and landing of helicopters. There are no hangers, passenger buildings, repair or refueling facilities permitted with this use. A helistop must comply with all of the following regulations:
- b. Regulations.
 1. The appropriate license and approvals shall be secured from the Bureau of Aviation, Pennsylvania Department of Transportation and the Federal Aviation Administration (FAA).
 2. The area, dimensional, coverage and buffering requirements of the district in which the helistop is located shall be observed.
 3. The design of the helistop shall meet the criteria provided in Chapters 4 through 8, inclusive and Appendices I and II of Heliport Design Criteria, Federal Aviation Administration, Department of Transportation Advisory Circular AC No. 150/5390-1B dated August 22, 1977, as revised or amended.

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4. The owners, lessees and operators of the helistop shall take all possible actions to protect the peace, safety and air quality of the environment of the area surrounding the airport. This shall include:
 - (a) The establishment of flight patterns and ground traffic patterns;
 - (b) The location of warm-up areas and parking areas; and
 - (c) The requirements of this Chapter shall be met so as to create the least amount of noise, dust, dirt, disturbance, annoyance, hazard and limitation on the enjoyment of the residents and property owners of New Britain Township.
5. Normal hours of operation shall be 7:00 a.m. to 10:00 p.m. No more than two flights per day shall be permitted between the hours of 10:00 p.m. and 7:00 a.m., local time, unless waived by the Board of Supervisors.
6. The helistop shall be protected by a safety barrier or fence not less than three feet in height above grade to preclude unauthorized persons from entering the operational area. Sufficient warning and identification signs shall be installed on the exterior side of the fence for the information of the general public. The Board of Supervisors may allow waivers of the fence, barrier and/or sign requirements in appropriate cases.
7. A helistop shall be located not less than 600 feet from a residential district as measured from the center of the helipad to the residential district line provided that helicopters using the helistop are limited to the following:
 - (a) Piston engined helicopters having maximum gross weights up to 4,000 pounds.
 - (b) Turbine engined helicopters having maximum gross weights up to 11,500 pounds.
 - (c) Helistops serving helicopters which do not meet these requirements shall be located not less than 800 feet from a residential district line.
8. A helistop shall be located not less than 200 feet from the centerline of a public road.
9. The temporary use of a site as a helistop may be granted by the Board of Supervisors only in conjunction with a special event such as an athletic contest, a holiday celebration, parade or similar activity after reasonable advance notice has been given to the New Britain Township Police of the intention to do so.

10. The provisions of this Chapter shall not prevent the occasional landing of helicopters without prior approval, for emergencies and law enforcement purposes.

L12. Cafeteria.

- a. Definition. A kitchen and dining facility used only by the employees and occasional visitors of the principal office, research or industrial use that owns the area occupied by the cafeteria.
- b. Regulations.
 1. All applicable state and federal regulations regarding the preparation and serving of food shall be observed.

L13. Training Center.

- a. Definition. A facility within an office, research or industrial use reserved for training employees of the principal use.
- b. Regulations.
 1. The training facility shall clearly be a subordinate, ancillary part of the principal use.

(Ord. 8-14-1995, §305; as amended by Ord. 00-01-01, 1/24/2000, Art. I; by Ord. 00-07-01, 7/10/2000, Art I-II; by Ord. 00-12-02, 12/20/2000, §5; by Ord. 01-05-03, 5/21/2001, Art. III; by Ord. 02-05-01, 5/6/2002, Art I; by Ord. 03-04-01, 4/14/2003, Art. I; by Ord. 200507-02, 7/11/2005; by Ord. 2005-08-01, 8/8/2005; by Ord. 2007-04-01, 4/26/2007; by Ord. 2008-02-02, 2/25/2008; by Ord. 2008-03-01, 3/10/2008; by Ord. 2008-09-01, 9/8/2008; by Ord. 2008-09-02, 9/22/2008; by Ord. 2010-05-01, 5/10/2010, Art. I; by Ord. 2010-07-02, 7/12/2010, §I; by Ord. 2011-04-03, 4/11/2011, §1; by Ord. 2011-04-04, 4/11/2011, §§1, 2; by Ord. 2011-09-02, 9/19/2011, Art. I; by Ord. 2013-04-01, 4/8/2013, Arts. III, IV; and by Ord. 2014-01-01, 1/6/2014, Art. II)

§27-306. Land Uses by Zoning District.

Land Uses by Zoning District are included in the Table at the end of this Chapter.

PART 4

CR CONSERVATION AND RECREATION DISTRICT

§27-400. Purpose.

- a. The purpose of the Conservation and Recreation District is to protect environmentally sensitive areas and areas of scenic beauty such as Lake Galena, which serves both as a major recreational and environmental facility. Lake Galena also is an important water supply facility. Low-density development and the protection of riparian buffers help maintain water quality as well as supply. Low intensity residential development, which will encourage the preservation of open space and agricultural soils, is permitted. Transferable development rights and low-density development are intended to preserve and protect farmland and farming activities within the district.
- b. Within the CR Conservation and Recreation District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §400; as amended by Ord. 00-12-02, 12/20/2000, §7)

§27-401. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A3 Agricultural Retail
 - A4 Intensive Agricultural
 - A5 Commercial Forestry
 - A6 Nursery
 - A8 Farm Support Facility
 - A10 Riding Academy/Stable
 - A12 Wildlife Sanctuary
 - B1 Single-Family Detached Dwelling

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- E1 Public Recreation Facility
- E2 Private Recreation Facility
- E3 Campground
- E4 Non-Household Swimming Pool
- E5 Private Care
- E7 Community Center
- E8 Library or Museum
- F1 Municipal Building
- F4 Place of Worship
- F5 Cemetery
- H Residential Accessory Uses:
 - H1 Garages, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls
 - H4 Non-Commercial Swimming Pools
 - H5 Tennis Court
 - H6 Solar Energy System
 - H7 Wind Energy System
 - H8 Satellite Antennas
 - H9 Amateur Radio Antennas
 - H10 Air Conditioner
 - H11 Recreational or Other Vehicle Storage
 - H12 Garage or Yard Sale
 - H13 Household Pets

H14 Accessory Dwelling

L General Accessory Uses and Structures:

L3 Temporary Structure

L4 Temporary Community Event

L9 Off-Street Parking

L10 Signs

b. Uses Permitted by Special Exception.

A9 Commercial Kennel

A11 Animal Hospital

C4 Group Home

E6 Golf Course

F2 Emergency Service Center

F3 Recycling Collection Center

G1 Utilities

H15 Home Occupation

J16 Guest House

c. Uses Permitted by Conditional Uses.

L2 Outside Storage or Display.

(Ord. 8-14-1995, §401; as amended by Ord. 00-01-01, 1/24/2000, Art. III)

§27-402. Area and Dimensional Requirements.

a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the CR Conservation and Recreation District shall exceed 35 feet in height.

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- b. Unless a more strict area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the CR Conservation and Recreation District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards (Feet)		
						Front	Side	Rear
Principal Uses	2	150	200	10%	15%	100	50	75
Accessory Uses	2	150	200	10%	15%	100	50	75

- c. Unrestricted Area.

1. Each lot shall contain a contiguous unrestricted area of one acre which shall not contain watercourses, floodplains, floodplain soils, wetlands, lakes, ponds or Zones 1 and 2 of a riparian buffer area. The unrestricted area shall not contain more than the following percentages of the lot area included in natural resources:
 - (a) Forty percent of slopes of 8% to 15% grade.
 - (b) Thirty percent of slopes of 15% to 25% grade.
 - (c) Twenty-five percent of slopes of 25% or steeper grade.
 - (d) Twenty percent of forest areas.
 - (e) Twenty percent of wetland margin areas.
2. The lot area shall be enlarged accordingly to meet the one-acre unrestricted area.

(Ord. 8-14-1995, §402; as amended by Ord. 00-12-02, 12/20/2000, §§8, 9)

PART 5

WS WATERSHED DISTRICT

§27-500. Statement of Purpose and Intent for the Watershed District.

- a. The Watershed District consists of valuable natural resources such as woodlands, agricultural soils, floodplains, wetlands, aquifer recharge areas and areas of steep slopes. The Watershed District also includes Lake Galena, a popular recreational area, and the source for public water supply to the Forest Park Water Treatment Plant located downstream of Lake Galena near the confluence of the North Branch Neshaminy Creek and Pine Run. For these reasons, uses are permitted in both type and intensity which provide the maximum opportunities for open space in order to protect the natural resources in the watershed, including Lake Galena. Single-family detached and watershed conservation subdivisions are permitted, provided that sewage disposal methods shall replenish the water table in accordance with the Township's Sewage Facilities Plan and sewage management ordinances. Additional design criteria will be required in order to less then impact of point and non-point discharges in the watershed. In addition, the design and layout of open space, stormwater management facilities and the buildable areas shall be designed to achieve Best Management Practices (BMPs) and be compatible with other uses in the Watershed District.
- b. Within the Watershed District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Part and the specific use, area and design regulations of this District.

(Ord. 8-14-1995, §500; as amended by Ord. 00-12-02, 12/20/2000, §10; and by Ord. 0304-02, 4/28/2003, §I)

§27-501. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A3 Agricultural Retail
 - A5 Commercial Forestry
 - A6 Nursery
 - A10 Riding Academy/Stable

ZONING

- A11 Animal Hospital
- A12 Wildlife Sanctuary
- B1 Single-Family Detached Dwelling
- E1 Public Recreational Facility
- E2 Private Recreational Facility
- F1 Municipal Building
- F4 Place of Worship
- H Residential Accessory Uses:
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls
 - H4 Noncommercial Swimming Pool
 - H5 Tennis Court
 - H6 Solar Energy System
 - H7 Wind Energy System
 - H8 Satellite Antenna
 - H9 Amateur Radio Antennas
 - H10 Air Conditioner
 - H11 Recreational or Other Vehicle Storage
 - H12 Garage or Yard Sale
 - H13 Household Pets
 - H14 Accessory Dwelling
- L General Accessory Uses and Structures:
 - L3 Temporary Structure
 - L4 Temporary Community Event

L9 Off-Street Parking

L10 Signs

[Ord. 2013-04-01]

b. Uses Permitted by Special Exception.

A4 Intensive Agriculture

A8 Farm Support Facility

C4 Group Home

D1 Nursery School/Day Care Center

E3 Campground

E4 Non-Household Swimming Pool

E5 Private Club

E6 Golf Course

E7 Community Center

E8 Library or Museum

F2 Emergency Service Center

F3 Recycling Collection Center

H15 Home Occupation

J16 Guest House

c. Uses Permitted by Conditional Use.

B1a Watershed Conservation Subdivision as described in §27-502. [Ord. 2013-04-01]

B1b Watershed Conservation Subdivision/2 as described in §27-502. [Ord. 2013-04-01]

L2 Outside Storage or Display

(Ord. 8-14-1995, §501; as amended by Ord. 00-01-01, 1/24/2000, Art. III; as revised by Ord. 03-04-02, 4/28/2003, §I; and as amended by Ord. 2013-04-01, 4/8/2013, Arts. V, VI)

ZONING

§27-502. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the Watershed District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all single-family residential uses in the Watershed District shall meet the following requirements:

B1 Single-Family Detached Dwelling.

1. Dimensional Standards:

- (a) Minimum lot size: 80,000 square feet.
 - (b) Minimum lot width: 175 feet.
 - (c) Minimum front yard: 100 feet.
 - (d) Minimum side yard: 30 feet.
 - (e) Minimum rear yard: 60 feet.
 - (f) Minimum building envelope: 10,000 square feet.
 - (g) Maximum building coverage per lot: 5%.
 - (h) Maximum impervious surfaces:
 - (1) Per lot permitted by applicant: 6% BSA (Buildable Site Area).
 - (2) Per lot permitted by property owner inclusive of 1) above: 8% BSA.
 - (3) Total impervious surface for site: 12% BSA.
2. The calculations in §27-503 shall be used to determine the Base Site Area.
 3. All natural resource protection land, such as watercourses, agricultural soils, woodlands, steep slopes, wetlands, etc., shall be protected on each lot with a conservation easement in accordance with §§27-505 and 27-2400 of this Chapter. No disturbance shall occur of the resources required to be preserved on each lot.
 4. Park and recreation land shall be provided in accordance with New Britain Township Subdivision and Land Development Ordinance [Chapter 22].

5. Stormwater management facilities shall be designed for the maximum impervious surface permitted for the entire site.

B1a Watershed Conservation Subdivision.

1. Minimum tract size: 10 acres.
2. Minimum open space ration: 40% BSA.
3. Dimensional Standards:
 - (a) Minimum lot area: 43,560 square feet.
 - (b) Minimum lot width: 150 feet.
 - (c) Minimum front yard: 50 feet.
 - (d) Minimum side yard: 25 feet.
 - (e) Minimum rear yard: 50 feet.
 - (f) Minimum building envelope: 8,000 square feet.
 - (g) Maximum building coverage per lot: 10%.
 - (h) Maximum impervious surfaces:
 - (1) Per lot permitted by applicant: 8% BSA (Buildable Site Area).
 - (2) Per lot permitted by property owner inclusive of 1) above: 12% BSA.
 - (3) Total impervious surface for site: 15% BSA.
4. The calculations in §27-504 shall be used to determine the maximum number of lots permitted on a property.
5. All proposed building lots must be located on the Net Buildable Site Area of the site.
6. All natural resource protection land set forth in §27-504(d) shall be located within the required open space. All environmentally sensitive land shall be protected in accordance with §27-2400 and 27-505 of this Chapter.
7. Park and recreation land shall be provided in accordance with the New Britain Township Subdivision and Land Development Ordinance [Chapter 22].

ZONING

8. Sewage facilities are not permitted within required open space.
9. Stormwater management and erosion control facilities are not permitted to be located within any required open space. Stormwater management facilities shall be designed for the maximum impervious surface permitted for the entire site.

B1b Watershed Conservation Subdivision/2.

1. Minimum tract size: 40 acres.
2. Minimum open space ration: 50% BSA.
3. Dimensional Standards:
 - (a) Minimum lot area: 25,000 square feet.
 - (b) Minimum lot width: 125 feet.
 - (c) Minimum front yard: 40 feet.
 - (d) Minimum side yard: 30 feet aggregate, 10 feet minimum.
 - (e) Minimum rear yard: 25 feet.
 - (f) Minimum building envelope: 6,500 square feet.
 - (g) Maximum building coverage per lot: 15%.
 - (h) Maximum impervious surfaces:
 - (1) Per lot permitted by applicant: 8% BSA (Buildable Site Area).
 - (2) Per lot permitted by property owner inclusive of 1) above: 12% BSA.
 - (3) Total impervious surface for site: 15% BSA.
4. A B1b Watershed Conservation Subdivision/2 shall be permitted in the Watershed District by conditional use only.
5. The calculations in §27-504 shall be used to determine the maximum number of lots permitted on a property.
6. All proposed building lots must be located on the Net Buildable Site Area of the site.

- 7. All natural resource protection land set forth in §27-504(d) shall be located within the required open space. All environmentally sensitive land shall be protected in accordance with §§27-2400 and 27-505 of this Chapter.
 - 8. Park and recreation land shall be provided in accordance with the New Britain Township Subdivision and Land Development Ordinance [Chapter 22].
 - 9. Sewage facilities are not permitted within required open space.
 - 10. Stormwater management and erosion control facilities are not permitted to be located within any required open space. Stormwater management facilities shall be designed for the maximum impervious surface permitted for the entire site.
- c. All nonresidential uses in the Watershed District shall meet the requirements of §§27-505 and 27-2400, in addition to the following requirements:

Use	Minimum Lot Area Rear (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards (Feet)		
						Front	Side	Rear
Permitted Uses	5	250	250	10%	15%	100	50	75

- d. Accessory Uses/Structures. Unless a greater area or dimensional regulation is stated in §27-305, all accessory uses/structures shall meet the following standards:
- 1. No accessory structures shall be permitted in the front yard setback area.
 - 2. All accessory structures shall be located a minimum of 15 feet to the rear of the primary dwelling and a minimum of 15 feet from the rear and side lot lines.
 - 3. Exception. If the lot size is less than 25,000 square feet, the accessory structure shall be a minimum of five feet from the rear and side lot line.

(Ord. 8-14-1995, §502; as amended by Ord. 00-12-2001, 12/20/2000, §§10, 11, 12; by Ord. 03-04-02, 4/28/2003, §I)

§27-503. Site Capacity Calculations for a B1 Subdivision in the Watershed District.

The following calculation shall be used to determine the maximum number of lots permitted on a tract for a B1 Subdivision in the Watershed District:

ZONING

a. Gross Site Area. Certain portions of tracts are not usable for a residential subdivision; these areas shall be subtracted from the Gross Site Area to determine the Base Site Area.

1. Gross Site Area as determined by an onsite boundary survey. _____ acres
 2. Subtract land within the ultimate right-of-way of existing roads, utility rights-of-way or easements, land which has been preserved through easement or other means. _____ acres
 3. Subtract land which is not contiguous, i.e.,
 - (a) A separate parcel which does not abut or adjoin, nor share common boundaries with, the rest of the development; and/or
 - (b) Land which is cut off from the main parcel by a road, railroad, existing land use, or major stream so as to serve as a major barrier to common use, or so that it is isolated and unavailable for building purposes. _____ acres
 4. Subtract land which, in a previously approved subdivision, was reserved or restricted for natural resource protection or for recreation. _____ acres
 5. Subtract land used or zoned for another use, i.e., land which is used, or to be used, for commercial or industrial uses in a residential development, or in a different zoning district than the prime use. _____ acres
- Base Site Area _____ acres

(Ord. 8-14-1995; as added by Ord. 03-04-02, 4/28/2003, §I)

§27-504. Site Capacity Calculations for B1a or B1b Watershed Conservation Subdivision.

The following calculation shall be used to determine the maximum number of dwelling units on a tract of land for a B1a or B1b Watershed Conservation Subdivision in the Watershed District.

- a. Gross Site Area. Certain portions of tracts are not usable for a residential subdivision; these areas shall be subtracted from the total site area to determine the Base Site Area.
1. Gross Site Area as determined by an onsite boundary survey. _____ acres

- 2. Subtract land within the ultimate right-of-way of existing roads, utility rights-of-way or easements, land which has been preserved through easement or other means. _____ acres
- 3. Subtract land which is not contiguous, i.e.,
 - (a) A separate parcel which does not abut or adjoin, nor share common boundaries with, the rest of the development; and/or
 - (b) Land which is cut off from the main parcel by a road, railroad, existing land use or major stream so as to serve as a major barrier to common use, or so that it is isolated and unavailable for building purposes. _____ acres
- 4. Subtract land which, in a previously approved subdivision, was reserved or restricted for natural resource protection or for recreation. _____ acres
- 5. Subtract land used or zoned for another use, i.e., land which is used, or to be used, for commercial or industrial uses in a residential development, or land in a different zoning district from the principal use. _____ acres

Base Site Area _____ acres

b. Adjusted Base Site Area.

- 1. Base Site Area _____ acres
- 2. Multiple by 0.85 x 0.85
- 3. Equals the Adjusted Base Site Area _____ acres

c. Maximum Number of Lots. The following calculation establishes the maximum number of lots that is permitted on the development site.

- 1. Adjusted Base Site Area _____ acres
- 2. Divide 1.8 ÷1.8
- 3. Equals base number of lots _____ acres
- 4. Times 1.2 x1.2
- 5. Equal the Maximum Number of Lots (do not round up)

d. Natural Resource Protection Area. The following standards and calculations shall apply to any tract of land in the Watershed District on which a B1a or B1b Watershed Conservation Subdivision is proposed

ZONING

Protection Resource	1. Resource Protection Area	2. Acres of Land in Resource	3. Resource Land
Watercourse	1.00	x	= _____ acres
Riparian Buffer	1.00	x	= _____ acres
Floodplain	1.00	x	= _____ acres
Floodplain Soils	1.00	x	= _____ acres
Wetlands	1.00	x	= _____ acres
Lakes/Ponds	1.00	x	= _____ acres

Natural Resource Protection Area (Total of Column 3)

e. Minimum Open Space. The following calculation is used to determine the required open space for the subject tract:

1. Base Site Area _____ acres
2. Multiply by minimum required open space ratio for B1a or B1b Use as proposed. x 0.40/0.50
3. Equals the Minimum Open Space _____ acres

f. Required Open Space. The required open space is the Natural Resource Protection Land (D) or the Minimum Open Space (E), whichever is greater. _____ acres

g. Net Buildable Site Area. The following calculation determines the Net Buildable Site Area – the area of the tract that is available for building lots:

1. Base Site Area _____ acres
2. Subtract the Required Open Space _____ acres
3. Equals the Net Buildable Site Area _____ acres

h. Site Capacity Summary.

1. Base Site Area (Letter A) _____ acres
2. Adjusted Base Site Area (Letter B) _____ acres
3. Maximum Number of Lots (Letter C) _____ acres
4. Natural Resource Protection Area (Letter D) _____ acres
5. Minimum Open Space (Letter E) _____ acres
6. Required Open Space (Letter F) _____ acres
7. Net Buildable Site Area (Letter G) _____ acres

(Ord. 8/14/1995, as added by Ord. 03-04-02, 4/28/2003, §I)

§27-505. Environmentally Sensitive Land Standards for Watershed District.

Resource restrictions for environmentally sensitive land, such as woodlands, agricultural soils and steep slopes, shall be considered land to be protected and preserved within the Watershed District. In the event that two or more natural resources overlap, only the resource with the highest protection ratio shall be used in the calculations. In addition to the required Open Space for Uses B1a and B1b, environmentally sensitive land as set forth below shall be preserved either in the Open Space or on individual lots. Use B1 in the Watershed District shall also comply with the standards below, in addition to those resources with 100% protection set forth in §27-2402 through preservation on individual lots through flexible and innovative design:

Natural Resource	Protection Ratio	Acres of Land in Resources	Resource Protection Land (Acres x Protection Ratio)
Woodlands	0.80		
Steep Slopes 8-15%	0.60		
Steep Slopes 15-25%	0.70		
Steep Slopes 25% or more	0.85		
Prime Agricultural Soils	0.50		
Total Land With Resource Restrictions		_____ acres	
Total Resource Protection Land		_____ acres	

(Ord. 8-14-1995; as added by Ord. 03-04-02, 4/28/2003, §I)

§27-506. Watershed District Lot Plan.

Prior to the sale of any new lots or construction on any existing undeveloped lot in the Watershed District, the lot owner shall delineate the natural resources and environmentally sensitive land to be preserved from development or disturbance on a site plan as required by the Township’s BOCA Ordinance [Chapter 5] and shall provide notice in accordance with the Township’s Disclosure Ordinance.

(Ord. 8-14-1995; as added by Ord. 03-04-02, 4/28/2003, §I)

PART 6
(RESERVED)

PART 7

SR-1 SUBURBAN RESIDENTIAL DISTRICT

§27-700. Purpose.

- a. The purpose of the SR-1 Suburban Residential District is to provide for the orderly expansion of medium density residential development. Where public services are available, and where the physical carrying capacity of the land is suited to this type of development, clustering is encouraged.
- b. Within the SR-1 Suburban Residential District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §700)

§27-701. Use Regulations.

- a. Uses Permitted By Right.
 - A1 General Farming
 - 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 Non-Commercial Swimming Pool

ZONING

- H5 Tennis Court
- H10 Air Conditioner
- H11 Recreational or Other Vehicle Storage
- H12 Garage or Yard Sale
- H13 Household Pets

L General Accessory Uses and Structures

- L3 Temporary Structure
- L4 Temporary Community Event
- L9 Off-Street Parking
- L10 Signs

b. Uses Permitted By Special Exception.

- A10 Riding Academy/Stable
- C4 Group Home
- D1 Nursery School/Day Care Center
- E4 Non-Household Swimming Pool
- E6 Golf Course
- F2 Emergency Service Center
- H6 Solar Energy System
- H7 Wind Energy System
- H8 Satellite Antenna
- H9 Amateur Radio Antenna
- H15 Home Occupation

c. Uses Permitted by Conditional Use.

- B10 Village House Development.

(Ord. 8-14-1995, §701; as amended by Ord. 00-01-01, 1/24/2000, Art. I; by Ord. 01-05-03, 5/21/2001, Art. II; and by Ord. 02-05-01, 5/6/2002, Art II)

§27-702. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the SR-1 Suburban Residential District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the SR-1 Suburban Residential District shall meet the following requirements.

Minimum Lot Area (sq. feet)	Minimum Lot Width (feet)	Minimum Lot Depth (feet)	Maximum Bldg. Coverage (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards		
					Front	Side	Rear
1 acre	150	180	15%	20%	50	25	75

- c. Accessory Uses/Structures. Unless otherwise stipulated in Article III, all accessory uses/structures the more strict requirements of Article III or the following provisions shall apply:
 1. No accessory structure shall be permitted in the front yard setback area.
 2. All accessory structures shall be located a minimum of 15 feet to the rear of the primary dwelling and a minimum of 15 feet from the rear and side lot lines.
 3. Exceptions; if the lot size is less than 15,000 square feet, the accessory structure shall be a minimum of five feet from the rear lot line.

(Ord. 8-14-1995, §702)

§27-703. Performance Standards.

Use	Lot Area (sq. feet)	Lot Width (feet)	Lot Depth (feet)	Maximum Building Cov. (%)	Imperv. Surface Ratio (%)	Minimum Yards		
						Front	Side	Rear
B2	12,500(1)	80	100	20%	25%	40	15	40
	20,000(2)	80	100	15%	20%			
	1 acre (3)	150	180	15%	20%			

ZONING

NOTES:

- (1) With public water and sewer.
- (2) With public water or sewer.
- (3) With neither public water nor sewer.

The following additional standards shall apply to the site as a whole for use B2:

Use	Minimum Site Area (acres)	Maximum Density (du/ac)	Minimum Open Space	Maximum Im- pervious Sur- face (%)
B2	10	1	50%	20%

(Ord. 8-14-1995, §703)

PART 8

SR-2 SUBURBAN RESIDENTIAL DISTRICT

§27-800. Purpose.

- a. The purpose of the SR-2 Suburban Residential District is to provide for the orderly expansion of low-density residential development. This development should emphasize the preservation of natural features through clustering where practical.
- b. Within the SR-2 Suburban Residential District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §800)

§27-801. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A12 Wildlife Sanctuary
 - B1 Single-Family Detached Dwelling
 - B2 Cluster Subdivision
 - E1 Public Recreation Facility
 - H Residential Accessory Uses
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls
 - H4 Noncommercial Swimming Pool

ZONING

H5 Tennis Court

H10 Air Conditioner

H11 Recreational or Other Vehicle Storage

H12 Garage or Yard Sale

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.

A10 Riding Academy/Stable

C4 Group Home

D1 Nursery School/Day Care Center

E4 Non-Household Swimming Pool

E6 Golf Course

F2 Emergency Service Center

H6 Solar Energy System

H7 Wind Energy System

H8 Satellite Antennas

H9 Amateur Radio Antennas

H15 Home Occupation

(Ord. 8-14-1995, §801; as amended by Ord. 00-01-01, 1/24/2000, Art. III; and by Ord. 01-05-03, 5/21/2001, Art. III)

§27-802. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the SR-2 Suburban Residential District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the SR-2 Suburban Residential District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards		
						Front	Side	Rear
Principle Uses (except B2)	2	200	200	15%	20%	50	25	75

(Ord. 8-14-1995, §802)

§27-803. Performance Standards.

	Lot Area (acre)	Lot Width (feet)	Lot Depth (feet)	Max. Bldg. Cov. (%)	Imperv. Surface Ratio (%)	Minimum Yards		
						Front	Side	Rear
B2	1	150 (at set-back) 70 (at UROW)	180	15%	20%	50	25	75

The following additional standards shall apply to the site as a whole for use B2:

Use	Minimum Site Area (Acres)	Maximum Density (du/ac)	Minimum Open Space (%)	Maximum Impervious Surface (%)
B2	10	1/2	50%	20%

(Ord. 8-14-1995, §803)

§27-804. Accessory Uses/Structures.

Unless otherwise stipulated in Part 3, for all accessory uses/structures the more strict requirements of this Chapter or the following provisions shall apply:

- a. No accessory structures shall be permitted in the front yard set back area.

ZONING

- b. All accessory structures shall be located a minimum of 15 feet to the rear of the primary dwelling and a minimum of 15 feet from the rear and side lot lines.
- c. Exception; if the lot size is less than 15,000 square feet, the accessory structure shall be a minimum of five feet from the rear lot line.

(Ord. 8-14-1995, §804)

PART 9

RR RESIDENTIAL DISTRICT

§27-900. Purpose.

- a. The purpose of the RR Residential District is to provide for a variety of housing types at medium densities where public water and sewer service is available.
- b. Within the RR Residential District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §900)

§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
 - *B3 Single-Family Semi-Detached Dwelling
 - *B4 Two-Family Detached Dwelling
 - *B5 Single-Family Attached
 - *B6 Multifamily
 - E1 Public Recreational Facility
 - H Residential Accessory Uses:
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed

ZONING

- 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

*A Permitted Use when approved as part of a Planned Residential Development (PRD)

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 Solar Energy System
- H7 Wind Energy System

H8 Satellite Antennas

H9 Amateur Radio Antennas

H15 Home Occupation

(Ord. 8-14-1995, §901; as amended by Ord. 00-01-01, 1/24/2000, Art. III; by Ord. 0105-03, 5/21/2001, Art. III; and by Ord. 2011-09-02, 9/19/2011. Art. V)

§27-902. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the RR Residential District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, or performance standards are provided for a specific use, all uses in the RR Residential District shall meet the following requirements.

Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards		
					Front	Side	Rear
1 acre	150	180	15%	20%	50	25	75

- c. Accessory Uses/Structures. The following provisions shall apply for all accessory uses/structures, unless otherwise stipulated in Part 3 of this Chapter or unless there are stricter applicable requirements provided for elsewhere in this Chapter concerning accessory uses/structures:
 - 1. No accessory structures shall be permitted in the front yard setback area.
 - 2. All accessory structures shall be located a minimum of 15 feet to the rear and the side of the primary dwelling.
 - 3. All accessory structures shall be located a minimum of 15 feet from the rear and side lot lines. Where the lot size is less than 15,000 square feet, however, the accessory structure shall be located a minimum of five feet from the rear lot line.

[Ord. 2013-04-01]

(Ord. 8-14-1995, §902; as amended by Ord. 2013-04-01, 4/8/2013, Art. VII)

§27-903. Performance Standards.

ZONING

	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Max. Bldg. Cov. (%)	Max. Imperv. Surface	Minimum Yards (Feet)		
						Front	Side	Rear
B2	12,500 ¹	80	100	20%	25%	40	15	40
	20,200 ²	80	100	15%	20%	40	15	40
	1 acre ³	150	180	15%	20%	50	25	75
B3	15,000 (per unit)	75	75	15%	25%	50	15	50
		(at setback) 50 (at UROW)						
B4	15,000 (per unit)	75	75	15%	25%	50	15	50
		(at setback) 50 (at UROW)						

NOTES:

1. With public sewer and water.
2. With public sewer or water.
3. With neither public sewer nor water.

The following additional standards shall apply to the site as a whole for use B2:

Use	Minimum Site Area (Acres)	Minimum Density (du/ac)	Minimum Open Space (%)	Maximum Impervious Surface (%)
B2	10	1	50%	30%

(Ord. 8-14-1995, §903)

§27-904. Planned Residential Development (PRD).

Planned residential development shall be permitted as an optional form of development within the RR Residential District. The review and approval process shall be defined by the Procedures described in the Pennsylvania Municipalities Planning Code. Within a planned residential development, the following development standards shall apply:

- a. Uses Permitted by Right.
 - A12 Wildlife Sanctuary
 - 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
- E1 Public Recreational Facility
- E8 Library or Museum

F1 Municipal Building

b. Uses Permitted by Special Exception.

E7 Community Center

F2 Emergency Service Center

[Ord. 2011-01-01]

c. Minimum site area: 20 acres.

d. Minimum open space: 40%.

e. Maximum density: five dwelling units per acre.

f. Maximum impervious surface coverage: 35%.

g. Performance Standards:

Use	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards (feet)		
					Front	Side	Rear
B1	10,000	80 (at setback) 50 (at UROW)	20%	25%	35	15	40
B2	8,500	70 (at setback) 50 (at UROW)	25%	30%	30	10	35
B3	8,500 (per unit)	70 (at setback) 50 (at UROW)	25%	30%	30	10	35
B4	15,000	75 (at setback) 50 (at UROW)	20%	30%	30	15	35
B5, B6, B7	See Uses Regulations described in §27-306.						
Other	15,000	70 (at setback) 50 (at UROW)	20%	25%	50	20	50

h. Dwelling unit 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%

ZONING

Total Dwelling Units	Minimum Number of Dwelling Types	Maximum % of any Dwelling Type	Minimum % of any Dwelling Type
500+	4	60%	5%

- i. 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.

(Ord. 8-14-1995, §904; as amended by Ord. 2011-01-01, 1/24/2011, §II; and by Ord. 2011-09-02, 9/19/2011, Art. V)

PART 10

VR VILLAGE RESIDENTIAL DISTRICT

§27-1000. Purpose.

- a. The purpose of the VR Village Residential District is to provide for development similar to the existing character, lot sizes and dwelling types of a specific older village area of the Township.
- b. Within the VR Village Residential District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1000)

§27-1001. Use Regulations.

- a. Uses Permitted by Right.
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A12 Wildlife Sanctuary
 - B1 Single-Family Detached Dwelling
 - B3 Single-Family Semi-Detached Dwelling
 - B4 Two-Family Detached Dwelling
 - B5 Single-Family Attached
 - B6 Multifamily
 - E1 Public recreational facility
 - H Residential Accessory Uses:
 - H1 Garage, Off-Street Parking
 - H2 Storage Shed
 - H3 Fences, Walls

ZONING

- 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.

- C4 Group Home.
- E4 Non-Household Swimming Pool
- F2 Emergency Service Center
- H6 Solar Energy System
- H7 Wind Energy System
- H8 Satellite Antenna
- H9 Amateur Radio Antenna
- H15 Home Occupation

c. Uses Permitted by Conditional Use.

- B2 Cluster Subdivision
- E7 Community Center

(Ord. 8-14-1995, §1001; as amended by Ord. 01-05-03, 5/21/2001, Art. III)

§27-1002. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the VR Village Residential District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, or performance standards as provided for a specific use, all uses in the VR Village Residential District shall meet the following requirements.

Use	Minimum Lot Area (Sq.Ft.)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards (Feet)		
						Front	Side	Rear
B1	20,000	75	125	20%	25%	25	15	50

- c. Accessory uses/structures [see §27-805(a)(b) and (c)].

(Ord. 8-14-1995, §1002)

§27-1003. Performance Standards.

	Min. Lot Area	Min. Lot Width	Min. Lot Depth	Max Bldg. Cov. (%)	Max Imperv. Surface	Minimum Yards (Feet)		
						Front	Side	Rear
B2	10,000 ¹	75	100	20%	30%	25	10	30
B3, B4	15,000 ¹	80	125	35%	40%	40	15	40

NOTES:

1. With public water and sewer.

The following additional standards shall apply to the site as a whole for Use B2:

Use	Minimum Site Area (Acres)	Maximum Density (du/ac)	Minimum Open Space (%)	Maximum Impervious Surface (%)
B2	10	1	40%	30%

(Ord. 8-14-1995, §1003)

PART 11

MHP MOBILE HOME PARK DISTRICT

§27-1100. Purpose.

- a. The purpose of the MHP Mobile Home Park District is to provide for mobile home development that incorporates public facilities such as recreation areas aimed at serving the residents of the park.
- b. Within the MHP, Mobile Home Park District, a mobile home may be erected, altered or used on a lot or premises and shall be in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1100)

§27-1101. Use Regulations.

- a. Uses Permitted by Right.
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A12 Wildlife Sanctuary
 - B8 Mobile Home Park I
 - B9 Mobile Home Park II
 - E1 Public Recreational Facilities
 - 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

ZONING

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

b. Uses Permitted by Special Exception.

C4 Group Home

E4 Non-Household Swimming Pool

E7 Community Center

F2 Emergency Service Center

H6 Solar Energy System

H7 Wind Energy System

H8 Satellite Antenna

H9 Amateur Radio Antenna

(Ord. 8-14-1995, §1101; as amended by Ord. 01-05-03, 5/21/2001, Art. III)

§27-1102. Area and Dimensional Standards.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the MHP Mobile Home Park District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the MHP Mobile Home Park District shall meet the following requirements:

Use	Minimum Lot Area (Sq. Ft.)	Minimum Lot Width (Feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards (Feet)		
					Front	Side	Rear
B8, B9	See §306 for individual requirements.						
Other Permitted Uses	60,000	200	10%	15%	50	40	50

(Ord. 8-14-1995, §1102)

PART 12

C-1 COMMERCIAL DISTRICT

§27-1200. Purpose.

- a. The purpose of the C-1 Commercial District is to provide for a variety of commercial uses and associated levels of traffic in areas of the community suited for business development.
- b. Within the C-1 Commercial District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1200)

§27-1201. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A6 Nursery
 - A7 Garden Center
 - A8 Farm Support Facility
 - A11 Animal Hospital
 - D2 College, Primary or Secondary School
 - E1 Public Recreational Facility
 - E8 Library or Museum
 - I1 Medical Office
 - I2 Veterinary Office
 - I3 Professional Office

ZONING

- I4 Medical and Pharmaceutical Sales Office
- J1 Retail Store
- J3 Service Business
- J4 Financial Establishments
- J5 Funeral Home or Mortuary
- J6 Eating Place
- J7 Drive-In and Other Eating Place
- J8 Tavern
- J9 Indoor Entertainment
- J10 Theater
- J11 Indoor Athletic Club
- J12 Amusement Hall or Arcade
- J15 Hotel/Motel
- J16 Guest House
- J17 Repair Shop
- J18 Laundry
- J19 Service Station or Car Wash
- J22 Automotive Accessories
- J26 Dwelling in Combination
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Services
- J30 Photocopying Services
- L General Accessory Uses and Structures:

- L1 Nonresidential Accessory Building
- L3 Temporary Structure
- L4 Temporary Community Event
- L9 Off-Street Parking
- L10 Signs

b. Uses Permitted by Special Exception.

- A9 Commercial Kennel
- D3 Commercial Trade School
- J20 Automobile Sales
- J21 Automobile Repair
- J23 Truck and Farm Equipment Sales
- K3 Wholesale Business, Wholesale Storage, Warehousing
- K4 Printing
- L8 Nonresidential Radio and TV Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

- C2 Nursing Home
- C3 Personal Care Center
- J13 Outdoor Entertainment
- J25 Mini-Warehouse
- J31 Planned Community Center Mixed Use
- J32 Neighborhood Commercial Center
- L2 Outside Storage or Display

(Ord. 8-14-1995, §1201; as amended by Ord. 01-05-03, 5/21/2001, Art. II; by Ord. 2005-08-01, 8/8/2005; by Ord. 2007-04-01, 4/26/2007; and by Ord. 2008-09-02, 9/22/2008)

ZONING

§27-1202. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the C-1 Commercial District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the C-1 Commercial District shall meet the following requirements:

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards		
						Front (feet)	Side (feet)	Rear (feet)
All Principal Uses	1	150 ¹	120	40%	75%	40	15	30

NOTES:

¹ 250 feet for a lot with a driveway entering onto an arterial street.

(Ord. 8-14-1995, §1202)

PART 13

C-2 COMMERCIAL DISTRICT

§27-1300. Purpose.

- a. The purpose of the C-2 Commercial District is to provide and require a unified and organized arrangement of buildings, service and parking areas, together with adequate circulation and open space, all planned and designed as an integrated unit, in a manner so as to provide and constitute an efficient, safe, convenient and attractive shopping area. This District also recognizes that the C-2 District adjoins heavily traveled streets, necessitating careful vehicular access control.
- b. Within the C-2 Commercial District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1300)

§27-1301. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A6 Nursery
 - A7 Garden Center
 - D1 Nursery School/Day Care Center
 - E1 Public Recreational Facility
 - E8 Library or Museum
 - F1 Municipal Building
 - 11 Medical Office
 - 12 Veterinary Office
 - 13 Professional Office

ZONING

- J1 Retail Store
- J3 Service Business
- J4 Financial Establishment
- J6 Eating Place
- J7 Drive-In and Other Eating Place
- J8 Tavern
- J9 Indoor Entertainment
- J10 Theater
- J11 Indoor Athletic Club
- J12 Amusement Hall or Arcade
- J17 Repair Shop
- J18 Laundry
- J19 Service Station or Car Wash
- J22 Automotive Accessories
- J24 Shopping Center
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Services
- J30 Photocopying Services
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking

L10 Signs

b. Uses Permitted by Special Exception.

D3 Commercial Trade School

F2 Emergency Service Center

F4 Place of Worship

L8 Nonresidential Radio and Television Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

L2 Outside Storage or Display.

(Ord. 8-14-1995, §1301; as amended by Ord. 01-05-03, 5/21/2001, Art. II)

§27-1302. Area and Dimensional Requirements.

a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the C-2 Commercial District shall exceed 35 feet in height.

b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the C-2 Commercial District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards		
						Front	Side	Rear
All Permitted Uses	3	400 (arterial highway)	200	35%	65%	100	25	50
		200 (other public road)					50 (other public road)	

(Ord. 8-14-1995, §1302)

ZONING

§27-1303. Performance Standards.

The following additional standards shall apply to the tract as a whole where more than one use and/or one building is proposed.

Min. Tract	Min. Distance Between Bldgs.	Max. Imperv.	Min. Side Yard	Min. Rear Yard
20 acres	30 feet	65%	50 feet ¹	50 feet ¹

NOTES:

¹ Required only when site adjoins a residential zoning district boundary.

(Ord. 8-14-1995, §1303)

PART 14

C-3 COMMERCIAL DISTRICT

§27-1400. Purpose.

- a. The purpose of the C-3 Commercial District is to provide highly visible and accessible locations for large-scale business development, including offices and limited commercial uses. This district requires the layout of a total development in order to maintain a high quality planned character of the area. This District seeks to avoid uses that would generate large amounts of tractor-trailer traffic. The proposed development should be designed with an overall plan following carefully laid-out and coordinated access and landscaping.
- b. Within the C-3 Commercial District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1400)

§27-1401. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A6 Nursery
 - A7 Garden Center
 - B7 Apartment Building [Ord. 2011-09-02]
 - D1 Nursery School/Day Care Center
 - E1 Public Recreational Facility
 - E2 Private Recreational Facility
 - E4 Non-Household Swimming Pool
 - E5 Private Club
 - E7 Community Center

ZONING

- F1 Municipal Building
- F6 Business Campus
- I1 Medical Office
- I2 Veterinary Office
- I3 Professional Office
- I4 Medical and Pharmaceutical Sales Office
- J5 Funeral Home/Mortuary
- J15 Motel–Hotel
- J28 Office Supplies and Equipment Sales and Service
- J29 Package Delivery Service
- J30 Photocopying Service
- K3 Wholesale Business, Wholesale Storage, and Warehousing
- K4 Printing
- L General Accessory Uses and Structures:
 - L1 Non-Residential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs
 - L12 Cafeteria
 - L13 Training Center
- b. Uses Permitted by Special Exception.
 - C5 Drug and Alcohol Rehabilitation Center
 - D2 College, Primary or Secondary School

- D3 Commercial Trade School
- F2 Emergency Service Center
- F3 Recycling Collection Center
- F4 Place of Worship
- G2 Terminal
- L8 Nonresidential Radio & TV Tower, Masts, Aerials, etc.

c. Uses Permitted by Conditional Use.

- C1 Hospital
- C2 Nursing Home
- C3 Personal Care Center
- J3 Service Business
- L2 Outside Storage or Display
- L11 Helistop

(Ord. 8-14-1995, §1401; as amended by Ord. 01-05-03, 5/21/2001, Art. II; and by Ord. 2011-09-02, 9/19/2011, Art. III)

§27-1402. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the C-3 Commercial District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the C-3 Commercial District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards (Feet)		
						Front	Side	Rear
All Permitted Uses	3	300 (arterial highway) 200 (other public road)	200	35%	65%	50 (public road) 25 (private road)	25	50

ZONING

- c. The maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased when development rights are acquired and transferred to the lot under the following conditions. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 45% and the maximum impervious surface ratio shall not exceed 75% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, §1402; as amended by Ord. 00-12-02, 12/20/2000, §17)

§27-1403. Performance Standards.

- a. The following additional standards shall apply to the tract as a whole where more than one use and/or one building is proposed.

Minimum Tract Area (Acres)	Minimum Distance Between Buildings (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Impervious Surface (%)
25	30	100 ¹	100 ¹	65%

NOTES

¹ Required only when site adjoins a residential zoning district boundary.

- b. The maximum impervious surface ratio (%) may be increased when development rights are acquired and transferred to lots within the tract as a whole as specified in §27-1403(3). However, the maximum impervious surface ratio for the tract as a whole shall not exceed 75% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, §1403; as amended by Ord. 00-12-02, 12/20/2000, §18)

PART 15

OP OFFICE PARK DISTRICT

§27-1500. Purpose.

- a. The purpose of the OP Office Park District is to provide locations for small offices and related business uses along an arterial street and to ensure through careful access controls, that these uses do not create severe traffic hazards.
- b. Within the OP Office Park District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1500)

§27-1501. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - E1 Public Recreational Facilities
 - E2 Private Recreational Facilities
 - E4 Non-Household Swimming Pool
 - E5 Private Club
 - E7 Community Center
 - F1 Municipal Building
 - I1 Medical Office
 - I2 Veterinary Office
 - I3 Professional Office
 - I4 Medical and Pharmaceutical Sales Office

ZONING

- J4 Financial Establishment
- J9 Indoor Entertainment
- J10 Theater
- J11 Indoor Athletic Club
- J15 Hotel/Motel
- J16 Guest House
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Services
- J30 Photocopying Services
- K3 Wholesale Business, Wholesale Storage and Warehousing
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs
 - L12 Cafeteria
 - L13 Training Center
- b. Uses Permitted by Special Exception.
 - D1 Nursery School/Day Care Center
 - F2 Emergency Service Center
 - F3 Recycling Collection Center
 - F4 Place of Worship

K4 Printing

L8 Nonresidential Radio and TV Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

C3 Personal Care Center

J13 Outdoor Entertainment

J25 Mini-Warehouse

J26 Dwelling in Combination

L2 Outside Storage or Display

L11 Helistop

(Ord. 8-14-1995, §1501; as amended by Ord. 00-03-01, 4/3/2000, Art. II; and by Ord. 01-05-03, 5/21/2001, Art II)

§27-1502. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the OP Office Park District shall exceed 35 feet in height.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the OP Office Park District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yard (Feet)		
						Front	Side	Rear
All Principal Uses	1	250 (arterial highway) 120 (public road)	120	40%	65%	50	25	50

(Ord. 8-14-1995, §1502)

§27-1503. Performance Standards.

- a. The following additional regulations shall apply to the tract as a whole where more than one use and/or one building is proposed.

ZONING

Minimum Tract Area (Acres)	Minimum Distance Between Buildings (Feet)	Minimum Side Yard (Feet)	Minimum Rear Yard (Feet)	Maximum Impervious Surface (%)
5	30	60 ¹	60 ¹	65%

NOTES:

¹ Required only when site adjoins a residential zoning district boundary.

b. The following standards shall apply to all conditional use applications for Use J13, Outdoor Entertainment:

1. No outdoor target range and/or gun club shall be permitted.
2. The minimum lot area shall be 10 acres.
3. The lot shall have a minimum of 500 feet of frontage on an arterial highway.
4. All proposed outdoor lighting shall be shown on a lighting plan in sufficient detail to allow determination of the effects of such lighting on adjacent properties. The lighting in and around buildings and parking areas shall be of a non-glare type focused downward. No lighting shall produce glare beyond the boundaries of the site. Only diffused or reflected lights shall be visible beyond the lot line. No light shall shine directly into windows or onto streets or driveways in such a manner as to interfere with or distract a driver's vision or attention.
5. Front and rear yards 100 feet each, side yards 50 feet.

(Ord. 8-14-1995, §1503; as amended by Ord. 00-03-01, 4/3/2000, Art. III)

PART 16
IN INSTITUTIONAL DISTRICT

§27-1600. Purpose.

- a. The purpose of the IN Institutional District is to provide areas for a variety of educational, medical and health uses.
- b. Within the IN Institutional District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1600)

§27-1602. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A12 Wildlife Sanctuary
 - C1 Hospital
 - C2 Nursing Home
 - C3 Personal Care Center
 - C4 Group Home
 - D1 Nursery School/Day Care Center
 - D2 College Primary or Secondary school
 - D3 Commercial Trade School
 - E1 Public Recreational Facilities
 - E2 Private Recreational Facilities
 - E4 Non-Household Swimming Pool

ZONING

- E5 Private Club
- E6 Golf Course
- E7 Community Center
- F1 Municipal Building
- F4 Place of Worship
- F5 Cemetery
- I1 Medical Office
- I2 Veterinary Office
- I3 Professional Office
- I4 Medical and Pharmaceutical Sales Office
- J15 Hotel/Motel
- J16 Guest House
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Service
- J30 Photocopying Services
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs
 - L12 Cafeteria
 - L13 Training Center

b. Uses Permitted by Special Exception.

C5 In-Patient Drug & Alcohol Rehabilitation Center

F2 Emergency Service Center

F3 Recycling Collection Center

L8 Radio and Television Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

L2 Outside Storage or Display

L11 Helistop

(Ord. 8-14-1995, §1601; as amended Ord. 01-02-01, 2/12/2001, §I; and by Ord. 01-05-03, 5/21/2001, Art. II)

§27-1602. Area and Dimensional Requirements.

a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the IN Institutional District shall exceed 35 feet in height.

b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the IN Institutional District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Building Coverage (%)	Maximum Impervious Surface Ratio (%)	Minimum Yards (Feet)		
					Front	Side	Rear
All Principal Uses	10	400	40%	60%	80 ¹	50	50 ¹

NOTES:

¹ 100 feet from the lot line of any single-family detached dwelling or residential district.

(Ord. 8-14-1995, §1602)

PART 17

I INDUSTRIAL DISTRICT

§27-1700. Purpose.

- a. The purpose of the I Industrial District is to provide for a wide range of industrial uses and to recognize the existing older industrial areas in the community.
- b. Within the I Industrial District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1700)

§27-1701. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - A6 Nursery
 - A7 Garden Center
 - A9 Commercial Kennel
 - A11 Animal Hospital
 - D3 Commercial Trade School
 - E1 Public Recreational Facility
 - E2 Private Recreational Facility
 - E4 Non-Household Swimming Pool
 - E5 Private Club
 - E6 Golf Course
 - F1 Municipal Building

ZONING

- F6 Business Campus
- G1 Utilities
- G2 Terminal
- I1 Medical Offices
- I2 Veterinary Offices
- I3 Professional Office
- I4 Medical and Pharmaceutical Sales Office
- J4 Financial Establishments
- J9 Indoor Entertainment
- J10 Theater
- J11 Indoor Athletic Club
- J15 Motel/Hotel
- J17 Repair Shop
- J19 Service Station or Car Wash
- J22 Automotive Accessories
- J23 Truck and Farm Equipment Sales
- J25 Mini-Warehouse
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Services
- J30 Photocopying Service
- K1 Manufacturing
- K2 Research
- K3 Wholesale Business, Wholesale Storage, Warehousing

- K4 Printing
- K5 Contracting
- K6 Truck Terminal
- K7 Crafts
- K8 Lumber Yard
- K9 Mill
- K10 Fuel Storage and Distribution
- K15 Industrial Park
- K18 Flex Space
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L5 Oil and Gas Drilling Well
 - L6 Wind Energy Conservation System
 - L7 Air Landing Field
 - L9 Off-Street Parking
 - L10 Signs
 - L12 Cafeteria
 - L13 Training Center
- b. Uses Permitted by Special Exception.
 - F2 Emergency Service Center
 - F3 Recycling Collection Center
 - G3 Airport

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J20 Automobile Sales

J21 Automobile Repair

L8 Nonresidential Radio and Television Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

J2 Adult Commercial/Adult Entertainment [Ord. 2010-05-01]

J13 Outdoor Entertainment

J14 Outdoor Motion Picture Establishment

K11 Junk Yard

K12 Extractive Operation

K13 Asphalt Plant

K14 Ready Mix Concrete Plant

K16 Resource Recovery Facility

K17 Solid Waste Landfill

K19 Small Lot Industrial

L2 Outside Storage or Display

L11 Helistop

(Ord. 8-14-1995, §1701; as amended by Ord. 01-05-03, 5/21/2001, Art. II; and by Ord. 2010-05-01, 5/10/2010, Art. II)

§27-1702. Area and Dimensional Requirements.

- a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the I Industrial District shall exceed 35 feet in height or 30 feet in height in a Small Lot Industrial District.
- b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the I Industrial District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards (feet)		
						Front	Side	Rear
All Principal Uses	3 ¹	300 (arterial highway) 200 (other public road)	200	50%	65%	50	25	50
Small Lot Industrial	1.5 ²	175	200	40%	60%	75	35	50
All SE and CU uses	10	300	200	40%	50%	100	50	100
J2 Adult Commercial/ Adult Entertainment [Ord. 2010-05-01]	1.5							

NOTES:

¹ 10 acres for any special exception or conditional use.

² This lot size is permitted only as a Conditional Use (CU) when approved by the Board of Supervisors for all permitted and conditional uses in this district or as permitted by Special Exception (SE) by the Zoning Hearing Board for uses permitted by SE in the zoning district.

- c. When development rights are acquired and transferred to the lot under the following conditions:
1. For all principal uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 60% and the maximum impervious surface ratio shall not exceed 75% where development rights are acquired and transferred to the lot.
 2. For small lot industrial uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum

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building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 50% and the maximum impervious surface ratio shall not exceed 70% where development rights are acquired and transferred to the lot.

3. For all SE and CU uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 50% and the maximum impervious surface ratio shall not exceed 60% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, § 1702; as amended by Ord. 00-12-02, 12/20/2000, §19; and by Ord. 2010-05-01, 5/10/2010, Art. III)

§27-1703. Performance Standards.

- a. The following additional standards shall apply to the tract as a whole where more than one use and/or one building is proposed.

Minimum Tract Area (Acres)	Minimum Distance Between Buildings (Feet)	Minimum Yards ¹ (feet)			Maximum Impervious Surface (%)
		Front	Side	Rear	
25	30	100	100	100	65%

NOTES:

¹ Required only when site adjoins a residential zoning district boundary.

- b. The maximum impervious surface ratio (%) may be increased when development rights are acquired and transferred to lots within the tract as a whole as specified in §27-1702(c). However, the maximum impervious surface ratio for the tract as a whole shall not exceed 75% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, §1703; as amended by Ord. 00-12-02, 12/20/2000, §20)

PART 18

IO INDUSTRIAL/OFFICE DISTRICT

§27-1800. Purpose.

- a. The purpose of the Industrial/Office District is to provide sufficient area in appropriate locations for industrial and commercial development within industrial parks. The intent is to facilitate industrial and commercial development that is attractive and well planned.
- b. Within the IO Industrial/Office District, a building may be erected, altered or used and a lot or premises may be used only when in conformance with the conditions of this Chapter and the specific use, area and design regulations of this district.

(Ord. 8-14-1995, §1800)

§27-1801. Use Regulations.

- a. Uses Permitted by Right.
 - A1 General Farming
 - A2 Crop Farming
 - A5 Commercial Forestry
 - D1 Nursery/Day Care Center
 - D3 Commercial Trade School
 - E1 Public Recreational Facility
 - E2 Private Recreational Facility
 - E4 Non-Household Swimming Pool
 - E5 Private Club
 - E6 Golf Course
 - F1 Municipal Building
 - F6 Business Campus
 - G1 Utilities

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- G2 Terminal
- I1 Medical Office
- I2 Veterinary Office
- I3 Professional Office
- I4 Medical and Pharmaceutical Sales Office
- J4 Financial Establishments
- J9 Indoor Entertainment
- J15 Motel- Hotel
- J22 Automotive Accessories
- J23 Truck and Farm Equipment Sales
- J25 Mini-Warehouse
- J27 Nonresidential Conversion
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Service
- J30 Photocopying Services
- K2 Research
- K3 Wholesale Business, Wholesale Storage, Warehousing
- K4 Printing
- K5 Contracting
- K7 Crafts
- K18Flex Space
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure

L4 Temporary Community Event

L9 Off-Street Parking

L10 Signs

L12 Cafeteria

L13 Training Center

b. Uses Permitted by Special Exception.

F2 Emergency Services Facility

F3 Recycling Collection Center

G3 Airport

J21 Automotive Repair

L8 Radio and Television Towers, Masts, Aerials, Etc.

c. Uses Permitted by Conditional Use.

A13 Pet Resort Use [Ord. 2010-07-02]

K1 Manufacturing

K6 Truck Terminal

K19 Small Lot Industrial

L2 Outside Storage or Display

L11 Helistop

(Ord. 8-14-1995, §1802; as amended by Ord. 01-05-03, 5/21/2001, Art. II; and by Ord. 2010-07-02, 7/12/2010, §II)

§27-1802. Area and Dimensional Requirements.

a. Unless a maximum height regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, no use in the IO Industrial/Office District shall exceed 35 feet in height or 30 feet in height in a Small Lot Industrial District.

b. Unless a greater area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all uses in the IO Industrial/Office District shall meet the following requirements:

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	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Minimum Lot Depth (Feet)	Maximum Building Cov. (%)	Maximum Imperv. Surface Ratio (%)	Minimum Yards (feet)		
						Front	Side	Rear
Permitted Uses ¹	3	300 (arterial highway) 200 (other public road)	200	50%	65%	50	25	50
Small Lot Industrial	1.5 ²	175	200	40%	60%	75	35	50
All SE and CU uses	10	300	200	40	50	100	50	100

NOTES:

¹ 10 acres for any special exception or conditional use.

² This lot size is permitted only as a Conditional Use (CU) when approved by the Board of Supervisors for all permitted and conditional uses in this district or as permitted by Special Exception (SE) by the Zoning Hearing Board for uses permitted by SE in this district.

c. When development rights are acquired and transferred to the lot under the following conditions:

1. For all principal uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 60% and the maximum impervious surface ratio shall not exceed 75% where development rights are acquired and transferred to the lot
2. For small lot industrial uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ratio may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 50% and the maximum impervious surface ratio shall not exceed 70% where development rights are acquired and transferred to the lot.
3. For all SE and CU uses, as noted in subsection (b), the maximum building coverage (%) and the maximum impervious surface ratio (%) may be increased. For each development right acquired and transferred to the lot, the maximum building coverage may be increased by 3,000 square feet and the maximum impervious surface ration may be increased by 5,000 square feet. However, the maximum building coverage shall not exceed 50% and the

maximum impervious surface ratio shall not exceed 60% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, §1802; as amended by Ord. 00-12-02, 12/20/2000, §21)

§27-1803. Performance Standards.

- a. The following additional standards shall apply to the tract as a whole where more than one use and/or one building is proposed.

Minimum Tract Area (Acres)	Minimum Distance Between Buildings (Feet)	Minimum Yards ¹ (Feet)			Maximum Imperv. Surface (%)
		Front	Side	Rear	
25	30	100	100	100	65%

NOTES:

¹ Required only when site adjoins a residential zoning district boundary.

- b. The maximum impervious surface ratio (%) may be increased when development rights are acquired and transferred to lots within the tract as a whole as specified in §27-1802(c). However, the maximum impervious surface ratio for the tract as a whole shall not exceed 75% where development rights are acquired and transferred to the lot.

(Ord. 8-14-1995, §1803; as amended by Ord. 00-12-02, 12/20/2000, §22)

PART 19

FLOODPLAIN OVERLAY DISTRICT

§27-1900. Purpose.

The purposes of the Floodplain Overlay District are to regulate development within floodplain area and to comply with the regulations of the Federal Emergency Management Administration (FEMA).

(Ord. 8-14-1995, §1900)

§27-1901. Applicability.

No improvements other than those permitted herein shall hereafter be permitted to that area designated as Floodplain as defined in this Chapter.

(Ord. 8-14-1995, §1901)

§27-1902. Definitions.

CONSTRUCTION — construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of modular/mobile homes.

DEVELOPMENT — any manmade change to improved or unimproved real estate including, but not limited to, building or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations.

FLOOD — a temporary inundation of normally dry land areas.

FLOODPLAIN — a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse and/or any area subject to the unusual and rapid accumulation of surface waters from any source.

FLOODPROOFING — any combination of structural and non-structural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, utilities, structures and their contents.

IDENTIFIED FLOODPLAIN AREA — the floodplain area specifically identified in this Part as being inundated by the one-hundred-year flood. Includes area identified as Floodway (FW), Flood-Fringe (FF) and General Floodplain (FA). For definition of specific area see §27-1904.

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MINOR REPAIR — the replacement of existing work with equivalent materials for the purpose of routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support or the removal or change of any required means of egress or rearrangement of parts of a structure affecting the exit way requirements, nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, soil, waste, vent or similar piping, electrical wiring or mechanical or other work affecting public health or general safety.

MOBILE HOME — see §27-201.

MOBILE HOME PARK — see §27-201.

ONE-HUNDRED-YEAR FLOOD — a flood that, on the average, is likely to occur once every 100 years (i.e., that has 1% chance of occurring each year, although the flood may occur in any year).

SUBSTANTIAL IMPROVEMENT — any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of a structure, either:

- a. Before the improvement or repair is started.
- b. Before the structure has been damaged and restored. For the purposes of this definition “substantial improvement” is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either:
 1. Any project for improvement for a structure to comply with any State or local health sanitary or safety code specifications which are solely necessary to assure safe living conditions.
 2. Any alteration of a structure listed on the National Register of Historic Places or a State inventory of historic places.

(Ord. 8-14-1995, §1902)

§27-1903. Floodplain District Boundaries.

- a. The boundaries of the Floodplain District are delineated in:
 1. The FIS for New Britain Township, Bucks County, Pennsylvania, as published by FEMA, including maps, text and technical data dated March 4, 1988 or the most recent revision thereof.

2. "Floodplain Information, Report on Neshaminy Creek, Bucks County, Pennsylvania", Corps of Engineers, U.S. Army District, Philadelphia, April 1965 and Alluvial Soil as defined herein. Said report and all notations, references, maps and data shown thereon are hereby incorporated by reference into this Chapter as if all were fully described herein.
 3. The Soil Survey of Bucks and Philadelphia Counties, U.S. Department of Agriculture, Soil Conservation Service, as amended.
 4. The greater or more strict of the above shall be used to delineate the one-hundred-year floodplain.
- b. Should there be any difference or variances between the floodplain district boundaries, the more strict shall apply, but in all cases the FIS delineated boundary shall be met.
- c. Hereafter, any changes in the area designated as floodplain shall be subject to the review and approval of the Federal Insurance Administrator.

(Ord. 8-14-1995, §1903)

§27-1904. Requirements.

- a. Special Requirements for Floodway, Floodway Fringe and General Floodplain Areas.
1. Floodway Area (FW). The areas identified as "Floodway" in the most current Flood Insurance Study (FIS) prepared by the Federal Emergency Management Agency (FEMA). The term shall also include floodway areas which have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the FIS. For the purposes of this Chapter, the floodway is based upon the criteria that a certain area within the floodplain would be capable of carrying the waters of the one-hundred-year flood without increasing the water surface elevation of that flood more than one foot at any point.
 2. Flood Fringe Area (FF). The areas identified as "Flood Fringe Area" in the most recent FIS where a floodway has been delineated. The portion of the floodplain outside of the floodway area but still subject to flooding. Basis for the outermost boundary of this area shall be the one-hundred-year flood elevations as shown in the flood profiles contained in the FIS.
 3. General Floodplain Area (FA). The areas identified as Zone A in the FIS for which no one-hundred-year flood elevations have been provided. When available, information from other Federal, State and other acceptable sources shall be used to determine the one-hundred-year elevation, as well

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as a floodway area, if possible. When no other information is available, the one-hundred-year elevation shall be determined by using a point on the boundary of the identified floodplain area which is nearest the construction site in question.

4. Within any FW (Floodway Area), the following provisions apply:
 - (a) Any new construction, development, use, activity or encroachment that would cause any increase in flood heights shall be prohibited.
 - (b) No new construction or development shall be allowed, unless a permit is obtained from the Department of Environmental Protection, Bureau of Dams and Waterway Management.
 5. Within FA (General Floodplain Area), the following provisions apply:
 - (a) No new construction or development shall be located within the area measured 50 feet landward from the top-of-bank of any watercourse, unless a permit is obtained from the Department of Environmental Protection, Bureau of Dams and Waterway Management.
 - (b) Any new construction or development which would cause any increase in flood heights shall be prohibited within any floodway area.
- b. Elevation and Floodproofing Requirements.
1. Residential Structures. Within any identified floodplain area, the lowest floor measured at the top of block (including basement) of any new residential structure, or any substantial improvement to an existing residential structure, shall be at least 1.5 feet above the one-hundred-year flood elevation.
 2. Nonresidential Structures. Any nonresidential structure, or part thereof, having a lowest floor measured at the top of block which is not elevated to at least 1.5 feet above the one-hundred-year flood elevation, shall be floodproofed in a completely or essentially dry manner in accordance with the W1 or W2 space classification standards contained in the publication entitled "Flood-Proofing Regulations." published by the U.S. Army Corps of Engineers (June 1972), or with some other equivalent standard. All plans and specifications for such floodproofing shall be accompanied by a statement certified by a registered professional engineer or architect which states that the proposed design and methods of construction are in conformance with the above referenced standards.
 3. Enclosed area below the lowest floor (including basement) is prohibited.
- c. Special Requirements for Mobile Homes.

1. Within any FW (Floodway Area), mobile homes, as defined in this Part, shall be prohibited.
 2. Within any Floodplain District, mobile homes, as defined in this Part, shall be prohibited.
- d. Issuance of Building Permit.
1. Prior to the issuance of any building permit, the responsible official shall review the application for permit to determine if all other necessary governmental permits required by State and Federal laws, such as those required by the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended); the Dam Safety and Encroachments Act (Act 1978-325, as amended); the U.S. Clean Water Act, Section 404, 33 U.S.C. 1334; have been obtained and the Pennsylvania Clean Streams Act (Act 1937-394, as amended). No permit shall be issued until this determination has been made.
 2. No encroachment, alteration or improvement of any kind shall be made to any watercourse until all adjacent municipalities, which may be affected by such action, have been notified by the municipality and until all required permits or approvals have been first obtained from the Department of Environmental Protection, Bureau of Dams and Waterway Management.
 3. In addition, the Federal Emergency Management Agency and Pennsylvania Department of Community and Economic Development, Bureau of Community Planning, shall be notified by the municipality prior to any alterations or relocation of any watercourse.
 4. A building permit shall be required for any proposed development within the Floodplain District.
- e. Permit Application Requirements.
1. If any proposed construction or development is located entirely or partially within any identified floodplain area, applicants for building permits shall provide all the necessary information in sufficient detail and clarity to enable the responsible official to determine that:
 - (a) All such proposals are consistent with the need to minimize flood damage and conform with the requirements of this and all other applicable codes and ordinances.
 - (b) All utilities and facilities, such as sewer, gas, electrical and water systems, are located and constructed to minimize or eliminate flood damage.

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- (c) Adequate drainage is provided so as to reduce exposure to flood hazards.
2. In addition to other applicable requirements, all applications for building permits shall contain the following:
- (a) A plan of the entire site showing the location of any existing bodies of water or watercourses, identified floodplain areas, and information pertaining to the floodway and the flow of water, including direction and velocities.
 - (b) Plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
 - 1) The proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929.
 - 2) The elevation of the one-hundred-year flood.
 - 3) Information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one-hundred-year flood.
 - 4) Detailed information concerning any proposed floodproofing measures.
 - (c) A document, certified by a registered professional engineer to show that the cumulative effect of any proposed development within an identified Floodplain Area, when combined with all other existing and anticipated development, will not increase the elevation of the one-hundred-year flood more than one-foot at any point.
 - (d) A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the pressures, velocities, impact and uplift forces associated with the one-hundred-year flood. Such statement shall include a description of the type and extent of floodproofing measures which have been incorporated into the design of the structure and/or the development.
 - (e) Detailed information needed to determine compliance with §27-1904(n), Storage and Materials, and §27-1904(g), Development Which May Endanger Human Life, including:
 - 1) The amount, location and purpose of any materials or substances referred to in §27-1904(g) and stored or otherwise maintained on site.

- 2) A description of the safeguards incorporated into the design of the proposed structure to prevent leaks or spills of the dangerous materials or substances listed in §27-1904(g) during a one-hundred-year flood.
 - (f) The appropriate component of the Department of Environmental Protection "Planning Module for Land Development."
 - (g) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection, to implement and maintain erosion and sedimentation control.
- f. Activities Requiring a Special Permit.
1. Activities Regulated. In accordance with the Pennsylvania Floodplain Management Act (Act 1978-166) and regulations adopted by the Department of Community and Economic Development as required by the Act, the following obstructions and activities located partially or entirely within any floodplain district are permitted only by special permit. These include the construction, enlargement or expansion of any structure used, or intended to be used, for hospitals, nursing homes, jails or prisons.
 2. Application Requirements. Applicants for special permits shall provide five copies of the following items:
 - (a) A written request including a completed building permit application form.
 - (b) A small-scale map showing the vicinity in which the proposed site is located.
 - (c) A plan of the entire site, clearly and legibly drawn at a scale of one inch being equal to 100 feet or less, showing the following:
 - 1) North arrow, scale and date.
 - 2) Topography based upon the National Vertical Datum of 1929, showing existing and proposed contours at intervals of two feet.
 - 3) All property and lot lines including dimensions and the size of the site expressed in acres or square feet.
 - 4) The location of all existing streets, drives, other access ways and parking areas, with formation and concerning widths, pavement types and construction and elevations.
 - 5) The location of any existing bodies of water or watercourses, buildings, structures and other public or private facilities, and

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any other natural and man-made features affecting, or affected by, the proposed activity or development.

- 6) The location of the floodplain boundary line, information and spot elevations concerning the one-hundred-year flood elevations and information concerning the flow of water including direction and velocities.
 - 7) The location of all proposed buildings, structures, utilities and any other improvements.
 - 8) Any other information which the Township considers necessary for adequate review of the application.
- (d) Plans of all proposed buildings, structures and other improvements, clearly and legibly drawn at suitable scale showing the following:
- 1) Sufficiently detailed architectural or engineering drawings including floor plans, sections and exterior building elevations, as appropriate.
 - 2) For any proposed building, the elevation of the lowest floor (including basement) and, as required, the elevation of any other floor.
 - 3) Complete information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with the one-hundred-year flood.
 - 4) Detailed information concerning any proposed floodproofing measures.
 - 5) Cross-section drawings for all proposed streets, drives other access ways and parking areas, showing all right-of-way and pavement widths.
 - 6) Profile drawings for all proposed streets, drives and vehicular access ways including existing and proposed grades.
 - 7) Plans and profiles of all proposed sanitary and storm sewer systems, water supply systems and any other utilities and facilities.
- (e) The following data and documentation:
- 1) Certification from the applicant that the site upon which the activity or development proposed is an existing separate and single parcel owned by the applicant.

- 2) Certification from a registered professional engineer that the proposed construction has been adequately designed to protect against damage from the one-hundred-year flood.
 - 3) A statement certified by a registered professional engineer or other qualified person which contains a complete and accurate description of the nature and extent of pollution resulting from the one-hundred-year flood and any effect it may have on human life.
 - 4) A statement certified by a registered professional engineer which contains a complete and accurate description of the effects the proposed development will have on the one-hundred-year flood elevations and flows.
 - 5) A statement certified by a registered professional engineer which contains a complete and accurate description of the kinds and amounts of any loose buoyant materials or debris that may possibly exist or be located on the site below the one-hundred-year flood elevation and the effects such materials and debris may have on the one-hundred-year flood elevations and flows.
 - 6) The appropriate component of the Department of Environmental Protection "Planning Module for Land Development."
 - 7) Where any excavation or grading is proposed, a plan meeting the requirements of the Department of Environmental Protection to implement and maintain erosion and sedimentation control.
 - 8) Any other applicable permits such as, but not limited to, a permit for any activity regulated by the Department of Environmental Protection under §302 of Act 1978-166.
 - 9) An evacuation plan which fully explains the manner in which the site will be safely evacuated before or during the course of a one-hundred-year flood.
3. Application Review Procedures. Upon receipt of an application for a special permit by the Township, the following procedures shall apply in addition to all other applicable permit procedures which are already established:
- (a) Within three working days following receipt of the application, a complete copy of the application and all accompanying documentation shall be forwarded to the County Planning Commission by registered or certified mail for its review and recommendations. Copies of the

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application shall also be forwarded to the Township Planning Commission and Township Engineer for review and comment.

- (b) If an incomplete application is received, the Township shall notify the applicant, in writing, stating in what respects the application is deficient.
 - (c) If the Township decides to disapprove an application, it shall notify the applicant, in writing, of the reasons for the disapproval.
 - (d) If the Township approves an application, it shall file written notification, together with the application and all pertinent information, with the Department of Community and Economic Development, by registered mail within five working days after the date of approval.
 - (e) Before issuing the special permit, the Township shall allow the Department of Community and Economic Development 30 days, after receipt of the notification by the Department, to review the application and the decision made by the Township.
 - (f) If the Township does not receive any communication from the Department of Community and Economic Development during the thirty-day review period, it may issue a special permit to the applicant.
 - (g) If the Department of Community and Economic Development should decide to disapprove an application, it shall notify the Township and the applicant, in writing, of the reasons for the disapproval, and the Township shall not issue the special permit.
4. Technical Requirements for Development Requiring a Special Permit. In addition to any other applicable requirements, the following provisions shall also apply to the activities requiring a special permit. If there is any conflict between any of the following requirements and any otherwise applicable provisions, the more restrictive provision shall apply.
- (a) No application for a special permit shall be approved unless it can be determined that the structure or activity will be located, constructed and maintained in a manner which will fully protect the health and safety of the general public and any occupants of the structure.
 - (b) At a minimum, all new structures shall be designed, located and constructed so that:
 - 1) The structure will survive inundation by waters of the one-hundred-year flood without any lateral movement or damage to either the structure itself, or to any equipment or contents below the one-hundred-year flood elevation.

- 2) The lowest floor elevation measured at the top of block (including basement) will be at least 1.5 feet above the one-hundred-year flood.
 - (c) Any significant possibility of pollution, increased flood levels, increased flood flows or debris endangering life and property shall be prevented.
 - (d) All hydrologic and hydraulic analysis shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township and the Department of Community and Economic Development.
5. Variance. Except for a possible vertical modification of the free-board requirement involved, no variance shall be granted for any of the other requirements of this section.
- g. Development Which May Endanger Human Life.
1. Concurrent Application of all Sections. The provisions of this Section shall be applicable, in addition to any other applicable provisions of this Chapter or any other ordinance or code of regulation.
 2. Uses and Structures Subject to this Section. In accordance with the Pennsylvania Floodplain Management Act, and the regulations adopted by the Department of Community and Economic Development as required by the Act, uses and structures subject to this section shall include any new or substantially improved structure which:
 - (a) Will be used for the production or storage of any of the following dangerous materials or substances.
 - (b) Will involve the production, storage or use of any amount of radioactive substances.
 3. The following list of materials and substances are considered dangerous to human life:
 - Acetone
 - Ammonia
 - Benzene

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Calcium Carbide

Carbon Disulfide

Celluloid

Chlorine

Hydrochloric Acid

Hydrocyanic Acid

Magnesium

Nitric acid and oxides of nitrogen

Petroleum products (gasoline, fuel oil, etc.)

Phosphorous

Potassium

Sodium

Sulphur and sulphur products

Pesticides (including insecticides, fungicides and rodenticides)

Radioactive substances, insofar as such substances are not otherwise regulated.

4. Uses Prohibited in Floodway. Within any floodway, any structure of the kind described in subsection (2) above, shall be prohibited.
5. Uses Regulated in Floodplain. Where permitted within any Floodplain District, any structure of the kind described in subsection (2) above shall be:
 - (a) Elevated or designed and constructed to remain completely dry to at least 1.5 feet above the one-hundred-year flood.
 - (b) Designed to prevent pollution from the structure or activity during the course of a one-hundred-year flood.
 - (c) Any such structure, or part thereof, that will be built below the Regulatory Flood Elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication "Floodproofing Regulations." (U.S. Army Corps of

Engineer, June 1972), or with some other equivalent watertight standard.

6. Variance. Except for a possible vertical modification of the freeboard requirements involved, no variance shall be granted for any of the other requirements of this section.
- h. Changes in Floodplain Area Delineations.
 1. The areas considered to be floodplain may be revised or modified by the Board of Supervisors where studies or information provided by a qualified agency or person documents the need or possibility for such revision.
 2. No modification or revision of any floodplain area identified in the Flood Insurance Study shall be made without prior approval from the Federal Emergency Management Agency.
 - i. Disputes. Should a dispute arise concerning the identification of any floodplain area, an initial determination shall be made by the Township Engineer and any party aggrieved by such decision may appeal to the Board. The burden of proof shall be on the appellant.
 - j. General Technical Requirements. Premises in the Floodplain District may be used for the purposes specified for the particular zoning district in which they are located, subject to all pertinent regulations of this Chapter and to the additional restrictions of this Section.
 - k. Buildings.
 1. No new building or structure or any portion thereof shall be erected within the Floodplain District unless permitted as a special exception by the Zoning Hearing Board.
 2. No building or any portion thereof shall be erected unless the finished surface of the ground is higher than, or is raised by filling to an elevation of at least one foot above the elevation of the one-hundred-year flood.
 3. The Township Building Inspector shall keep a permanent record of the lowest floor elevation of each structure built within the floodplain district.
 4. No first floor, basement floor or cellar floor of any building shall be constructed at an elevation of less than one foot above the outer limits of the one-hundred-year flood elevations as herein defined.
 5. Before issuing a special exception to allow any development within the Floodplain District, the Zoning Hearing Board shall require compliance with all of the provisions of this Section.

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- l. Structural Anchoring. Any structure placed in the Floodplain District shall be anchored firmly to prevent flotation, collapse or lateral movement. The Zoning Officer shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets the requirements of this section. All air ducts, large pipes, storage tanks and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.
- m. Private Sewage Disposal Systems. No part of any private sewage disposal system shall be constructed within the Floodplain District as herein defined.
- n. Storage of Materials. No materials that can float, that are explosive, or that are toxic to humans, animals or vegetation shall be stored in the Floodplain District.
- o. Installation of Fill Materials. Fill may be placed within the Floodplain District only when allowed as a special exception by the Zoning Hearing Board. An application for special exception shall be accompanied by detailed plans, showing existing and proposed conditions. If a structure is to be placed on the fill, the plans shall show the structure as well. In considering the application for special exception, the Zoning Hearing Board shall determine whether the proposed fill meets the general standards for special exceptions set forth in this Chapter and the following additional standards:
 1. Fill shall consist of soil or rock materials only. Sanitary landfills shall not be permitted in the Floodplain District.
 2. Fill shall extend laterally at least 15 feet beyond the building line from all points.
 3. Fill shall be compacted to provide the necessary permeability and resistance to erosion, scouring or settling.
 4. Fill slopes shall be no steeper than 1 vertical to 2 horizontal, unless substantiated data, justifying steeper slopes are submitted to and approved by the Zoning Officer.
 5. The cross-sectional area of the Floodplain District shall not be reduced by more than 3% on either side of the center line of the watercourse.
 6. The Zoning Hearing Board shall require written evidence of approval of the proposed fill by the Bureau of Dams and Water Management of the Pennsylvania Department of Environmental Protection.
- p. Additional Governmental Approvals Required. The Township shall review proposed development to assure that all necessary permits have been received from those governmental agencies from which approval is required by Federal or State law such as the U.S. Clean Water Act (§404 33 U.S.C. 1344), the Pennsylvania

Clean Streams Act (1937-394, as amended) and the Pennsylvania Sewage Facilities Act (Act 1966-537, as amended).

- q. Increase in Flood Levels in Floodplain Prohibited. In no event shall, within the Floodplain District, any fill, new construction, substantial improvements or other development increase the flood levels within the Township during a one-hundred-year flood.
- r. DEP Approval. No new construction or development shall be allowed within the Floodplain District unless a permit is obtained from the Department of Environmental Protection. Bureau of Dams and Waterway Management.
- s. Storm Drainage. Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall ensure proper drainage along streets and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
- t. Utilities. All permitted utilities within the Floodplain District, such as gas lines, electrical and telephone systems, shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
- u. New Streets. The finished elevation of all new streets shall be no more than one foot below the Regulatory Flood Elevation.
- v. Electrical Components. Electrical distribution panels shall be at least three feet above the one-hundred-year flood elevation. Separate electrical circuits shall serve lower levels and shall be dropped from above.
- w. Fuel Supply System. All gas and oil supply systems shall be designed to prevent the infiltration of floodwaters into the system and discharge from the system into floodwaters. Additional provisions shall be made for the drainage of these systems in the event that floodwater infiltration occurs.
- x. Existing Structures. When permitted as a special exception by the Zoning Hearing Board, any building within the floodplain at the time of enactment of this Chapter may be altered or extended, provided:
 - 1. The alteration or extension conforms with all applicable regulations of this Chapter.
 - 2. Any increase in volume or area shall not exceed an aggregate of more than 25% of such volume or area during the life of the structure.
 - 3. No expansion or employment of an existing structure shall be allowed within any identified floodway that would cause any increase in flood heights.

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4. No increase of any existing on-lot sewer system, located either wholly or partially in the floodplain, shall be permitted.

(Ord. 8-14-1995, §1904; as amended by Ord. 2007-04-01, 4/26/2007)

§27-1905. Miscellaneous Provisions.

- a. **Enforcement Notices.** Whenever an authorized Township representative determines that there are reasonable grounds to believe that there has been a violation of any provisions of this Chapter or of any regulation adopted pursuant thereto, the Zoning Officer shall give notice of such alleged violation as hereinafter provided. Such notice shall (a) be in writing; (b) include a statement of the reasons for its issuance; (c) allow a reasonable time not to exceed a period of 30 days for the performance of any act it requires; (d) be served upon the property owner or his agent as the case may require; provided, however, that such notice or order shall be deemed to have been properly served upon such owner or agent when a copy thereof has been served with such notice by any other method authorized or required by the laws of this State; (e) contain an outline of remedial action which, if taken, will effect compliance with the provisions of this Chapter.
- b. **Enforcement Penalties.** Any person who fails to comply with any or all of the requirements or provisions of this Chapter or who fails or refuses to comply with any notice, order or direction of the Zoning Officer or any other authorized employee of the Township shall be guilty of an offense and, upon conviction, shall pay a fine to the Township, of not less than \$25 nor more than \$300 plus costs of prosecution. In default of such payment, such person shall be imprisoned in county prison for a period not to exceed 10 days. Each day during which any violation of this Chapter continues shall constitute a separate offense. In addition to the above penalties all other actions are hereby served including an action in equity for the proper enforcement of this Chapter. The imposition of a fine or penalty for any violation of, or noncompliance with, this Chapter shall not excuse the violation or noncompliance or permit it to continue and all such persons shall be required to correct or remedy such violations and noncompliances within a reasonable time. Any development initiated or any structure or building constructed, reconstructed, enlarged, altered or relocated, in noncompliance with this Chapter may be declared by the Township (Board, Council, etc.) to be a public nuisance and abatable as such.
- c. **Variance Procedures and Conditions.** Requests for variances shall be considered by the Township in accordance with the procedures contained in this Chapter and the following:
 1. No variance shall be granted for any construction, development, use or activity within any floodway area (FW) that would cause any increase in the one-hundred-year flood elevation.

2. No variance shall be granted for any construction, development, use or activity within any area that would, together with all other existing and anticipated development, increase the one-hundred-year flood elevation more than one foot at any point.
3. Except for a possible modification of the 1.5-foot freeboard requirement, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by Special Permit or to Development Which May Endanger Human Life.
4. If granted, a variance shall involve only the least modification necessary to provide relief.
5. In granting any variance, the Township shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety and welfare and to achieve the objectives of this Chapter.
6. Whenever a variance is granted, the Township shall notify the applicant in writing that:
 - (a) The granting of the variance may result in increased premium rates for flood insurance.
 - (b) Such variances may increase the risks to life and property.
7. In reviewing any request for a variance, the Township shall consider, at a minimum, the following:
 - (a) That there is a good and sufficient cause.
 - (b) That the failure to grant the variance would result in exceptional hardship to the applicant.
 - (c) That the granting of the variance will (a) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (b) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
8. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration. Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one-hundred-year flood.

(Ord. 8-14-1995, §1905)

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§27-1906. Warning and Disclaimer of Liability.

- a. The degree of flood protection sought by the provisions of this Chapter is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur. Flood heights may be increased by manmade or natural causes, such as ice jams and bridge openings restricted by debris. This Chapter does not imply that areas outside any identified floodplain area, or that land uses permitted within such areas will be free from flooding or flood damage.
- b. This Chapter shall not create liability on the part of the Township for any flood damages that result from reliance on this Chapter or any administrative decision lawfully made thereunder.

(Ord. 8-14-1995, §1906)

PART 20

AIRPORT OVERLAY DISTRICT

§27-2000. Purpose.

- a. This Part is adopted pursuant to the authority conferred by the Airport Zoning Act of 1984, P.L. 164, 74 Pa. C.S. 5911 et seq., as amended. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Doylestown Airport, located in Buckingham Township, and property or occupants of land in its vicinity; that an obstruction may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of Doylestown Airport and the public investment therein. Accordingly, it is declared:
1. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Doylestown Airport;
 2. That it is necessary in the interest of the public health, public safety and general welfare of persons using Doylestown Airport that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and
- b. It is further declared that the prevention of the creation or establishment of hazards to air navigation, the elimination, removal, alteration or mitigation of hazards to air navigation, or marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

(Ord. 8-14-1995, §2000)

§27-2001. Definitions.

AIRCRAFT — any contrivance, except an un-powered hang glider or parachute, used for manned ascent into or flight through the air.

AIRPORT — Doylestown Airport.

AIRPORT ELEVATION — the highest point of the airport's usable landing area measured in feet from sea level which is 394 feet above mean sea level.

AIRPORT HAZARD — any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight of aircraft in landing or taking off at an airport or is otherwise hazardous to the landing or taking off of aircraft.

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AIRPORT HAZARD AREA — any area of land or water upon which an airport hazard might be established if not prevented as provided in this Chapter.

APPROACH SURFACE — a surface longitudinally centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach height limitation slope set forth in this Part. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL ZONES — these zones area set forth in this Part.

CONICAL SURFACE — a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

DEPARTMENT — Pennsylvania Department of Transportation.

HAZARD TO AIR NAVIGATION — an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

HEIGHT — for the purpose of determining the height limits in all zones set forth in this Part and shown on the airport zone map, the datum shall be mean sea level elevation unless otherwise specified.

HORIZONTAL SURFACE — a horizontal plane 150 feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal zone.

LARGER THAN UTILITY RUNWAY — a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

NON-PRECISION INSTRUMENT RUNWAY — a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

OBSTRUCTION — any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in this Part.

PERSON — an individual, firm, partnership, corporation, company, association, joint stock association or governmental entity, includes a trustee, a receiver, an assignee or similar representative of any of them.

PRIMARY SURFACE — a surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200

feet beyond each end of that runway, for military runways or when the runway has no specially prepared hard surface or planed hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in this Part. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

PRIVATE AIRPORT — an airport which is privately owned and which is not open or intended to be open to the public as defined in 74 Pa.C.S. §5102.

PUBLIC AIRPORT — an airport which is either publicly or privately owned and which is open to the public as defined in 74 Pa.C.S. §5102.

RUNWAY — a defined area on an airport prepared for landing and takeoff of aircraft along its length.

STRUCTURE — for the purposes of this Part, an object, including a mobile object, constructed or installed by man, including but without limitation, buildings, towers, cranes, smokestacks, earth formation and overhead transmission lines.

TRANSITIONAL SURFACES — these surfaces extend outward at 90° angles to the runway centerline and the runway centerline extended at a slope of seven feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90° angles to the extended runway centerline.

TREE — any object of natural growth.

UTILITY RUNWAY — a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

VISUAL RUNWAY — a runway intended solely for the operation of aircraft using visual approach procedures.

(Ord. 8-14-1995, §2001; as amended by Ord. 2007-04-01, 4/26/2007)

§27-2002. Airport Zones.

In order to carry out the provisions of this Chapter, there are hereby created and established certain zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces and conical surfaces, as they apply to Doylestown Airport. Such zones are shown on the Doylestown Airport Zoning Map,¹ dated August 1984, prepared by CKS Engineers, Inc., as amended, and made a part hereof. An

¹ Editor's Note: The Zoning Map is included at the end of this Chapter.

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area located in more than one the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined as follows:

- a. Utility Runway Visual Approach Surface Zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is 250 feet wide. The zone expands outward uniformly to a width of 1,250 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- b. Utility Runway Non-precision Instrument Approach Surface Zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 2,000 feet at a horizontal distance 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- c. Runway Larger Than Utility Visual Approach Surface Zone. Established beneath the visual approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 1,500 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- d. Runway Larger Than Utility With a Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Surface Zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 500 feet wide. The zone expands outward uniformly to a width of 3,500 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- e. Runway Larger Than Utility With A Visibility Minimum As Low as 3/4 Mile Non-Precision Instrument Approach Surface Zone. Established beneath the non-precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 4,000 feet at a horizontal distance of 10,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- f. Precision Instrument Runway Approach Surface Zone. Established beneath the precision instrument approach surface. The inner edge of this zone coincides with the width of the primary surface and is 1,000 feet wide. The zone expands outward uniformly to a width of 16,000 feet at a horizontal distance of 50,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.
- g. Transitional Surface Zones. Established beneath the transitional surfaces adjacent to each runway and approach surface as indicated on the Height Limitation and Zoning District Map.

- h. **Horizontal Surface Zone.** Established beneath the horizontal surface, 150 feet above the established airport elevation, the perimeter of which is constructed by swinging arcs of 5,000 feet radii from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal surface zone does not include the approach surface and transitional surface zones.
- i. **Conical Surface Zone.** Established beneath the conical surface. This zone commences at the periphery of the horizontal surface and extends outward therefrom a horizontal distance of 4,000 feet.

(Ord. 8-14-1995, §2003; as amended by Ord. 2007-04-01, 4/26/2007)

§27-2003. Airport Zone Height Limitations.

Except as otherwise provided in this Chapter, no structure shall be erected, altered or maintained and no tree shall be allowed to grow in any zone created by this Chapter to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

- a. **Utility Runway Visual Approach Surface Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- b. **Utility Runway Non-Precision Instrument Approach Surface Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- c. **Runway Larger Than Utility Visual Approach Surface Zone.** Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.
- d. **Runway Larger Than Utility With A Visibility Minimum Greater Than 3/4 Mile Non-Precision Instrument Approach Surface Zone.** Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline.
- e. **Runway Larger Than Utility With a Visibility Minimum As Low as 3/4 Mile Non-Precision Instrument Approach Surface Zone.** Slopes 34 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface

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and extending to a horizontal distance of 10,000 feet along the extended runway centerline.

- f. Precision Instrument Runway Approach Surface Zone. Slopes 50 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 10,000 feet along the extended runway centerline; thence slopes upward 40 feet horizontally for each foot vertically to an additional horizontal distance of 40,000 feet along the extended runway centerline.
- g. Transitional Surface Zones. Slopes seven feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface, and extending to a height of 150 feet above the airport elevation which is 394 feet above mean sea level. In addition to the foregoing when an airport has a precision instrument runway approach zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90° angles to the extended runway centerline.
- h. Horizontal Surface Zone. Established at 150 feet above the established airport elevation or at a height of 394 feet above mean sea level.
- i. Conical Surface Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal surface and at 150 feet above the established airport elevation and extending to a height of 350 feet above the established airport elevation or at a height of 394 feet above mean sea level.
- j. Excepted Height Limitations. Nothing in this Chapter shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up to 35 feet above the surface of the land.

(Ord. 8-14-1995, §2003)

§27-2004. Use Restriction.

Notwithstanding any other provisions of this Chapter, no use may be made of land or water within any zone established by this Chapter in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of the pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

(Ord. 8-14-1995, §2004)

§27-2005. Nonconforming Uses or Structures.

- a. Regulations Not Retroactive. The regulations prescribed in this Part shall not be construed to require the removal, lowering or other recharged or alteration of any nonconforming structure, or otherwise interfere with the continuance of a nonconforming structure. Nothing contained herein shall require any change in the construction, alteration or intended use of any nonconforming structure, the construction or alteration of which was begun prior to the effective date of this Chapter and is diligently prosecuted.
- b. Marking and Lighting. Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the Zoning Officer of New Britain Township, pursuant to guidelines and regulations adopted by the Federal Aviation Administration of the United States Department of Transportation, to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the owners of Doylestown Airport.

(Ord. 8-14-1995, §2005)

§27-2006. Permits.

- a. Future Uses. Except as specifically provided in subsections (1), (2) and (3) hereunder, no material change shall be made in the use of land, no new structure or use shall be erected or otherwise established, and no new tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Chapter shall be granted unless a variance has been approved in accordance with the Pennsylvania Municipalities Planning Code.
 1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
 2. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit

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shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour or topographic features, would extend above the height limit prescribed for such approach zones.

3. In the areas lying within the limits of the transitional zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transitional zones. Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, or alteration of any structure, or growth of any tree in excess of any height limits established by this Part.
 - b. Existing Uses. No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use to become a greater hazard to air navigation than it was on the effective date of this Chapter or any amendments thereto, or than it is when the application for a permit is made. Before any nonconforming structure may be replaced, substantially altered or rebuilt or nonconforming tree allowed to grow higher or replanted, a permit must be secured authorizing the replacement or change.
 - c. Nonconforming Uses Abandoned or Destroyed. Whenever the Zoning Officer of New Britain Township determines that a nonconforming use has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.
 - d. Variances. Any person desiring to erect any structure, or increase the height of any structure, or permit the growth of any tree, or otherwise use his property in violation of the regulations prescribed in this Chapter, must apply to the Zoning Hearing Board of New Britain Township for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances may be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and the relief granted will not be contrary to the public interest, will not create an airport hazard, will do substantial justice, and will be in accordance with the spirit of this Chapter. Additionally, no application for variance to the requirements of this Chapter may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the Owner or Manager of Doylestown Airport for comments as to the aeronautical effects of the variance. If the Owner or Manager of Doylestown Airport does not respond to the application within 15 days after receipt, the Zoning Hearing Board may act on its own to grant or deny said application.

- e. Obstruction Marking and Lighting. Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Chapter and reasonable under the circumstances, be so conditioned as to require the Owner of the structure or tree in question to install, operate and maintain, at the Owner's expense, such markings and lights as may be necessary. If deemed proper by the Zoning Hearing Board, this condition may be modified to require the owner to permit Doylestown Airport, at its own expense, to install, operate and maintain the necessary markings and lights.

- f. Notwithstanding any other provision of law, either the Zoning Officer or the Zoning Hearing Board who may decide to grant a permit or variance under this Chapter shall notify the Pennsylvania Department of Transportation of its decision. This notice shall be in writing and shall be sent so as to reach the Department of Transportation at least 10 days before the date upon which the decision is to issue. Nothing in this subsection shall be construed as impairing the rights of any person to judicial review as provided under Part 32 Appeals and Amendments of this Chapter.

(Ord. 8-14-1995, §2006)

PART 21

GENERAL REGULATIONS

§27-2100. Lot Area or Yard Required.

The lot or yard requirements for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this Chapter. No required lot or area shall include any property, the ownership of which has been transferred subsequent to the effective date of this Chapter, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

(Ord. 8-14-1995, §2100)

§27-2101. Minimum Lot Area.

- a. Where a minimum lot area is specified in this Chapter, no primary building or use shall be erected or established on any lot of lesser size.
- b. Any real property within New Britain Township which is the subject of a restriction against reduction of lot area, whether by notation or inclusion on a subdivision plan and/or by a deed restriction, or similar instrument or restriction, shall not be reduced, or otherwise modified, when such reduction or modification would violate the restriction regardless of the minimum lot areas established within this Chapter.

(Ord. 8-14-1995, §2101)

§27-2102. Exceptions to Minimum Lot Areas.

- a. The provisions of this Chapter shall not prevent the construction of a single-family detached dwelling on any lot that was lawful when created and which, prior to the effective date of this Chapter, was in separate ownership duly recorded by plan or deed; and provided that:
 1. Such lot is not less than one acre in the CR and WS districts and not less than 80% of the minimum lot area in all other districts.
 2. Those lots not served by public water and sewers shall meet all requirements of the Bucks County Department of Health.
 3. The percentage of lot area covered by the detached dwelling shall not exceed 15% of the area of the lot.

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4. The front and rear yards shall aggregate at least 60% of the total lot depth or meet the normal requirements of the district in which the lot is located; but in no case shall either the front yard or the rear yard be less than 30 feet.
 5. The side yards shall aggregate at least 40% of the total lot width or meet the normal requirements of the District in which the lot is located, but in no case shall either side yard be less than 15 feet.
- b. This exception shall not apply to any two or more contiguous lots in a single ownership as of or subsequent to the effective date of this Chapter. These lots shall be consolidated to minimize the nonconformity.

(Ord. 8-14-1995, §2102; as amended by Ord. 03-04-02, 4/28/2003, §V)

§27-2103. Minimum Lot Width.

No principal building shall be erected on any part of a lot which has a width less than that specified in Parts 3 through 20.

(Ord. 8-14-1995, §2103)

§27-2104. Exception to Minimum Lot Width Standards.

Subject to the following criteria, lane lots may be permitted as an exception to the minimum lot width requirement at the building setback line as defined in Part 2. A lane lot is a parcel of land which does not have the required minimum lot width at the minimum front yard line but has direct access to a public street through a narrow strip of land which is part of the same lot. The lot lines of the narrow portion of the lot (the lane) are parallel or nearly parallel.

- a. A lane lot may serve one detached dwelling only.
- b. Each lot must have a separate lane and each lane lot must contain at least 10 acres.
- c. Lane lots may not be used in a subdivision of lots containing any new streets.
- d. If the proposed lane lot is not large enough to further subdivide under the zoning requirements at the time the subdivision is proposed then the "lane" shall have a minimum width of 25 feet at the street line of a public street and shall not narrow to a lesser dimension. However, if the proposed lot is large enough to further subdivide under the zoning requirements at the time the subdivision is proposed then the minimum lane width shall be equal to 25 feet for each principal lot at the street line and shall not narrow to a lesser dimension. Provided, however, that should the property owner agree by plan notation and recorded document that the

lot will not be further subdivided, then a lane of 25 feet in width shall be sufficient.

- e. The area of the lane shall not be included in the calculation of the minimum lot area.
- f. Only one tier of lane lots will be permitted on a tract.
- g. The front yard setback for a lane lot shall be a distance equal to the front yard requirements for the district in which the lot is located and shall be measured from the point where the lot first obtains the minimum lot width measurement.
- h. The length of the lane shall be limited to a maximum length of 1,000 feet.
- i. The improvement requirements of the Township's Subdivision and Land Development Chapter [Chapter 22] shall be met.

(Ord. 8-14-1995, §2104)

§27-2105. Yard Requirements and Driveways.

No portion of a building or structure shall be built within the minimum depths of front, side, or rear yards as specified in Parts 3 through 20.

- a. Driveways shall be permitted to encroach into front, rear and side setback areas, subject to all other township regulations for same.
- b. Single story decks, roofed porches, patios, or other similar single story accessory additions to residential dwelling units, as approved by the zoning officer, may encroach into the required rear setback area by a maximum of 1/3 of the required rear yard setback or 15 feet, whichever is a lesser distance or more restrictive requirement.

(Ord. 8-14-1995, §2105)

§27-2106. Exceptions for Existing Building Alignment.

A proposed building may be constructed nearer to the street than the required minimum front yard depth only if all of the following conditions are satisfied:

- a. There shall be existing buildings on the lots on either side of the lot which would contain the proposed building.
- b. The proposed building would front on the same side of the same street in the same block as the existing buildings on lots on either side.

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- c. The existing buildings on the lots on either side would be no greater than 50 feet from the proposed building.
- d. The proposed building may be constructed at a front yard depth that is not less than the average of the front yard setbacks of the existing buildings on the lots on either side.
- e. In no case shall the front yard depth of the proposed building be less than 20 feet.

(Ord. 8-14-1995, §2106)

§27-2107. Projections into Yards.

Ground-story bays, porches and chimney flues may project into required yard areas no more than four feet. Such projections into the required minimum yard areas shall not occupy more than 1/3 the length of the building wall. Cornices and gutters may project not more than two feet over a required yard. Fire escapes may be permitted in accordance with this Section in side or rear yards only.

(Ord. 8-14-1995, §2107)

§27-2108. Accessory Buildings in Yards.

- a. No accessory buildings or structures shall be located in front yards except accessory buildings or structures on lots of 10 acres or greater. Such accessory buildings or structures shall be permitted for Use B1 in front yards but shall not be located within the required minimum front yard setback.
- b. No accessory buildings shall be located within the required minimum side or rear yards for the principal use except as provided in subsection (c).
- c. Completely detached accessory buildings may occupy a required side or rear yard, but shall not be located closer than 15 feet to any side or rear property line, nor closer than 15 feet to the rear or side of the principal building.
 - 1. As an exception to the above criteria, a completely detached residential accessory building which is a storage shed, as defined below, may occupy a required rear yard on properties of less than 15,000 square feet, provided that:
 - (a) The storage shed shall be a minimum of 15 feet from the rear of the primary structure;
 - (b) The storage shed shall be a minimum of five feet from any side or rear property line;

- (c) No more than two storage sheds shall be situated on any one parcel of ground;
 - (d) The storage shed shall not be located in any easement or right-of-way.
2. A storage shed shall be a freestanding structure not greater than 96 square feet, not greater than 12 feet in height, without plumbing, electricity or footings, which is used for the storage of household items incidental to the day-to-day care and maintenance of a residence. These items shall include, but not be limited to, lawn mowers, garden tools and supplies, and barbecue grills.

(Ord. 8-14-1995, §2108)

§27-2109. Fences and Terraces in Yards.

The provisions of §27-2105 shall not apply to fences, hedges or walls less than six feet high above the natural grade in the required yard, nor to terraces, steps, uncovered/unenclosed porches, nor to other similar features less than three feet above the level of the floor of the ground story.

(Ord. 8-14-1995, §2109)

§27-2110. Height.

- a. The height of buildings shall be regulated to prevent loss of life or excessive property damage through the inability of fire equipment to reach upper stories or roofs. Therefore, no building or structure shall exceed a height of 35 feet, except church spires, belfries, and chimneys, unless a different height is specifically allowed under §27-305, Use Definitions and Regulations. [Ord. 2011-09-02]
- b. Any other building or structure exceeding 35 feet such as silos, water towers, smokestacks, solar panels, wind generator towers, antennas, television towers, masts, aerials or flagpoles shall be permitted by special exception provided they are not used for human occupancy and are set back 1.5 times their height (from ground level to the top of the structure) from a building or property line.

(Ord. 8-14-1995, §2110; as amended by Ord. 2011-09-02, 9/19/2011, Art. II)

§27-2111. Traffic Visibility Across Corners.

- a. In all districts, no structure, fence, planting or other obstruction shall be maintained between a vertical plane two feet above curb level and a plane 7 feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a horizontal clear-sight triangle boundary by the two street lines and a straight line drawn between points on each such line 75 feet from the intersection of said lines or extension thereof.

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When one or both streets which form the intersection are classified as collector or arterial highways, the clear-sight triangle bounded by the two street lines and a straight line drawn between points on such line shall be 100 feet from the intersection of said lines or extension thereof.

- b. At each point where a private accessway intersects a public street or road, a clear-sight triangle of 50 feet measured from the point of intersection of the street line and the edge of the accessway, shall be maintained, within which vegetation and other visual obstructions shall be limited to a height of not more than two feet above the street grade.

(Ord. 8-14-1995, §2111)

§27-2112. Modification of Open Space/Recreation Areas.

Any open space and/or recreation areas within New Britain Township which are the subject of a restriction against reduction of area, subdivision, or development, whether by notation or inclusion on a subdivision and/or land development plan, by a deed restriction, or by a similar instrument or restriction, shall not be revised, or otherwise modified, when the revision or modification would violate the restriction regardless of the permitted uses or performance standards within this Chapter.

(Ord. 8-14-1995, §2112)

§27-2113. Minimum Building Envelope.

- a. The building envelope for any new lot shall not include any part of a lot that is required to comply with requirements of this Chapter.
- b. Where a minimum building envelope is specified in this Chapter, no primary building or use shall be erected or established and no lot shall be created where a lesser size envelope will result.

(Ord. 8-14-1995, §2113)

§27-2114. Special Considerations for Municipal Uses and Emergency Service Uses.

- a. Notwithstanding the front, side or rear yard requirements for the F1 Municipal Building Use or the F2 Emergency Service Center Use, the required setbacks and/or buffer yards for each of these uses may be either increased or decreased in an amount not to exceed 75% upon approval of the Board of Supervisors, provided that any such request for an F2 Use shall be subject to conditional use approval.

- b. The modified setback requirements provided for in this section are permissible provided that the proposed use is either owned or operated by New Britain Township or is located upon land owned and/or leased by New Britain Township to a nonprofit organization.

(Added by Ord. 2007-10-01, 10/22/2007)

§27-2115. Septic System Setbacks.

No portion of an on-lot septic system or any of its components, including the toe of slope of the berm, shall be installed closer than 10 feet to a property line or ultimate right-of-way, or located within an existing easement, or located in a manner that would block any stormwater drainage or swales, or flow of stormwater from any lot. On-lot septic systems are both individual and community sewage systems, including, but not limited to, conventional in-ground systems, individual residential spray irrigation systems, drip irrigation systems, sand mounds, and any other alternate or experimental systems approved by the Pennsylvania Department of Environmental Protection.

(Ord. 8-14-1995; as added by Ord. 2009-01-01, 1/26/2009)

§27-2116. Special Considerations for Condominium.

- a. All declaration of condominiums as of the date of this Section which are proposed to be amended shall require the submission of a condominium plan to the Township in order to document existing and/or proposed uses of existing condominium plans of record. In the event that any proposed amended declaration proposes to change the type of use or increase the number of uses currently occurring or shown on the condominium plan of record, the declarant, owner or developer shall provide for sufficient parking spaces to accommodate all present and proposed uses.
- b. All new proposed condominium plans shall file a land development plan with New Britain Township and shall meet all stormwater, parking, and other requirements of this Chapter and Subdivision and Land Development Ordinance [Chapter 22], except that front, side and rear yard requirements, and other lot line requirements, shall not be required for the interior individual condominium units or lots created by a proposed new condominium plan.

(Ord. 8-14-1995; as added by Ord. 2010-11-01, 11/22/2010)

PART 22

NUISANCE STANDARDS

§27-2200. Nuisance Standards.

Excessive or offensive noises are regulated by the Township's Noise Ordinance and not under this Zoning Ordinance.

(Ord. 8-14-1995, §2200; as amended by Ord. 2005-02-01, 1/14/2005)

PART 23
NONCONFORMITIES

§27-2300. Definitions.

- a. Nonconforming use means a use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment.
- b. Nonconforming structure or lot means a structure or lot, or part of a structure or lot which does not comply with the applicable area, dimensional, parking, buffer, environmental and all other provisions of this Chapter or amendment heretofore or hereafter enacted, where such structure or lot lawfully existed prior to enactment of such ordinance or amendment. Such nonconforming structures include but are not limited to, nonconforming signs.

(Ord. 8-14-1995, §2300)

§27-2301. Registration of Nonconforming Uses and Structures.

The owner of the nonconforming use or structure shall, upon adoption of this Chapter or amendment thereof, register the nonconforming use or structure with the Zoning Officer on forms available for this purpose. The adoption of this Chapter shall not invalidate any previously registered nonconforming uses or structures.

(Ord. 8-14-1995, §2301)

§27-2302. Continuation.

The lawful use of a building or structure or the lawful use of any land as existing and lawful at the time of the enactment of this Chapter, or in the case of an amendment to this Chapter then at the time of such amendment, may be continued except as hereinafter provided, although such use does not conform to the provisions of this Chapter or subsequent amendments.

(Ord. 8-14-1995, §2302)

§27-2303. Extension of Nonconforming Uses and Structures.

- a. A structure that does not conform with the dimensional, area, parking, buffer, environmental and all other requirements of the district and this Chapter may be extended only if the extension meets all the requirements of this Chapter. How-

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ever, such a structure may be extended by right along the building lines of the existing non-conformity in keeping with all applicable requirements of this Chapter. Such extension shall be permitted only one time, and then by special exception.

- b. A use that does not conform to the use regulations of the district in which it is located may be extended by special exception provided that:
 1. The proposed extension shall take place only upon the lot or contiguous lots held in the same ownership as that existing at the time the use became non-conforming. Permission to extend a nonconforming use as described in this Part shall not be construed to mean that new use or uses may be established. A nonconforming use shall be prohibited from encroaching on another parcel of land subsequently added to the original parcel.
 2. The proposed extension shall conform with the setback, yard, area, dimensional, building height, parking, sign, environmental and other requirements of the district in which said extension is located.
 3. Any increase in building or floor area shall not exceed an aggregate of more than 50% of the building volume or floor area, whichever is less, existent at the date the use became non-conforming under this or previous ordinances, during the life of the non-conformity, and in any event shall be permitted only by special exception under the provisions of this Chapter. Structures or land uses that have reached their maximum expansion allowance under previous ordinances are not eligible for any increase in building or floor area under this Chapter. A structure, which is nonconforming in terms of height, shall not be extended to increase the height.

(Ord. 8-14-1995, §2303)

§27-2304. Changes.

Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use. A nonconforming use may be changed to another nonconforming use only under all of the following conditions:

- a. Such change shall be permitted only as a special exception by the Zoning Hearing Board.
- b. The applicant shall show that a nonconforming use cannot reasonably be changed to a permitted use.
- c. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use, with respect to:
 1. Traffic generation and congestion including truck, passenger car and pedestrian traffic.

2. Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration.
3. Storage and waste disposal.
4. Appearance.

(Ord. 8-14-1995, §2304)

§27-2305. Abandonment.

If a nonconforming use of a building or land is abandoned for a continuous period of one year, subsequent use of such building or land shall be in conformity with the provisions of this Chapter. For the purpose of this Chapter, abandonment shall commence when the nonconformity use ceases.

(Ord. 8-14-1995, §2305)

§27-2306. Ownership.

When a lot is sold to a new owner, a previously lawful nonconforming use may be continued by the new owner. A change in conformity is governed by §27-2304.

(Ord. 8-14-1995, §2306)

§27-2307. Restoration.

A nonconforming building or any building containing a nonconforming use wholly or partially destroyed by fire, explosion, flood or other phenomenon or legally condemned may be reconstructed and used for the same nonconforming use, provided that reconstruction of the building shall be commenced within one year from the date the building was destroyed or condemned and shall be carried on without interruption.

(Ord. 2007-04-01, 4/26/2007)

PART 24**NATURAL RESOURCE PROTECTION STANDARDS****§27-2400. Natural Resources.**

All uses and activities, including subdivisions and land developments, established after the effective date of this Chapter, shall comply with the following standards. Site alterations, regrading, filling or clearing of any natural resources prior to the submission of applications for zoning or building permits or the submission of plans for subdivision or land development shall be a violation of this Chapter. In the event that two or more resources overlap, the resource with the greatest protection shall apply to the area of overlap.

- a. **Watercourses.** The entire extent of such areas shall not be altered, regraded, filled, piped, diverted or built upon except where design approval is obtained from the Township and, if required, the Pennsylvania Department of Environmental Protection.
- b. **Floodplains.** The entire extent of an area identified as lying within the floodplain of the one-hundred-year recurrence-interval flood shall not be altered, regraded, filled or built upon except as permitted by the Pennsylvania Department of Environmental Protection. For areas designated as "Approximate one-hundred-year Floodplain" along streams and watercourses where the one-hundred-year floodplain has not been delineated, the requirements of floodplain (alluvial) soils shall be met. Studies prepared by a registered engineer or expert in the preparation of hydrological studies may be used to delineate to one-hundred-year floodplain in place of areas designated as "floodplain soils" and "approximate one-hundred-year floodplain." Such hydrological studies shall be subject to the review and approval of the Board of Supervisors on the recommendation of the Township Engineer.
- c. **Floodplain (Alluvial) Soils.** The entire extent of such areas shall not be altered, regraded, filled or built upon, except as permitted by the Pennsylvania Department of Environmental Protection. The Township reserves the right to verify the presence or absence of alluvial soils through the retention of its own professional soil scientist.
- d. **Wetlands.** The entire extent of such areas shall not be altered, regraded, filled, piped, diverted or built upon except where State and Federal permits have been obtained. Wetland boundaries shall be delineated through an onsite assessment which shall be 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, and the Township reserves the right to verify the presence and/or extent of wetlands through the retention of its own professional soil scientist.

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- e. Lakes and Ponds. The entire extent of such areas shall not be altered, regraded, filled, piped, diverted or built upon.
- f. Woodlands. In areas of woodlands, the following standards shall apply:
 - 1. No more than 20% of woodlands shall be altered, regraded, cleared or built upon in the CR, WS, SR-1, SR-2 and RR Districts.
 - 2. In all other zoning districts, up to a maximum of 50% of any woodlands may be altered, regraded, cleared or built upon, provided the following requirements are met:
 - (a) Woodland areas disturbed over the permitted 20% shall be replaced on an acre for acre basis up to a maximum of 50%. The replanting shall consist of replacing trees at a ratio of 200 trees per acre, with minimum tree caliper of 3 1/2 inches.
 - (b) Replanting shall be done in accordance with a woodlands management plan prepared by a licensed forester.
 - (c) Replanting shall occur onsite, or at a property within New Britain Township designated and approved by the Board of Supervisors unless the developer offers a fee in-lieu-of the replanting which must be approved by the Board of Supervisors in their sole discretion.
- g. Steep Slopes. In areas of steep slopes, the following standards shall apply:
 - 1. Eight percent to 15% grade. No more than 40% of such areas shall be altered, regraded, cleared or built upon.
 - 2. Fifteen percent to 25% grade. No more than 30% of such areas shall be altered, regraded, cleared or built upon.
 - 3. Twenty-five percent or steeper. No more than 15% of such areas shall be altered, regraded, cleared or built upon.
- h. Wetlands Margin. No impervious surface area shall be located within 25 feet of a wetland boundary, and no more than 20% of such areas shall be disturbed. Any Department of Environmental Protection regulations concerning activities in wetlands margins shall also be met.
- i. Riparian Buffer. The riparian buffer shall include only the portion of land sloping towards the surface water bodies being protected, and shall extend no more than 75 feet from each side of the watercourse, lake or pond, at bankfull flow edge, or shall extend the extent of the one-hundred-year floodplain, whichever is greater. No land disturbance shall be permitted within any riparian buffer except as permitted below. The buffer area will consist of two distinct protection zones.

1. Zone 1. This buffer area will begin at the edge of the lake, pond or watercourse and occupy a margin of land with a minimum width of 25 feet measured horizontally on a line perpendicular to the edge of water at bankfull flow or level. Open space uses that are primarily passive in nature may be permitted in Zone 1, including:
 - (a) Open space uses such as wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas for public or private parklands and reforestation.
 - (b) Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks County Conservation District and a nutrient management plan in accordance with State requirements, if applicable.
 - (c) Regulated activities permitted by the Commonwealth and Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or water lines, and utility transmission lines) provided that any disturbance is offset by riparian corridor improvements as approved by the Township.
 - (d) Vegetation management in accordance with an approved landscape or open space management plan.
 - (e) Runoff to be buffered or filtered by Zone 1 will be limited to sheet flow or subsurface flow only. Concentrated flows must be converted to sheet flow or subsurface flows prior to entering Zone 1 for proposed stormwater management facilities.

2. Zone 2. This buffer zone will begin at the outer edge of Zone 1 and occupy a minimum width of 50 feet in addition to Zone 1. However, where the width of the one-hundred-year floodplain extends greater than 75 feet from the edge of water at bankfull flow or level, Zone 1 shall remain a minimum of 25 feet and Zone 2 shall extend from the outer edge of Zone 1 to the outer edge of the one-hundred-year floodplain. Uses permitted in this buffer area include open space uses that are primarily passive in nature, including:
 - (a) Open space uses such as wildlife sanctuaries, nature preserves, forest preserves and passive areas for public or private parklands, recreational trails and reforestation.
 - (b) Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks Conservation District.
 - (c) Regulated activities permitted by the Commonwealth and Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or water lines and

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utility transmission lines) provided that any disturbance is offset by riparian corridor improvements as approved by the Township.

- (d) Recreational activities or uses not involving impervious surfaces such as playing fields or golf courses.
3. Prohibited Uses. Any use or activity not authorized in subsection (1) or (2) above shall be prohibited within the riparian buffer. The following activities and facilities are specifically prohibited:
- (a) Clear cutting of trees and other vegetation.
 - (b) Selective cutting of trees and/or the clearing of other vegetation, except where such clearing is necessary to prepare land for a use permitted under subsections (1) or (2) above, or where removal is necessary as a means to eliminate dead, diseased or hazardous trees. Removal is subject to revegetation by native plants that are most suited to the riparian corridor.
 - (c) Storage of any hazardous or noxious materials.
 - (d) Roads, access drives or driveways, except as permitted by the Pennsylvania Department of Environmental Protection and Township.
 - (e) Parking lots.
 - (f) Subsurface and elevated sewage disposal areas and other wastewater disposal systems.
4. Revegetation of Riparian Area. In cases where a major subdivision or land development is proposed, replanting of the riparian corridor shall be required where there is little or no existing streamside vegetation. Native vegetation approved by the Township must be used in replanting. Three layers of vegetation are required when replanting the riparian corridor. These layers include herbaceous plants that serve as ground cover, understory shrubs and trees that form an overhead canopy. The revegetation plan shall be prepared by a qualified professional, who has specific experience in the delineation of riparian buffer areas, and shall comply with the following minimum requirements, unless modified by the Board of Supervisors upon recommendation of the Planning Commission.
- (a) Ground Cover. Ground cover consisting of a native seed mix extending a minimum of 25 feet in width from the edge of the stream bank must be provided along the portion(s) of the stream corridor where little or no riparian vegetation exists. Appropriate ground cover includes native material, exclusive of noxious weeds, as defined by the Pennsylvania State Department of Agriculture. This twenty-five-foot wide planted area shall be designated on the plan as a “no mow zone” and

shall be left as natural cover, except in accordance with the maintenance instructions stated on the plan.

- (b) Trees and Shrubs. These planting layers include trees that form an overhead canopy and understory shrubs. Overstory trees are deciduous or evergreen trees that include oak, hickory, maple gum, sycamore, hemlock, pine and fir. Evergreen and deciduous shrubs should consist of elderberry, viburnum, azalea, rhododendron, holly, laurel and alders. These plants shall be planted in an informal manner clustered within Zone one of the riparian buffer as indicated in subsection (a) above. These plants shall be provided at a rate of at least one overstory tree and three shrubs for every 20 linear feet of waterway.
- (c) Exceptions. These planting requirements shall not apply to existing farm fields located within the riparian buffer or the farmland tract areas if farming operations are to be continued and the required State nutrient management plan is met.

(Ord. 8-14-1995, §2400; as amended by Ord. 00-12-02, 12/20/2000 §§23, 24, 25; and by Ord. 03-04-02, 4/28/2003, §II)

§27-2401. Application of Natural Resource Protection Standards.

- a. Plan Information. To meet the natural resource protection standards of this Part, the following information is required to be provided with an application for a subdivision or land development plan and/or a zoning permit:
 - 1. A site plan which illustrates all natural resources and the proposed use for the site;
 - 2. All encroachments and disturbances necessary to establish the proposed use on the site;
 - 3. Calculations which indicate the area of the site with natural resources and the area of natural resources that would be disturbed or encroached upon.
- b. Building Envelope. The building envelope shall not include the area of any required setbacks, buffer yards and natural resource protected land specified in this Chapter. The purpose of identifying a building envelope is to provide sufficient area for the general location of the building, driveway, patio, other improvements and site alterations while meeting natural resources protection standards and minimum setback requirements of this Part. Within any proposed subdivision or land development, all lots shall have a contiguous building envelope of at least an area as indicated below, unless a larger building envelope is specified in another Section of this Part.

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Zoning District	Use B1	Use B2	Other Permitted Uses
WS*	10,000 sf	-	30,000 sf
SR-1	10,000 sf	5,000 sf	20,000 sf
SR-2	10,000 sf	5,000 sf	20,000 sf
RR	5,000 sf	3,000 sf	10,000 sf
RR (PRD)	3,000 sf	3,000 sf	10,000 sf
VR	3,000 sf	3,000 sf	10,000 sf

NOTES:

* Use B1a shall be 8,000 sf and Use B1b shall be 6,500 sf.

- c. Deed Restrictions. For subdivision and land development plans, restrictions meeting Township specifications must be placed in the deed for each site or lot that has natural resource protection areas within its boundaries. The restrictions shall provide for the continuance of the resource protection areas in accordance with the provisions of this Part. Natural resource protection areas may be held as common open space in accordance with the requirements of this Chapter and Subdivision and Land Development Ordinances [Chapter 22], or in the ownership of individual property owners. For this latter form of ownership, it shall be clearly stated in the individual deed that the maintenance responsibility lies with the individual property owner.

(Ord, 8-14-1995, §2401; as amended by Ord. 00-12-02, 12/20/2000, §26; and by Ord. 03-04-02, 4/28/2003, §II)

§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, maximum amount of impervious surfaces 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. Calculate the Base Site Area. From the Gross Site area, subtract 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.

Total Site Area.

_____ acres

- _____ acres

Base Site Area = _____ acres

- c. Land With Resource Restrictions and Resource Protection Land. Calculate the land with resource restrictions and the resource protection land. 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 Resource	Protection Ratio	Acres of Land in Resources	Resource Protection Land (Acres x Protection Ratio)
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 Resource Protection Land			_____ acres

- d. Minimum Open Space. Calculate the minimum open space.

Base Site Area _____ acres

Multiply by Minimum Open Space Ratio x _____ acres

Standard Minimum Open Space = _____ acres

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- e. Determine Required Open Space. The required open space is the total of the resource protection land or the minimum open space, whichever is greater.

_____ acres

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

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.

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.

Net Buildable Site Area _____ acres

Multiply by Maximum Impervious Surface Ratio x

Maximum Permitted Impervious Surface= _____ acres

(Ord. 8-14-1995, §2402; as amended by Ord. 03-04-02, 4/28/2003, §II)

§27-2403. No Guarantee of Lot Yield or Development.

This Chapter contains standards for lot size, building coverage and density that should not be construed as guarantees that a certain number of dwelling units or amount of development can be accommodated on any individual site. Site constraints and other ordinance requirements will all have an effect on the actual development potential.

(Ord. 8-14-1995; as amended by Ord. 03-04-02, 4/28/2003, §II)

PART 25

TRAFFIC IMPACT ANALYSIS

§27-2500. Purpose and Applicability.

- a. Purpose. A traffic impact study shall be required as a prerequisite to a zoning permit for the following uses:
1. Residential land development or subdivision of 50 or more dwelling units.
 2. Shopping Center.
 3. Commercial: A commercial building or buildings consisting of 25,000 square feet or more of total floor area.
 4. Office: A development consisting of 25,000 square feet or more of total floor area.
 5. Industrial: A development consisting of 50,000 square feet or more of total floor area or any truck terminal as a principal use.
 6. Institutional Hospital, Nursing Home or Institutional: A development of 50,000 square feet or more total floor area.
 7. Any other use expected to generate greater than 100 new trips inbound to the site or out bound from the site in site peak hour traffic, or 1,000 trips per day.
- b. The traffic study shall be submitted with the preliminary plans. This study will enable the Township to assess the impact of a proposed development on highways and public transportation. Its purpose is to identify any traffic problems and to delineate solutions.

(Ord. 8-14-1995, §2500)

§27-2501. Conduct of the Traffic Impact Study.

The traffic impact study shall be prepared by a qualified traffic engineer and/or transportation planner with previous traffic study experience. The procedures and standards for the traffic impact study are set forth in subsection (a) of this Section.

- a. General Requirements and Standards. A transportation impact study shall contain the following information:

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1. General Site Description. The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed development. A brief description of other major existing and proposed land developments for which preliminary plans have been submitted within the proposed study area shall be included. The Township reserves the right to determine the study area at a pre-application conference.
2. Transportation Facilities Description. The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations and any traffic signals or other intersection control devices at all intersections within the site.
3. Existing Traffic Conditions. Existing traffic conditions shall be documented for all major roadways and intersections in the study area and any other intersections or roadways the Township deems will be affected by the proposed development. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic and peak development-generated hour(s) traffic shall be recorded. Traffic counts at major intersections in the study area and others which the Township deems will be affected by the proposed development shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in the report. A volume/capacity analysis based upon existing volumes shall be performed during the peak highway hour(s) and the peak development-generated hour(s) for all roadways and major intersections in the study area where those intersections which the Township deems will be impacted by the proposed development. Based upon the Highway Capacity Manual, Special Report 209 or as amended, this analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or intersections experiencing levels of service D, E or F shall be noted as congested locations.
4. Traffic Impact of the Development. Estimation of vehicular trips to result from the proposed development shall be completed for the average daily peak highway hour(s) and peak development-generated hour(s). These development-generated traffic volumes shall be provided for the in-bound and out-bound traffic movements as estimated, and the I.T.E. Trip Generation Manual, 4th edition or as revised. All turning movements shall be calculated. These generated volumes shall be distributed and assigned to the existing roadways and intersections throughout the study area for which existing conditions were identified in subsection (3) above. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be assigned to individual access points. Pedestrian

volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation problems shall be noted.

5. **Analysis of Traffic Impact.** The total future traffic demand shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year (using an annual traffic growth rate available from the Delaware Valley Regional Planning Commission), the development-generated traffic, and the traffic generated by other proposed developments in the study area. Traffic generation data shall be developed by the applicant from trip generation rates or from other traffic impact studies if they are available. A second volume/capacity analysis shall be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed during the peak highway hour(s) and peak development-generated hour(s) for all roadways and major intersections in the study area which are deemed to be impacted by the proposed development. Volume/capacity calculations shall be completed for all major intersections. All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic signals. This evaluation shall compare the projected traffic pedestrian volumes to the minimum standards as found in the U.S. Department of Transportation Federal Highway Administration Manual on Uniform Traffic Control Devices or Pennsylvania Department of Transportation Publication 201, Engineering and Traffic Studies, Subchapter D, "Traffic Control Restrictions." This shall be done prior to installation of a traffic signal.
6. **Conclusions and Recommended Improvements.** Levels of service for all roadways and intersections shall be listed. All roadways and/or intersections showing a level of service below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external roadway and intersection design and improvements and widenings, traffic signal installation and operation including signal timing, transit design improvements, and reduced intensities of use. All physical roadway improvements shall be shown in sketches. The recommended improvements for both roadways and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement and the completion date for the improvement.
7. **Implementation.** The Township Board of Supervisors shall review the traffic impact study to analyze the impact of the proposed development. If major problems are identified by the traffic impact study, or if

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any intersection or segment of road would fall below level C as the result of the proposed development, then the Board of Supervisors shall:

- (a) Reject the application for zoning permits.
- (b) Require specific on or off-site improvements as a condition of plan approval.
- (c) Reduce the intensity of use permitted.
- (d) A combination of (b) and (c) above.

(Ord. 8-14-1995, §2501)

PART 26

SIGNS

§27-2600. Scope and Applicability.

- a. The purposes of the regulations contained in this Part are to:
 1. Promote and maintain overall community beautification.
 2. Establish reasonable time, place and manner regulations on the exercise of free speech, without regulating content of signs.
 3. Promote traffic safety by avoiding distractions and sight distance obstructions.
 4. Protect property values and ensure compatibility with the character of existing and planned land uses.
 5. Carry out the goals of the Pennsylvania Outdoor Advertising Act, as amended.
- b. A permit under this Chapter shall be required for all signs erected in any Zoning District except for signs listed in §27-2612, Exempt Signs. All signs shall comply with the regulations of this Chapter. Only signs specifically permitted by this Chapter shall be allowed.
- c. Any lawfully existing sign (including nonconforming signs) may be painted or repaired or changed in message without a new permit under this Chapter; provided, that the changes do not increase the sign area or otherwise result in noncompliance with this Chapter.

(Ord. 8-14-1995, §2600)

§27-2601. Definitions of Signs.

The following definitions shall apply for the purpose of this Chapter.

AGRICULTURAL PRODUCTS SIGNS — a sign advertising the seasonal, temporary sale of agricultural products produced on the premises or the seasonal sale of Christmas trees.

BUILDING FACE — the area of each side of a building, including doors and windows, but not including the area of any slanted roof.

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CHARITABLE EVENT SIGN — a sign advertising a special event held a maximum of seven days in any calendar year that primarily is held to benefit a U.S. Internal Revenue Service recognized charitable nonprofit organization.

CONTRACTORS SIGN — a sign advertising that a contractor or other building trades person is conducting work on a particular lot that is not the trades' person's place of business.

DIRECTIONAL SIGN — an informational sign indicating traffic direction, entry or exit, loading or service area, fire lanes, parking or closely similar information incidental to the primary use and not itself advertising any use.

FREESTANDING SIGN — a sign which is self-supporting upon the ground or which is supported by means of poles, pylons or standards in the ground. A free-standing sign is not attached to a building except by secondary supports such as guy wires.

GARAGE SALE SIGN — a sign advertising a temporary sale within a garage, yard or barn.

HEIGHT OF SIGNS — the vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

IDENTIFICATION SIGN — a sign that only identifies the name and the nonresidential use of a property but that has no advertising.

ILLUMINATED SIGN, EXTERNALLY — a sign which is designed to be illuminated by artificial light from a source adjacent to or outside of the sign in such a manner that the source of the light is not directly visible from the street or any other intended vantage point of the sign.

ILLUMINATED SIGN, INTERNALLY — a sign which is designed to be illuminated by light from within the sign rather than a source adjacent to or outside of the sign.

MOVABLE SIGN — a sign which is not secured or attached to a structure or to the ground.

NAMEPLATE SIGN — a every small sign indicating a name and/or address of residential or office occupants.

NONCONFORMING SIGN — any sign existing and lawful at the time of the passage of this Chapter that does not conform in use, location, height or size with the regulations of the district in which such sign is located.

OFFICIAL SIGN — a sign erected by the State, County, Township or other legally constituted governmental body or specifically authorized by a Township ordinance or resolution and that exists for governmental and not commercial purposes.

OFF-PREMISES SIGN — a sign directing attention to a business, person, commodity or service not necessarily sold or located upon the premises where the sign is located. Such signs are also called billboards or outdoor advertising signs.

POLITICAL SIGN — a sign which indicates the name, cause of affiliation of a person seeking public or other elected office or on which reference is made to an issue for which a public election or referendum is scheduled to be held. Political signs that are larger than allowed under “exempt signs” shall be regulated as “off-premises signs.”

PROPOSED DEVELOPMENT SIGN — a sign that announces a proposed subdivision or land development for which a plan has been submitted to the Township and which involves more than one acre of industrial, commercial or institutional uses or more than five acres of residential uses.

PUBLIC SERVICES SIGN — a sign which advertises availability of rest rooms, telephone, meeting times of service organizations or other similar public convenience.

REAL ESTATE, OFF-PREMISES — a sign which points towards the location of a development with dwellings or lots for sale and that is intended for eight or more dwellings.

REAL ESTATE SIGN, ON-PREMISES — a sign which advertises the availability of the property on which the sign is located for sale, rent or lease.

SIGN AREA — see §27-2602.

SIGN ON MOBILE STANDS — a freestanding sign that can be towed from one location to another and that has no permanent foundation.

SPECIAL SALE SIGN — one or more promotional banners, balloons, floodlights, lasers projecting into the sky or flags or banners used by a business to attract special attention.

TEMPORARY SIGN — temporary signs shall include real estate, political, garage sale and other signs as defined in this Section. Such signs are to be removed within 30 days.

TIME AND TEMPERATURE SIGNS — a sign or portion of a sign whose sole purpose is to indicate the time and/or temperature.

VEHICULAR SIGN — a sign affixed or painted on a vehicle, trailer or similar device.

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WALL SIGN — a sign posted on, painted on, suspended from or otherwise affixed to a wall or vertical surface of a building which does not project more than 12 inches from the wall or vertical surface to which it is attached.

WINDOW SIGN — a sign which is readily visible and can be at least partially read from an exterior lot line that is attached to a window or clear door or that can be read through a window or clear door.

(Ord. 8-14-1995, §2601)

§27-2602. Sign Area.

The following regulations shall be used in computing the area of signs:

- a. The area of a sign shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background whether open or enclosed, on which they are displayed.
- b. The sign area shall not include any structurally supporting framework and bracing, nor wooden framing if such area does not include any display, lettering or sign and if such area is clearly incidental to the display itself.
- c. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be considered to be that of the smallest rectangle or other regular shape, including the sign background, which encompasses all of the letters and symbols.
- d. In computing square foot area of a double-face sign, only one side shall be considered, provided both faces are identical in size. If the interior angle formed by the two faces of the double-faced sign is greater than 60°, then both sides of such sign shall be considered in calculating the sign area.
- e. Unless otherwise specified, all square footages are maximum sizes.

(Ord. 8-14-1995, §2602)

§27-2603. Sign Location.

- a. The location for signs shall be governed by the following requirements:
 1. From Streets. No sign except Official Signs, Nameplate Signs, Public Service Signs and Directional Signs shall be erected within or project over an existing or an ultimate street right-of-way.

2. Sight Distance. No sign shall be so located or arranged that it interferes with the sight distance requirements listed elsewhere in this Chapter.
3. On-Premises. No signs except permitted Off-Premise, Official, Political or Public Service Signs shall be erected on a property to which it does not relate.
4. Yard. All signs erected in any Zoning District shall comply with the side and rear yard requirements for the district, except a freestanding sign may be erected one foot from the side property line within a commercial or industrial district. No business sign shall be placed within a required buffer area.
5. Permission of Owner. No sign shall be posted on any property or sign pole or public utility pole, unless permission has been received by the owner.

(Ord. 8-14-1995, §2603)

§27-2604. Vehicle Signs.

- a. Any vehicle or structure to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the primary purpose of the vehicle or structure but becomes a primary purpose in itself, shall be considered a freestanding sign and as such be subject to the provisions regarding freestanding signs in the district in which such vehicle or structure is located.
- b. No vehicle with a total sign area of greater than 4 square feet shall be parked on a lot if such signs are within view of a public street unless the vehicle displays current registration and safety inspection and is currently insured.

(Ord. 8-14-1995, §2604)

§27-2605. Maximum Height of Signs.

- a. No sign shall exceed the maximum height restriction for the particular type of sign structure and zoning district established below: (Shopping centers are excluded from these provisions and dealt with separately under §27-2607.)

Type of Sign Structure	Maximum Height (feet)*	
	Residential Districts	All Nonresidential Districts
Freestanding	6 feet	12 feet
Wall	Shall not exceed the height of the wall of the principal building	

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NOTES:

* Maximum height shall mean the vertical distance measured from the average ground level immediately below a sign to the highest point of the sign and its supporting structure.

(Ord. 8-14-1995, §2605)

§27-2606. Signs Permitted in Residential and Agricultural Districts.

- a. The following type of signs are permitted in all Residential and Agricultural Districts (CR, WS, SR-1, SR-2, RR, VR, MHP-1, MHP-2, PRD):
 1. Exempt Signs as defined in this Part.
 2. Temporary Signs as defined in this Part.
 3. Signs advertising major residential developments, §27-2611 shall apply.
- b. The following type of signs, and no others, may be permitted in all Residential Districts for uses permitted by Conditional Use or by Special Exception, other than home occupations or accessory uses:
 1. One Wall Sign. Not to exceed 10% of the total area of the building face on which it is visible or 32 square feet, whichever is less, and permitted on the front wall of the structure only.
 2. One Freestanding Sign. Not to exceed 20 square feet. No more than one freestanding sign per road frontage.
- c. Signs on mobile stands are specifically prohibited.

(Ord. 8-14-1995, §2606; as amended by Ord. 03-04-02, 4/28/2003, §VI)

§27-2607. Signs Permitted in Commercial Districts.

- a. The following types of signs are permitted in the C-1, C-2, and C-3 Districts:
 1. Exempt Signs as defined in this Part.
 2. Temporary Signs as defined in this Part.
 3. Signs for only one principal use on one lot in accordance with the following regulations:

- (a) Wall Sign. One sign shall be permitted for each wall, each with a total area not to exceed 10% of the total area of the building face on which the sign is located. The total maximum sign area shall be 60 square feet.
 - (b) Freestanding Sign.
 - (1) One shall be permitted with a total area not to exceed 30 square feet. This sign may consist of a structure to which are attached several signs, within the total square footage.
 - (2) If a use has a total linear road frontage of more than 300 feet, a second freestanding sign is permitted with a total square footage of 50 square feet for the two signs together or for one sign.
4. Signs for a shopping center or similar group of stores on one lot shall be permitted in accordance with the following regulations:
- (a) Wall Sign. Each commercial use in a shopping center or similar group of stores on one lot shall be permitted one sign per exposed exterior wall. The surface area of each sign shall not exceed 10% of the surface area of the exposed exterior wall up to a maximum of 150 square feet.
 - (b) Freestanding Sign. Each shopping center or similar group of stores on one lot shall be permitted no more than two freestanding signs. Each freestanding sign shall be no more than 100 square feet in area per side and no more than 24 feet in height.
 - (c) Other Signs. Each shopping center or similar group of stores on one lot also shall be permitted the following signs:
 - (1) Directional signs located on the premise, no larger than six square feet per sign and no higher than three feet. A maximum of one such sign shall be permitted at each point of ingress or egress to a shopping center, with others as necessary to direct traffic within the parking area. The copy shall be limited to the necessary directional information plus the name and/or logo of the center.
 - (2) One temporary business sign announcing the initial opening of a new business. This does not permit announcement of a seasonal opening. Such sign may be no larger than 12 square feet and may not be in place longer than 30 days.
5. Signs on Mobile Stands.
- (a) These standards recognize signs on mobile stands as a particular type of sign that has the characteristics of a temporary sign, but that has

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been inappropriately used as a permanent sign. This Section is based on the policy that if a use desires to regularly display a sign for regularly changing messages, that it erect a permanent sign within all of the requirements of this Chapter.

- (b) Standards for Signs on Mobile Stands.
 - (1) Signs on mobile stands shall be permitted only in the C-1, C-2 and C-3 Districts.
 - (2) Signs on mobile stands shall have a maximum sign area of 40 square feet.
 - (3) Only one mobile sign shall be permitted per use or per lot, whichever is lesser.
 - (4) Permit. The display of signs on mobile stands shall require a special permit to ensure their use only as a temporary sign. The cost of this permit shall be \$10 dollars, or other amount set by resolution of the Board of Supervisors.
 - (5) Time limit. A permit for a sign on a mobile stand shall be limited to 20 days and be issued only once per lot within a calendar year.
 - (6) Deposit. To ensure that a sign on a portable stand is removed within the 20-day limit, the applicant shall be required to pay a \$150 deposit or other amount set by resolution of the Board of Supervisors to the Township. This deposit shall be refunded only if the sign is removed within the 20-day limit. Refusal to remove the sign after the 20 days shall constitute a zoning violation, within the procedures of this Chapter. [Ord. 2010-07-01]
 - (7) No sign on a mobile stand shall be placed so that it causes a hazard to traffic nor shall it be placed within the existing or ultimate street right-of-way.
 - (8) No sign on a mobile stand shall include a flashing or blinking light.
 - (c) Applicability. The standards of this Section shall apply to all existing and future signs on mobile stands, except any sign on a mobile stand for which a permit from the Township was previously granted for use as a permanent sign.
6. Window Sign. Window signs as defined by this Part are permitted in commercial districts provided sign area does not exceed 20% of the total window area of the building face on which the sign is located.

7. Signs Identifying Major Business Developments. These are permitted in accordance with applicable regulations contained in this Part.
- b. Signs inside an enclosed mall shall not be subject to the regulations of this Part.

(Ord. 8-14-1995, §2607; as amended by Ord. 2010-07-01, 7/12/2010, Art. I)

§27-2608. Signs Permitted in Institutional, Office Park and Industrial Districts (IN, I, IO, OP).

- a. The following types of signs are permitted in these districts:
 1. Exempt Signs as defined in this Part.
 2. Temporary Signs as defined in this Part.
 3. Signs Identifying Major Business Developments as defined in this Part.
 4. Wall Sign. Up to two shall be permitted for each establishment. Each sign shall have a total sign area of no greater than 10% of the total area of the building face on which each is visible, or a total maximum of 200 square feet, whichever is less.
 5. Freestanding Sign. Not to exceed one structure per street frontage. The total area of each freestanding sign shall not exceed 50 square feet.
 6. Signs on mobile stands are specifically prohibited.

(Ord. 8-14-1995, §2608)

§27-2609. Approval of Signs Associated With Proposed Conditional Uses and Special Exception Uses.

Any signs to be associated with a proposed Conditional Use or Special Exception shall be reviewed at the same time that the Conditional Use or Special Exception is being reviewed.

(Ord. 8-14-1995, §2609)

§27-2610. Off-Premises Signs (Including Billboards).

- a. Off-premises signs are controlled by this Chapter to serve the following purposes:
 1. To ensure that a physical environment is maintained that is attractive to desirable types of development;

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2. To prevent visual pollution in the Township and protect property values;
 3. To prevent glare onto adjacent property and streets;
 4. To protect the open space and natural character of areas of the Township planned to remain agricultural or as conservation areas;
 5. To avoid the creation of additional visual distractions to motorists; and
 6. To protect the public's health, safety, morals and general welfare.
- b. Off-premises signs shall be permitted only in the Route 313 and/or County Line Road Overlay Zones, subject to all other provisions of this Chapter. The foregoing Overlay Zones shall consist of a strip of land 100 feet in width measured from the legal right-of-way of Routes 313 and County Line Road in New Britain Township.
- c. A maximum of one off-premises sign shall be permitted per property lot that is within the aforementioned permitted area.
- d. Off-premises signs may exist instead of, but not in addition to, freestanding signs on a given premises. Where a property is allowed two or more freestanding signs, an off-premises sign may be used to substitute for one of the freestanding signs, but no more than one off-premises sign is permitted on a given premises.
- e. Off-premises signs shall be nonilluminating, freestanding signs. No electronic graphic displays (digital billboards) are permitted in any zoning district due to documented traffic studies indicating that electronic and video signs distract motorists and, therefore, pose a hazard to the health, safety, and welfare of the traveling public.
- f. Placement of Off-Premises Signs.
1. Right-of-way. No off-premises sign or any part thereof shall be erected or maintained within 50 feet of any existing or future right-of-way of a public highway or road.
 2. Street Intersection. No off-premises sign shall be erected within 100 feet of any public street intersection.
 3. Side or Rear Yards. No off-premises sign or any part thereof shall be erected or maintained within 50 feet of any side or rear property line.
 4. Residential Dwelling. No off-premises sign shall be erected within 250 feet of any residential dwelling or structure.
 5. Freestanding Sign. No off-premises sign shall be erected within 500 feet of any other freestanding sign, advertising sign or on-premises sign.

6. Off-Premises Sign. No off-premises sign shall be erected within 500 feet of any other off-premises sign.
 7. Front Yard Setback. No off-premises sign or any part thereof shall be erected or maintained within 50 feet of the front property line of the property said sign is located on.
 8. Bridge or Overpass. No off-premises sign shall be erected within 500 feet of any bridge or overpass.
- g. Area of Off-Premises Signs. No outdoor advertising sign and/or off-premises sign shall be permitted to exceed a maximum area of 50 square feet, including border but excluding supports and decorative trim which is not part of the copy content of the display. A sign having two sides back-to-back or a V-shaped sign with a horizontal angle not greater than 45° is permitted, one on each side, or a total maximum area of 60 square feet (30 square feet for each sign face.)
 - h. Freestanding and off-premises signs shall not exceed a maximum height of 12 feet above existing grade level.
 - i. This Section is not intended to require the removal of an existing lawfully placed off-premises sign that is in a structurally sound condition. However, when replacement or rebuilding of such an existing sign becomes necessary, or if it is removed, said sign must be brought into conformity with this Chapter.
 - j. This Section applies to both commercial and noncommercial off-premises signs except as may be specifically provided for elsewhere in this Chapter.
 - k. Signs erected and maintained by the Pennsylvania Department of Transportation are permitted by right in all Districts. Such signs that identify business services available at an interchange are specifically encouraged as an appropriate and orderly means of providing information without causing visual pollution or traffic hazards.

(Ord. 8-14-1995, §2610; as amended by Ord. 2005-10-1, 10/24/2005; and by Ord. 2008-09-02, 9/22/2008)

§27-2611. Signs and/or Structures Identifying Major Residential or Business Developments.

- a. When Allowed. Signs and/or structures described in this section are allowed for developments that have been approved to involve a total of 10 or more dwelling units or a total of 10 or more office, commercial or industrial uses.
- b. Size and Number. Signs described in this section may have a maximum sign area of 25 square feet and a maximum height of four feet. These signs and/or struc-

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tures may be located at up to three of the major entrances to the development from exterior streets. This sign area may be an addition to other sign area limits of this Chapter. The signs may be attached to a brick or wooden structure with a maximum height of eight feet that is not within any future and existing right-of-way.

- c. Durability. Such signs shall be designed to be of a durable nature requiring little maintenance.
- d. Message. Such signs may include the overall name of the development, any logo and a phone number to contact. Such signs shall not include advertising.
- e. Landscaping. Such signs shall be attractively landscaped, with plants and shrubs requiring minimal maintenance.
- f. Location. Such signs and structures shall be located outside of the future right-of-way lines and shall satisfy the sight distance requirements contained elsewhere in this Chapter.
- g. Maintenance. If such signs are intended to remain beyond the completion of a developer's involvement in a project, the developer shall provide an appropriate method to ensure proper maintenance of the sign. Easements for maintenance should be provided.
- h. Illumination. Such signs may be externally but not internally illuminated.
- i. Directional Signs Within a Major Business Development.
 - 1. When Allowed. A directional business sign is allowed at each intersection of two or more streets within an office, commercial or industrial development that involves a total of 100 or more acres.
 - 2. Size. Each sign may have a total square footage of 150 square feet. The sign shall be an orderly single structure and may include on it the names and logos of all the businesses located in the development, along with directional arrows and a map.
 - 3. Purpose. The signs allowed by this subsection are to direct visitors to businesses. These signs are not intended for routine advertising purposes.
 - 4. Illumination. Such signs may be externally but not internally illuminated.

(Ord. 8-14-1995, §2611)

§27-2612. Exempt Signs.

- A. The following type of signs do not require a permit under this Chapter and shall meet the following restrictions:
1. Official Signs. These are not regulated in any form by this Chapter, except that all such signs shall meet official Federal and State standards as applicable.
 2. Nameplate Signs. Not to exceed two square feet. Maximum of one per lot.
 3. Identification Signs. Not to exceed two square feet. Maximum of one per lot.
 4. Directional Signs. Not to exceed four feet.
 5. Memorial or historic markers when approved by the Board of Supervisors or a State or Federal government agency.
 6. Public Service Signs. Not to exceed two square feet. Maximum of two per lot.
 7. Temporary Signs. Temporary signs shall not exceed six square feet with a maximum of one sign per lot located outside the right-of-way in such a manner as to not obstruct the site visibility along the roadway. Affixing temporary signs on utility poles is prohibited and regulated by the respective utility.
 8. Trespassing signs or signs indicating the private nature of a road, driveway or premises and signs prohibiting or controlling hunting and fishing upon the premises not to exceed two square feet. Such signs shall not be posted closer than 25 feet to each other within a lot.
 9. Signs physically carried by a person, which are not regulated in any way by this Chapter.
 10. Home Occupation Signs. Not to exceed two square feet and are limited to one per lot or use, whichever is less. Such signs may be illuminated only by use of lighting customarily found in a residential neighborhood, which shall not include use of high intensity flood lighting nor internal illumination of the sign.
 11. Signs Not Visible. Signs that are not visible from a public street or any exterior property line are exempt from the permit and size requirements.
 12. Officially Required Signs. Signs that include only such information as is specifically required to be posted by a government agency are exempt from the permit requirements.

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13. Very Small Signs. Signs of less than one square foot in area that cannot be read by a person of normal eyesight from a public street or any property line are exempt from the permit requirements.
14. Window Signs. Window signs that are not of a permanent nature, provided that they meet the other requirements of this Part.
15. Decorations. Decorations for a Township, County, State or Federal government recognized holiday provided they are posted not more than 20 days (except 60 days prior to Christmas) prior to the event and removed within 10 days after the event.
16. Flags. Flags of any nation or level of government. Also, up to two additional cloth flags per lot of up to 10 square feet each. Any other flags or banners shall be considered a sign and regulated as such.

(Ord. 8-14-1995, §2612)

§27-2613. Signs Prohibited in All Districts.

- a. The following signs are prohibited in all zoning districts:
 1. Banners, flags, spinners, pennants or any moving object used for a commercial advertising purpose whether containing a message or not, except as is exempted by §27-2612.
 2. Flashing, electronically changing message, blinking, twinkling, animated or moving signs of any type, except those portions of signs which indicate only time and temperature changes. This restriction specifically includes window signs and signs on mobile stands. This shall not prohibit Christmas lighting or displays, within §27-2801.
 3. Signs which emit smoke, visible vapors or particles, sound or odor.
 4. Signs which contain information that states or implies that a property may be used for any purposes not permitted under the provisions of this Chapter in the Zoning District in which the property to which the sign relates is located.
 5. Signs that are of such character, form, shape or color that they imitate or resemble any official traffic sign, signal or device or that have any characteristics which are likely to confuse or distract the operator of a motor vehicle on a public street.
 6. The outlining of the rooflines, doors, windows or wall edges by illuminated neon light tubing for advertising purposes.

7. Signs that use reflective materials to give the appearance of flashing, blinking, twinkling or electronically changing messages.
8. Signs or displays that include words or images that are obscene, pornographic or highly offensive to public decency.
9. Balloons of greater than five cubic feet that are tethered to the ground or a structure and are primarily intended for advertising purposes, except as provided as a "Special Sale Sign".
10. Any sign on a mobile stand other than as provided for in this Part.
11. Floodlights and Lasers. These are only permitted as a "Special Sale Sign."

(Ord. 8-14-1995, §2613)

§27-2614. Nonconforming Signs.

- a. Signs legally existing at the time of enactment of this Chapter and which do not conform to the requirements of this Part shall be considered nonconforming signs. Any nonconforming sign which is damaged in excess of 25% of its cost of replacement or that is removed shall be replaced only with a conforming sign.
- b. If the Zoning Officer determines that the maintenance or use of a sign constitutes or creates a public hazard and that, under the particular circumstances, said hazard constitutes a nuisance or dangerous structure, the Zoning Officer shall give notice to the property owner or his agent to immediately remove said nuisance or dangerous structure. If the owner or his agent fails to immediately remove said nuisance or dangerous structure, it shall be removed by the Zoning Officer.
- c. Upon approved application for the permitted use of said sign, or the payment of the cost of such removal plus any penalty prescribed by this Chapter for the unpermitted use, said sign shall be returned to the property owner or his agent. If the owner of the sign fails to obtain a sign permit, or fails to pay the costs of removal, storage and penalty, the Township may dispose of the sign at any time upon five days' notice to the sign owner.

(Ord. 8-14-1995, §2614)

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§27-2615. Abandoned or Outdated Signs.

Signs advertising a use no longer in existence or a product no longer available shall be removed or changed to advertise the new use or product within 30 days of the cessation of the original use. Signs once removed shall be replaced only by signs in conformance with this Chapter.

(Ord. 8-14-1995, §2615)

§27-2616. Temporary Signs Requiring a Permit and Not Exempt under §27-2612.

All temporary signs shall be maintained in good condition and shall be replaced if damaged or in disrepair.

1. Temporary Real Estate Directional Signs. Up to two temporary off-site real estate signs for a real estate open house or similar event may be placed outside the right-of-way. Each sign shall not exceed six square feet in size and shall not be placed more than two days prior to the event and shall be removed not later than one day after the event. An annual permit shall be obtained from the Township, the cost of which shall be set by resolution of the Board of Supervisors.
2. Temporary Sale Signs. One temporary sign along the frontage of the property may be placed outside the right-of-way three times per year for a maximum of seven days for purposes of special sale. Each sign shall not exceed six square feet in size. A permit shall be obtained each time from the Township, the cost of which shall be set by resolution of the Board of Supervisors.
 - (a) Multi-Tenant Complexes. A maximum of one sign per 1,000 feet of road frontage per multi-tenant unit shall be displayed at any one time. The property owner/management company shall be the applicant for any and all multi-tenant permit applications and shall coordinate sign placement.

(Ord. 8-14-1995; as added by Ord. 2010-07-01, 7/12/2010, Art. II)

PART 27

OPEN SPACE REQUIREMENTS AND TRANSFERABLE DEVELOPMENT RIGHTS

§27-2700. Purpose.

The intent of this Section is to establish open space and farmland preservation regulations that will preserve agricultural soils and natural resources, and which will promote groundwater recharge and reduce impervious surfaces while protecting Lake Galena.

(Ord. 8-14-1995, §2700; as amended by Ord. 00-12-02, 12/20/2000, §29; and by Ord. 03-04-02, 4/28/2003, §III)

§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
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. (Reserved)
- d. Required yard areas shall not be included in the required open space calculation.
- e. 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.
- f. (Reserved)
- g. Parking areas, driveways or other manmade impervious surface shall not be included in the required open space calculation.

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- h. Specific requirements for open space for the B-2 Cluster Subdivision Use are provided in Part 3.

(Ord. 8-14-1995, §2701; as amended by Ord. 00-12-02, 12/20/2000, §29; and by Ord. 03-04-02, 4/28/2003, §III)

§27-2702. Open Space Designation.

- a. All land held for open space shall be so designated on the plans. All plans shall further designate the use of the open space or preserved land, the type of maintenance to be provided and improvement plan and schedule. Where open space abuts private property or new building lots, the edge of the open space area shall be delineated by fencing and/or buffer plantings to be approved by the Board of Supervisors.
- b. In designating use and maintenance, the following classes may be used:
1. **Lawn.** A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to insure a neat and orderly appearance.
 2. **Natural Area.** An area of natural vegetation undisturbed during construction, or replanted. Such areas may contain pathways. Meadows shall be maintained as such and not left to become weed-infested. Maintenance may be minimal, but shall prevent the proliferation of weeds and undesirable plants such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed and streams shall be kept in free flowing condition.
 3. **Active Recreation Area.** An area designated for a specific recreational use, including but not limited to tennis, swimming, shuffleboard, play field and tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance and provisions shall be made to perpetuate the proposed use.
 4. **Passive Recreation Area.** Space for outdoor recreational activities not considered active such as walking, picnicking, bird watching and other similar activities.
 5. **Agricultural Area.** An area to be leased for Crop Farming as defined in Part 3.
 6. **Stormwater Management.** No more than 30% of the open space may be used for stormwater detention or retention basins.
- c. In subdivisions or land development of tracts of land in the WS and CR Zoning Districts, the approved plans shall delineate the open space area, which shall not

be subdivided nor shall it be developed or have buildings erected on it. Any of the following ownership arrangements may be used for the open space area:

1. Fee Simple Dedication. The Township may, but shall not be required to, accept any portion or portions of the open space or preserve area.
2. Transfer to a Private Conservation Organization. With the approval of the Board of Supervisors, an owner or applicant may transfer either the fee simple title with appropriate deed restrictions or a conservation easement to a private, nonprofit organization; provided, that the land is restricted to open space or agricultural uses only.
3. Private Ownership With Restrictions. The land may be retained by the applicant or a private individual and may be transferred to another private individual; provided, that an appropriate conservation easement is placed upon the property restricting its use to open space or agricultural activities.
4. Homeowners Association. The open space may be held in common ownership by a homeowners association; provided, that a conservation easement approved by the Township Board of Supervisors is provided restricting the property to open space of agricultural uses.

(Ord. 8-14-1995, §2702; as amended by Ord. 00-12-02, 12/20/2000, §29; by Ord. 03-04-02, 4/28/2003, §III; and by Ord. 2007-04-01, 4/26/2007)

§27-2703. Ownership of Open Space.

- a. Any of the following methods may be used to preserve, own or maintain open space:
 1. Dedication of easements in fee simple ownership to the Township, if accepted by the Township.
 2. Homeowners Association.
 3. Condominium Association.
 4. Transfer of fee simple title or development rights and easements to a private conservation organization or a conservation easement to the Township.
 5. Private ownership.
- b. The following specific requirements are associated with each of the various methods:
 1. Dedication to the Township. The Township may, but shall not be required to, accept an offer of a deed of dedication provided that:

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- (a) Such land is accessible to the residents of the Township.
 - (b) There is no cost of acquisition.
 - (c) The Township agrees to maintain and has access to maintain such lands.
2. Homeowners Association. If a homeowner association is formed, it shall be governed according to the following:
- (a) The landowner or developer shall provide the Township with a description of the organization, including its bylaws and methods for maintaining open space, which shall be acceptable to the Township.
 - (b) The organization is to be established by the landowner or developer and operating with financial subsidization by the landowner or developer, before the sale of any lots within the development.
 - (c) Membership in the organization is mandatory for all purchasers of dwelling units therein and their successors.
 - (d) The members of the organization shall share equitably the costs of maintaining and developing open space, in accordance with procedures established by them. If a member fails to pay his pro-rata share, then a lien against an individual property may be made in accordance with the provisions for same in the by-laws of the organization.
 - (e) The organization shall be responsible for maintenance of and insurance and taxes on open space.
 - (f) The organization shall have or hire adequate staff to administer common facilities and maintain the open space to the satisfaction of the Board of Supervisors.
3. Condominium Association. The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Unit Property Act of 1963. All open space land shall be held as "common element." All the requirements listed in subsection (b) above shall apply (1, 2, 3, 4, 5, 6) inclusive.
4. Dedication of Easements. The Township may, but shall not be required to, accept conservation easements for public use of any portion of open space land, the title of which is to remain in the ownership of the condominium or homeowners association; provided, that:
- (a) Such land is accessible to the residents of the Township.

- (b) There is no cost of acquisition.
 - (c) A satisfactory maintenance agreement is reached between the developer and the Township.
5. Transfer to a Private Conservation Organization or a Conservation Easement to the Township. With permission of the Township, the landowner or developer may transfer either the fee simple title with appropriate deed restrictions running in favor of the Township, or the development rights or easements, to a private, nonprofit organization among whose purposes is to conserve open space land provided that:
- (a) The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence.
 - (b) The organization is chartered under the laws of the Commonwealth of Pennsylvania to administer deed restrictions limiting eventual disposition of such property for the purposes stated in their Articles of Incorporation.
 - (c) The conveyance contains appropriate provisions for reverter or re-transfer in the event that the organization becomes unwilling or unable to continue to function.
 - (d) A maintenance agreement acceptable to the Township is entered into by the landowner or developer and the organization.
6. Private Ownership. Open space may be privately owned only when:
- (a) Approved by the Board of Supervisors
 - (b) A deed restriction shall be placed on the open space lot to prevent future subdivision for a non-open space use and to prevent the development of the open space for buildings and other structures which do not relate to the open space.

(Ord. 8-14-1995, §2703)

§27-2704. Maintenance of Open Space.

- a. Designated planting areas and recreation facilities within the open space areas shall be provided by the developer. A performance bond or other securities may be required to cover costs of installation in accordance with provisions of the Subdivision and Land Development Ordinance [Chapter 22].
- b. In the event that the person or organization established to own and maintain open space or any successor organization shall at any time after designation fail to

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maintain the open space in reasonable order and condition in accordance with any and all approved plans, the Township may serve written notice upon such person or organization, or upon the residents and owners of lots within the development from which the open space was derived, setting forth the manner in which the person or organization has failed to maintain the open space in reasonable condition and said notice shall include a demand that such deficiencies of maintenance be cured within 30 days.

- c. Unless otherwise agreed to by the Township, the cost and responsibility of maintaining open space shall be borne by the property owner, condominium association or homeowners association. If the open space is not properly maintained, the Township may assume responsibility of maintenance and charge the property owner, condominium association or homeowners association.

(Ord. 8-14-1995, §2704)

§27-2705. Purpose and Intent, Development Rights.

- a. Within New Britain Township, there are certain areas that because of their unique character make them worthy of special protection through this Chapter. The purpose of this Part is to assist in permanently protecting the Township's natural resources and farmlands. It is the intent of the Board of Supervisors to only permit additional development opportunities in certain areas of the Township when there are concurrent benefits of additional natural resource and farmland preservation or watershed protection keeping with the intent of this Chapter as set forth in §27-102, Purpose. The adoption of this Part is not a recognition that the Township's existing densities or development opportunities are deficient, but a clear recognition that the Township's WS and CR zoning regulations can further promote and protect the unique nature of New Britain Township through the adoption of a program of transferable development rights.
- b. In accordance with §§603(c)(2.2), 605(4) and 619.1 of the Pennsylvania Municipalities Planning Code, a transferable development rights program is established in New Britain Township and the Township designates the WS and CR Zoning Districts as the sending areas and the I, IO and C-3 Zoning Districts as the receiving areas. The purpose of the transfer of development rights program is to preserve the existing natural resources and agricultural character of the WS and CR Zoning Districts through the transfer of development rights from the WS and CR Zoning Districts to the receiving areas of the Township.
- c. It is the further intent of the Board of Supervisors to encourage flexibility, economy and ingenuity in the development of tracts within the receiving areas of the Township.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

§27-2706. General Standards, Development Rights.

- a. The transfer of development rights is a voluntary agreement under the terms of this Part between a willing buyer and a willing seller. The rights shall be transferred to a person, corporation, partnership or other legal entity or the Township. The development rights may be held by the purchase for future use or sale or may be immediately attached to a specific parcel of land within the Township. The development rights shall be considered a separate estate in land and may be transferred subject to the limitations of this Part. Once the development rights are attached and developed as to a specific parcel of land, those rights shall run with that specific parcel in perpetuity.
- b. A purchaser of development rights who attaches those rights to a tract of land in accordance with the procedures set forth in this Part is permitted an increase, with the use of the development rights, in the intensity of development within the receiving area. The seller of the development rights receives compensation from the sale, plus the right to retain the sending land for agricultural use and other purposes. A deed restriction or restrictive covenant against future development is placed upon the land in the designated sending area from which the development rights have been severed. The price of the development rights will be determined by the willing buyer and willing seller.
- c. The deed restriction or restrictive covenant will not affect the landowners ability to sell or transfer the land after the development rights have been severed, although such land cannot be sold for development purposes. The deed restriction on the land from which the development rights have been severed shall run in favor of the Township and/or a conservation organization approved by the Township.
- d. The owner of the tract in the sending area from which the development rights are severed or any subsequent purchaser or purchasers of the development rights may hold the development rights or may resell or retransfer the development rights. The only use which may be made of the development rights is the ultimate transfer to a developer with a tract in the receiving area.
- e. The Township shall have no obligation to purchase the development rights which have been severed from a tract in the sending area, although the Township may purchase and transfer or retire development rights from a tract in the sending area.
- f. A developer who purchases or receives development rights may develop a tract in the receiving areas for those uses permitted by this Chapter. All applications for transfer of development rights shall be permitted only by conditional use in accordance with the procedures set forth in this Part.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

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§27-2707. Recognition of Transferable Development Rights.

- a. New Britain Township hereby recognizes the severability and transferability of development rights from certain lands within the Township to be transferred and used in accordance with the provisions of this Part.
- b. The Township, in accordance with the criteria set forth in §27-2709, Number of Development Rights, shall determine the eligibility of each tract of land within the WS and CR Zoning Districts for allocation of the transferable development rights. The Township has no obligation, however, to determine the specific number of such rights apportioned to each tract, nor to give any formal notice to the landowner other than by the passage of this Part, until such time as an application to utilize transferable development rights is made in accordance with the provisions of this Part and this Chapter.
- c. The Township reserves the right to amend this Part in the future and the Township expressly reserves the right to change the manner in which the number of development rights shall be apportioned to a tract in the sending area, the manner in which development rights may be attached to land within the receiving area, the locations of the sending area and the receiving areas and the procedure by which development rights can be conveyed. The Township further expressly reserves the right to terminate the transferable development rights program at any time by way of an amendment to this Part. No owner of land or owner of development rights shall have any claim against the Township for damages resulting from an amendment to this Part relating to the regulations governing the apportionment, transfer and use of development rights or the abolition of the transferable development rights program. If the transferable development rights program is abolished by the Township, no developer may attach development rights to any tract in the receiving area after the effective date of the ordinance abolishing the transferable development rights program unless an application in conformity with the provisions of §27-2710 herein was filed prior to the effective date of such ordinance.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

§27-2708. Availability, Development Rights.

Transferable development rights are available to the owners of single or contiguous properties in single ownership where the property or contiguous properties have all of the following characteristics:

- a. The property shall be located within the WS or CR Zoning Districts.
- b. The property shall have an area of at least 15 acres.

- c. The property shall not be owned by public utilities, the Township, the County, the Commonwealth or the Federal government.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

§27-2709. Number of Development Rights.

- a. The number of development rights available to the owner of an eligible property is determined as follows. From the Base Site Area, as determined under §27-504, subtract the following areas (which have not been deducted in the calculation of the Base Site Area):
 1. All land or portions thereof subject to a deed restriction, conservation easement or other easement, restriction or covenant against further development and in favor of any government agency, nonprofit conservancy or corporation, person, partnership, corporation or other legal entity.
 2. All land or portions thereof which the development rights have been sold or transferred.
 3. All land or portions thereof subject to any utility easement including, but not limited to, easements for roads (ultimate rights-of-way), gas, sewer, petroleum, electrical transmission or telecommunication.
 4. All land or portions thereof included in floodplains, floodplain soils, watercourses, lakes, ponds, wetlands and waters of the Commonwealth.
 5. All land or portions thereof which have been restricted from development by the terms or conditions of an approved land development plan, subdivision plan or other agreement which restricts the property from further development.
 6. All land or portions thereof which have been used to meet open space, resource protection, stormwater management or recreational requirements of an approved subdivision or land development plan.
 7. All land or portions thereof which contain existing dwellings or nonresidential buildings/uses, in which event, 1 1/2 acres shall be subtracted for each dwelling unit. The lot area needed to comply with the lot area, building coverage, impervious surface and dimensional requirements, as defined by the use or district regulations of this Chapter, shall be subtracted for each non-residential use.

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- b. After the areas of land specified in subsections (1) through (7) have been deducted from the Base Site Area, the resulting net acreage is multiplied by one development right per acre of land.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

§27-2710. Issuance of Development Rights.

Development rights may be issued in order to be transferred or sold to a person, corporation, partnership or other legal entity so designated by the landowner pursuant to the following:

- a. The applicant shall submit to the Township Zoning Officer an agreement for sale or transfer for said rights, duly executed by all parties involved.
- b. The applicant shall submit for approval by the Township a restrictive covenant which shall run with the land. The restrictive covenant shall be subject to the review by the Township Engineer and the Township Solicitor and the approval of the Board of Supervisors. The covenant shall restrict the land from which the development rights have been sold or transferred so as to comply with the following:
 - 1. The number and location of any additional dwelling units shall be specified in the zoning permit application. The location of the dwelling, its driveway and any septic system shall be identified. The number of additional dwelling units shall be deducted from the number of development rights calculated as available for transfer.
 - 2. Other buildings or structures may be permitted to be constructed for agricultural purposes only.
 - 3. No conversion of a proposed agricultural building to one or more dwelling units shall be permitted unless they are deducted from the number of development rights calculated as available for transfer.
 - 4. Land from which development rights have been sold or transferred may be used only for the following purposes:
 - (a) Agriculture. Production of crops, livestock, livestock products, field crops, fruit crops, vegetable crops, grass crops.
 - (b) Nursery. Nursery stock, shrubs, trees, flowers, horticultural specialties.

- (c) Accessory retail sales of agricultural products in conformance with the requirements of this Chapter for Use A3 Agricultural Retail.
 - (d) Preservation of the natural landscape by leaving the land and resources undisturbed in forest, field, wetland or other natural and unaltered state.
- 5. No zoning permit shall be issued for other uses.
- 6. No land development approval shall be granted for other uses.
- 7. Land from which development rights have been sold or transferred may be subdivided into lots of not less than 10 acres and shall be subject to the use provisions of subsection (4).
- c. Development rights shall not be transferred and become usable until the restrictive covenant has been approved by the Board of Supervisors and has been recorded with the Recorder of Deeds of Bucks County.
- d. The land from which development rights have been transferred shall not be used to meet the open space requirements, lots, yards for any use nor may this land be used for any other purpose that would serve the further development of land including, but not limited to, fields for the land application of sewage, sewage lagoons, stormwater management facilities, utilities or other purposes.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29; as amended by Ord. 03-04-02, 4/28/2003, §III)

§27-2711. Partial Transfers of Development Rights.

If the proposed transfer or sale of development rights would entail less than an entire tax parcel, the following regulations and procedures shall apply:

- a. The portion of the property involved in the proposed sale or transfer of development rights shall be described by metes and bounds and shall be shown on a plot plan.
- b. The portion of the tax parcel involved in the proposed sale or transfer of development rights shall be a contiguous area. To the greatest extent possible, the portion of the tax parcel involved in the proposed sale or transfer shall be contiguous to the portion of the tax parcel from which development rights had been previously sold or transferred.

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- c. The requirements of §27-2708, Availability, Development Rights, shall apply to the portion of the tax parcel involved in the proposed sale or transfer of development rights.
- d. The requirements of §27-2709, Number of Development Rights, shall apply to the calculation of the number of development rights eligible to the property owner for the portion of the tax parcel involved in the proposed sale or transfer of development rights.
- e. At least 50% of the portion of the tax parcel involved in the proposed sale or transfer of development rights shall not contain floodplains, floodplain soils, wetlands or steep slopes as defined in this Part.
- f. The portion of the tax parcel remaining without the development rights removed after the proposed transfer or sale of development rights shall not be less than the area required for the minimum lot area for Use B1 Single-Family Detached Dwelling in the applicable zoning district.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29)

§27-2712. Use of Transferred Development Rights.

Development rights may be used only in the zoning districts and for the uses designated in this Part as being eligible to receive and use transferred development rights. No transferred development rights may be used in zoning districts unless specifically permitted by this Part, nor may transferred development rights be used to increase the intensity of any use unless that increase in intensity is specifically permitted by this Part.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29)

§27-2713. Recording of Transferred Development Rights.

Development rights shall be recorded in the Bucks County Recorder of Deeds Office in accordance with the regulations of that office. All transfers and recordings shall be conveyed and recorded in full compliance with §619.1, Transferable Development Rights, of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, as added by Ord. 00-12-02, 12/20/2000, §29)

PART 28

BUFFER YARD REQUIREMENTS

§27-2800. Purpose and Applicability.

- a. Buffer yards shall be required where a non-residential zoning district (C-1, C-2, C-3, OP, IN, I, IO) adjoins a residential zoning district (CR, WS, SR-1, SR-2, RR, VR, MHP). The buffer yard shall be required for proposed development in either class (residential or nonresidential) of zoning district.
- b. Specific uses described in this Chapter require buffer yards for the use regardless of adjacent development. The requirements of this Chapter are separate and distinct from the requirements of this Part. In the case of conflict, the more restrictive requirement shall apply.
- c. Where a buffer yard exists on an adjacent property, an applicant may request by special exception that the buffer yard requirements of this Part be waived or reduced.
- d. Buffer yards may overlap the required front, side or rear yards. In the case of conflict, the larger yard requirement shall apply.
- e. Buffer yards shall include a planting strip which creates a dense screen of closely planted trees or shrubs that obscures visibility, glare and noise.

(Ord. 8-14-1995, §2800; as amended by Ord. 03-04-02, 4/28/2003, § VII)

§27-2801. Minimum Buffer Area Widths.

The table below stipulates the minimum allowable widths for buffers placed in the following districts:

	District	Minimum Width (Feet)
CR	Conservation and Recreation District	25
WS	Watershed District	25
SR-1	Single-Family Residential District	25
SR-2	Single-Family Residential District	25
RR	Residential District	35
VR	Village Residential District	35
MHP-I	Manufactured Home Park District	45

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	District	Minimum Width (Feet)
C-1	Commercial District	45
C-2	Commercial District	45
C-3	Commercial District	45
OP	Office Park District	45
IN	Institutional District	45
I	Industrial District	75
IO	Industrial-Office District	65

(Ord. 8-14-1995, §2801; as amended by Ord. 03-04-02, 4/28/2003, §VII)

§27-2802. Content of Planting Strips.

- a. The following minimum spacings are required for planting strips:
 1. Two staggered rows of evergreen trees. The rows shall be no greater than 20 feet apart. The trees in each row shall be planted at a density of one tree every nine linear feet; or
 2. A combination of other trees and shrubs that result in a level of vegetation density commensurate with subsection (a) above.
- b. Plant materials shall be selected from the following list:
 1. Canopy Trees (two inches caliper minimum)
 - Acer ginnala – Amur Maple
 - Acer rubrum – Red Maple
 - Acer saccharum – Sugar Maple
 - Betula alba – European White Birch
 - Fagus grandifolia – American Beech
 - Fagus sylvatica – European Beech
 - Fraxinus americana – White Ash
 - Fraxinum pennsylvania lanceolata – Green Ash
 - Ginkgo biloba – Ginkgo (male only)
 - Gleditsia triacanthos inermis – Thornless Honey Locust
 - Liquidambar styraciflua – Sweet Gum
 - Liriodendron tulipifera – Tulip Tree
 - Phellondendron amurense – Amur Cork Tree
 - Platanus acerifolia – London Plane Tree
 - Quercus alba – White Oak
 - Quercus rubrus – Red Oak
 - Quercus coccinea – Scarlet Oak

Quercus palustris – Pin Oak
Quercus phellos – Willow Oak
Robinia pseudoacacia inermis – Thornless Black Locust
Sophora japonica – Japanese Pagodatree
Tilia-Linden – 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 hopya* – Hopya Red-Flowering Crab
 - Oxydendrum arboreum* – Sourwood
 - Pyrus calleryana* Bradford – Callery Pear
 - Prunus kwanzan* – Kwanzan Cherry
 - Prunus yeodensis* – Yoshino Cherry

3. Evergreens (four feet high minimum)
 - LLex Opaca* – American Holly
 - Picea abies* – Norway Spruce
 - Picea omorika* – Sirbian Spruce
 - Picea pungens* – Colorado Spruce
 - Pinus nigra* – Austrian 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* – Comon Lilac
 - Viburnum alatus* – Viburnum

5. Hedgerow (four feet high minimum)
 - Crataegur crus-ggalli* – Cockspur Thron
 - Crataegus haenopyrum* – Washington Hawthorn
 - Euonymus alatus* – Winged Euonymus
 - Viburnum sieboldii* – Siebold Biburnum
 - Viburnum tomentosum* – Doublefile Viburnum

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6. Shrubs (three feet high minimum)
 - Juniperus virginiana* – Upright Juniper
 - Phracantha 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* – Vemal Witch Hazel
 - Hamamelis virginiana* – Common Witch Hazel
 - Llex verticillata* – Winter berry
 - Rhamnus frangula* – Glossy Buckthorn
 - Viburnum dentatum* – Arrowwood Viburnum
 - Viburnum lantana* – Wayfaring tree Vibumum

(Ord. 8-14-1995, §2802; as amended by Ord. 2007-04-01, 4/26/2007)

§27-2803. General Requirements.

- a. Existing Buffer: All existing deciduous and coniferous trees larger than two inches in caliper and/or six feet in height may be considered to contribute to the definition of an existing buffer on the property.
- b. All buffer yards shall be maintained and kept clean of all debris, rubbish, weeds and tall grass.
- c. No structure, manufacturing or processing activity or parking or storage of materials shall be permitted in the buffer area.
- d. Plant materials shall be permanently maintained and any plant material which does not live shall be replaced within one year of installation.
- e. Prior to the issuance of any zoning permit, complete plans showing the arrangement of all buffer yards, the placement, species and size of all plant materials and the placement, size, materials and type of all fences to be placed in such buffer yard shall be reviewed by the Zoning Officer to ascertain that the plans are in conformance with the terms of this Chapter.

(Ord. 8-14-1995, §2803)

PART 29

OFF-STREET PARKING AND LOADING

§27-2900. Purpose and General Requirements.

- a. The purpose of this Part is to specify off-street parking requirements for permitted uses in the Township.
- b. Each use established, enlarged or altered shall provide and maintain off-street parking area in accordance with the provisions of this Part.
- c. The parking requirements for uses not specifically listed shall comply with the requirements for the most similar use listed, as identified by the Zoning Officer.
- d. Where a proposed use contains or includes more than one type of use, the number of parking spaces required shall be the sum of the parking requirements for each separate use.
- e. Where the computation of required parking spaces results in a fractional number, the fraction of 1/4 or more shall be counted as one.
- f. For the purposes of calculating required parking spaces, the term “employee” shall follow the definition given in Part 2 of this Chapter.

(Ord. 8-14-1995, §2900)

§27-2901. Off-Street Parking Requirements.

Use	Off-Street Parking Requirement	Plus
A. Agricultural Use		
A1 General Farming	-	-
A2 Crop Farming	-	-
A3 Agricultural Retail	1 space per 200 s.f. of sales area	-
A4 Intensive Agriculture	1 space per 500 s.f. of production area	-
A5 Commercial Forestry	1 space per employee	-
A6 Nursery	1 space per 200 s.f. of inside sales area	1 space for each business vehicle normally stored on the premises

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Use	Off-Street Parking Requirement	Plus
A7 Garden Center	1 space per 200 s.f. of inside sales area	
A8 Farm Support Facility	1 space per 200 s.f. of inside sales area	
A9 Commercial Kennel	1 space per 12 animals of capacity	
A10 Riding Academy/Stable	1 space per 8 animals of capacity	
A11 Animal Hospital	1 space per 8 animals of capacity	
A12 Wildlife Sanctuary	1 space per employee	
B. Residential Uses		
B1 Single-Family Detached Dwelling		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B1a Watershed Conservation Development		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B1b Watershed Conservation Subdivision/2		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B2 Cluster Subdivision		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B3 Single-Family Semi-Detached Dwelling		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B4 Two-Family Detached Dwelling		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B5 Single-Family Attached		
a. 3 BR or less	2 spaces per dwelling unit	

Use	Off-Street Parking Requirement	Plus
b. 4 BR or more	3 spaces per dwelling unit	
B6 Multifamily		
a. Efficiency	1 space per dwelling unit	
b. 1 to 3 BR	2 spaces per dwelling unit	
c. 4 BR or more	3 spaces per dwelling unit	
B7 Mid-Rise Apartments		
a. Efficiency	1 space per dwelling unit	
b. 1 to 3BR	2 spaces per dwelling unit	
c. 4 BR or more	3 spaces per dwelling unit	
B8 Mobile Home Park I		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
B9 Mobile Home Park II		
a. 3 BR or less	2 spaces per dwelling unit	
b. 4 BR or more	3 spaces per dwelling unit	
C. Institutional Use		
C1 Hospital	1.75 spaces per bed	
C2 Nursing Home	1.75 spaces per bed	
C3 Personal Care Center	1.75 spaces per bed	
C4 Group Home	1.75 spaces per bed	
C5 In-Patient Drug and Alcohol Rehabilitation Center	1.75 spaces per bed	
D. Educational Uses		
D1 Nursery School/Day Care	2 spaces per classroom	1 space per full-time employee
D2 College, Primary or Secondary School		
a. Elementary, Middle Junior High	2 spaces per classroom	
b. High School	1 space for every 10 students of capacity	1 space per full-time employee
c. College	1 space for every 10 students of capacity	1 space per full-time employee
D3 Commercial Trade School	1 space for every 2 students of capacity	1 space per full-time employee

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Use	Off-Street Parking Requirement	Plus
E. Recreational Uses		
E1 Public Recreational Facility	1 space per 250 s.f. of total floor space	
E2 Private Recreational Facility	1 space per 250 s.f. of total floor space	
E3 Campground	1 space per campsite or cottage	
E4 Commercial Swimming Pool	1 space per 50 s.f. of pool area	1 space per full-time employee
E5 Private Club	1 space per 6 members or 6 persons of capacity, whichever is greater	
E6 Golf Course	1 space per 100 s.f. of total clubhouse floor area	4 spaces per hole
E7 Community Center	1 space per 200 s.f. of floor area	
E8 Library or Museum	1 space per 500 s.f. of total floor area	
F. Public, Semi-Public Uses		
F1 Municipal Building	1 space per 50 s.f. of meeting area	
F2 Emergency Service Center	1 space per 50 s.f. of meeting area	2 spaces per emergency vehicle
F3 Recycling Collection Center	1 space per employee	
F4 Place of Worship	1 space per 5 seats usable for worship or 8 l.f. of pews, whichever is greater	
F5 Cemetery	1 space per 5 persons of chapel capacity or 8 l.f. of pews, whichever is greater	
F6 Business Campus	As indicated for the individual use and occupancy	
G. Utility and Transportation Uses		
G1 Utilities	1 space per employee	
G2 Terminal	1 space per 100 sq. ft.	1 space per employee
G3 Airport	1 space per 100 sq. ft.	1 space per employee
H. Residential Accessory Building, Structure or Use		

Use	Off-Street Parking Requirement	Plus
H1 – H13	N/A	
H14 Accessory Building	2 spaces	
H15 Home Occupation	1 space per 400 s.f. of space used for the home occupation	
I. Office Uses		
I1 Medical Office	1 space per 175 s.f. of total floor area	
I2 Veterinary Office	1 space per 175 s.f. of total floor area	
I3 Professional Office	1 space per 200 s.f. of total floor area	
I4 Medical and Pharmaceutical Sales Office	1 space per 200 s.f. of total floor area	
J. Retail and Service Uses		
J1 Retail Store	1 space per 200 s.f. of total floor area	
J2 Adult Commercial	1 space per 100 s.f. of total floor area	
J3 Service Business	1 space per 200 s.f. of total floor area	
J4 Financial Establishment	1 space per 200 s.f. of total floor area	
J5 Funeral Home or Mortuary	1 space per 50 sf. of space for patron use or 4 seats for patron use, whichever is greater	
J6 Eating Place	1 space per 50 s.f. of public eating area or 3 seats, whichever is greater	
J7 Drive-In and Other Eating Place	1 space per 50 s.f. of public area or 3 seats, whichever is greater	
J8 Tavern	1 space per 100 s.f. for patron use or 3 seats, whichever is greater	
J9 Indoor Entertainment	1 space per 100 s.f. for patron use or 3 seats, whichever is greater	
J10 Theater	1 space per 50 s.f. of public eating area or 3 seats, whichever is greater	

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Use	Off-Street Parking Requirement	Plus
J11 Indoor Athletic Club	1 space per 100 s.f. of total floor area	
J12 Amusement Hall or Arcade	1 space per 35 s.f. of total floor area	
J13 Outdoor Entertainment	1 space per 3 persons of capacity	
J14 Outdoor Motion Picture Establishment	1 space per car of capacity	
J15 Motel – Hotel		
a. Without ancillary facilities such as restaurants, conference rooms, etc.	1 space per room or suite	
b. With ancillary facilities such as restaurants, conference rooms, etc.	1 space per room or suite	1 space per 50 s.f. of ancillary floor area
J16 Guest House	1 space per guest room	2 spaces for owner(s) or the resident managers
J17 Repair Shop	1 space per 200 s.f. of total floor area	
J18 Laundry	1 space per 2 washing machines	
J19 Service Station or Car Wash		
a. Without car wash	2 spaces for each service bay	
b. With car wash	1 space per 200 s.f. of total floor area	
J20 Automobile Sales	1 space per 100 s.f. of sales floor area	1 space per 5,000 s.f. of outdoor display area
J21 Automobile Repair	2 spaces for each service bay	
J22 Automotive Accessories	1 space per 100 s.f. of total floor space	
J23 Truck and Farm Equipment Sales	1 space per 100 s.f. of sales floor area	1 space per 5,000 s.f. of outdoor display area
J24 Shopping Center	4.5 spaces per 1,000 s.f. of gross leasable area	
J25 Mini-Warehouse	1 space per 10 units or if unit sizes are flexible, 1 for every 4,000 s.f. of storage area	

Use	Off-Street Parking Requirement	Plus
J26 Dwelling in Combination	Total of all uses	
J27 Nonresidential Conversion	Use requirements of closest ultimate use identified in this Section	
J28 Office Supplies and Equipment Sales and Service	1 space per 100 s.f. of floor space for customer use	
J29 Package Delivery Service	1 space per pick-up station	
J30 Photocopying Service	1 space per 100 s.f. of floor space for customer use	
K. Industrial Use		
K1 Manufacturing	1 space per 500 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K2 Research	1 space per 250 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K3 Wholesale, Storage, Warehousing	1 space per 500 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K4 Printing	1 space per 500 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K5 Contracting	1 space per 500 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K6 Truck Terminal	1 space per 500 s.f. of total floor space	1 space for each business vehicle normally stored on the premises
K7 Crafts	1 space per 500 s.f. of total floor area	
K8 Lumber Yard	1 space per 300 s.f. of office and customer service area	
K9 Mill	1 space per 300 s.f. of office and customer service area	
K10 Fuel Storage and Distribution		
K11 Junkyard	5 spaces	1 space for each business vehicle normally stored on the premises

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Use	Off-Street Parking Requirement	Plus
K12 Executive Operation	1 space for each business vehicle normally stored on the premises	1 space per employee working on the premises
K13 Asphalt Plant	1 space for each business vehicle normally stored on the premises	1 space per employee working on the premises
K14 Ready Mix Concrete Plant	1 space for each business vehicle normally stored on the premises	1 space per employee working on the premises
K15 Industrial Park	1 space per 500 sq. ft.	1 space for each business vehicle stored on the site
K16 Resource Recovery Facility	1 space for each business vehicle normally stored on the premises	1 space per employee working on the premises
K17 Solid Waste Landfill Facility	1 space for each business vehicle normally stored on the premises	1 space per employee working on the premises
K18 Flex Space	1 space per 275 s.f. of total floor area	
L. General Accessory Uses and Structures		
L1 Nonresidential Accessory Building	Shall conform to requirements of the most clearly related use as determined by the Zoning Officer	
L2 Outside Storage of Display		
L3 Temporary Structure		
L4 Temporary Community Events		
L5 Oil and Gas Drilling		
L6 Wind Energy Conservation Systems		
L7 Air Landing Field		
L8 Nonresidential radio and television, towers, masts, aerials, etc.		
L9 Off-street Parking		
L10 Signs		
L11 Helistop	2 spaces for each helicopter landing pad	

Use	Off-Street Parking Requirement	Plus
L12 Cafeteria	1 space per 50 s.f. of public eating area	
L13 Training Center		
a. With seats	1 space per 2 seats	
b. Without seats	1 space per 200 s.f. of total floor area	

(Ord. 8-14-1995, §2901; as amended by 00-01-01, 1/24/2000, Art III; and by Ord. 03-04-02, 4/28/2003, §VIII)

§27-2902. General Regulations for Off-Street Parking.

- a. General. Parking space layout and requirements shall be adequate for the intended use.
- b. Existing Parking. Structures and uses in existence at the effective date of this Chapter shall not be subject to the requirements of this Part, provided that the kind of use is not changed and that any parking facility now serving such structures or uses shall not in the future be reduced to an amount less than that required by this Chapter.
- c. Changes in Use. Whenever a building or use is changed or enlarged in floor area, number of employees, number of dwellings, seating capacity or otherwise to create a need, based upon the requirements of this Part for an increase of 10% or more in the number of existing parking spaces, the number of total spaces to be provided shall be based upon the total parking that would be required for the entire existing and proposed use.
- d. Continuing Character of Obligation.
 1. All required parking facilities shall be provided and maintained so long as the use which the facilities were designed to serve still exists.
 2. Off-street parking facilities shall not be reduced in total extent except when such reduction is in conformity with the requirements of this Part in conjunction with a change in the nature of the use.
- e. Joint Parking Lots.
 1. Two or more uses may provide for required parking in a common parking lot, provided that the total number of spaces in such lot shall not be less than the sum of the spaces required for each use individually (except as pro-

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vided below) and provided such parking lot is within 300 feet walking distance of all of the principal uses served by such lot.

2. The applicant may seek to prove that the parking requirement should be reduced under the provisions of §27-2903 because the uses would have their peak parking at different times of the day.
 3. If two adjoining business uses on separate adjoining lots develop a shared driveway and an integrated shared parking lot, the number of required parking spaces for each use may be reduced by 10%.
- f. Site Plan. Any parking area involving 1,000 square feet or more of impervious area shall require a submission of a site plan to the Township for approval.

(Ord. 8-14-1995, §2902)

§27-2903. Conditional Reduction in Off-Street Parking Area.

- a. The Township recognizes:
 1. The importance of providing adequate, well-designed off-street parking areas.
 2. The need to limit the amount of paved parking areas to preserve open space and limit storm water runoff, and
 3. That unique circumstances associated with a land use may justify a reduction in parking requirements.
- b. Following a review and recommendation by the Planning Commission, the Board of Supervisors may permit a reduction of the number of parking spaces to be initially developed as required by this Part, pursuant to the provisions of the Subdivision and Land Development Regulations, provided each of the following conditions as satisfied:
 1. The applicant shall demonstrate to the Board, using existing and projected (five years) employment, customer, resident or other relevant data, that a reduction in the off-street parking spaces to be initially developed as required by §27-2902 is warranted.
 2. Plans.
 - (a) The applicant shall submit plans of the parking lot(s) which designate a layout for the total number of parking spaces needed to comply with the parking requirement in §27-2901.

- (b) The plans shall clearly designate which of these parking spaces are proposed immediate use and which spaces are proposed to be conditionally reserved for potential future use.
- (c) The portion of the required parking spaces reserved for future use shall not be within the required buffer yards unless otherwise approved by the Township.

3. Agreements.

- (a) The applicant shall enter into an agreement with the Township requiring the applicant to maintain each conditionally reserved area as attractively landscaped open space and convert some or all of the conditionally reserved area to additional off-street parking if at any time the Board finds that additional parking is needed.
- (b) This agreement shall be recorded to the deed as a covenant running with the land.
- (c) The Zoning Officer shall bring the parking reduction agreement to the Board of Supervisors for reconsideration if the Zoning Officer determines that the reduced parking is not meeting actual needs, based upon field investigations.
- (d) This agreement shall include provisions for financial security and for the timing of the improvements.

(Ord. 8-14-1995, §2903)

§27-2904. Design Standards for Off-Street Parking.

a. General Requirements.

- 1. No parking area shall be designed to require or encourage parked vehicles to back into a public street in order to leave a parking space, except for a single-family or two-family dwelling backing onto a street other than an arterial or connector street.
- 2. Every parking area shall be designed so that each motor vehicle may proceed to and from the parking space provided for it without requiring the moving of any other vehicle, except for any spaces greater than two in number of a single-family detached dwelling.
- 3. No parking area shall be located in a required buffer yard or within an existing street right-of-way.

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4. No parking or other paved area shall be located within 10 feet of a septic system absorption area.
 5. Defined Traffic Ways. All parking areas shall include clearly defined and marked traffic patterns. In any lot with more than 30 off-street parking spaces, raised curbs and landscaped areas shall be used to direct traffic within the lot. Major vehicular routes shall be separated from major pedestrian routes within the lot.
 6. Required off-street parking spaces shall be on the same lot or premises with the principal use served.
 7. No parking area shall be used for any other use that interferes with its availability for the parking need it is required to serve. This includes storage or display of materials or vehicles.
- b. Size of Parking Spaces.
1. Each parking space shall have a stall width of at least nine feet.
 2. Each parking space shall have a stall depth of:
 - (a) At least 18 feet for all angle parking or
 - (b) At least 22 feet for parallel parking.
 3. All spaces shall be marked so as to indicate their location, except those of a single-family or two-family dwelling.
- c. Aisles.
1. Each aisle providing access to stalls for one-way traffic only shall be at least the minimum aisle width specified as follows:

Angle of Parking	Minimum Aisle Width
Parallel	12 feet
30 degrees	12 feet
45 degrees	14 feet
60 degrees	18 feet
90 degrees	20 feet
 2. Each aisle providing access to stalls for two-way traffic shall be at least 22 feet in width.
 3. No aisle shall exceed 200 feet in length.

d. Access Drives and Driveways.

1. Each access drive shall have a minimum width of 12 feet and maximum width of 15 feet at the street line for one-way use only and a minimum width of 25 feet and maximum width of 30 feet at the street line for two-way use.
2. Private driveways serving one dwelling unit or agricultural use shall have a maximum grade of no more than 10%.
3. Any other driveway or access way shall have a 6% maximum grade, except that the initial 20 feet from the edge of the cartway of a public street shall be a maximum of 3% grade.
4. Adequate provisions shall be made to maintain uninterrupted parallel drainage along a public street at the point of driveway or access drive entry.
5. At least 75 feet shall be provided between any two access drives along one street along one lot.
6. No access drive or driveway shall open onto a public street less than 80 feet from the existing right-of-way line of any intersecting public street.
7. Where access is to a public street, a State or Township (if applicable) Highway Access Permit shall be obtained.
8. Where access drives and driveways are proposed as part of a subdivision or land development, the provisions of the Township's Subdivision and Land Development Ordinance [Chapter 22] shall also be met. If there are any conflicts between the requirements of the Zoning and the Subdivision and Land Development Ordinances, the stricter provision shall apply.
9. Driveway Setbacks from Residence. A minimum five feet unpaved area setback shall be maintained between any driveway or access way and any abutting lot line of a single-family detached house, unless a shared driveway is specifically shown on the approved plan.

e. Paving, Grading and Drainage.

1. Except for areas that are landscaped and so maintained, all portions of required parking, off-street loading facilities and driveways shall be graded, surfaced with asphalt or concrete and drained in ways necessary to prevent dust, erosion or water flow across streets or adjoining properties. The paving standards of the Township Subdivision and Land Development Ordinance are hereby included by reference. However, driveways serving an individual single-family detached house on a lot of five acres or greater or that only provide access to general or crop farming shall not be required to be paved.

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2. Gravel or another surface other than asphalt may be allowed by the Zoning Officer for parking areas that are used primarily for long-term storage or used less than 10 days in any calendar year.
- f. Night time Illumination.
1. Any paved area of 1,000 square feet or more designed for use, or that would be open to the public during night hours shall be adequately illuminated for security purposes at no cost to the Township.
- g. Paved Area Setbacks (including Off-Street Parking Setbacks).
1. Setbacks are required to ensure that parked or moving vehicles do not obstruct sight distance or interfere with pedestrian traffic. The setbacks are also intended to aid in storm water management along streets.
 2. The setback areas required by this section shall be maintained in grass or other appropriate natural ground cover and shall not be covered with paving, except for approved driveway entrances and any concrete sidewalks of six feet wide or less. Storm water control facilities may be located within this setback area. No fence shall be located within the paved area setback.
 3. No off-street parking space nor outdoor display of vehicles or articles for sale shall be located within 10 feet of the ultimate right-of-way line of any street.
 4. The paved setback area, along with any curbing, shall be designed to prevent vehicles from entering or exiting the lot at locations other than approved driveways.
 5. All paved areas, except curbs or concrete sidewalks, shall be setback a minimum of three feet from the exterior structural walls of any commercial or industrial building. This setback shall not apply to driveways entering into a garage, delivery entrance, vehicle service bay or carport. This setback is intended to allow sufficient area for firefighting, sidewalks and foundation landscaping.
- h. Paved Area Landscaping.
1. Any lot that would include more than 30 parking spaces shall be required to provide landscaped areas within the paved area. This required landscaped area shall be equal to a minimum of 5% of the total paved area. A maximum of 15 consecutive and contiguous parking spaces in a row shall be allowed without being separated by a landscaped area.
 2. One deciduous tree shall be required for every 4,000 square feet of paved area. This number of trees shall be in addition to any trees required by any

other section or by the Subdivision and Land Development Ordinance [Chapter 22].

3. A substantial proportion of the trees required by this Section should be planted within the parking lot within protected islands. These protected islands should be used to direct the flow of traffic through the parking lot in a smooth and safe manner to prevent "cross-taxing."
 4. Existing Trees. For every existing tree on the lot that is preserved and maintained and that would generally meet the requirements of this Section, one less shade tree shall be required to be planted.
- i. Parking Lot Screening.
1. No off-street parking area for five or more vehicles shall be developed in such a way that vehicle headlights could shine into a dwelling located within 200 feet or less of the parking area.
 2. Wooden fencing, brick walls or evergreen screening shall be required as needed to resolve the concern of this Section. Such screening or fencing shall have a minimum height of four feet, except that screening or fencing of up to eight feet shall be required by the Zoning Officer as needed where there is unusual topography or the parked vehicles would be trucks or buses.
- j. Handicapped Parking.
1. All parking and passenger loading zones shall comply with the requirements of the Federal Americans with Disabilities Act.
 2. If not otherwise specified in the Federal Americans with Disabilities Act, parking facilities for the handicapped shall meet the following minimum standards:
 - (a) Any parking lot including at least six off-street parking spaces shall include of minimum of one handicapped space. A minimum of 3% of all off-street parking spaces required for use shall be handicapped spaces.
 - (b) Handicapped parking spaces shall be located where they would result in the shortest possible distance to an accessible building entrance.
 - (c) Handicapped spaces shall measure 13 feet in width by 18 feet in length for each space.
 - (d) Handicapped parking spaces shall be located in areas of less than 5% slope.

(Ord. 8-14-1995, §2904)

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§27-2905. Parking of Trucks and Junk Vehicles in Residential Districts.

- a. The intent of this Section is to prevent residential areas from being affected by commercial vehicles; and to maintain a residential character in residential districts by regulating junk vehicles, trucks, etc.
- b. The following special definitions shall apply:
 1. Commercial Truck or Van: A vehicle considered under its State license to be a “truck” that is primarily used for business purposes including, but not limited to, making service calls, transporting equipment used in a business or in accomplishing physical work as part of a business (such as hauling material).
 2. Tractor: A truck with more than two axles that is primarily intended to be used to pull a trailer, as defined below.
 3. Trailer: A commercial vehicle with a length of 10 feet or more that is not self-propelled, that is intended to haul materials, vehicles, goods, gases or liquids and that is intended to be pulled by a tractor (as defined above).
- c. No part of this section shall apply to the following exceptions:
 1. Township-owned vehicles
 2. Ambulance, fire and rescue vehicles
 3. Buses used primarily for transporting public or private school children to and from school
 4. Vehicles operated by the U.S. Postal Service
 5. Vehicles engaged in the construction or repair of streets, curbs, sidewalks or utilities
 6. Vehicles engaged in making routine household deliveries or rendering routine household services to a property abutting or that is part of the location where the vehicle is parked.
- d. No part of this section shall apply to recreational vehicles. However, no recreational vehicles shall be parked in side or front yards.
- e. No commercial truck or van with a gross weight exceeding 8,500 pounds or greater than two axles or any tractor or any trailer (as defined by this Section) shall be maintained (except emergency repairs), parked, stored or otherwise kept

within a lot, street or other location that is within a residential district between the hours of 8:30 p.m. and 9:00 a.m. any day of the week.

- f. In addition to the requirements of this Section, no vehicle that has been used for the bulk hauling of garbage shall be parked for more than 15 minutes in any 24 hour period on a portion of a lot or street that is within 200 feet of a dwelling.
- g. The provisions of this Chapter that allow nonconforming uses to continue and expand do not apply to conditions under this Section. Any nonconforming condition or use that exists under this Section shall be made conforming within 90 days of this Chapter.
- h. If a vehicle that is parked in a nonconforming fashion under this Section is moved from the subject property or street for more than 24 consecutive hours, the nonconformity shall be considered to have been abandoned and the property or use shall then only occur in a manner that conforms to this Chapter in that respect.
- i. No junk vehicle may be stored on a lot in a residential district unless that lot consists of one acre or more in area. No more than one junk vehicle may be stored on a lot in a residential area. No junk vehicle may be stored in a front or side yard.

(Ord. 8-14-1995, §2905)

§27-2906. Off-Street Loading.

- a. Design and Layout of Off-Street Loading Facilities Off-street loading facilities shall be designed to conform to the following specifications:
 - 1. Each off-street loading space shall be at least 14 feet in width by 60 feet in depth for a tractor-trailer, and 12 feet in width and 35 feet in depth for smaller trucks.
 - 2. Each space and the needed maneuvering room shall be located entirely on the lot being served and be located outside of required buffer areas, off-street parking setbacks and street right-of-ways.
 - (a) An appropriate means of access to a street or alley shall be provided.
 - (b) Paving, Grading and Drainage shall be provided. See §27-2904(e).
 - 3. No such facilities shall be designed or used in any manner so as to constitute a significant nuisance, public safety hazard or an unreasonable impediment to traffic.
 - 4. All such facilities shall comply with the lighting and landscaping requirements of §27-2904.

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b. Number of Loading Spaces The following minimum number of off-street loading spaces shall be required.

1. For any department store, truck terminal, hospital, retail, warehouse, industrial or manufacturing use:

Gross Floor Area Of All Buildings on Lot	Required Number of Off-Street Loading Spaces
6,000 up to 19,999	1
20,000 up to 79,999	2
80,000 up to 127,999	3
128,000 up to 191,999	4
192,000 up to 255,999	5
256,000 up to 319,999	6
320,000 up to 391,999	7
For each additional 72,000 sq. ft.	1 additional berth

2. For any auditorium, exhibition center, office building, restaurant, hotel or motel, sports area or nursing home:

Gross Floor Area Of All Buildings on Lot	Required Number of Off-Street Loading Spaces
30,000 up to 44,999	1
45,000 up to 119,999	2
120,000 up to 197,999	3
198,000 up to 290,999	4
291,000 up to 389,999	5
390,000 up to 488,999	6
489,000 up to 587,999	7
588,000 up to 689,999	8
For each additional 105,000 sq. ft	1 additional berth

c. Fire Lanes. Fire lanes shall be provided where required by State or Federal regulations or other local ordinances. The specific locations of these lanes are subject to review by the Township Fire Officials.

(Ord. 8-14-1995, §2906)

PART 30

ADMINISTRATION

§29-3000. Zoning Officer: Duties and Powers.

The Zoning Officer(s) shall perform his/her duties in accordance with the provisions of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, §3000)

§27-3001. Zoning Officer: Duties.

In New Britain Township, the duties of the Zoning Office shall be performed by the Zoning Officer(s). The Code Enforcement Officer shall also perform the duties of the Zoning Office, as assigned.

(Ord. 8-14-1995, §3001)

§27-3002. Zoning Permits Required.

Hereafter, no use may be established or changed; no structure shall be erected, constructed, reconstructed, altered, razed, removed: and no building used or occupied, changed in use, or changed in nonresidential use occupancy until a zoning permit has been secured from the Zoning Officer. Upon completion of changes in use or construction, reconstruction, alteration or moving structures, the applicant shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work or occupancy and use have been inspected and approved as being in conformity with the provisions of this Chapter.

(Ord. 8-14-1995, §3002)

§27-3003. Application Requirements for Zoning Permits.

- a. All applications for zoning permits shall be made in writing by the owner, tenant, vendee under contract of sale, or authorized agent on a form supplied by the municipality and shall be filed with the Zoning Officer. The application shall include four copies of the following information:
 1. A statement as to the proposed use of the building or land.
 2. A site layout plan drawn to scale (one inch equals 100 feet or larger) showing the location, dimensions and height of proposed buildings, structures or

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uses and any existing buildings in relation to property and street lines. If the application relates to property scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property. The site layout plan shall, at the request of the Township, be prepared by and contain the seal of a professional engineer, land surveyor or architect registered in the Commonwealth of Pennsylvania.

3. The information required in §27-2402 of this Chapter.
4. The location, dimensions and arrangements of all open spaces, yards and buffer yards, including methods to be employed for screening.
5. The location, size, arrangement and capacity of all areas to be used for motor vehicle access, off-street parking, off-street loading and unloading and provisions to be made for lighting such areas.
6. The dimensions, location and methods of illumination for signs, if applicable.
7. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
8. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage. Provisions for stormwater management shall be made in compliance with the New Britain Township Subdivision and Land Development Ordinance [Chapter 22].
9. The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.
10. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, fire hazards, traffic congestion or other safety hazards.
11. Description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards or other safety hazards.
12. Any other data deemed necessary by the Zoning Officer, Planning Commission or Board of Supervisors to enable them to determine the compliance of the proposed development with the terms of this Chapter.
13. The site layout plan shall indicate all existing trees which are to be saved, the tree protection zone boundary, and the method by which protection will occur. In addition, tree protection techniques, as detailed in the Subdivision

and Land Development Ordinance [Chapter 22], shall be indicated on the plan and shall be adhered to during construction.

- b. No permit for any new use or construction which will involve the on-site disposal of sewage or waste and no permit for a change in use or an alteration which will result in an increased volume of sewage or waste to be disposed of on the site, shall be issued until approval has been granted by the Bucks County Department of Health.

(Ord. 8-14-1995, §3003)

§27-3004. Fees and Escrow Deposits.

All applicants for zoning permits, special exceptions, conditional uses and interpretation and variance appeals shall, at the time of making application, pay to the Zoning Officer for use of the Township a fee in accordance with a fee schedule adopted by resolution of the Board of Supervisors upon the enactment of this Chapter or as such schedule may be amended by resolution of the Board of Supervisors. In addition, an escrow deposit may be required. The escrow deposit requirements shall be set from time to time by resolution of the Board of Supervisors.

(Ord. 8-14-1995, §3004)

§27-3005. Life of a Permit.

Any erection, construction, reconstruction, alteration or moving of a building or other structure, including a sign authorized by a zoning permit, shall be commenced, and any change in use of a building or land authorized by a zoning permit shall be undertaken, within one year after the date of issuance of the permit. If not, the permit shall be considered null and void. However, in case of erection or construction of a building, the right to proceed with construction may be extended annually without additional fees for an aggregate period of not more than three years, provided that the construction pursuant to said permit has commenced within the first one-year period.

(Ord. 8-14-1995, §3005)

§27-3006. Certificate of Occupancy.

- a. Hereafter, no structure erected, constructed, reconstructed, extended or moved and no land or building changed in use under a zoning permit, shall be occupied or used in whole or in part for any use whatsoever or changed in nonresidential occupancy, until the owner or authorized agent has been issued a certificate of occupancy by the Zoning Officer, indicating that the building or use complies with the terms of zoning as provided in this Chapter.

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- b. No certificate shall be issued until the premises in question have been inspected and found by the Zoning Officer to be in compliance with this Chapter.
- c. The issuance of a certificate of occupancy in no way absolves the owner or authorized agent from compliance with the intent of this Chapter.

(Ord. 8-14-1995, §3006)

§27-3007. Condition Uses; Applicability.

The Board of Supervisors shall have the power to approve conditional uses when this Chapter specifically requires the obtaining of such approval and for no other purpose.

(Ord. 8-14-1995, §3007)

§27-3008. General Conditions for Conditional Uses.

- a. In granting a conditional use, the Board of Supervisors shall make findings of fact consistent with the provisions of this Chapter. The Board of Supervisors shall not approve a conditional use except in conformance with the conditions and standards outlined in this Chapter.
- b. The Board of Supervisors shall grant a conditional use only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use. The Board of Supervisors shall, among other things, require that any proposed use and location be:
 - 1. In accordance with the Township Comprehensive Plan;
 - 2. In the best interests of the Township, the convenience of the community, the public welfare;
 - 3. Suitable for the property in question, and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
 - 4. In conformance with all applicable requirements of this Chapter and all Township ordinances;
 - 5. Suitable in terms of effect on highway traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard;
 - 6. In accordance with sound standards of subdivision and land development practice where applicable; and

7. In accordance with the specific standards and criteria of this Chapter.
- c. In addition to the requirements specified in this Chapter, the applicant shall provide information necessary for the Board of Supervisors to make its evaluation.
- d. The Board of Supervisors shall request an advisory opinion from the Planning Commission on any application for a Conditional Use. The Planning Commission is to submit a report of such advisory opinion prior to the date of the public hearing held by the Board of Supervisors on an application. The Planning Commission may request a report from the Township Engineer.
- e. The applicant shall also submit an Environmental Impact Statement (EIS) in support of the application as specified in Part 2, §27-201.

(Ord. 8-14-1995, §3008)

§27-3009. Application Requirements for Conditional Use.

Conditional use applications shall be governed by the following:

- a. The landowner shall make a written request to the Board of Supervisors that it hold a hearing on his application. The request shall contain a statement reasonably informing the Board of Supervisors of the matters that are in issue.
- b. The application shall be accompanied by plans and other materials in accordance with §27-3003.
- c. The Board of Supervisors shall hold a hearing upon the request, commencing not later than 60 days after the request is filed, unless the applicant requests or consents in writing to an extension of time.

(Ord. 8-14-1995, §3009)

§27-3010. Review Procedures for Conditional Uses.

The Board of Supervisors shall conduct hearings and make decisions in accordance with the procedures set forth in this Chapter and the Pennsylvania Municipalities Planning Code for special exceptions.

(Ord. 8-14-1995, §3010)

PART 31

ZONING HEARING BOARD

§27-3100. Establishment of Board.

A Zoning Hearing Board shall be established in order that the objectives of this Chapter may be fully and equitably achieved and that a means for competent interpretation of this Chapter be provided. The Zoning Hearing Board shall operate in accordance with the provisions of Article IX of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, §3100)

§27-3101. Jurisdiction.

The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

- a. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to §§609.1 and 916.1(a)(2) of the Pennsylvania Planning Code.
- b. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.
- c. Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
- d. Appeals from a determination by the Township Engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
- e. Applications for variances from the terms of this Chapter and flood hazard ordinance or such provisions within a land use ordinance, pursuant to §910.2 of the Pennsylvania Municipalities Planning Code.
- f. Applications for special exceptions under the zoning ordinance or floodplain or flood hazard ordinance or such provisions within a land use ordinance, pursuant to §912.1 of the Pennsylvania Municipalities Planning Code.

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- g. Appeals from the determination of any officer or agency charged with the administration of any transfers of development rights or performance density provisions of this Chapter.
- h. Appeals from the Zoning Officer's determination under §916.2 of the Pennsylvania Municipalities Planning Code.
- i. Appeals from the determination of the Zoning Officer or Township Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water management insofar as the same relate to development not involving Article V or VII of the Pennsylvania Municipalities Planning Code.

(Ord. 8-14-1995, §3101)

§27-3102. Mediation.

Parties to proceedings before the Zoning Hearing Board may utilize the mediation option pursuant to Article IX of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, §3102)

§27-3103. Conditions and Standards: Special Exception.

In granting a special exception, the Zoning Hearing Board shall make findings of fact consistent with the provisions of this Chapter. The Board shall not approve a special exception except in conformance with the conditions and shall take evidence and make a record thereon. At the conclusion of the hearing, the board shall decide all contested questions and shall make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

- a. **General Requirements and Standards Applicable to All Special Exceptions.** The Board shall grant a special exception only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use. The Board shall among other things, require that any proposed use and location be:
 - 1. In accordance with the New Britain Township Comprehensive Plan and consistent with the spirit, purposes and the intent of this Chapter.
 - 2. In the best interests of the Township, the convenience of the community, the public welfare and be a substantial improvement to the property in the immediate vicinity.

3. Suitable for the property in question and designed, constructed, operated and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity.
 4. In conformance with all applicable requirements of this Chapter.
 5. Suitable in terms of effects on highway traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard.
 6. In accordance with sound standards of subdivision practice where applicable.
- b. The Zoning Hearing Board may impose whatever conditions regarding layout, circulation and performance it deems necessary to ensure that any proposed development will secure substantially the objectives of this Chapter.

(Ord. 8-14-1995, §3103)

§27-3104. Conditions and Standards: Variances.

In general, the power to authorize a variance from the terms of this Chapter shall be sparingly exercised and only under peculiar and exceptional circumstances. Upon appeal from a decision by the Zoning Officer, the Board shall have the power to vary or adapt the strict application of any of the requirements of this Chapter. Where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property at the time of the enactment of the Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition on such piece of property, the strict application of any regulation enacted under this Chapter would result in peculiar and exceptional and undue hardship upon the owner of such property, but in no other case.

- a. Requirements and Standards. No variance in the strict application of the provisions of this Chapter shall be granted by the Board unless the Board finds that the requirements and standards are satisfied. The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance is in conformance with the requirements and standards listed below:
1. That the granting of the variance shall be in harmony with the general purpose and intent of this Chapter and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

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2. That the granting of the variance will not permit the establishment within a district of any use which is not permitted in that district.
 3. There must be proof of unique circumstances. That there are special circumstances or conditions, fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood and that said circumstances or conditions are such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of such land or building.
 4. There must be proof of unnecessary hardship.
 5. That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Board is the minimum variance that will accomplish this purpose.
- b. The Board may prescribe any safeguard that it deems to be necessary to secure substantially the objectives of the regulation or provision to which the variance applies.

(Ord. 8-14-1995, §3104)

PART 32

APPEALS AND AMENDMENTS

§27-3200. Appeals and Jurisdiction.

Article X-A of the Pennsylvania Municipalities Planning Code, as amended, identifies the mode for securing review of any decision rendered pursuant to Article IX of the Pennsylvania Municipalities Planning Code, as amended, or deemed to have been made under Act 170 of 1988.

(Ord. 8-14-1995, §3200)

§27-3201. Amendments.

The Board of Supervisors may, from time to time, amend, supplement, change or modify or repeal this Chapter, including the Zoning Map. When undertaking such actions, the Board of Supervisors shall proceed in the manner prescribed in the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, §3201)

PART 33
ENFORCEMENT

§27-3300. Jurisdiction.

Unless otherwise provided by law or in this Chapter, no building or structure shall be constructed, erected or extended and no building, structure, or land shall be used or occupied, except for the purposes permitted herein.

(Ord. 8-14-1995, §3300)

§27-3301. Remedies.

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained, or any building, structure or land is used in violation of this Chapter, the Board of Supervisors or the Zoning Officer with the approval of the Board of Supervisors may institute in the name of the township any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation, to prevent the occupancy of said building, structure or land, or to prevent any illegal act, conduct, business or use in or about such premises. The rights and remedies provided in this Chapter are cumulative and are in addition to all other remedies provided by law.

(Ord. 8-14-1995, §3301)

§27-3302. Enforcement Proceedings.

All enforcement proceedings involving this Chapter shall be undertaken in accordance with the provisions of Article VI of the Pennsylvania Municipalities Planning Code, as amended.

(Ord. 8-14-1995, §3302)

§27-3303. Repealer.

The existing Zoning Ordinance, adopted February 11, 1974, and entitled "The New Britain Township Zoning Ordinance," and all supplements and amendments thereto, are hereby repealed; provided, however, that if the present ordinance is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then, and in that event, the Zoning Ordinance of February 11, 1974, together with its supplements and amendments, would necessarily remain in full force and effect.

(Ord. 8-14-1995, §3303)

PART 34

ZONING MAP AMENDMENTS

§27-3400. Amendments.

1. Rezoning Tax Map Parcel No. 26-1-31 from a SR-2 Residential Zoning District to Institutional (IN) Zoning District.

(Ord. 01-02-01, 2/12/2001, §1)

2. Rezoning Tax Map Parcel No. 26-5-27 from a Residential (RR/CA-2) Zoning District to Office Park (OP) Zoning District.

(Ord. 00-02-02, 2/14/2000, §1)

3. Amendment to rezoning Tax Map Parcel No. 26-5-27 from Residential (RR/CA-2) to Office Park (OP) District.

(Res. 2000-12, 2/14/2000)

4. Rezoning portions of the SR-1 and SR-2 Zoning Districts to WS, Watershed Zoning District.

(Ord. 03-04-02, 4/28/2003, §IX)

5. Rezoning Tax Map Parcel No. 27-011-072 from I-Institutional Zoning District to RR-Residential Zoning District.

(Ord. 2011-01-01, 1/24/2011, §IV)

§27-306. Land Uses by Zoning District.¹

¹ Editors Note: The following table can be found at the end of this Chapter.

27 Attachment 1

Township of New Britain

APPENDIX A

ENVIRONMENTAL IMPACT STATEMENT REPORT

- a. The impact on the environment generated by subdivision, land development and other projects necessitates a comprehensive analysis of the variety of problems that may result in actions that can be taken to minimize these problems. In order to effectively evaluate the environmental consequences or effects of certain projects proposed in the Township, an Environmental Impact Statement (EIS) report shall be submitted together with preliminary plans when required by this Chapter or by the Board of Supervisors. In order to encourage the thorough preparation of an EIS report, the applicant may use the components of the EIS report to satisfy the reporting requirements of the Subdivision and Land Development Ordinance [Chapter 22]; provided, however, that a list of the Sections of the Subdivision and Land Development Ordinance [Chapter 22] that are proposed to be satisfied by the EIS report shall be submitted with the EIS report.
- b. An updated EIS report shall accompany and form a part of a final land development or subdivision plan.
- c. Twenty copies of the EIS report shall be submitted with the plans, preliminary or final. Within the EIS report, specific emphasis shall be directed toward the proposed effects on and relationship to applicable site, neighborhood (including areas in adjacent municipalities where applicable) and Township-wide resources, conditions or characteristics. The EIS report shall include text, tables, maps and analyses for the purpose of describing the project site, proposed use(s), environmental characteristics and the environmental effects of the proposal as follows:
 1. Overview. Indicate the purpose and scope of the proposed project. Enumerate the benefits to the public which will result from the proposed project and describe the suitability of the site for the intended use. A description of the proposed project shall be presented to indicate the extent of which the site must be altered, the kinds of facilities to be constructed, how they are to be considered and the uses intended. The resident population, working population and visitor population shall be projected. The basis of the projections shall be clearly stated in the report.
 2. Compatibility. The compatibility or incompatibility of the proposed project shall be described in relation to the Township Comprehensive Plan, especially the land use and open space elements.
 3. Location. An identification of the site location and area through the use of a location map drawn at a scale of not more than 2,000 feet to the inch. The location map shall depict all streets, adjoining properties, zoning district

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boundaries and municipal boundaries within 2,500 feet of any part of the tract. In the case of development of only a portion of the entire tract, the location shall also show the relationship of the section to the entire tract.

4. Photographs. An identification of the character and appearance of the site through the presentation of black and white photographs or copies thereof. Such photographs shall provide a representation of what the site looks like from ground level. Photographs shall be properly identified or captioned and shall be keyed to a map of the site.
5. Description of the Project. An identification of the nature of the proposals through the presentation of the following:
 - (a) A site development plan, including notes pertaining to the number and type of lots or units, the square footage and/or acreage of the tract and a depiction of the features which are proposed such as streets, driveways, parking areas, buildings and other structures and all impervious surfaces. The plan shall be drawn at a scale of not smaller than 100 feet to the inch, i.e., 50 feet to the inch is permitted but 200 feet to the inch is not and may be submitted as an attachment to the report. The plan shall reflect all the information required under the plan requirements of the Subdivision and Land Development Ordinance [Chapter 22].
 - (b) A statement indicating the existing and proposed ownership of the tract and where applicable, the type of ownership, operation and maintenance proposed for areas devoted to open space or otherwise not under the control of a single lot owner.
6. Physical Resources Inventory. An identification of physical resources associated with the natural environment of the tract, including such features as geology, topography, soils, hydrology and the like. The identification of physical resources shall include a narrative description of the qualitative aspects of each of the resources mentioned above. In addition, these resources shall be mapped at a scale of not smaller than 100 feet to the inch as specified below and may be either incorporated into the EIS report or submitted as attachments to the report.
 - (a) A map depicting the geological characteristics of the tract. Such map shall define the location and boundaries of the rock formations at or influencing the tract and features such as faults and/or fractures.
 - (b) A map depicting the topographical characteristics of the tract. Such map shall contain contours with at least two-foot intervals and shall depict steep slopes as defined in the Subdivision and Land Development Ordinance [Chapter 22].

- (c) A map depicting the soil characteristics of the tract. Such map shall depict all soil types and shall include a table identifying soil characteristics pertinent to the proposed project such as prime agricultural soils, depth of bedrock, depth of water table, flood hazard potential and limitations for septic tank filter fields.
 - (d) A map depicting the hydrological characteristics of the tract. Such map shall depict surface water resources, their drainage characteristics, watersheds and floodplains and groundwater resources. Surface water resources include features such as creeks, runs and other streams, ponds, lakes and other natural bodies of water, springs, wetlands and any manmade impoundments. Groundwater resources include features such as aquifers and aquifer recharge areas.
7. Biological Inventory. An identification of biological resources associated with the natural environment of the tract, including such features as vegetation and wildlife. The identification of biological resources shall include a narrative description of each of the resources mentioned above.
 8. Land Use Inventory. An identification of the land use conditions and characteristics associated with the tract, such as current and past use, land cover and encumbrances and the relationship of these to adjacent tracts. The identification of land use conditions and characteristics shall include a narrative description of the above.
 9. Surface Water Inventory. Describe existing watercourses and water bodies that are partially or totally on the site and their relationship to the area of land disturbance. Calculate existing surface runoff from the site and the associated watershed, including the potential development of the remainder of the watershed. When the natural drainage pattern will be significantly altered an analysis shall be conducted which will investigate flow, depth, capacity and water quality of the receiving waters. When required, floodplain areas will be mapped in consultation with the Department of Environmental Protection. Existing drainage structures shall be mapped and the capacity of the drainage network shall be determined. Additionally, wetland areas as defined by the Department of Environmental Protection and the U.S. Corps of Army Engineers shall be delineated.
 10. Subsurface Water Inventory. Describe the subsurface water conditions on the site both in terms of depth to groundwater and water supply capabilities of the site. Where existing conditions warrant, provide detailed information regarding existing wells within 1,000 feet of the site relative to depth, capacity and water quality. Discuss the water supply capabilities of the adjacent areas and the recharge capabilities of the site.
 11. Existing Features Inventory. Describe any existing features on the site that are not considered to be part of the natural environment. This may include,

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but not necessarily be limited to, roads, housing units, accessory structures, utility lines, etc.

12. Historic Resources Inventory. An identification of the manmade resources associated with or within 500 feet of the tract which are older than 50 years. Areas, structures and/or routes and trails included on the National Register of Historic Places, the Pennsylvania Inventory of Historic Places, the Historic American Building Survey, the Bucks County Conservancy and any which may be identified in the Comprehensive Plan shall be identified. The identification of historic resources shall include a narrative description of the above.
13. Visual Resources Inventory. An identification of the visual resources associated with the tract such as areas which have a particular amenity value and areas which offer interest in viewing the tract. The identification of visual resources shall include a narrative description of the above.
14. Community Needs Inventory. An identification of the community facility needs associated with the users and/or residents of the proposed project. The community facility needs assessment shall indicate in narrative form the type of services which will be in demand. Where applicable, community facilities (such as schools, park and recreation areas, libraries, hospitals and other health care facilities, fire protection, police protection, ambulance and rescue service and postal services) shall be discussed in terms of the ability of existing facilities and services to accommodate the demands of future users and/or residents of the lot(s) and/or tract and the need for additional or expanded community facilities.
15. Utility Needs Inventory. An identification of the utility needs associated with the users and/or residents of the proposed project and a statement whether the project is within the area to be served by public sewers under the Township's Act 537 Plan. The utility needs assessment shall indicate in narrative form the type of installations which will be in demand. Utilities (such as those used for water supply, sewage disposal, refuse disposal, storm drainage, communications and electrical transmission) shall be discussed in terms of the ability of existing utility installations to accommodate the demands of the future users and/or residents of the lot(s) and/or tract, the need for additional or expanded utility installations, the ability to achieve an adequate, potable quantity of water whenever individual wells are proposed, the ability to achieve an adequate system for onsite sewage disposal whenever such a system is proposed and the ability to achieve an adequate system for storm drainage and stormwater management. Certificates from the utilities confirming that adequate capacity exists to service the proposed development shall be included.
16. Transportation System Inventory. An identification of the relationship of the transportation and circulation system needs of the proposed project to the existing street or highway network. A discussion of this relationship

shall be in narrative form and shall indicate factors such as methods to be used for traffic control within the tract and at points of ingress to and egress from it and expected traffic volumes generated from the project, including their relationship to existing traffic volumes on existing streets for both peak hour and non-peak hour traffic conditions. In addition, there shall be a discussion of the physical condition of existing streets which will service the proposed project and what improvements are proposed to remedy any physical deficiencies.

17. Adverse Impacts. Probable adverse effects which cannot be precluded, including:
 - (a) Water quality and quantity.
 - (b) Air quality.
 - (c) Noise.
 - (d) Undesirable land use patterns.
 - (e) Damage or destruction of significant plant or wildlife systems.
 - (f) Aesthetic values.
 - (g) Destruction of natural resources.
 - (h) Displacement of people and businesses.
 - (i) Displacement of viable farms.
 - (j) Employment and property taxes.
 - (k) Destruction of manmade resources.
 - (l) Disruption of desirable community and regional growth.
 - (m) Health, safety and well being of the public.

In indicating such effects, a discussion shall be presented regarding whether they will have primary or secondary implications, that is, whether the adverse effects will have direct or indirect influence on a particular resource, condition or characteristic.

18. Mitigation Measures. Measures to mitigate adverse effects. To indicate such measures, the applicant shall submit exhibits or diagrams which will depict the type of remedial, protective and mitigative measures described in narrative form. These measures shall include those required through existing procedures and standards.

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19. Irreversible Impacts. Any irreversible environmental changes which would occur due to the proposed project should it be implemented. To indicate such changes, the use of non-renewable resources during the initial and continued phases of the project shall be discussed. Further, the loss of environmental resources shall be indicated through a presentation of the quantity of loss and related qualitative effects.
- d. In making its evaluation, the Board of Supervisors, and/or the Planning Commission, may request any additional information it deems necessary to adequately assess potential environmental impacts. Whenever any information required in this Section is assumed not directly applicable to the proposed project, the applicant shall indicate such assumed inapplicability in the narrative of the EIS report and state why such information is considered to be inapplicable in the case of the particular project in question.

27 Attachment 2

Township of New Britain

LAND USE	ZONING DISTRICTS													
	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
A. AGRICULTURAL USES														
A1 General Farming	Y	Y	Y	Y	N	N	N	Y	Y	Y	Y	Y	Y	Y
A2 Crop Farming	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A3 Agricultural Retail	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N
A4 Intensive Agricultural	Y	SE	N	N	N	N	N	N	N	N	N	N	N	N
A5 Commercial Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
A6 Nursery	Y	Y	N	N	N	N	N	Y	Y	Y	N	N	Y	N
A7 Garden Center	N	N	N	N	N	N	N	Y	Y	Y	N	N	Y	N
A8 Farm Support Facility	Y	SE	N	N	N	N	N	Y	N	N	N	N	N	N
A9 Commercial Kennel	SE	N	N	N	N	N	N	SE	N	N	N	N	Y	N
A10 Riding Academy/Stable	Y	Y	SE	SE	N	N	N	N	N	N	N	N	N	N
A11 Animal Hospital	SE	Y	N	N	N	N	N	Y	N	N	N	N	Y	N
A12 Wildlife Sanctuary	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	Y	N	N
A13 Pet Resort [Ord. 2013-04-01]	N	N	N	N	N	N	N	N	N	N	N	N	N	CU
B. RESIDENTIAL USES														
B1 Single Family Detached Dwelling	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N
B1a Watershed Conservation Subdivision [Ord. 2013-04-01]	N	CU	N	N	N	N	N	N	N	N	N	N	N	N

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LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
B1b Watershed Conservation Subdivision [Ord. 2013-04-01]	N	CU	N	N	N	N	N	N	N	N	N	N	N	N
B2 Cluster Subdivision	N	N	Y	Y	Y	CU	N	N	N	N	N	N	N	N
B3 Single Family Semi-Detached Dwelling	N	N	N	N	SE/P*	Y	N	N	N	N	N	N	N	N
B4 Two Family Detached Dwelling	N	N	N	N	SE/P*	Y	N	N	N	N	N	N	N	N
B5 Single Family Attached	N	N	N	N	P*	Y	N	N	N	N	N	N	N	N
B6 Multifamily	N	N	N	N	P*	Y	N	N	N	N	N	N	N	N
B7 Apartment Building [Ord. 2011-09-02]	N	N	N	N	N	N	N	N	N	P	N	N	N	N
B8 Mobile Homes Park I	N	N	N	N	N	N	Y	N	N	N	N	N	N	N
B9 Mobile Homes Park II	N	N	N	N	N	N	Y	N	N	N	N	N	N	N
B10 Village House Development	N	N	CU	N	N	N	N	N	N	N	N	N	N	N
C. INSTITUTIONAL USES														
C1 Hospital	N	N	N	N	N	N	N	N	N	CU	N	Y	N	N
C2 Nursing Home	N	N	N	N	N	N	N	N	CU	N	CU	N	Y	N
C3 Personal Care Center	N	N	N	N	N	N	N	N	CU	N	CU	CU	Y	N
C4 Group Home	SE	SE	SE	SE	SE	SE	SE	SE	N	N	N	N	Y	N
C5 In-Patient Drug & Alcohol Rehab-Center	N	N	N	N	N	N	N	N	N	N	SE	N	SE	N
D. EDUCATIONAL USES														
D1 Nursery School/Day Care Center [Ord. 2013-04-01]	N	SE	SE	SE	N	N	N	N	N	Y	Y	SE	Y	N
D2 College Primary or Secondary School	N	N	N	N	N	N	N	N	Y	N	SE	N	Y	N

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO	
D3 Commercial Trade School	N	N	N	N	N	N	N	SE	SE	SE	N	Y	Y	Y	
E. RECREATIONAL USES															
E1 Public Recreation Facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
E2 Private Recreational Facility	Y	Y	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	
E3 Campground	Y	SE	N	N	N	N	N	N	N	N	N	N	N	N	
E4 Non-Household Swimming Pool	Y	SE	SE	SE	SE	SE	SE	N	N	Y	Y	Y	Y	Y	
E5 Private Club	Y	SE	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	
E6 Golf Course	SE	SE	SE	SE	SE	N	N	N	N	N	N	Y	Y	Y	
E7 Community Center [Ord. 2013-04-01]	Y	SE	N	N	SE	CU	SE	N	N	Y	Y	Y	N	N	
E8 Library or Museum	Y	SE	N	N	N	N	N	Y	Y	N	N	N	N	N	
F. PUBLIC, SEMI-PUBLIC USES															
F1 Municipal Building	Y	Y	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	
F2 Emergency Service Center	SE	SE	SE	SE	SE	SE	SE	N	SE	SE	SE	SE	SE	SE	
F3 Recycling Collection Center	SE	SE	N	N	N	N	N	N	N	SE	SE	SE	SE	SE	
F4 Place of Worship	Y	Y	N	N	N	N	N	N	SE	SE	SE	Y	N	N	
F5 Cemetery [Ord. 2013-04-01]	Y	N	N	N	N	N	N	N	N	N	N	Y	N	N	
F6 Business Campus	N	N	N	N	N	N	N	N	N	Y	N	N	Y	Y	
F7 Commercial Campus [Ord. 2013-04-01]	N	N	N	N	N	N	N	N	N	N	N	N	N	N	
G. UTILITY AND TRANSPORTATION USES															
G1 Utilities	SE	N	N	N	N	N	N	N	N	N	N	N	Y	Y	
G2 Terminal	N	N	N	N	N	N	N	N	N	SE	N	N	Y	Y	

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LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
G3 Airport	N	N	N	N	N	N	N	N	N	N	N	N	SE	SE
G4 Wireless Telecommunications Facility [Ord. 2014-01-01]	Y/CU													
H. RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE														
H1 Garage/Off-Street Parking	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H2 Storage Shed	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H3 Fences, Walls	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H4 Noncommercial Swimming Pool	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H5 Tennis Court	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H6 Solar Energy System	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
H7 Wind Energy System	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
H8 Satellite Antennas	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
H9 Amateur Radio Antennas	Y	Y	SE	SE	SE	SE	SE	N	N	N	N	N	N	N
H10 Air Conditioner	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H11 Recreational or Other Vehicle Storage	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H12 Garage or Yard Sales	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H13 Household Pets	Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N
H14 Accessory Dwelling	Y	Y	N	N	N	N	N	N	N	N	N	N	N	N
H15 Home Occupation	SE	N	N	N	N	N	N	N						
I. OFFICE USES														
I1 Medical Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
I2 Veterinary Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO	
I3 Professional Office	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y	
I4 Medical and Pharmaceutical Sales Office	N	N	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y	
J. RETAIL AND SERVICE USES															
J1 Retail Store	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	
J2 Adult Commercial	N	N	N	N	N	N	N	N	N	N	N	N	SE	N	
J3 Service Business [Ord. 2013-04-01]	N	N	N	N	N	N	N	Y	Y	CU	N	N	N	N	
J4 Financial Establishments	N	N	N	N	N	N	N	Y	Y	N	Y	N	Y	Y	
J5 Funeral Home or Mortuary	N	N	N	N	N	N	N	Y	N	N	N	N	N	N	
J6 Eating Place	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	
J7 Drive-In and Other Eating Places	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	
J8 Tavern	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	
J9 Indoor Entertainment	N	N	N	N	N	N	N	Y	Y	N	Y	N	Y	Y	
J10 Theater	N	N	N	N	N	N	N	Y	Y	N	Y	N	Y	N	
J11 Indoor Athletic Club [Ord. 2013-04-01]	N	N	N	N	N	N	N	Y	Y	N	Y	N	Y	N	
J12 Amusement Hall or Arcade	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N	
J13 Outdoor Entertainment	N	N	N	N	N	N	N	CU	N	N	CU	N	CU	N	
J14 Outdoor Motion Picture Establishment	N	N	N	N	N	N	N	N	N	N	N	N	CU	N	
J15 Motel – Hotel	N	N	N	N	N	N	N	Y	N	Y	Y	Y	Y	Y	
J16 Guest House	SE	SE	N	N	N	N	N	Y	N	N	Y	Y	N	N	
J17 Repair Shop	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	N	

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LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
J18 Laundry	N	N	N	N	N	N	N	Y	Y	N	N	N	N	N
J19 Service Station or Car Wash	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	N
J20 Automobile Sales	N	N	N	N	N	N	N	SE	N	N	N	N	SE	N
J21 Automobile Repair	N	N	N	N	N	N	N	SE	N	N	N	N	SE	SE
J22 Automotive Accessories	N	N	N	N	N	N	N	Y	Y	N	N	N	Y	Y
J23 Truck and Farm Sales	N	N	N	N	N	N	N	SE	N	N	N	N	Y	Y
J24 Shopping Center	N	N	N	N	N	N	N	N	Y	N	N	N	N	N
J25 Mini-Warehouse	N	N	N	N	N	N	N	CU	N	N	CU	N	Y	Y
J26 Dwelling in Combination	N	N	N	N	N	N	N	Y	N	N	CU	N	N	N
J27 Nonresidential Conversion	N	N	N	N	N	N	N	Y	Y	N	Y	Y	Y	Y
J28 Office Supplies and Equipment Sales and Service	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
J29 Package Delivery Services	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
J30 Photocopying Services	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
J31 Planned Community Center Mixed Use [Ord. 2013-04-01]	N	N	N	N	N	N	N	CU	N	N	N	N	N	N
J32 Neighborhood Commercial Center	N	N	N	N	N	N	N	CU	N	N	N	N	N	N
K. INDUSTRIAL USES														
K1 Manufacturing	N	N	N	N	N	N	N	N	N	N	N	N	Y	CU
K2 Research	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y
K3 Wholesale Business, Wholesale Storage and Warehousing [Ord. 2013-04-01]	N	N	N	N	N	N	N	SE	N	Y	Y	N	Y	Y
K4 Printing	N	N	N	N	N	N	N	SE	N	Y	SE	N	Y	Y

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
K5 Contracting	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y
K6 Truck Terminal	N	N	N	N	N	N	N	N	N	N	N	N	Y	CU
K7 Crafts	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y
K8 Lumber Yard	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
K9 Mill	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
K10 Fuel Storage and Distribution	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
K11 Junkyard	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K12 Extractive Operation	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K13 Asphalt Plant	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K14 Ready Mix Concrete Plant	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K15 Industrial Park	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
K16 Resource Recovery Facility	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K17 Solid Waste Landfill	N	N	N	N	N	N	N	N	N	N	N	N	CU	N
K18 Flex Space	N	N	N	N	N	N	N	N	N	N	N	N	Y	Y
K19 Small Lot Industrial	N	N	N	N	N	N	N	N	N	N	N	N	CU	CU
L. GENERAL ACCESSORY USES AND STRUCTURES														
L1 Nonresidential Accessory Building	N	N	N	N	N	N	N	Y	Y	Y	Y	Y	Y	Y
L2 Outside Storage or Display	CU	CU	N	N	N	N	N	CU	CU	CU	CU	CU	CU	CU
L3 Temporary Structure	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
L4 Temporary Community Event	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y
L5 Oil and Gas Drilling Well	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
L6 Wind Energy Conservation System	N	N	N	N	N	N	N	N	N	N	N	N	Y	N

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LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
L7 Air Landing Field	N	N	N	N	N	N	N	N	N	N	N	N	Y	N
L8 Nonresidential Radio and Television Towers, Masts, Aerials, etc.	N	N	N	N	N	N	N	SE	SE	SE	SE	SE	SE	SE
L9 Off-Street Parking [Ord. 2013-04-01]	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
L10 Signs	Y	Y	Y	Y	Y	Y	N	Y	Y	Y	Y	Y	Y	Y
L11 Helistop	N	N	N	N	N	N	N	N	N	CU	CU	CU	CU	CU
L12 Cafeteria	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y
L13 Training Center	N	N	N	N	N	N	N	N	N	Y	Y	Y	Y	Y

Key:

Y – Permitted by Right

SE – Permitted as a Special Exception

CU – Permitted as a Conditional Use

P* – Permitted within a Planned Residential Development

N – Not permitted

SE/P* – Permitted as a Special Exception or within a Planned Residential Development

Y/CU – Possibly permitted by Right or as a Conditional Use pursuant to the conditions and requirements contained in §27-305.G.G4. [Ord. 2014-01-01]

(Ord. 8-14-1995, §306; as amended by Ord. 96-9-1, 9/23/1996, §1; by Ord. 00-01-01, 1/24/2000, Art. II; by Ord. 00-03-01, 4/3/2000, §I; by 00-07-01, 7/16/2000, Art. III; by Ord. 00-12-02, 12/20/2000, §6; by Ord. 01-05-03, 5/21/2001, Art. I; by Ord. 0205-01, 5/6/2002, Art II; by Ord. 03-04-02, 4/28/2003, §IV; by Ord. 2005-08-01, 8/8/2005; by Ord. 2008-02-02, 2/25/2008; by Ord. 2008-03-01, 3/10/2008; by Ord. 2008-09-02, 9/22/2008; by Ord. 2011-01-01, 1/24/2011, §III; by Ord. 2011-09-02, 9/19/2011, Arts. IV, VI; by Ord. 2013-04-01, 4/8/2013, Arts. I, II; and by Ord. 2014-01-01, 1/6/2014, Art. II)