

## CHAPTER 27

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<sup>1</sup> Editor's Note: This chapter, as codified, was reenacted by Ord. 232, 4/17/2007.

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**PART 1**

**TITLE, PURPOSE, JURISDICTION, DISTRICTS AND ZONING MAP**

**§27-100. Title.**

An ordinance regulating the location, height, bulk, erection, construction, alteration, razing, removal and size of structures; the percentage 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 East Rockhill Township.

(Ord. 5/26/1987, §100)

**§27-101. Short Title.**

This chapter shall be known as and may be cited as the “East Rockhill Township Zoning Ordinance of 1970 as amended in 1986.”

(Ord. 5/26/1987, §101)

**§27-102. Purpose.**

The purposes of this chapter are:

- a. To implement the East Rockhill 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 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 1, §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 insure the health, safety and welfare of all the people.
- g. To provide standards for all appropriate types of dwelling units so that all the people may have access to decent, sound and sanitary housing; to meet the goals of the Federal Housing Act of 1949, to provide adequate zoning to meet a fair share of the region's housing needs to the year 2000.
- h. To regulate the growth of the Township, concentrating development in areas where adequate sewage facilities, roads and schools can be provided and limiting development in areas where these facilities are not provided.
- i. To lessen danger and congestion of traffic on the roads and highways and to reduce excessive numbers of roads.
- j. To protect the tax base.
- k. To secure economy in local government expenditures.

(Ord. 5/26/1987, §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 of 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 restriction placed upon property by covenant, deed or other private agreement unless repugnant hereto.
- e. Those provisions in the 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. 5/26/1987, §103)

**§27-104. Establishment of Zoning Districts.**

The Township of East Rockhill 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 uses that are deemed most suitable to carry out the objectives of this chapter and the Comprehensive Plan. For the purpose of this chapter, East Rockhill Township is hereby divided into districts which shall be designated as follows:

- a. Rural Areas. The purposes of the zoning districts of rural areas are to maintain the agricultural industry; to preserve prime agricultural lands; to protect large environmentally sensitive areas; to protect established neighborhoods; and to protect and enhance rural villages and commercial areas.
  - (1) Agriculture Preservation District.
  - (2) Resource Protection District.
  - (3) Rural Residential District.
  - (4) Village Residential District.
  - (5) Village Commercial District.

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- b. Suburban Areas. The purpose of the Suburban Area District is to provide for middle-density residential neighborhoods; to accommodate future population growth in accordance with the Comprehensive Plan; to make appropriate use of public sewers; and to recognize the development constraints of the environmental features of the land and the road system.
  - (1) Suburban District.
  
- c. Development Areas. The purposes of the zoning districts of the development areas are to accommodate in the most appropriate locations in the more intensive residential, commercial, office and industrial uses to the year 2010.
  - (1) Residential District.
  - (2) Cultural-Educational District.
  - (3) Commercial-Office District.
  - (4) Industrial – 1 District.
  - (5) Industrial – 2 District.
  
- d. Mining Area. The purposes of the zoning district of the mining area are to provide for extraction activities and to protect the surrounding rural areas.
  - (1) Extraction District.

(Ord. 5/26/1987, §105; as amended by Ord. 194, -/-/2000, Art. II; by Ord. 195, 9/19/2000, Art. I; and by Ord. 253, 4/20/2010)

### **§27-105. Zoning Districts Map.**

Districts are bounded and defined as shown in the map entitled “Zoning Map of East Rockhill Township” which accompanies and which, with all explanatory matters thereon, is hereby made of part of this chapter.

(Ord. 5/26/1987, §106)

### **§27-106. Interpretation of District Boundaries.**

Where uncertainty exists with respect to the boundaries of the district as indicated on the Zoning Map, the following rules shall apply:

- a. Where district boundaries are indicated as approximately coinciding with the center lines of streets, highways, railroad lines or streams, such center lines 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.
- c. Where district boundaries are so indicated that they are approximately parallel to center lines 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.

(Ord. 5/26/1987, §107)



## PART 2

### DEFINITIONS

#### §27-200. General.

- a. Unless a contrary intention clearly appears, the following words and phrases shall have for the purposes of this chapter the meanings given in the following subsections.
- 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, association or government entity; including a trustee, a receive, 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 “Supervisor” and the words “Board of Supervisors” always mean the East Rockhill Township Board of Supervisors.
  - (8) The word “Commission” and the words “Planning Commission” always mean the East Rockhill Township Planning Commission.
  - (9) The word “Board” or the words “Zoning Hearing Board” always mean the East Rockhill Township Zoning Hearing Board.
  - (10) The words “Zoning Officer” always mean the East Rockhill Township Zoning Officer.
- c. Any word or term not defined herein shall be used with a meaning of standard usage.

(Ord. 5/26/1987, §200)

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### §27-201. Accessory.

- a. ACCESSORY BUILDING – see §27-207(b).
- b. ACCESSORY USE – see §27-254(b).

(Ord. 5/26/1987, §201)

### §27-202. Agricultural Soils, Prime.

- a. Prime Farmland. The following soil types classified in the Soil Survey of Bucks County, Pennsylvania, U.S. Department of Agriculture, Natural Resources Conservation Service, September 2002 Report, or as amended, shall be recognized as prime agricultural soils. Soils mapping within the soil survey shall be utilized to determine the presence of prime agricultural soils unless a site specific soil classification of the tract has been completed by a certified soil scientist. The Township reserves the right to obtain its own soil scientist to confirm any reclassification efforts.

<b>Map Symbol</b>	<b>Soil Name</b>
AlA	Alton gravelly loam, 0 to 3 percent slopes
AlB	Alton gravelly loam, 3 to 8 percent slopes
ArB	Arendtsville gravelly silt loam, 3 to 8 percent slopes
BeA	Bedington channery silt loam, 0 to 3 percent slopes
BeB	Bedington channery silt loam, 3 to 8 percent slopes
BrB	Brecknock channery silt loam, 3 to 8 percent slopes
BsA	Brownsburg silt loam, 0 to 3 percent slopes
BsB	Brownsburg silt loam, 3 to 8 percent slopes
CdA	Chester silt loam, 0 to 3 percent slopes
CdB	Chester silt loam, 3 to 8 percent slopes
CmB	Clarksburg silt loam, 3 to 8 percent slopes
DaA	Delaware loam, 0 to 3 percent slopes
DaB	Delaware loam, 3 to 8 percent slopes
DfB	Duffield silt loam, 3 to 8 percent slopes
DuA	Duncannon silt loam, 0 to 3 percent slopes
DuB	Duncannon silt loam, 3 to 8 percent slopes
EcB	Edgemont channery loam, 3 to 8 percent slopes

<b>Map Symbol</b>	<b>Soil Name</b>
FoA	Fountainville silt loam, 0 to 3 percent slopes
FoB	Fountainville silt loam, 3 to 8 percent slopes
GIB	Gladstone gravelly silt loam, 3 to 8 percent slopes
GrA	Glenville silt loam, 0 to 3 percent slopes
GrB	Glenville silt loam, 3 to 8 percent slopes
LgA	Lansdale loam, 0 to 3 percent slopes
LgB	Lansdale loam, 3 to 8 percent slopes
LkA	Lawrenceville silt loam, 0 to 3 percent slopes
LmA	Lehigh channery silt loam, 0 to 3 percent slopes
LmB	Lehigh channery silt loam, 3 to 8 percent slopes
Lt	Linden loam
MaB	Manor loam, 3 to 8 percent slopes
McA	Matapeake silt loam, 0 to 3 percent slopes
McB	Matapeake silt loam, 3 to 8 percent slopes
MdA	Mattapex silt loam, 0 to 3 percent slopes
MIa	Mount lucas silt loam, 0 to 3 percent slopes
MIb	Mount lucas silt loam, 3 to 8 percent slopes
NbB	Nashaminy silt loam, 3 to 8 percent slopes
PeA	Penn channery silt loam, 0 to 3 percent slopes
PeB	Penn channery silt loam, 3 to 8 percent slopes
PnB	Penn-Lansdale complex, 3 to 8 percent slopes
RaA	Raritan silt loam, 0 to 3 percent slopes
RaB	Raritan silt loam, 3 to 8 percent slopes
ReA	Readington silt loam, 0 to 3 percent slopes
Ro	Rowland silt loam
WaB	Washington silt loam, 3 to 8 percent slopes

- b. Statewide Important Farmland. The following soil types classified in the soils survey of Bucks County, Pennsylvania, U.S. Department of Agriculture, Natural Resources Conservation Service, September 2002 Report, or as amended, shall be recognized as statewide important farmland soils. Soils mapping within the soil survey shall be utilized to determine the presence of statewide important farmland soils unless a site specific soil classification of the tract has been completed by a certified soil scientist.

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<b>Map Symbol</b>	<b>Soil Name (Farmland of Statewide Importance)</b>
AbA	Abbottstown silt loam, 0 to 3 percent slopes
AbB	Abbottstown silt loam, 3 to 8 percent slopes
AbC	Abbottstown silt loam, 8 to 15 percent slopes
AmA	Amell silt loam, 0 to 3 percent slopes
AmB	Amell silt loam, 3 to 8 percent slopes
ArC	Arendtsville gravelly silt loam, 8 to 15 percent slopes
BeC	Bedington channery silt loam, 8 to 15 percent slopes
BrC	Brecknock channery silt loam, 8 to 15 percent slopes
BsC	Brownsburg silt loam, 8 to 15 percent slopes
BwB	Buckingham silt loam, 8 to 15 percent slopes
CbA	Chalfont silt loam, 0 to 3 percent slopes
CbB	Chalfont silt loam, 3 to 8 percent slopes
CdC	Chester silt loam, 8 to 15 percent slopes
CyB	Culleoka-weikert channery silt loam, 0 to 3 percent slopes
CyC	Culleoka-weikert channery silt loam, 8 to 15 percent slopes
DgC	Duffield-ryder silt loams, 8 to 15 percent slopes
EcC	Edgmont channery loam, 8 to 15 percent slopes
FoC	Fountainville silt loam, 8 to 15 percent slopes
GlC	Gladstone gravelly silt loam, 8 to 15 percent slopes
GlD	Gladstone gravelly silt loam, 15 to 25 percent slopes
GnC	Glenelg channery silt loam, 8 to 15 percent slopes
Ha	Hatboro silt loam
KIB	Klinesville very channery silt loam, 3 to 8 percent slopes
LgC	Lansdale loam, 8 to 15 percent slopes
LgD	Lansdale loam, 15 to 25 percent slopes
LkB	Lawrenceville silt loam, 3 to 8 percent slopes
LmC	Lehigh channery silt loam, 8 to 15 percent slopes
MaC	Manor loam, 8 to 15 percent slopes
MIC	Mount lucas silt loam, 8 to 15 percent slopes
NbC	Neshaminy silt loam, 8 to 15 percent slopes

<b>Map Symbol</b>	<b>Soil Name (Farmland of Statewide Importance)</b>
NkA	Nockamixon silt loam, 0 to 3 percent slopes
NkB	Nockamixon silt loam, 3 to 8 percent slopes
NkC	Nockamixon silt loam, 8 to 15 percent slopes
PeC	Penn channery silt loam, 8 to 15 percent slopes
PkB	Penn-klinesville channery silt loam, 3 to 8 percent slopes
PkC	Penn-klinesville channery silt loam, 8 to 15 percent slopes
PkD	Penn-klinesville channery silt loam, 15 to 25 percent slopes
PnC	Penn-lansdale complex channery silt loam, 8 to 15 percent slopes
RaC	Raritan silt loam, 8 to 15 percent slopes
ReB	Readington silt loam, 3 to 8 percent slopes
RIA	Reaville channery silt loam, 0 to 3 percent slopes
RI B	Reaville channery silt loam, 3 to 8 percent slopes
RI C	Reaville channery silt loam, 8 to 15 percent slopes
StB	Steinsburg gravelly loam, 3 to 8 percent slopes
StC	Steinsburg gravelly loam, 8 to 15 percent slopes
WaC	Washington silt loam, 8 to 15 percent slopes

(Ord. 5/26/1987, §202; as amended by Ord. 194, -/-/2000, Art. III; and by Ord. 201, 5/13/2003, §III)

**§27-203. Alterations.**

As applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement or diminution, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

(Ord. 5/26/1987, §203)

**§27-204. Area.**

- a. LOT AREA – 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 including the area of any easements.

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- 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 basements, attics and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, 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.

(Ord. 5/26/1987, §204)

### **§27-205. Basement.**

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 6 1/2 feet. A basement shall be counted as a story for the purposes of height measurement or the determination of square footage or floor area.

(Ord. 5/26/1987, §205)

### **§27-206. Boarder, Roomer or Lodger.**

A person, except family, occupying any room or group of rooms forming a single, 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).

(Ord. 5/26/1987, §206)

### **§27-207. Building.**

- a. **BUILDING** – a structure under rook, used for the shelter or enclosure of persons, animals or property. The word “building” shall include any part thereof.
- b. **BUILDING, ACCESSORY** – a subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building.
- c. **BUILDING, PRINCIPAL** – a building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

(Ord. 5/26/1987, §207)

**§27-208. Building Coverage.**

That percentage of the lot area covered by building area.

(Ord. 5/26/1987, §208)

**§27-209. Building Envelope.**

That area of a lot that has no development restrictions. The building envelope shall not include the area of any required setbacks (except for driveways which would cross yards), buffer yards, natural features with 100% protection standard and the portion of those natural features that may not be developed or intruded upon as specified in §27-1900, "Natural Resource Protection Standards."

(Ord. 5/26/1987, §209)

**§27-210. Building Height.**

A vertical distance measured from the elevation of the finished grade at the front of the building or structure to the mean roof height of the building or structure.

(Ord. 5/26/1987, §210; as amended by Ord. 253, 4/20/2010)

**§27-211. Building Setback Line.**

The rear line of the minimum 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 §27-251, "street line." For exceptions, see §27-230(d), "lane lot."

(Ord. 5/26/1987, §211)

**§27-212. 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.

(Ord. 5/26/1987, §212)

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### **§27-213. Cellar.**

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 1/2 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.

(Ord. 5/26/1987, §213)

### **§27-214. Condominium.**

Real estate, portions of which are designated for separate ownership and the remainder of which is designated for common ownership solely by the owners of those portions. Real estate is not a condominium unless the undivided interests in the common 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. 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. §3103 et seq., and in accordance with the provisions for open space, roads or other development features in this chapter and the Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 5/26/1987, §214)

### **§27-215. Density.**

A measure of the number of dwelling units per unit of area. Density shall be expressed in dwelling units per acre.

(Ord. 5/26/1987, §215)

### **§27-216. Development.**

Any manmade change to improved or unimproved real estate, including but not limited to, buildings or other structures, mining, dredging, filling, grading, paring, excavation or drilling operations.

(Ord. 5/26/1987, §216)

**§27-217. 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. See §27-219, “family.”

(Ord. 5/26/1987, §217)

**§27-218. 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 total of both shifts.

(Ord. 5/26/1987, §218)

**§27-219. Family.**

One person or two or more persons related by blood, foster relationship, marriage or adoption, and in addition, any domestic servants or gratuitous guests thereof; or a group of not more than five persons who need not be so related, and in addition, domestic servants or gratuitous guests thereof, who are living together in a single, nonprofit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder or lodger shall not be considered a member of the family.

(Ord. 5/26/1987, §219)

**§27-220. Floodplain.**

Those areas of East Rockhill Township which are subject to the 100 year flood, as identified in the Flood Insurance Study (FIS) dated May 18, 1999, and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA), or most recent revision thereof; and also those areas along watercourses, streams, ponds or lakes not identified within the Flood Insurance Study which are inundated by the 100 year recurrence internal flood.

When a watercourse, stream, pond or lake is not within an area identified in the Flood Insurance Study, the applicant shall be required to determine the 100 year flood elevation with hydrologic and hydraulic engineering techniques. Only professional engineers shall undertake hydrologic and hydraulic analyses and shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses,

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computations, etc, shall be submitted in sufficient detail to allow a thorough technical review by the Township.

All such areas shall not be altered, regraded, filled, or built upon except in conformance with §1802, "Floodplain Regulations."

(Ord. 5/26/1987, §220; as amended by Ord. 185, 5/11/1999, Art. 1; and by Ord. 194, -/-/2000, Art. IV)

### **§27-221. Floodplain Soils.**

Areas subject to periodic flooding and listed in the "Soil Survey of Bucks and Philadelphia Counties, Pennsylvania," U.S. Department of Agriculture, Soil Conservation Service, July 1975, as being "on the floodplain" or subject to "flooding." The following types are floodplain soils:

- a. Alluvial land.
- b. Alton gravelly loam, flooded.
- c. Bowmansville silt loam.
- d. Hatboro silt loam.
- e. Marsh.
- f. Pope loam.
- g. Rowland silt loam.

(Ord. 5/26/1987, §221)

### **§27-222. Floor Area.**

See §27-204(b), "area."

(Ord. 5/26/1987, §222)

### **§27-223. Floor Area Ratio.**

The ratio of the floor area to the lot area as determined by dividing the floor area by the lot area.

(Ord. 5/26/1987, §223)

**§27-224. Home Occupation.**

An activity for gain customarily carried on in a dwelling, or in a building or structure accessory to a dwelling, clearly incidental and secondary to the use of the dwelling for residential purposes.

(Ord. 5/26/1987, §224)

**§27-225. 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. Wetlands vegetation are those plant species that have adapted to the saturated soils and periodic inundations occurring in wetlands. The following soils, classified in the "Soil Survey of Bucks and Philadelphia Counties, Pennsylvania," U.S. Department of Agriculture, Soil Conservation Service, July 1975, are hydric soils:

- a. Bowmansville silt loam.
- b. Doylestown silt loam.
- c. Fallsington silt loam.
- d. Hatboro silt loam.
- e. Towhee silt loam.
- f. Towhee extremely stony silt loam.

(Ord. 5/26/1987, §225)

**§27-226. Impervious Surface.**

Those surfaces which do not absorb water. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt and packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Township Engineer to be impervious with the meaning of this definition will also be classed as impervious surfaces.

(Ord. 5/26/1987, §226)

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### **§27-227. Impervious Surface Ratio.**

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.

(Ord. 5/26/1987, §227)

### **§27-228. Lakes and Ponds.**

Natural or artificial bodies of water which retain water, exclusive of retention basins. Artificial ponds may be created by dams, or result from excavation. The shoreline of such waterbodies shall be measured from the spillway crest elevation rather than permanent pool if there is any difference. Lakes are bodies of water two or more acres in area. Ponds are any waterbody less than two acres in area.

(Ord. 5/26/1987, §228; as amended by Ord. 194, -/-/2000, Art. V)

### **§27-229. Lake and Pond Shorelines.**

Areas around lakes and ponds measured 100 feet from the spillway crest elevation.

(Ord. 5/26/1987, §229)

### **§27-230. Lot.**

- a. LOT – a parcel of land, used or set aside and available for use as the site of one or more buildings and any buildings accessory thereto or for any other 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 record. A lot shall front on a public street.
- b. LOT AREA – see §27-204(a), “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. LANE LOT – a lot which meets the criteria for an exception to the minimum lot width requirements. See §27-1704, “Exceptions to Minimum Lot Width Standards.”

- e. THROUGH LOT – an interior lot having frontage on two parallel or approximately parallel streets.
- f. 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.
- g. LOT WIDTH – the distance measured between the side lot lines at the specified distance of the required building setback line as defined in §27-211, “building setback line.” 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.

(Ord. 5/26/1987, §230)

**§27-231. Lot Lines.**

- a. LOT LINES – any boundary line of a lot.
- b. 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 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.
- c. LOT LINE, SIDE – any lot line which is not a street line or a rear lot line.
- d. STREET LINE – see §27-251, “street line.”

(Ord. 5/26/1987, §231)

**§27-232. Mobile Home.**

A transportable, single-family dwelling unit intended for permanent occupancy, office, or place of assembly, 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 unpacking and assembly operations and constructed so that it may be used without a permanent foundation. For the purposes of this chapter, any inhabited mobile home shall be considered a detached dwelling unit and as such shall be subject to all applicable regulations in this chapter or other Township ordinances. As a structure, a mobile home shall be used only in conformance with §27-304 and Parts 4 through 13.

(Ord. 5/26/1987, §232)

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### **§27-233. Mobile Home Lot.**

An 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 which is leased by the park owner to the occupants of the mobile home erected on the lot.

(Ord. 5/26/1987, §233)

### **§27-234. Mobile Home Park.**

See §27-304(B4).

(Ord. 5/26/1987, §234)

### **§27-235. Modular Home.**

A 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.

(Ord. 5/26/1987, §235)

### **§27-236. Open Space.**

Open space is land used for recreation, agriculture, resource protection, amenity, educational or municipal use. Open space is accessible to residents of the Township and/or the development as approved by the Township, except in the case of agricultural lands where access may be restricted. Open space is protected by the provisions of this chapter and the Subdivision and Land Development Ordinance [Chapter 22] to insure that it remains in such uses. Open space does not include land occupied by nonrecreational or noneducational buildings, public roads or rights-of-way; nor does it include the yards or lots of dwelling units or parking areas for those dwelling units as required by the provisions of this chapter. Open space for recreational, educational or municipal uses may contain impervious surfaces; and such surfaces shall be included in the calculation of the impervious surface ratio prior to subdivision or land development approval by the Township. Refer to §27-1903, "Open Space in Residential Developments," for limitations on the use of open space for buffer yards, utility easements, community sewage systems and/or stormwater management improvements.

(Ord. 5/26/1987, §236; as amended by Ord. 184, 4/20/1999, Art. 1)

**§27-237. Open Space Ratio.**

A measure of the intensity of land use. It is arrived at by dividing the total amount of open space within the site by the base site area.

(Ord. 5/26/1987, §237)

**§27-238. Principal.**

- a. PRINCIPAL BUILDING – see §27-207(c), “building, principal.”
- b. PRINCIPAL USE – see §27-254(c), “use, principal.”

(Ord. 5/26/1987, §238)

**§27-239. Right-of-way.**

- a. RIGHT-OF-WAY – land set aside for use as a street, ally or other means of travel.
- b. EXISTING RIGHT-OF-WAY – the legal right-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.
- c. FUTURE RIGHT-OF-WAY – the right-of-way deemed necessary to provide adequate width for future street improvements.

(Ord. 5/26/1987, §239)

**§27-240. Sewer.**

- a. PUBLIC SEWER – any Township or privately owned sewer system in which sewage is collected and piped to an approved sewage disposal plant or central septic tank disposal system. It may also be referred to as “off-lot” or “offsite” sewer. This shall include capped sewers when installed to Township specifications.
- b. PRIVATE SEWER – an “onlot” disposal system generally providing for disposal of effluent for only one building or a group of buildings on a single lot.
- c. COMMUNITY SEWAGE SYSTEM – a system for the treatment of effluent from two or more homes that is applied to the land either on the surface or below.

(Ord. 5/26/1987, §240)

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### **§27-241. Sign.**

See §27-2001(l).

(Ord. 5/26/1987, §241)

### **§27-242. Site.**

A parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

(Ord. 5/26/1987, §242)

### **§27-243. Site Area.**

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

(Ord. 5/26/1987, §243)

### **§27-244. Site Area, Base.**

The area of the site remaining after subtracting land which is not contiguous land previously subdivided and road and utility rights-of-way from the site area. See §27-1901(b)(1) for the specific calculations.

(Ord. 5/26/1987, §244)

### **§27-245. Site Area, Net Buildable.**

The area of the site 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. See §27-1901(b)(7) for the specific calculations.

(Ord. 5/26/1987, §245)

### **§27-245a. Site Area, Nonbuildable.**

The nonbuildable site area is the portion of a tract to be subdivided for single-family detached dwellings in the AP District that may not be developed pursuant to the provisions of this chapter. Land on this tract must be reserved from development if it in-

cludes the portion of prime farmland or farmland of statewide importance that must be protected in accordance with §27-304(b)(2) of this chapter, or the portion of a natural resource that must be protected in accordance with §27-1900 of this chapter.

(Ord. 5/26/1987, §245; as added by Ord. 194, -/-/2000, Art. VI; as amended by Ord. 201, 5/13/2004, §V)

**§27-246. Site Capacity.**

The maximum number of lots or dwelling units, the maximum impervious surfaces, the net buildable site area and the minimum required open space as calculated under the provisions of §27-1901(b)(10), "Site Capacity Summary."

(Ord. 5/26/1987, §246)

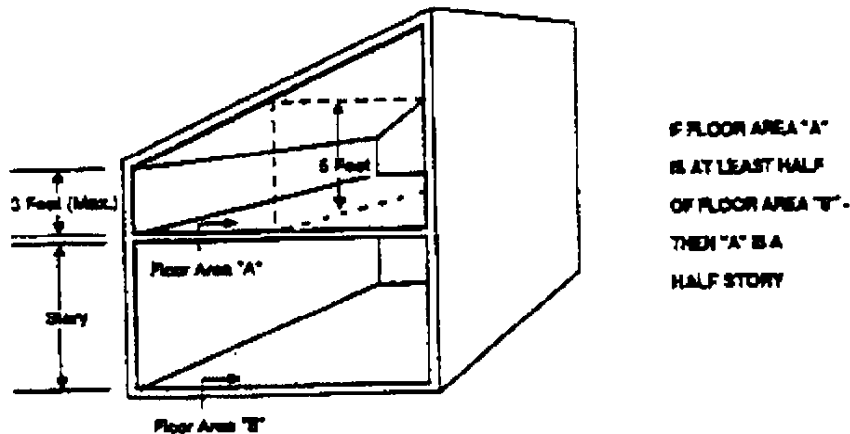
**§27-247. Steep Slopes.**

Areas of at least 1/4 acre in size where the average slope exceeds 15% which, because of this slope, are subject to high rates of stormwater runoff and, therefore, erosion and flooding.

(Ord. 5/26/1987, §247; as amended by Ord. 194, -/-/2000, Art. VII)

**§27-248. Story.**

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.



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Source: Moskowitz & Lindbloom, "The Illustrated Book of Development Definitions," (1981 Rutgers University).

(Ord. 5/26/1987, §248)

### **§27-249. 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.

(Ord. 5/26/1987, §249)

### **§27-250. Street.**

A public way used or intended to be used for passage or travel by motor vehicles and/or to provide access to abutting properties.

(Ord. 5/26/1987, §250)

### **§27-251. 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 has been established, then that width shall determine the location of the street line.

(Ord. 5/26/1987, §251)

### **§27-252. Structure.**

A combination of materials assembled, constructed or erected at a fixed location on or in land or water, including a building or a mobile home, whether or not affixed to the land.

(Ord. 5/26/1987, §252)

### **§27-253. Trees, Mature.**

Those which measure at least 10 feet dbh (diameter at breast height of 4 1/2 feet above the ground).

(Ord. 5/26/1987, §253)

**§27-254. Use.**

- a. USE – any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.
- b. USE, ACCESSORY – a use located on the same lot with a principal use and clearly incidental or subordinate to, and in connection with, the principal use.
- c. USE, PRINCIPAL – the main use on a lot.

(Ord. 5/26/1987, §254)

**§27-255. Utilities.**

Those services customarily rendered by public utility corporations, municipalities, or municipal authorities, in the nature of electricity, gas, telephone, water and sewerage, including the appurtenances used in connection with the supplying of such services (buildings, wires, pipes, poles and the like).

(Ord. 5/26/1987, §255)

**§27-255a. Watercourse.**

An intermittent or perennial stream of water, river, brook, creek or swale identified on USGS (United States Geodetic Survey) or SCS (Soil Conservation Service) mapping; and/or delineated Waters of the Commonwealth.

(Ord. 5/26/1987, §255a; as added by Ord. 194, -/-/2000, §VIII)

**§27-256. Wetlands.**

Those areas that are inundated or saturated by surface or groundwater 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, fens and similar areas.

(Ord. 5/26/1987, §256; as amended by Ord. 194, -/-/2000, Art. IX)

**§27-257. Wetlands Margin.**

The transitional area extending from the outer limit of the wetland. For the purposes of this chapter, the wetlands margin shall extend 100 feet from the wetland boundary or the limit of the hydric soils, whichever is less.

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(Ord. 5/26/1987, §257)

### **§27-258. Woodlands.**

Areas comprised of one or more acres of mature or largely mature trees in which the largest trees measure at least six inches dbh (diameter at breast height or 4 1/2 feet above the ground). The woodland shall be measured from the drip line of the outer trees. Woodlands are also 10 or more individual trees which measure at least 10 inches dbh and form a contiguous canopy.

(Ord. 5/26/1987, §258)

### **§27-259. Yard.**

- a. YARD – an open space unobstructed from the ground up except for permitted projections and plantings, on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.
- b. YARD, FRONT – a yard between a structure 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, See §27-1704, “Exceptions to Minimum Lot Width Standards.”
- c. YARD, REAR – a yard between a structure and rear lot line and extending the entire length of the rear lot line.
- d. YARD, SIDE – a yard between a structure 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.

(Ord. 5/26/1987, §259)

**PART 3**  
**USE REGULATIONS**

**§27-300. Applicability of Regulations.**

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 §27-304 and for the zoning districts so indicated in Parts 4 through 13. On any property, parcel or tract of land, only one principal use shall be permitted. However, multiple uses may be permitted on a property, parcel or tract of land within the VC Village Commercial Zoning District by conditional use, subject to the requirements set forth in §27-1003, and only those uses permitted within the VC Zoning District shall be allowed as such multiple uses.

(Ord. 5/26/1987, §300; as amended by Ord. 257, 9/21/2010)

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

- a. A used listed in Parts 4 through 15 as a use permitted by right is permitted subject to such requirements as may be specified in §27-304, and after a zoning permit has been issued in accordance with Part 22.
- b. A use listed in Parts 4 through 15 may be permitted as a special exception provided the Zoning Hearing Board authorizes the issuance of a zoning permit by the Zoning Officer, subject to the requirements of §27-304 and Part 23 and such further restrictions as said Board may establish.
- c. A use listed in Parts 4 through 15 may be permitted as a conditional use 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 §304 and Part 23, and such further conditions that the Board of Supervisors may impose to insure the protection of adjacent uses, or the health, safety or general welfare.
- d. A use not listed in Parts 4 through 15 as noted above is not permitted in the specific zoning district.

(Ord. 5/26/1987, §301)

**§27-302. Uses Subject to Other Regulations.**

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,

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easements, provisions for off-street parking and loading, and to such other provisions as are specified in other Parts thereof.

In particular, the laws of the Commonwealth and the regulations of the Bucks County Department of Health regarding water supply and waste disposal shall be adhered to. Further, no zoning permit shall be issued until approval is obtained from the Bucks County Department of Health for sewage disposal, unless the premises are served by public sewage facilities.

(Ord. 5/26/1987, §302)

### **§27-303. Temporary Accessory Uses.**

No garage or other accessory building, partial structure or temporary structure shall be erected or moved onto a lot and used for any dwelling 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.

Nonconforming temporary buildings or uses incidental to a building development and reasonably required for such development may be granted temporary zoning permits according to §27-304, Use 13.

(Ord. 5/26/1987, §303)

### **§27-304. Use Regulations.**

#### **A. Agricultural Uses.**

A1 General Farming. The production of agricultural, horticultural, arboriculture, viticultural and dairy products; the keeping of livestock, poultry and the products thereof; the raising of furbearing animals and the products thereof; the products of poultry and bee raising. All buildings (barns, sheds, silos, etc.) associated with this use.

- a. Minimum Lot Area. Three acres.
- b. 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.
- c. Silos shall be situated not less than 1 1/4 times the height of the silo from any street line or property line.

- d. Any building or structure, other than noted in subsections (b) and (c) above, shall meet the lot width, yard and setback requirements for Use B1, "Detached Dwelling," for the applicable zoning district.
  - e. Maximum Impervious Ratio. 3%.
  - f. Riding academies, livery or boarding stables and commercial dog kennels are not included under this use.
  - g. Dwelling units shall meet the requirements of Use A8, "Farm Unit."
  - h. Retail sales shall meet the requirements of Use A7, "Agricultural Retail."
  - i. For the keeping of bees, adequate shade and water shall be provided in the immediate vicinity of the hives.
  - j. The keeping and 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 Nursery. The outdoor raising of plants, shrubs and trees for sale and transplantation.
- a. Minimum Lot Area. 1.8 acres.
  - b. Any building or structure shall meet the yard, lot width and setback requirements for the applicable zoning district for Use B1, "Detached Dwelling."
  - c. Maximum Impervious Surface Ratio. 3%.
  - d. Dwelling units shall meet the requirements of Use A8, "Farm Unit."
  - e. Retail sales shall meet the requirements of Use A7, "Agricultural Retail."
- A3 Intensive Agriculture. Greenhouses, mushroom houses, feedlots, confinement livestock or poultry operations taking place in closed pens.
- a. Minimum Lot Area. 10 acres.
  - b. 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.
  - c. Silos shall be situated not less than 1 1/4 times the height of the silo from any street or property line.

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- d. Any building or structure, other than noted in subsections (b),(c) and (l), shall meet the lot width, yard and setback requirements for Use B1, "Detached Dwelling," for the applicable zoning district.
  - e. Maximum Impervious Surface Ratio. 20%.
  - f. Dwelling units shall meet the requirements of Use A8, "Farm Unit."
  - g. Retail rates shall meet the requirements of Use A7, "Agricultural Retail."
  - h. All applicable regulations of the Pennsylvania Department of Environmental Protection shall be met.
  - i. Feedlots, pens and confine areas shall not be situated less than 40 feet from any stream or swale.
  - j. The raising of garbage-fed pigs is not permitted.
  - k. Commercial dog kennels and the raising of animals for fur or skins are not included in this use.
  - l. 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.
  - m. Parking. One off-street parking space for each employee.
- A4 Forestry. Including commercial logging operations; clearing or destruction of forested or wooded areas as defined in §27-258; selective cutting or clearing for commercial or development purposes; or clearing of vegetation in reserved open space or resource protection areas. Not included under this use are the authorized clearing in accordance with plans approved pursuant to this chapter, the removal of sick or dead trees or the removal of trees in nondeed restricted areas.
- a. Clear-cutting of all vegetation shall not exceed areas of more than five acres or more than 20% of the forest in any one calendar year, whichever is less, except where pursuant to a State forestry cutting program or where class I, II, III or IV agricultural soils are to be converted to agricultural uses.
  - b. A reforestation program shall be submitted which shall show a program for reestablishment of the forest on a sustained yield basis, except where clearing is for agricultural use in subsection (a) above.

- c. For commercial uses, a long-range cutting program to insure that the forest is retained as an entity during the entire program. Such a program shall indicate the condition of the forest on a map showing:
  - (1) Adjoining lands and neighbors.
  - (2) The year of each cutting and reforestation.
  - (3) Species of trees in reforestation.
- d. For clearing purposes, the proposed future use must be stated if any is identified.
- e. All plans shall show how the general habitat and visual block of the forest is to be maintained so that the forest retains its visual and habitat qualities at all stages of the long-range cutting plan.
- f. Post a bond to insure reforestation.
- g. Sign an agreement to be recorded that no cutting or shearing shall be considered to reduce the area of forest for any development, proposed or not, pursuant to the provisions of §27-1900.

A5 Riding Academy. An establishment where horses are boarded and cared for and/or where instruction in riding, jumping and showing is offered and/or the general public may, for a fee, hire horses for riding.

- a. Minimum Lot Area. Five acres.
- b. 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.
- c. Silos shall be situated not less than 1 1/4 times the height of the silo from any street line or property line.
- d. Any building or structure, other than that noted in subsections (b) and (c) above shall meet the lot width, yard and setback requirements for Use B1, "Detached Dwelling," for the applicable zoning district.
- e. Maximum Impervious Surface Ratio. 3%.
- f. Dwelling units shall meet the requirements of Use A8, "Farm Unit."
- g. Retail sales of related items shall be limited to a maximum floor area of 750 square feet.
- h. The buffer requirements of §27-1905 of this chapter shall be met.

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- i. Parking. One off-street parking space for every three persons present at such facilities when they are filled to capacity, plus one additional off-street parking space for each full-time employee.
- A6 Kennel-Commercial. An establishment, structure, lot or portion of a lot on or in which more than six dogs, cats or domestic pets are housed, bred, boarded, trained or sold or in which laboratory animals or animals for furs and skins are raised.
- a. Shows and/or competitions which occur on a property not more than twice in any calendar year are not regulated under this use.
  - b. Minimum Lot Area. 10 acres.
  - c. No animal shelter or run shall be located closer than 200 feet from any lot line.
  - d. Maximum Impervious Surface Ratio. 3%.
  - e. Any building or structure, other than noted in subsection (c) above shall meet the lot width, yard and setback requirements for Use B1, "Detached Dwelling," for the applicable zoning district.
  - f. Dwelling units shall meet the requirements of Use A8, "Farm Unit."
  - g. The buffer requirements of §27-1905 of this chapter shall be met.
  - h. Retail sales of related items shall be limited to a maximum floor area of 750 square feet.
  - i. No area for the storage, processing or spraying of animal waste shall be situated less than 200 feet from any street or property line.
  - j. A zoning permit shall be obtained on an annual basis.
  - k. Parking. One off-street parking space for each employee plus one space for each 200 square feet of sales area.
- A7 Agricultural Retail. The retail sales of agricultural products at roadside stands or other structures to the general public.
- a. Agricultural retail is an accessory use which shall be clearly subordinate to primary uses A1, A2 and A3.
  - b. Products sold must be grown, produced or raised on the property.

- c. The maximum floor area shall be limited to 2,000 square feet for agricultural retail uses in related to agricultural uses A1, A2 and A3.
- d. Agricultural retail uses meet the yard and setback requirements for the related primary agricultural use.
- e. The buffer requirements of §27-1905 of this chapter shall be met.
- f. Parking. One off-street parking space for each 200 square feet of sales area.

A8 Farm Unit. Detached dwelling units for the sole use of the property owner, immediate family members of the property owner and persons engaged in agricultural employment on the property. Immediate family members shall be limited to parents, grandparents, siblings, sons and daughters.

- a. A farm unit is an accessory use which shall be clearly subordinate to primary uses A1, A2, A3, A5 and A6.
- b. Maximum Density. .033 dwelling spaces per acre.
- c. A farm unit shall meet the minimum yard and setback requirements of Use B1, "Detached Dwelling," from any street line or property line and between other farm units on the property. Except that a farm unit in the industrial district shall meet the area and dimensional requirements specified in §27-1302(b) and a farm unit in the Extraction District shall meet the area and dimensional requirements specified in §27-1502(b).
- d. Parking. Two off-street parking spaces per dwelling unit.

A9 Farm Support Facility. Commercial grain or commercial feed mill. Facility for the warehousing, sale and service of agricultural equipment, vehicles, feed or supplies.

- a. Minimum Lot Area. Two acres.
- b. Maximum Impervious Surface Ratio. 40%.
- c. The lot shall have frontage on and take access from an arterial or a collector highway as designated in this chapter.
- d. The buffer requirements of §27-1905 of this chapter shall be met.
- e. 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.

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- f. Parking. One off-street parking space for every 500 square feet of total floor area plus one space for each company vehicle normally stored on the premises.

A10 Kennel-Noncommercial. An establishment, structure or lot on or in which dogs, cats or domestic pets are kept for private purposes.

- a. No more than six such pets shall be kept under the permanent care of the occupants.
- b. No animal shelter or runs shall be located closer to the property or street line than the minimum yard requirements specified for the principal use.
- c. A noncommercial kennel may be established only as an accessory use.
- d. Except for the sale of young animals born to pets kept under the permanent care of the occupants, no animals shall be sold or offered for sale on the property.

### B. Residential Uses.

B1 Detached Dwelling. A single detached dwelling unit on an individual lot with private yards on all sides of the house and with no required public or community open space. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings and mobile homes.

- a. If the dwelling is a mobile home the following conditions shall also apply:
  - (1) No more than one mobile home shall be placed on a single parcel, and such mobile home shall be occupied by not more than a single family.
  - (2) The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.
  - (3) 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 foot 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.

## b. Area and Dimensional Requirements.

District	Minimum Lot Area	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Minimum Yards		
				Front (ft.)	Side (ft.)	Rear (ft.)
AP	—	Refer	Section 502	—		
RP	1.8 acres	150	10	50	30	50
RR	1.8 acres	150	10	50	30	50
S	22,000 sq. ft.	100	15	50	20	50
R-1	22,000 sq. ft.	100	15	50	20	50
VR	10,000 sq. ft.	70	30	35	15	40
VC	10,000 sq. ft.	70	30	35	15	40

- c. For all detached dwelling subdivision or land developments which involve a site area of 35 acres or more and the average lot size is less than one acre, the developer shall reserve as open space a contiguous land area of at least 10% of the site area. This open space shall be maintained for use and enjoyment of residents or the general public, and shall not include land located within the 100 year floodplain.
- d. The buffer requirements of §27-1905 of this chapter shall be met.
- e. Parking. Two off-street parking spaces for dwellings having three bedrooms or less; three off-street parking spaces for dwellings having four bedrooms or more.

B2 Detached Dwelling Cluster Subdivision. Detached dwelling units on individual lots with private yards on all sides of the house which are clustered to preserve common open space. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings and mobile homes.

## a. Performance Standards.

District	Minimum Site Area (acres)	Maximum Density (du/ac)	Minimum Open Space (%)	Maximum Imp. Surface (%)
RP	10	0.7	60	10
RR	10	1.0	70	10
S	5	2.0	25	20
R-1	5	2.5	40	20

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b. Dimensional and Area Requirements.

District	Minimum Lot Area (sq. ft.)	Maximum Bldg. Cover (%)	Minimum Lot Width (ft.)	Minimum Yards		
				Front (ft.)	Side (ft.)	Rear (ft.)
RP	20,000	10	100	50	20	50
RR	10,000	30	70	35	10	40
S	12,500	15	85	35	15	50
R-1	8,000	30	70	30	10	40

c. If the dwelling is a mobile home the following conditions shall also apply:

- (1) No more than one mobile home shall be placed on a single parcel, and such mobile home shall be occupied by not more than a single family.
- (2) The area between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.
- (3) 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 not 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 foot 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.

d. The buffer requirements of §27-1905 of this chapter shall be met.

e. Parking. Two off-street parking spaces for dwellings having three bedrooms or less; three off-street parking spaces for dwellings having four bedrooms or more.

**B3 Performance Standard Development.** A development or subdivision that permit a variety of housing types subject to a series of performance standards. The performance standard development requires the provision of open space and limits density and impervious surfaces. The following housing types are permitted subject to the dimensional requirements as indicated below.

a. **Detached Dwelling.** A single detached dwelling unit on an individual lot with private yards on all sides of the house. Detached dwellings

may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings and mobile homes.

- (1) If the dwelling is a mobile home the following conditions shall also apply:
  - (a) No more than one mobile home shall be placed on a single parcel, 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 foot 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.

(2) Dimensional Requirements.

Minimum lot area:	8,000 sq. ft.
Maximum building coverage:	30%
Minimum yards:	
front	30 ft.
side	10 ft.
rear	40 ft.
Minimum lot width at setback:	70 ft.

- b. Detached Dwelling – Off Center. A single detached dwelling unit on an individual lot with private yards on all sides of the house. The building is set close to one side property line with a side yard which may be reduced to five feet and the other side yard shall be no less than 15 feet.
  - (1) A fence, wall or hedge shall be placed in the wider side yard, extending from the dwelling to the side property line and shall be parallel to the street. The fence, wall or hedge may be broken by a walkway not exceeding four feet in width or a driveway to

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parking areas in the side or rear of the lot. The driveway shall be 10 feet in width.

- (a) The fence or wall shall be of permanent construction and shall be four to six feet in height.
- (b) The hedge material shall be planted on three foot centers and shall meet the requirements of §27-1905 (Table 3.D)

(2) Dimensional Requirements.

Minimum lot area:	7,000 sq. ft.
Maximum building coverage:	32%
Minimum yards:	
front	20 ft.
rear	35 ft.
Minimum lot width at setback:	60 ft.

- c. Village House. A single detached dwelling unit on an individual lot with private yards on all sides of the house. It differs from other forms of detached housing in the lot space and placement on the lot. It is similar to houses found in historic villages and towns. The house is placed close to the street and is additionally distinguished by planting or architectural treatments.

- (1) Each unit shall meet two or more of the following characteristics:
  - (a) An unenclosed porch running across at least 3/4 of the house front, being at least seven feet in width.
  - (b) A front yard raised above sidewalk grade by at least 30 inches and a retaining wall of at least 18 inches at the sidewalk line.
  - (c) A front yard enclosed by a wall or fence of permanent construction at least 30 inches in height and one flowering shrub per 60 inches across the width of the front of the house.
  - (d) Hedge of shrubs planted 18 inches on center for width of yard facing street and two flowering trees.

(2) Dimensional Requirements.

Minimum lot area:	5,600 sq. ft. (3 BR or less) 6,200 sq. ft. (4 BR or more)
Minimum setbacks:	house – 15 ft. front 30 ft. rear 5 ft. sides garage – 25 ft. front 30 ft. rear 5 ft. sides
Minimum lot width at setback:	50 ft. (3 BR or less) 55 ft. (4 BR or more)
Canopy trees	2 in. caliper (§1905 Table 3.A)
Flowering trees	2 in. caliper (§1905 Table 3.B)
Flowering shrubs	3 ft. high (§1905 Table 3.F)
Hedge shrubs	3 ft. high (§1906 Table 3.D)
Maximum building coverage:	35%

- d. Twins. A semidetached dwelling unit having only one wall in common with another dwelling unit with two dwelling units per structure.

Dimensional Requirements.

Minimum lot area:	4,000 sq. ft. (3 BR or less) 4,200 sq. ft. (4 BR or more)
Maximum building coverage:	35%
Minimum front yard:	30 ft.
Minimum side yard:	10 ft.
Minimum rear yard:	20 ft.
Minimum lot width at setback:	40 ft. (3 BR or less) 45 ft. (4 BR or more)

- e. Duplex. A semidetached dwelling unit with one dwelling unit located above the other dwelling unit having two dwelling units per structure.

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## Dimensional Requirements.

Minimum lot area (per dwelling unit):	2,500 sq. ft. (3 BR or less) 2,700 sq. ft. (4 BR or more)
Maximum building coverage:	30%
Minimum front yard:	30 ft.
Minimum side yard:	15 ft.
Minimum rear yard:	20 ft.
Minimum lot width at setback: (per building)	60 ft.

f. (Reserved)

g. Multiplex. An attached dwelling unit which may be arranged in a variety of configurations: side by side, back, to back or vertically. The essential feature is the small number of units attached. No more than five units shall be attached in any structure, and structures shall average four units each.

Minimum lot area (per bldg.):	8,000 sq. ft.
Minimum lot area (per dwelling unit):	800 sq. ft. (efficiency) 1,500 sq. ft. (1 BR) 2,200 sq. ft. (2 BR) 2,500 sq. ft. (3 BR) 2,700 sq. ft. (4 BR)
Maximum building coverage:	40%
Minimum setback line:	
Street	30 ft.
Parking area	10 ft.
Pedestrian walkway	5 ft.
Minimum front yard:	30 ft.
Minimum side yard:	10 ft.
Minimum rear yard:	20 ft.
Minimum building spacing:	24 ft.
Minimum lot width (per building) at setback line:	80 ft.
Maximum height:	3 stories

- h. (Reserved)
- i. (Reserved)
- j. Townhouse. An attached dwelling unit from ground to roof, having individual outside access. No more than 60% of the townhouses on a street block may exceed five dwelling units per townhouse structure. The remaining 40% of the townhouses on a street block shall not exceed four dwelling units per townhouse structure. The varied size of buildings shall be intermixed throughout the subdivision in a manner and theme acceptable to the Township. One or more of the following features must be incorporated in the design of each townhouse structure throughout each townhouse block: side entrances for end units; stepped front entrances; and/or enhanced architectural treatment at each front entrance. Each dwelling unit shall contain a garage.

Dimensional Requirements.

Minimum lot area:	1,800 sq. ft. (3 BR or less) 2,200 sq. ft. (4 BR or more)
Minimum lot width:	20 ft. (3 BR or less) 22 ft. (4 BR or more)
Maximum building coverage:	55% (ratio to lot area)
Minimum building setback:	
Street	25 ft.
Parking area	10 ft.
Pedestrian walkway	5 ft.
Minimum rear yard:	20 ft.
Minimum building spacing:	
Back to Back	30 ft.
Side to Back	30 ft.
Side to Front	30 ft.
Side to Side	25 ft.

- k. Village Townhouse. An attached dwelling unit from ground to roof having individual outside access. A row of attached townhouses shall not exceed eight dwelling units. Village Townhouses shall be served by alleys. No driveways or parking areas shall be permitted within the

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front yard area of a Village Townhouse. Village Townhouses are a separate and distinct use from townhouses.

(1) Dimensional Requirements.

Minimum lot area:	2,500 sq. ft.
Minimum lot width:	20 ft.
Maximum building coverage:	55% (ratio to lot area)
Minimum building setback:	
Street	15 ft.
Parking area	10 ft.
Pedestrian walkway	5 ft.
Alley	10 ft.
Minimum front yard:	15 ft.
Minimum rear yard:	40 ft.
Minimum side yard (end units)	15 ft.

\* Alley right-of-way shall be included in determination of lot area.

(2) Each unit shall include one or more of the following characteristics:

- (a) A shared detached two car garage centered on the side lot line and fronting on an alley. Garage must include enter partition wall.
- (b) A shared five feet by 10 feet long (minimum dimensions) storage unit centered on the side lot line and attached to the dwelling unit. (Total width of storage unit must be at least 10 feet.) Independent access to the storage unit shall be provided for each lot.
- (c) Individual walkout basement access.
- (d) Parking of vehicles shall be permitted in the rear yard within 30 feet of the alley centerline only.

- 1. Apartment. a grouping of dwelling units sharing common elements which may include common outside access. The dwelling units share a common lot area, which is the sum of the required lot areas of all dwelling units within the building. Apartment shall contain three or more dwellings in a single structure.

## (1) Dimensional Requirements.

	<b>Minimum Apartment Size (sq. ft.)</b>	<b>Minimum Lot Area Per DU (sq. ft.)</b>
Efficiency	400	1300
1 BR	500	1750
2 BR	650	2000
3 BR	800	2250
4 BR		2500
Each additional bedroom, den, family room or recreation room:	150	
Maximum impervious surface ratio (onlot):	55%	
Minimum lot area:	1 acre	
Minimum building setback:		
Street	50 ft.	
Parking area	30 ft.	
Pedestrian walkway	5 ft.	
Maximum number of units per building:	16	
Minimum building spacing:	50 ft.	
Maximum street frontage:	100 ft.	
Maximum building height	35 ft.	

- m. Performance Standards. The following requirements apply to Subsections a through l.

<b>District</b>	<b>Min. Site Area (acres)</b>	<b>Max. Density (du/ac)</b>	<b>Min. Open Space (%)</b>	<b>Max. Imp. Surface (%)</b>	<b>Dwelling Types</b>
S	10	3.0	35	40	All, except apartments, mobile homes, duplexes
R-1	5	3.0	35	25	All
VR	5	3.0	25	30	Detached, off-center, village house, twin, duplex

- n. Dwelling Unit Mix. A mix of dwelling unit types is necessary to promote a balanced community. There shall be four classes of dwelling unit types for purposes of this Section: single-family (detached dwelling, detached dwelling off-center, or village house), two-family (twin or duplex), multifamily (multiplex or apartment), and townhouse (townhouse). A mix of classes is required within the S, R-1, and VR Zoning

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Districts based on the number of dwelling units as set forth in the accompanying table.

<b>Number of Dwellings in Development</b>	<b>Minimum Required Number of D.U. Classes</b>	<b>Maximum Percent Any D.U. Class</b>	<b>Minimum Percent Any D.U. Class</b>
1 - 60	1	100%	20%
61 - 150	2	80%	20%
151 or more	3	60%	10%

- (1) S Suburban District Dwelling Mix. In order to promote flexibility in design and to encourage innovation, the foregoing dwelling unit mix may be modified by conditional use of the Board of Supervisors, provided that the developer lays out a plan in accordance with the required dwelling unit mix and provides sufficient evidence and testimony that the alternative dwelling unit mix will provide additional usable open space for the community, a better aesthetically pleasing layout and design, and the construction of additional recreational improvements or other amenities for the benefit of the Township and the residents of the community.

o. Parking Requirements.

- (1) Off-street Parking. If there is only one garage space at a dwelling unit, the garage space shall not be used to meet the requirements of this Section for off-street parking. However, if there is more than one garage space at a dwelling unit, then the garage spaces in excess of one may be used to satisfy the off-street parking requirements.

<b>Dwelling Type</b>	<b>Minimum Number of Spaces per Unit</b>
Detached dwelling, detached dwelling - off center, village house, twins, duplex	2
Multiplex, townhouse, village townhouse, apartment	
Efficiency	1
3 BR or less	2
4 BR or more	3

- p. General Requirements. The following general requirements apply to performance standard developments.

- (1) Fencing type and specifications including 10 feet in length of privacy fence attached to the Village Townhouse units extending along property line shall be subject to approval by the Township Board of Supervisors and such requirements shall be recorded as deed restrictions against the Village Townhouse units.
  - (2) The following house types within performance standard developments (Use B3) shall be required to be constructed with basements: Twins, Duplex, Weak-Link Townhouse, Townhouse and Village Townhouse.
  - (3) In addition to the buffer yard requirements contained within §27-1705 of this chapter, where a performance standard development alley or rear yard abuts or is located within 50 feet of the rear or side yard of an existing single-family dwelling, additional buffering will be provided including berms and/or ever-green plantings to visually seclude the proposed alley or rear yard from the existing single-family dwelling.
  - (4) Public streets with performance standard developments shall have a right-of-way width of 54 feet unless modified by the Board of Supervisors by conditional use. This requirement does not apply to alleys.
  - (5) No natural resource protected and/or restricted area, including but not limited to protected margins and buffers, shall be permitted to be included in the lot area of the following residential use housing types within performance standard developments: twins, duplex, multiplex, townhouse, village townhouse, and apartment.
- q. Maximum Lot Impervious Surface Ratio. Performance standard subdivisions shall meet the following maximum impervious surface ratios for each dwelling type:

<b>Type</b>	<b>Max. Impervious Surface Ratio</b>
Detached dwelling	40%
Detached dwelling off-center	42%
Village house	48%
Twin	55%
Duplex	58%
Multiplex	66%
Townhouse	85%
Village townhouse	85%
Apartment	55%

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B4 Mobile Home Park. A parcel of land under single ownership which has been planned and improved for the placement of mobile homes for nontransient use, consisting of two or more mobile home lots.

a. Dimensional Requirements.

	Minimum Lot Area (sq. ft.)	Min. Lot Width at Building Setback (feet)	Maximum Building Coverage (%)	Min. Yards (feet)			Min. Distances Between Units (feet)
				Front	Side	Rear	
Single-wide Units to 61'	4800	45	25	20	5	15	30
Single-wide Units 61' or Longer	5250	45	25	20	5	15	30
Double-wide Units	7000	60	25	30	5	15	30

b. Performance Standards.

- Maximum site area: 15 acres
- Maximum density: 5.0 du/ac
- Minimum open space ratio: 30%
- Maximum impervious surface ratio: 25%

c. If the dwelling is a mobile home the following conditions shall also apply:

- (1) 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.
- (2) The are between the ground level and the perimeter of the mobile home shall be enclosed by means of a suitable skirting.
- (3) Each mobile 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 foot 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.

d. 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].

- e. The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be nine.
- f. No space shall be rented for residential use of a mobile home in any such park except for periods of 30 days or more.
- g. Plans for any mobile home park shall be submitted in conformance with the Township Subdivision and Land Development Ordinance [Chapter 22] and the Township ordinance regulating mobile home parks [Chapter 14].
- h. 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 (Act 537).
- i. The buffer requirements of §27-1905 of this chapter shall be met.
- j. Minimum Off-Street Parking. Two spaces for three bedrooms or less; three spaces for four bedrooms or more.

**B5** Group Home. This use is to encompass living arrangement for a group of persons who might otherwise be confronted with institutionalization. The purpose of this use is to create a setting which most nearly approximates traditional familial living arrangements for handicapped, elderly, disabled persons and others. The intent of this use is to offer persons facing institutionalization an alternative whereby they can be placed in a family setting as nearly normal as possible and, thereby, enter into the mainstream of society. Groups contemplated by this use include, but are not limited to, group homes for the mentally handicapped, physically handicapped, emotionally handicapped and elderly. However, this use does not include group homes for ex-convicts or half-way houses. Due to the fact that it is the intent of this use to create traditional familial living arrangements, all group home structures should have the appearance of single-family or other traditionally residential structures.

- a. The number of persons living in a group home shall not exceed 10 in number unless each resident has 100 square feet of floor space per person for sleeping quarters. It is the intent of this chapter that any number in excess of ten persons actually residing at the subject premises would tend to decrease the familial concept, detract from effective family interaction and would tend to create an institutional atmosphere. Personal care boarding homes in excess of eight residents and licensed by the State Department of Public Welfare shall be governed §27-304, B6, of this chapter.
- b. A group home must be sponsored and operated by an organization or corporation licensed by either the County or the State. Proof of com-

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pliance with all applicable County, State or Federal regulations and the name, address and phone number of the responsible contact person with the sponsoring organization shall be furnished to the Township with the zoning permit application and thereafter continuously maintained and updated.

- c. The buffer requirements of §27-1905 of this chapter shall be met.
- d. Parking. One off-street parking per employee on the largest shift plus one space for accessory vehicle.

**B6 Life Care Facility.** A life care facility is a form of residential use designed and operated for individuals requiring certain support facilities, including personal care boarding homes in excess of eight residents and licensed by the State Department of Public Welfare. Personal care boarding homes for eight residents or less shall be governed by §27-304, B5. Life care facilities are subject to the following restrictions:

- a. Dimensional Requirements.

- Minimum lot area: 5 acres
- Minimum front yard: 75 feet
- Minimum side yards: 50 feet
- Minimum rear yard: 50 feet
- Minimum lot width: 250 feet

- b. Maximum Density. Four dwelling units per acre.
- c. Maximum Impervious Surface Ratio. 25%.
- d. Maximum Height. Three stories, 35 feet.
- e. Support Facilities.

- (1) Retail facilities shall be for use of residents and their guests only. No outside advertising is permitted. The life-care retail facilities may occupy no more than 1/10 of 1% of the total floor area. Retail facilities shall be limited to the following uses:

- (a) Barber shop.
- (b) Beauty parlor.
- (c) Pharmacy (as an adjunct to the life-care nursing facility).
- (d) Commissary.

- (e) Newsstand.
  - (f) Gift shop.
  - (g) Snack bar/coffee shop.
  - (h) Thrift shop.
  - (i) Handicraft shop.
- (2) Life-Care Nursing Facility. This facility shall be designed for the temporary and long-term care of the residents of the life-care facility. Long-term nursing beds within this facility shall not exceed one per three dwelling units.
- (3) Other support facilities may include, but are not limited to, lounge areas, reading rooms, craft rooms, common dining facilities and recreational rooms.
- f. Open Space and Passive Recreational Area. At least 50% of the site area must be maintained as open space which shall not include detention basins, parking lots, accessory buildings or any impervious surfaces except those used for recreational purposes. At least 20% of the site, which may be considered part of the open space, shall be developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks. Not outdoor sitting areas shall be located on land subject to flooding or on slopes in excess of 5%.
- g. Off-Street Parking. There must be .85 off-street parking spaces per bedroom in addition to one off-street parking space for each employee on the largest shift.
- h. Fire Protection. All rooms in the life-care facility shall be provided with sprinkler systems for fire protection and shall contain and be served by wet charged stand pipes to the top floor.
- i. Location to Service. Due to the dependence of the elderly on alternate means of transportation and the need for acquiring access to primary services, a life-care facility must be located within a quarter of a mile to the following services:
- (1) Post office.
  - (2) Drug store.
  - (3) Regional shopping center.

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- (4) Grocery store.
- (5) Dry cleaner.
- (6) Restaurant.
- (7) Beauty parlor.
- (8) Barber shop.
- (9) House of worship.
- (10) Public transportation.
- (11) Movie house.
- (12) Bank.
- (13) Library.

If this is not possible, the developer of a life-care facility shall submit to the Township a transportation plan which shall outline a transportation service for the residents of the life-care facility, to be provided by the owner or manager, providing access to these services at reasonable intervals. This plan must be approved by the Township as a condition for approval of use.

- j. Safety Features. It is necessary in the design and development of a life-care facility, that the safety and physical capabilities of the future residents be considered. The design features of the life-care center shall be such that potentially dangerous situations are minimized and the independence and mobility of the residents maximized. The following safety features shall be incorporated into the design of the life-care center as a condition of approval.

- (1) Handle type spigots and doorknobs.
- (2) Showers designed for wheelchairs, in place of tubs in at least 30% of the units.
- (3) Nonskid surfaces in tubs and showers and on all floors.
- (4) Control of water temperature to avoid accidental scalding.
- (5) Flush door entrances for easy wheelchair access.
- (6) Emergency signal systems in bathrooms and bedrooms connected with either an adjacent apartment or central office.

- (7) Grab bars around all toilets and tubs; in addition, all grab bars and towel racks shall be made of noncorrosive metal and be able to withstand up to 250 pounds.
  - (8) All cooking stoves shall be electric. Burner controls shall be located in the front.
  - (9) Electric outlets shall be located at levels at least 24 inches above the floor.
  - (10) All light fixtures shall be located on the walls at convenient levels to avoid accidents that might otherwise occur in the repair of ceiling fixtures.
  - (11) There shall be ramps or elevators in addition to stairs.
  - (12) All elevators shall have slow closing doors with sensitive reopening mechanisms.
  - (13) Handrails shall be provided along all steps, hallways, ramps and sloped walks, both indoors and outdoors.
- k. A transportation impact study and water impact study shall be required as specified in this chapter.
  - l. The buffer requirements of §27-1905 of this chapter shall be met.

**B7 Full Care Facility.** A full care facility is a form of residential use designed and operated exclusively for individuals requiring skilled full time care. Educational facilities may be an accessory use.

a. Dimensional Requirements.

Minimum lot area: 5 acres  
Minimum front yard: 75 feet  
Minimum side yards: 50 feet  
Minimum rear yard: 50 feet  
Minimum lot width: 250 feet

- b. Maximum Density. Eight bedrooms per acre.
- c. Maximum Height. Three stories, 35 feet.
- d. Open Space and Passive Recreational Area. At least 50% of the site area must be maintained as open space which shall not include deten-

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tion basins, parking lots, accessory buildings or any impervious surfaces except those used for recreational purposes. At least 20% of the site, which may be considered part of the open space, shall be developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks. No outdoor sitting area shall be located in areas subject to flooding or on slopes in excess of 5%.

- e. Off-Street Parking. There must be .85 off-street parking spaces per bedroom in addition to one off-street parking space for each employee on the largest shift. All parking lots shall be located to the side and rear of the building as it faces the street.
  - f. Fire protection improvements shall be provided in accordance with applicable Township codes.
  - g. A transportation impact study and water impact study shall be required as specified in this chapter.
  - h. The buffer requirements of §27-1905 of this chapter shall be met.
- B8 Rooming or Boarding House. A dwelling used for the housing of roomers, boarders or lodgers with or without common eating facilities, including dormitories, fraternity or sorority uses or other buildings of charitable, educational or philanthropic use, but not including personal care boarding homes or similar facilities licensed by the State Department of Public Welfare.
- a. Dimensional Requirements.
    - Minimum lot area: 2 acres
    - Minimum front yard: 55 feet
    - Minimum side yards: 50 feet
    - Minimum rear yard: 50 feet
    - Minimum lot width: 150 feet
  - b. Maximum Density. Three bedrooms per acre.
  - c. Maximum Height. Three stories, 35 feet.
  - d. Each sleeping room shall be limited to two beds.
  - e. Parking. One off-street space per bedroom.
- B9 Residential Conversion. The conversion of an existing building into two or more dwelling units or the conversion of an accessory building into one or more dwellings units.

- a. Detached dwellings which are converted must maintain the appearance of a detached dwelling with a single front entrance. Additional entrances may be placed on the side or rear of the structure. The dwelling units may share the single front entrance. Exterior stairways and fire escapes shall be located on the rear wall in preference to either side wall and in no case on a front or side wall facing a street.
- b. Except as may be necessary purposes of safety in accordance with the preceding subsection, there shall be no major structural change in exterior of the building in connection with the conversion. After conversion, the building shall retain substantially the same structural appearance it had before such conversion.
- c. All septic systems must be approved by the Bucks County Department of Health prior to the issuance of a zoning permit.
- d. Separate cooking and sanitary facilities shall be provided for each dwelling unit.
- e. Off-street parking spaces shall be located to the side or rear of the converted structure.
- f. Off-street parking lots with three or more spaces shall be buffered from abutting residences. Hedge material as specified in §27-1905 shall be placed on three foot centers. Alternately, a four to five foot fence may be erected which provides a visual screen.
- g. Trash receptacles shall not be visible from the street or abutting properties except on scheduled pick-up days.
- h. The minimum lot width and minimum yard requirements for Use B1, "Detached Dwelling," shall be met for the applicable zoning district. In the Cultural-Educational District, the minimum lot width and minimum yard requirements for all permitted uses in this district shall be met.
- i. Each converted structure shall have a recreation/patio area of at least 200 square feet per dwelling unit. The recreation/patio area shall not be located in the front yard or the minimum side or rear yards.
- j. The following minimum floor area requirements shall be met:

Type of Unit	Minimum Floor Area (sq. ft.)
Efficiency	400
1 Bedroom	500

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<b>Type of Unit</b>	<b>Minimum Floor Area (sq. ft.)</b>
2 Bedrooms	650
3 Bedrooms	800
4 Bedrooms	950

A minimum 120 square feet of floor area for each additional bedroom, den, family room or recreation room shall be required.

- k. The following minimum lot area requirements shall be met:

<b>Zoning District</b>	<b>Minimum Lot Area Per Dwelling Unit</b>
RP	1 acre
RR	1 acre
R-1	22,000 square feet
VR	10,000 square feet
VC	10,000 square feet
C-E	1 acre

- l. A structure must be occupied at least seven years before it is converted.
- m. Parking. Two off-street parking spaces for dwellings having three bedrooms or less; three off-street parking spaces for dwellings having four bedrooms or more.

B10 Accessory Home Occupation. A customary home occupation for gain. An accessory home occupation is an accessory use that shall be clearly subordinate to the existing residential use of the property. Such uses shall meet the general standards and the specific standards related to the use as set forth below.

- a. General Standards. The following shall apply to all home occupations:
  - (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.
  - (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 of 400 square feet, whichever is

less. 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 onlot and must be parked in a garage or an enclosed structure.
- (6) Off-street parking spaces are not permitted in the front yards. A 10 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 §27-1905 shall be placed on three foot centers. Alternately, a four 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.
- (8) No equipment or process shall be used in a home occupation which creates noise, vibration, glare, fumes, odors, dust or electrical interference detectable 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 accessory home occupations.

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

(1) Use B10(a), "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. Professional offices include, but are not limited to, the following: office facility of a salesman, sales representative or a manufacturer's representative. Office facility of an architect, engineer, broker, dentist, doctor, psychiatrist, insurance agent, land surveyor, lawyer, musician, real estate agent or accountant. Office facility of a minister, rabbi or priest providing that the office is open to the public or congregation.

A professional office home occupation is a permitted accessory use providing that the home occupation complies with the following conditions and a zoning permit is obtained:

- (a) No more than two persons, other than resident members of the immediate family, may be obtained.
  - (b) The minimum site area shall be two acres, except in the VC and VR districts where it shall be permitted in any detached structure on lots of 10,000 square feet or larger.
  - (c) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, a professional office shall provide one off-street parking space for each employee, plus one additional space for each 200 square feet of office space. A maximum of six off-street parking spaces are permitted on one lot, inclusive of the required residential parking.
- (2) Use B10(b), "Personal Services." A service business including, but not limited to, barbers, beauticians or photographers.
- (a) Beauty parlors and barber shops may be permitted as a conditional use provided no more than two beauty parlor or barber chairs are provided.
  - (b) No more than one person, other than resident members of the immediate family, may be employed.

- (c) The minimum site area shall be two acres, except in the VC and VR districts where it shall be permitted in any detached structure on lots of 10,000 square feet or larger.
  - (d) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, personal services use shall provide one off-street parking space for each employee, plus one additional space for each 200 square feet of office space. A maximum of six off-street parking spaces are permitted on one lot, inclusive of the required residential parking.
- (3) Use B10(c), "Instructional Services." An instructional service is 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 purposes.
- (a) Instructional services involving a maximum of four students at a time are permitted.
  - (b) Instructional services involving musical instruments are only permitted in single-family detached dwellings.
  - (c) No persons shall be employed other than resident members of the immediate family.
  - (d) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, an instructional service shall provide one off-street parking space per two students being instructed at any one time. A maximum of four off-street parking spaces are permitted on one lot inclusive of residential parking.
- (4) Use B10(d), "Home Crafts."

Home crafts are business activities whereby the commodity for sale is completely manufactured and may be sold on the site by the resident craftsman.

Home craft may include, but are not limited to, the following: artists, sculptors, dressmakers, seamstresses and tailors; and include such activities as model making, rug weaving, lapidary work and furniture making.

- (a) Home crafts are permitted only in single-family detached dwellings and existing accessory buildings on the same lot.

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- (b) No more than one person other than resident members of the immediate family may be employed.
  - (c) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, a home craft shall provide one off-street space per 300 square feet of total floor area used for the home occupation. A maximum of four off-street parking spaces are permitted on one lot inclusive of the required residential parking.
- (5) Use B10(e), "Family Day Care." A family day care use is a facility in which care is provided for one or more children, but no more than six at any one time, who are not relatives of the caregiver, where the child care areas are being used as a family residence.
- (a) 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, §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.
  - (b) This use shall be conducted in a building designed for residential occupancy and for the safety and well-being of the occupants.
  - (c) 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.
  - (d) Family day care uses are only permitted as an accessory use in a detached dwelling.
  - (e) 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 which is deemed appropriate by the Township. The outdoor play area should be located to the side or rear of the property.

- (f) No more than one person other than resident members of the immediate family may be employed.
  - (g) The buffer requirements of §27-1905 of this chapter shall be met.
  - (h) **Parking Standards.** In addition to the off-street parking required for a single-family home at least one additional off-street parking space is required for each employee.
  - (i) The use shall be located on a public street.
  - (j) 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:
    - (i) All standards noted above for family day care uses shall be met.
    - (ii) The regulations of the Pennsylvania Department of Welfare shall be met.
    - (iii) Such uses shall be permitted only in single-family detached dwellings or in an accessory building on the same lot.
    - (iv) **Minimum Lot Area.** Two acres.
- (6) Use B10(f), "Trades, Business." 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.
- (a) No more than one business vehicle may be parked on the property including noncommercial trucks and vans with loading capacities not exceeding 3/4 ton. The business vehicle shall be parked in an enclosed structure.
  - (b) The area of the office, storage of materials and equipment (excluding vehicles) shall not exceed the limitations of subsection (a)(2) above.
  - (c) No assembling, manufacturing, processing or sales shall be conducted on the property.

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(d) The buffer requirements of §27-1905 of this chapter shall be met.

(e) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, a trades business shall provide one off-street space for each employee and one off-street space for each employee and one off-street parking space for each business vehicle. A maximum of six off-street parking spaces are permitted on one lot inclusive of the required residential parking.

(7) Use B10(g), "Repair Services and Other Home Occupations."

A repair shop for appliances, lawn mowers, guns, bicycles, locks, small business machines and other goods but not including automobile, truck and motorcycle repairs. Other home occupations not specified in Uses B10(a) through B10(f), above.

(a) No additional people other than resident members of the immediate family may be employed.

(b) The buffer requirements of §27-1905 of this chapter shall be met.

(c) In addition to the off-street parking spaces required in this chapter for the particular residential use concerned, this accessory use shall provided one off-street space per 300 square feet of total floor area used for the home occupation.

B11 Residential Accessory Building, Structure or Use. Residential accessory building, structure or use including but not limited to:

a. Garages or parking spaces for the parking of passenger automobiles including noncommercial trucks and vans with loading capacities not exceeding 3/4 ton.

b. Garages, enclosed structures or parking for commercial vehicles.

(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.

c. Structures such as fences, walls or signs.

- d. Buildings such as storage sheds, bath houses and private green-houses.
- e. **Parking for Recreational and Other Vehicles.** A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure time or recreation 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. Recreational vehicles or units shall be stored either to the rear or side of the dwelling, or in a garage or in a roofed structure.
- f. **Noncommercial Swimming Pool.** 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:
  - (1) A zoning permit shall be required to locate, construct or maintain a noncommercial 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 25 feet, whichever is less.
  - (3) The pool may be lighted by underwater or exterior lights, or both; provided, that all exterior lights are located so that the light is neither directed nor reflected upon adjacent properties in such a manner as to be a nuisance or an annoyance to neighboring properties. Underwater lighting shall be in compliance with the applicable National Electrical Code [Chapter 5].
  - (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 shall not drain onto a neighboring property.

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- g. Boarding Accommodations. The keeping of roomers, boarders or lodgers as an accessory use.
  - (1) No more than two roomers, boarders or lodgers shall be accommodated.
  - (2) Such use shall be permitted only in detached dwellings.
  - (3) Minimum Lot Area. Two acres.
  - (4) The roomers, boarders or lodgers shall live within the principal residential building.
  - (5) No separate cooking facilities or dwelling unit may be created.
  - (6) One off-street parking space shall be provided for each roomer.
- h. School Bus Shelter. A structure for the use of persons waiting for a bus.
  - (1) Maximum Floor Area. 63 square feet.
  - (2) Such structures shall be located at least 12 feet from any street line or lot line.
  - (3) Two parallel signs, no more than six square feet each, may be erected. These signs may advertise goods, services, businesses or organizations not located on the property.
- i. Accessory Family Apartments. One apartment accessory to a single-family detached dwelling shall be permitted; provided, that the following conditions are met. The intent of these provisions is to allow for related family members to reside on the premises, but to prohibit the creation of for-profit apartments in districts where multifamily housing is not otherwise permitted.
  - (1) Such use shall occupy no more than 50% of the total floor area of the primary living area of the principal residence, but in no event shall the accessory use exceed a total floor area of 800 square feet. The primary living area includes the living room, dining room, kitchen, one bathroom and the largest bedroom.
  - (2) Occupancy of such use shall include only relatives of the family occupying the principal residence.
  - (3) Such use may contain separate cooking, sleeping, living and bathroom facilities.

- (4) Such use shall be part of the principal residence or may be contained in an accessory structure or building existing at the date of this chapter. No new separate structures on the same lot with the principal residence shall be permitted to be constructed for this use, and the accessory family apartment shall not be located in cellars having 1/2 or more of its floor to ceiling height below the average level of the adjoining ground.
- (5) Only one accessory family apartment shall be permitted per single-family detached dwelling and there shall be no changes to the exterior of the residence which suggests that the dwelling unit is other than a single-family detached dwelling.
- (6) The record owner of the property shall grant a deed restriction limiting such use in accordance with the foregoing provisions in favor of East Rockhill Township. Additionally, the record owner shall execute a separate agreement with the Township, which agreement shall:
  - (a) Describe the dimensions and location of the accessory use.
  - (b) Identify the occupant or occupants of the accessory use.
  - (c) Be in a recordable form acceptable to the Township so as to provide notice at the Bucks County Recorder of Deeds Office.
  - (d) All costs related to the preparation and recording of the foregoing documents are the responsibility of the applicant for the accessory use.
- (7) Such use shall be subject to an annual inspection and annual zoning permit fee in accordance with a separate resolution of the Board of Supervisors.
- (8) The owner of the principal residence shall provide to the Township evidence of approval by the Bucks County Board of Health for the additional use.
- (9) One off-street parking space shall be provided for the additional use.
- j. Accessory buildings and structures shall meet the requirements of §27-1708 and §27-1709 except that Use B11(i) may not encroach within the required yards for the district in which the use is located.
- k. Accessory buildings and structures shall not exceed 18 feet in height, except as provided in §27-1710.

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B12 Garage or Yard Sales. The temporary display and sale of goods and craft items on a residentially used property.

- a. Such temporary uses shall be limited to occurrences of not more than three days. Such occurrences shall be limited to not more than four occurrences in a calendar year. There shall be at least a 30 day period between such occurrences.
- b. 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.

B13 Age-Qualified Development. A land development or subdivision that is intended for persons 55 years of age or older and permits a variety of housing types specifically designed for an active adult population. The age-qualified development requires the provision of open space and limits density and impervious surfaces. The following housing types are permitted subject to the dimensional requirements as indicated below:

- a. Detached Dwelling. A single detached dwelling unit on an individual lot with private yards on all sides of the house. Where individual lots are not proposed due to common ownership of lots and/or yards in the development, the yards and setbacks equivalent to the yards below shall apply:

### Dimensional Requirements.

Minimum lot area:	6,000 sq. ft.
Minimum front yard:	20 ft.
Minimum side yard:	5 ft.
Minimum rear yard:	25 ft.
Maximum building coverage:	30%
Minimum lot width at setback:	55 ft.

- b. Twins. A semidetached unit having only one wall in common with another dwelling unit, with two units per structure. Where individual lots are not proposed due to common ownership of lots and/or yards in the development, the yards and setbacks equivalent to the yards below shall apply:

Dimensional Requirements.

Minimum lot area:	4,000 sq. ft.
Maximum building coverage:	35%
Minimum front yard:	20 ft.
Minimum side yard:	10 ft.
Minimum rear yard:	20 ft.
Minimum lot width at setback:	40 ft.

- c. Townhouse. An attached dwelling unit from ground to roof having individual outside access. A row of attached townhouses shall not exceed four dwelling units. Where individual lots are not proposed due to common ownership of lots and/or yards in the development, the yards and setbacks equivalent to the yards below shall apply:

Dimensional Requirements.

Minimum lot area:	2,800 sq. ft.
Minimum lot width:	28 ft.
Maximum building coverage:	55%
Minimum building setback from street cartway:	25 ft.
Minimum building setback from parking area:	10 ft.
Minimum building setback for pedestrian walkway:	5 ft.
Minimum rear yard:	20 ft.
Minimum building spacing, side-to-side:	25 ft.
Minimum building spacing, rear-to-rear:	50 ft.
Minimum building spacing, side-to-rear in front:	40 ft.

- d. Performance Standards.

<b>Min. Site Area (acres)</b>	<b>Max. Density (du/ac)</b>	<b>Min. Open Space (%)</b>	<b>Max. Imp. Surface (%)</b>	<b>Dwelling Types</b>
10	3.5	25	60	All

- e. Parking Requirements. Off-street parking shall be two off-street parking spaces per dwelling unit. If there is only one garage space at a dwelling unit, the garage space shall not be used to meet the require-

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ments of this Section for off-street parking. However, if there is more than one garage space at a dwelling unit, then the garage spaces in excess of one may be used to satisfy the off-street parking requirements.

- f. Spill-over Parking. Spill-over parking shall be one parking space per dwelling unit.
- g. General Provisions for Age-Qualified Development.
  - (1) All age-qualified development plans shall execute a recordable declaration against the entire tract in a form acceptable to the Township binding all properties within the development. All properties within the development shall be restricted to occupants 55 years or older in compliance with the regulations of the Federal Fair Housing Act, as amended.
  - (2) Whenever a lot or unit is sold, resold, rented or otherwise occupied, at least one of the occupants shall be 55 years of age or older. No individuals under the age of 19 years of age shall reside in any unit for more than three months in any calendar year.
  - (3) If approved by the Board of Supervisors, minimum right-of-way requirements for streets and/or alleys may be reduced in order to accommodate a more efficient layout, construction of additional amenities, or other design features of the buildings and/or overall layout.
  - (4) All site amenities, proposed retail and/or passive recreational facilities and/or other common areas shall comply with the current ADA accessibility requirements. Applicants are also encouraged to design the individual residential units to be readily adaptable to meet ADA requirements, especially as to door widths, thresholds and other features necessary to accommodate wheelchair access.
- h. Dwelling Unit Mix. A mix of dwelling unit types necessary to promote a balanced community. There shall be three classes of dwelling unit types for purposes of this Section: single-family (detached dwelling), two-family (twin), and townhouse (townhouse). A mix of classes is required based on the number of dwelling units as set forth in the accompanying table.

<b>Number of Dwellings in Development</b>	<b>Minimum Required Number of D.U. Types</b>	<b>Maximum Percent Any D.U. Type</b>	<b>Minimum Percent Any D.U. Type</b>
1 - 60	1	100%	20%
61 - 150	2	60%	15%
151 or more	3	50%	10%

(1) S Suburban District Dwelling Mix. In order to promote flexibility in design and to encourage innovation, the foregoing dwelling unit mix may be modified by conditional use of the Board of Supervisors, provided that the developer lays out a plan in accordance with the required dwelling unit mix and provides sufficient evidence and testimony that the alternative dwelling unit mix will provide additional useable open space for the community, a better aesthetically pleasing layout and design, and the construction of additional recreational improvements or other amenities for the benefit of the Township and the residents of the community.

i. Additional Amenities. Retail and passive recreational facilities are permitted for the use of residents and their guests, provided that no retail facility may occupy more than 1,500 square feet. Retail facilities shall be limited to barbershops, beauty parlors, commissaries, newsstands, gift shops, coffee shops (not full-service restaurant or open to the public), and handicraft shops. Other support facilities may include clubhouses, community rooms, recreational rooms, or common dining facilities.

(1) A clubhouse shall comply with the following size requirements:

<b>Number of Dwelling Units</b>	<b>Clubhouse Space Per Dwelling Unit</b>	<b>Clubhouse Size Range</b>
0 - 100		Minimum 2,100 sq. ft.
100 - 300	21-23 sq. ft.	2,100 - 6,900 sq. ft.
300 - 1,500	16-18 sq. ft.	4,816 - 27,000 sq. ft.
1,500 - 10,000	13-15 sq. ft.	19,513 -150,000 sq. ft.

j. All age-qualified development plans shall provide for individual lot maximum impervious surface ratios on its final land development plan.

C. Institutional Uses.

## ZONING

C1 Any structure or structures used for worship or religions instruction including social and administrative rooms accessory thereto. Use, C6, "Cemetery," is permitted as an accessory use to this principal use.

a. Dimensional Requirements.

Minimum lot area: 2 acres

Minimum lot width: 200 feet

Minimum front yard: 65 feet

Minimum side yards: 50 feet

Minimum rear yard: 100 feet

b. The buffer requirements of §27-1905 of this chapter shall be met.

c. Parking. One off-street parking space for each four seats provided for patron use, or at least one off-street parking space for each 40 square feet of total floor area used or intended to be used for service to patrons, guests or members, whichever requires the greater number of off-street parking spaces, plus one additional space for each full-time employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.

C2 School. Religious, sectarian or nonsectarian, denominational private school or public school which is not conducted as a private, gainful business; nursery schools operated as a private, gainful business.

a. Access shall be taken from an arterial or collector highway.

b. Dimensional Requirements.

Minimum lot area: 10 acres

Minimum lot width: 200 feet

Minimum front yard: 75 feet

Minimum side yards: 100 feet

Minimum rear yard: 100 feet

c. Outdoor play areas shall be 75 feet from side and rear property lines. Outdoor play areas shall be sufficiently screened to protect the neighborhood from inappropriate noise and other disturbances.

d. The buffer requirements of §27-1905 of this chapter shall be met.

e. Parking.

- (1) Nursery School or Kindergarten. One off-street parking space for each faculty member and employee plus two additional spaces per classroom.
  - (2) Elementary School. One off-street parking space for each faculty member and employee plus one space per two classrooms and offices.
  - (3) Junior High School. One off-street parking space for each faculty member and employee plus one space per two classrooms and officers.
  - (4) Senior High School. One off-street parking space per each faculty member and employee plus one space per 10 students of projected building capacity.
  - (5) College and Junior College. One off-street parking space per faculty member and employee plus one space for each 10 classroom sets or one off-street parking space for each 10 auditorium seats, whichever requires the greater number of off-street parking spaces.
  - (6) Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.
- C3 Library or Museum. Library or museum, open to the public or connected with a permitted educational use and not conducted as a private gainful business.
- a. Minimum Lot Area. Two acres.
  - b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. One space per five seats or one space per 250 square feet of total floor area where no seats are provided. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.
- C4 Hospital. An establishment, licensed by the American Hospital Association, which provides health services primarily for in-patient medical or surgical care of the sick or injured, including related facilities, such as laboratories, out-patient departments, training facilities, central service facilities and staff offices as an integral part of the establishment. A hospital is subject to the following additional provisions:
- a. Minimum Lot Area. 10 acres.

## ZONING

- b. Any such establishment providing convalescent care or care for the chronically sick shall provide an additional lot area of not less than 1,000 square feet per bed in use for such long-term care. For the purpose of this chapter, long-term care shall mean care in excess of one month.
  - c. Care shall be taken to locate emergency and service entrances where they are not offensive to adjoining neighbors.
  - d. The buffer requirements of §27-1905 of this chapter shall be met.
  - e. Such use shall take access from collector or arterial highways only.
  - f. Parking. On off-street parking space for each patient bed plus one off-street parking space for every two employees and staff members. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.
- C5 Nursing Home. Licensed nursing or convalescent home, subject to the following additional provisions:
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each patient or inmate bed plus one off-street parking space for every two employees and staff members. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.
- C6 Cemetery. A burial place or graveyard including mausoleum, crematory, columbarium or chapel.
- a. Minimum lot area (except for pet cemetery): 10 acres  
Minimum yards and setbacks: 100 feet
  - b. Minimum lot are for pet cemetery: 3 acres  
Maximum lot area for pet cemetery: 10 acres  
Minimum yards and setbacks: 25 feet
  - c. Lot Coverage for Accessory Buildings and Parking Facilities: No more than 10% to a maximum of five acres may be devoted to above-ground buildings or impervious surfaces not serving as burial markers or memorials.
  - d. No burial plots, structures or parking areas shall be located within the 100 year floodplain.

- e. No outside storage shall be permitted.
- f. All structures open to the public shall be supplied with water and sewer and all utilities shall be placed underground.
- g. The buffer requirements of §27-1905 of this chapter shall be met.
- h. A zoning permit shall be obtained on an annual basis.
- i. 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 insure compliance, the Building Inspector or Zoning Officer shall be notified before every internment 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.
- j. Parking. One off-street parking space for each employee and one off-street space for each four visitors in total capacity of the chapel. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.

C7 Municipal Building. East Rockhill Township and Pennridge Regional Police Department municipal buildings, including administration buildings, police barracks, recreation buildings, libraries or road maintenance facilities.

- a. The buffer requirements of §27-1905 of this chapter must be met.
- b. Parking. One off-street parking space for every employee plus one space for every five seats in meeting areas. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.

D. Recreational Uses.

D1 Recreational Facility. Recreational facility or park owned or operated by the Township or other governmental agency.

## ZONING

- a. No outdoor active recreation shall be located nearer to any lot line than 100 feet.
  - b. Outdoor play areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.
  - c. The buffer requirements of §27-1905 of this chapter shall be met.
  - d. Parking. One off-street parking space for each five persons of total capacity. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.
- D2 Private Recreational Facility. A recreational facility owned or operated by a nongovernmental agency.
- a. Minimum Lot Area. Five acres.
  - b. The use shall not be conducted as a private gainful business, nor shall it permit amusement parks, wild animal parks or zoos.
  - c. No outdoor active recreation area shall be located nearer to any lot line than 100 feet.
  - d. Outdoor play areas shall be sufficiently screened so as to protect the neighborhood from inappropriate noise and other disturbances. The buffer requirements of §27-1905 of this chapter shall be met.
  - e. Parking. One off-street parking space for each five persons of total capacity or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.
- D3 Private Club. Private club or lodge other than the use in Use D2.
- a. The use shall not be conducted as a private, gainful business.
  - b. The use shall be for members and their authorized guests only.
  - c. The buffer requirements of §27-1905 of this chapter shall be met.
  - d. Parking. One off-street parking space for each five members of total capacity or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater

number of off-street parking spaces plus one additional space for each employee. Parking areas shall be adequately screened when situated with 50 feet of land zoned for or in residential use.

D4 Community Center. Community center, adult education center or other similar facility operated by an educational, philanthropic or religious institution.

- a. Minimum Lot Area. Five acres.
- b. The use shall not be conducted as a private, gainful business.
- c. No outdoor recreation area shall be located nearer to any lot line than 100 feet.
- d. The buffer requirements of §27-1905 of this chapter shall be met.
- e. Parking. One off-street parking space for each four seats provided for patron use; or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.

E. Office Use.

E1 Medical Office. Office or clinic for medical or dental examination or treatment of persons as outpatients including laboratories incidental thereto.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. Four off-street parking spaces per doctor plus one additional space for each additional employee. Parking areas must be adequately screened when situated with 50 feet of land zoned for or in residential use.

E2 Veterinary Office. Office of a veterinarian with accessory animal kennel. In no event shall kennels be allowed as a primary use.

- a. No animal shelter, kennels or runs shall be located closer than 200 feet from any lot line.
- b. The buffer requirements of §27-1905 of this chapter shall be met.
- c. Parking. Four off-street parking spaces for each doctor plus one space for each employee. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.

## ZONING

- E3 Office. Business, professional or governmental office other than uses E1 and E2.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each 200 square feet of total floor area. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.
- E4 Office Park. An office park is a planned development of office and related uses which includes improvements for internal streets, coordinated utilities, landscaping and buffering.
- a. Individual uses may be located in detached and attached structures.
  - b. Dimensional Requirements.

Minimum site area:	10 acres
Minimum setbacks from property lines – site:	75 feet
Minimum setbacks from street lines – site:	100 feet
Minimum frontage at street lines – site:	150 feet
Minimum building spacing:	100 feet
Maximum height:	24 feet
Minimum setbacks – internal streets:	50 feet
  - c. Permitted Uses. E1, E3, F2, F3, F6, F7, F9, F11, F15, F23, F32 and H2.
  - d. At least 70% of the total floor space of the park shall be utilized for office uses.
  - e. Accessory outside storage or display of materials, goods or refuse is not permitted within an office park.
  - f. Lighting facilities shall be provided and arranged in a manner which shall protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
  - g. The buffer requirements of §27-1905 of this chapter shall be met.
  - h. All uses within the office park shall take access from an interior roadway. Access for the park shall be from an arterial or collector highway.

- i. All parking and loading facilities shall be located to the rear or side of buildings.
- j. Interior roadways shall have street trees as listed in §27-1905 (Table 3.A) set on 40 foot centers.
- k. A transportation impact study and water impact study shall be required.
- l. 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.
- m. The applicant shall submit a plan for the overall design and improvements for the office park.
- n. Parking. On off-street parking space for each 200 square feet of total floor area. Parking areas must be adequately screened when situated within 50 feet of land zoned for or in residential use.
- o. Conditional Reduction of Parking Improvements. Refer to §27-1713 of this chapter.

F. Commercial and Consumer Service Uses.

F1 Commercial School. Trade or professional school; art, music or dancing school. Other schools not included in Uses C2 and F2.

- a. Minimum Lot Area. Two acres.
- b. The buffer requirements of §27-1905 of this chapter shall be met.
- c. Parking. One off-street parking space per faculty member and employee plus one space per three students. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.

F2 Day Care Center. Day nursery, nursery school, kindergarten or other agency giving day care to children.

- a. 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.
- b. The maximum number of children shall be 10 children per acre.
- c. The minimum yard, setback and lot width requirements for other permitted uses in the applicable zoning district shall be met.

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- d. 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 200 square feet for each child.
  - e. The buffer requirements of §27-1905 of this chapter shall be met.
  - f. 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 form the Department of Public Welfare, Bureau of Child Development Programs. Licensure is certification of compliance with Chapter II, §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.
  - g. When used in combination with another nonresidential use, a permit is required for each use.
  - h. An existing residential building may be used an occupied as a single-family residence for the owner or an employee of the day care center.
  - i. Parking. At least one off-street parking space for each teacher, administrator and maintenance employee plus two additional spaces per classroom. Parking shall be adequately screened when situated within 50 feet of land zoned for or in residential use.
- F3 Retail Store. A shop or store selling commodities and goods to the ultimate consumer. Not included under this use is the over-the-counter sale of alcoholic beverages i a tavern or bar or a store with greater than 15 square feet of floor area devoted to the display of pornographic materials described in Use F4.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking: One off-street parking space for each 200 square feet of total floor area used or intended to be used for servicing customers plus one additional space for every two employees.
- F4 Adult Commercial. An adult commercial store is a store or shop with more than 15 square feet of floor area devoted to the display and setting of pornographic materials which are pictures, drawings, photographs or other depictions or printed matter and paraphernalia which, if sold knowingly to a child under 18 years of age, would violate the criminal laws of the Commonwealth of Pennsylvania in effect at the same time thereof.
- a. The building or structure of such use shall be located no less than 500 feet from any residential use or district, public or private school,

church, recreation facility or any other religious, institutional or educational use.

- b. No such use shall be located within 2,000 feet of a similar use.
- c. No materials sold within shall be visible from any window, door or exterior of the building.
- d. No person under the age of 18 years of age shall be permitted within an adult commercial store or sold any pornographic material.
- e. The buffer requirements of §27-1905 of this chapter shall be met.
- f. Parking. One off-street parking space for each 100 square feet of total floor area used or intended to be used for servicing customers plus one additional space for every two employees.

F5 Village Oriented Shop. A shop or store including corner grocery (as distinct from a supermarket), drugstore, stationery store, soda fountain, luncheonette, barbershop and beauty parlor. This use shall not include a store in excess of 2,000 square feet of floor area.

- a. Lighting on pole fixtures shall not exceed 10 feet in height. The source of illumination shall be recessed and shielded within the fixture itself and shall not exceed 1/2 foot candle at the property line.
- b. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.
- c. The buffer requirements of §27-1905 of this chapter shall be met.
- d. Parking. One off-street parking space for each 200 square feet of total floor area used or intended to be used for servicing customers plus one additional space for every full-time employee. Parking shall not be located between a building and a street.

F6 Service Business. Service business including barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer, travel agency, photocopy center.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. One off-street parking space for each 100 square feet of total floor area used or intended to be used for servicing customers plus one additional space for every two employees.

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- F7 Financial Establishment. Bank, savings and loan association, credit union and other financial establishment.
- a. 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.
  - b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. One off-street parking space for each 200 square feet of total floor area used or intended to be used for servicing customers.
- F8 Funeral Home or Mortuary. An establishment for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each four seats provided for patron use or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used in the operation of the establishment, whichever requires the greater number of off-street parking spaces plus one additional space for each full-time employee.
- F9 Eating Place. Eating place for the sale and consumption of food and beverages without drive-in service and without take-out service. All food and beverages are to be served by waiters and waitresses and consumed inside the building while patrons are seated at counters or tables. The sale of alcoholic beverages must be incidental to the sale and consumption of food.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each 25 square feet of total floor area or one off-street parking space for every two seats, whichever requires the greater number of spaces plus one additional space for each full-time employee on the largest shift.
- F10 Drive-In's and Other Eating Places. Eating place for sale and consumption of food and nonalcoholic beverages other than Use F9, "Eating Place."
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. 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.
  - c. Parking. One off-street parking space for every two seats or one off-street parking space for every 25 square feet of total floor area, which-

ever requires the greater number of off-street parking spaces plus one additional space for each employee on the largest shift.

- F11 Tavern. An establishment which serves alcoholic beverages for on-premises consumption which is licensed by the Pennsylvania Liquor Control Board.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each 50 square feet of total floor area plus one additional off-street parking space for each full-time employee.
- F12 Repair Shop. Repair shop for items including but not limited to appliances, lawn mowers, watches, guns, bicycles, locks, small business machines but not including automobiles, motorcycles, trucks, trailers and other heavy equipment.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. The minimum lot area for lawn mower repair shall be two acres.
  - c. Parking. One off-street parking space for each 300 square feet of total floor area plus one additional space for each employee.
- F13 Indoor Entertainment. Entertainment, private club or recreational facilities operated as a gainful business within a building.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each four seats provided for patron use or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each employee.
- F14 Theater. 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.
- a. The exterior display of any pornographic material which would violate the criminal laws of the Commonwealth of Pennsylvania in effect shall be prohibited.
  - b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. One off-street parking space for each three seats provided for patron use or at least one off-street parking space for each 40 square

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feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each employee.

F15 Indoor Athletic Club. 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 and facilities related thereto.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. One off-street parking space for each five persons of total capacity or at least one off-street parking space for each 50 square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each employee.

F16 Amusement Halls and Arcade. An entertainment facility operated as a gainful business within a building or structure providing automatic devices or games including pool or billiard rooms or similar facilities.

- a. An automatic 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.
- b. This use shall be located no closer than 1,500 feet, measured in all directions, to a school or church.
- c. Such use shall only be operated between the hours of 10:00 a.m. and 10:00 p.m.
- d. 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.
- e. The buffer requirements of §27-1905 of this chapter shall be met.
- f. Parking. One off-street parking space for each 50 square feet of total floor area plus one additional off-street space for each employee.

F17 Outdoor Entertainment. Outdoor entertainment and recreation facilities operated as a gainful business other than Uses D1 and D2, and not including an outdoor motion picture establishment.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. One off-street parking space for every three persons present at such facilities when they are filled to capacity.

F18 Outdoor Motion Picture Establishment. An open lot with its appurtenant facilities used for the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles.

- a. 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 a marginal access road to insure that entering vehicles will be able to pull off the road.
- b. The motion picture screen shall be no closer to any property line than 1 1/4 times the height of the picture screen or the minimum yard requirements of the zoning district, whichever setback is greater. Other buildings shall be subject to the minimum yard requirements of the zoning district.
- c. The applicant shall provide information which indicates conformance with §27-1900, "Natural Resource Protection Standards."
- d. The motion picture screen shall not be oriented towards the arterial or collector highway.
- e. The applicant shall provide a plan for buffering in accordance with §27-1905 and shall meet the following standards:
  - (1) Along an adjacent property line that is zoned agriculture or residential or a property line with an existing residential use and along any road, either:
    - (a) A six foot solid wooden fence within the exterior 50 feet of the buffer year and one deciduous tree (1 1/2 inch caliper minimum) at an average of one tree per 40 lineal feet of buffer plus one evergreen tree (three foot minimum height) at an average of one tree per 20 lineal feet of buffer. The trees shall be placed between the fence and the property line; or
    - (b) A five foot berm planted on top as in subsection (1)(a) above; or

## ZONING

- (c) One deciduous tree (1 1/2 inch caliper minimum) at an average of one tree per 40 lineal feet of buffer plus one evergreen tree (three foot minimum height) at an average of one tree per 20 lineal feet of buffer plus one deciduous shrub (three foot minimum height) per four lineal feet of buffer.
  - (2) Acceptable plant material for the buffer yard noted in subsection (1) above shall be:
    - (a) Evergreen trees as specified in §27-1905 (Table 3.C) of this chapter.
    - (b) Deciduous trees as specified in §27-1905 (Table 3.A) of this chapter.
    - (c) Shrubs. Privet, Forsythia, Viburnum Species.
  - (3) In accordance with §27-1711 of this chapter, a clear-sight triangle shall be maintained at all street intersections and at all points where access drives intersect with roads.
- F19 Cottage Development or Private Camp. A tract of land and buildings or structure planned as a whole for seasonal use, comprising two or more cottages and other related buildings; also includes privately operated camps for boys or girls using two or more cottages for shelter or sleeping purposes.
  - a. Minimum Site Area. 10 acres.
  - b. 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, groundskeeper or other staff.
  - c. Sewage disposal method shall conform with the requirements of the Bucks County Department of Health and the East Rockhill Township Sewage Facilities Plan.
  - d. The maximum overall density shall not exceed one cottage for every two acres. The maximum number of occupants per cottage shall be 16.
  - e. Completely detached buildings or structures on the same lot shall not be less than 20 feet from one another.
  - f. Adequate measures to prevent noise and other noxious influences from disturbing nearby residential properties shall be taken.

- g. The buffer requirements of §27-1905 of this chapter shall be met.
- h. No mobile homes as defined in §27-232 and no recreational vehicles as defined in §27-304, F20(a)(1) shall be permitted as part of a cottage development or private camp as defined herein.
- i. A zoning permit shall be obtained on an annual basis.
- j. Parking. 1 1/4 parking spaces shall be provided for each cottage plus one additional space for each employee on the largest shift.

F20 Recreational Camping Park. A property upon which two or more campsites are located, established or maintained for occupancy as temporary living quarters for recreation or vacation purposes.

- a. Definitions.
  - (1) CAMPSITE — a plot of ground within a recreational camping park intended for the accommodation of either a recreational vehicle, tent or other individual camping unit on a temporary basis.
  - (2) RECREATIONAL VEHICLE — a vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use which either has its own power or is mounted on or drawn by another vehicle. The basic entities are: travel trailer, camping trailer, truck camper and motor home.
  - (3) TEMPORARY BASIS — campsites shall be rented by the day, week or month only and occupants of such sites shall remain in the same recreational camping park not more than 90 days per year.
- b. Minimum Site Area. 10 acres.
- c. The maximum number of campsites permitted in five campsites per acre based on the area of the site minus the required open space as specified in subsection (g) below.
- d. The minimum campsite size shall be 1,400 square feet.
- e. Required separation between recreation vehicles. Recreation vehicles shall be separated from each other and from other structures by at least 10 feet. Any accessory structure such as attached awnings, carports or individual storage facilities shall, for purposes of this separation requirement, be considered to be part of the vehicle.

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- f. Each site shall contain a stabilized vehicular parking pad of gravel, crushed stone, paving or other suitable material. No part of a recreational vehicle or other unit placed on a campground site shall be closer than five feet to a campsite line.
- g. A minimum of 70% of the site shall be kept in open space.
- h. Sewage disposal methods shall conform with the requirements of the Bucks County Department of Health and the Township Sewage Facilities Plan.
- i. Minimum setbacks shall be 50 feet where the recreational vehicle park adjoins an existing street and 100 feet elsewhere. Buffer yards shall conform to §27-1905 of this chapter.
- j. One detached dwelling per camping park may be permitted for the use of an owner or operator of the camping park. The minimum lot area for this detached dwelling shall be 1.8 acres in addition to the lot area required in subsection (b) above.
- k. One retail shop may be permitted to supply goods and commodities to those using the park. The maximum floor area shall be limited to 750 square feet.
- l. A zoning permit shall be obtained on an annual basis.

F21 Golf Course. Golf course (not including miniature golf course), including club house, restaurant and other accessory uses; provided, that these are clearly accessory to the golf course.

a. Minimum Lot Area.

Regulation	18 hole -	130 acres
Executive	18 hole -	60 acres
Nine hole	-	50 acres
Par 3	18 hole -	45 acres
Par 3	9 hole -	25 acres

- b. No building shall be closer than 100 feet to any lot line.
- c. Parking. One off-street parking space for every five members of total capacity or at least one off-street parking space for each 50 square feet of total floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces plus one additional space for each

employee. Parking areas shall be adequately screened when situated within 50 feet of land zoned for or in residential use.

- F22 Motel-Hotel. A building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Motels and hotels may include accessory restaurant facilities, conference facilities, meeting rooms and tavern facilities. In addition to the parking requirements of subsection (c) below, 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.
  - c. Parking. One off-street parking space for each rental room or suite plus one additional off-street parking space for each full-time employee.
- F23 Inn. An existing building or group of existing buildings for the accommodation of guests for rent, subject to the following requirements:
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Inns may include accessory restaurant, tavern, banquet, and conference facilities. In addition to the parking requirements of Subsection e below, parking shall be provided for the accessory restaurant, tavern, banquet and conference 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.
  - c. Inns may have swimming pools and tennis courts but shall be restricted in use to the guests of the establishment.
  - d. Banquet facilities may be indoors or outdoors, and if outdoors, shall be covered by a structural tent not to exceed coverage of more than 5,000 square feet of floor area, and any such accessory outdoor uses shall comply with the following limitations:
    - (1) The use or activity associated with the structural tent may include banquet facilities for the service of food and beverages and related entertainment, provided that any amplification associated with entertainment complies with the Township's Nuisance

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Ordinance standards,<sup>2</sup> and provided further that no amplified music will occur outdoors after 11:30 p.m.

- (2) No structural tent may be erected or constructed within the front yard of any lot nor within 20 feet of any side or rear lot line.
  - (3) The structural tent shall be designed, constructed and erected to satisfy the structural requirements of the American Society of Civil Engineers (ANSI/ASCE 7-98) and the Township Building Code, Chapter 5 of the East Rockhill Township Code of Ordinances, as amended.
  - (4) Any structural tent utilized for outdoor banquet facilities shall require an annual permit and inspection by the Township.
  - (5) Any use of a structural tent for outdoor banquet facilities shall require the provision of sufficient off-street parking for customers, visitors and employees for the term of the permit. The off-street parking requirements set forth in Subsection b above may be satisfied by the leasing of parking space on a property owned by another. The applicant for a permit for indoor or outdoor banquet facilities shall provide written documentation in the form of a lease or license that such off-street parking is available for the duration of the term of the permit. Additionally, the lessor providing the off-street parking will need to request and receive the appropriate zoning approval for such use, and the lessor shall be required to prove there is adequate parking for the use.
    - e. Parking: one off-street parking space for each rental room or suite, plus one additional parking space for each full-time employee.
    - f. No more than 12 guest rooms shall be provided, and no more than four persons may occupy any one room.
    - g. The maximum uninterrupted length of stay at an inn shall be 14 days.
- F24 Guest House. The use and occupancy of a detached dwelling for the accommodation of transient guests for rent.
- a. No more than six guest rooms may be provided. No more than two adults and two children may occupy one guest room.

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<sup>2</sup> Editor's Note: See Ch. 6, Conduct.

- b. The minimum lot size for the guest house use shall be three acres for the first guest room and one additional acre for each additional guest room.
- c. One off-street parking space shall be provided for each guest room plus one space for each employee and two spaces for the owners of the property. The off-street parking spaces shall be located either to the rear of the main dwelling or screened from the roadway by a five foot fence or plant material as specified in §27-1905 (Table 3.C, D, E, F) of this chapter.
- d. The buffer requirements of §27-1905 of this chapter shall be met.
- e. There shall be no use of show windows for display or advertising visible outside the premises to attract guests other than a single, nonilluminated sign which may not exceed eight square feet.
- f. No external alterations additions or changes to the exterior structure shall be permitted as required by the Pennsylvania Department of Labor and Industry or for safety reasons as required by another governmental agency.
- g. The use shall be carried on primarily by members of the immediate family which must reside on the premises. Nonresident employees shall be limited to two in addition to the resident member of the family.
- h. There shall be no separate kitchen or cooking facilities in any guest room. Food served to guests on the premises shall be limited to breakfast and afternoon tea only.
- i. The maximum, uninterrupted length of stay at a guest house shall be 14 days.
- j. 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.
- k. 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 marshal for compliance with all Township safety standards.

F25 Service Station or Car-Washing Facility. The retail sale of vehicular fuels and/or a car-washing facility and including as accessory uses the sale installation of lubricants, tires, batteries and similar accessories and/or the sale of groceries and similar convenience-type products.

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- a. Minimum lot width of not less than 250 feet shall be provided along each street on which the lot abuts.
  - b. Maximum building coverage area of 5,000 square feet.
  - c. Access to roads shall be at least 200 feet from the intersection of any streets.
  - d. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.
  - e. Fuel pumps and canopies shall be at least 25 feet from any ultimate street right-of-way.
  - f. All automobile parts and similar articles shall be stored within a building.
  - g. All refuse shall be stored within a building or enclosed area.
  - h. Paint spraying or body and fender work shall not be permitted.
  - i. Lubrication, oil changes and minor repairs permitted if entirely within a building.
  - j. Vehicles shall not be stored outdoors while awaiting repairs for more than five days.
  - k. Junk vehicles may not be stored in the open at any time.
  - l. 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.
  - m. The buffer requirements of §27-1905 this chapter shall be met.
  - n. Parking. One off-street parking space for every 200 square feet of total floor area or two off-street parking spaces for each service bay, whichever is larger, plus one space for each employee. Off-street parking spaces shall not be part of, nor interfere with, the accessways to the pumps.
- F26 Automobile Sales. Sale of automobiles by a duly franchised new car dealership, use car sales, car, truck, trailer, cycle and boat rental including repair work conducted as an accessory use.
- a. Minimum Lot Area. Two acres.

- b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. One off-street parking space for each 100 square feet of total floor area and one off-street parking space for each 5,000 square feet of total outside vehicle display area plus one additional space for each employee. This required parking shall not be used for the display of automobiles offered for sale or lease.
- F27 Automobile Repair. Automobile repair garage including paint spraying and body and fender work; provided, that all repair and paint work is performed within an enclosed building.
- a. All automobile parts, refuse and similar articles shall be stored within a building or enclosed area.
  - b. Vehicles awaiting repairs and junk vehicles may not be stored outdoors more than five days.
  - c. The buffer requirements of §27-1905 of this chapter shall be met.
  - d. Parking. One off-street parking space for each additional space for each employee.
- F28 Automotive Accessories. Sale of automotive accessories, parts, tires, batteries and other supplies. Installation and storage of parts shall be in an enclosed structure.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each 100 square feet of total floor area plus one additional space for each employee.
- F29 Truck and Farm Equipment Sales. Truck, heavy equipment and farm equipment repair and sales.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each 100 square feet of total floor area plus one additional space for each employee.
- F30 Shopping Center. A neighborhood or regional shopping center which is planned and designed as a complex of related structures and circulation patterns.
- a. Minimum Site Area. 10 acres.
  - b. No more than 25% of the total site area shall be occupied by buildings.

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- c. In a shopping center, Uses E1, E3, F1, F2, F3, F6, F7, F9, F13, F14, F15, F28, F32 and G3 may be permitted.
  - d. 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.
  - e. No building or permanent structure, other than a permitted sign, shall be erected within 100 feet of a street line or within 50 feet of any property line. No parking, loading or service area shall be located less than 30 feet from any property line with the further requirement that parking, loading or service areas shall not be permitted within the required buffer yard.
  - f. The proposed development shall be constructed in accordance with an overall plan and shall be designed as a single architectural style with appropriate landscaping.
  - g. Outdoor storage and displays shall conform to the provisions of §304.12 of this section.
  - h. The distance of the closest point between any two buildings or groups of units of attached buildings shall be not less than 20 feet.
  - i. Lighting facilities shall be provided and arranged in a manner which will protect the highway neighboring properties from any direct glare or hazardous interference of any kind.
  - j. The buffer requirements of §27-1905 of this chapter shall be met.
  - k. Parking. Four and 1/2 off-street parking spaces shall be provided and maintained for each 1,000 square feet, or portion thereof, of gross leasable area. Gross leasable area is the total floor area designed for tenant occupancy and use including basements, mezzanines, storage areas and upper floors, if any, expressed in square feet and measured from the center line of common partitions and from outside walls faces.
  - l. Conditional reduction of parking improvements, refer to §27-1713 of this chapter.
- F31 Miniwarehouse. Warehouse/storage units provided for lease to the general public for the purpose of storage of articles commonly associated with residential properties.
- a. Dimensional Requirements.

Minimum lot area:	5 acres
Maximum building coverage:	30 percent
Maximum impervious surface ratio:	55 percent
Minimum setbacks from roads:	75 feet
Minimum setbacks from property lines:	50 feet
Minimum lot width:	150 feet
Maximum height storage units:	12 feet
Maximum height other buildings:	35 feet

- b. Minimum aisle width between buildings shall be 26 feet.
- c. The storage facilities complex shall be surrounded by a fence at least eight feet in height of a type approved by the Township.
- d. Outdoor storage of automobiles, boats and recreation vehicles is permitted if they are within the fenced area. A maximum of two square feet of outdoor storage area shall be permitted for every one square foot of indoor storage area. The parked vehicles shall not interfere with traffic movement through the complex and shall meet the minimum setbacks noted in subsection (a) above.
- e. Buffers shall be provided in accordance with §27-1905 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.
- f. One office and dwelling unit is permitted as an accessory use to provide for a full-time caretaker.
- g. Approval shall be obtained from the Township Police Chief and Fire Marshall regarding security and fire protection.
- h. Each structure shall not exceed 6,000 square feet in size.
- i. Minimum Requirements for Lease Restrictions:
  - (1) No business activities other than leasing of storage units shall be permitted.
  - (2) No explosive, toxic, radioactive or highly flammable materials shall be stored on the property.
- j. A zoning permit shall be obtained on an annual basis.

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- k. Parking. One space for each five storage units or, if the size and number of units is flexible, one space for each 2,000 square feet of total floor area and outside storage area. These parking spaces should be distributed equally throughout the storage area. If a manager's living quarters are included, two additional spaces are required. One additional space for each 25 storage compartments or, if the size and number of units is flexible, one space for each 10,000 square feet of total floor area to be located at the project office for use by prospective clients.

F32 Dwelling in Combination. An accessory dwelling unit that is clearly subordinate to an institutional, commercial, consumer service or office use.

- a. 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 Part 21.
- b. The requirements of §27-304 B9(c), (d) and (g) shall be met.
- c. In addition to the requirements for the principal use, the minimum floor area, minimum lot area and minimum off-street parking requirements of subsections (2)(J)(10) and (11) of this section shall be met.
- d. The maximum density in the C-E and VC Districts shall be two dwelling units per acre. The maximum density in the C-O District shall be four dwelling units per acre.

F33 Nonresidential Conversion. The conversion of an existing structure to a permitted nonresidential use 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.

- a. A new zoning permit is required each time a structure is converted to a different nonresidential use.

### G. Utility, Service and Transportation Uses.

G1 Utilities. Transformer station, pumping station, relay station, towers (transmission, water or relay), substations, switching center, sewage treatment plant and any similar or related installations such as wells, well-houses or stripping towers but not including public incinerators and public or private landfills.

- a. Except in commercial and industrial zoning districts, no public business office or any storage yard or storage building shall be operated in connection with it.
  - b. A buffer yard shall be provided along all property lines which shall include adequate means for visual screening and meet the requirements of §27-1905 of this chapter.
  - c. Parking. Two off-street parking spaces, or one space per employee, whichever requires the greatest number of spaces.
- G2 Emergency Services. Fire, ambulance, rescue and other emergency services of a municipal or volunteer nature.
- a. Minimum Lot Area. Two acres.
  - b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. Three off-street parking spaces for every four employees on the two major shifts at maximum employment, or four off-street parking spaces for each fire truck where no community room is a part of the building, whichever requires the greater number of parking spaces. Where a community room is provided, two off-street parking spaces for each fire truck plus one off-street parking space for each 100 square feet of total floor area.
- G3 Terminal. Bus or taxi station or terminal or public parking lot or parking garage.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. Off-street parking spaces as the Board of Supervisors shall determine adequate to serve customers, patrons, visitor, employees and vehicles normally parked on the premises.
- G4 Airport or Heliport.
- a. In addition to the airport or heliport, 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-1 and Industrial-2 Districts shall be met.
  - b. Approval shall be secured from the Pennsylvania Department of Transportation, Bureau of Aviation.

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- c. 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.
  - d. All buildings, runways, taxiways, parking areas, warm-up pads, aprons, light, communication facilities, tie-down areas, repair facilities, refueling facilities, etc., shall conform to the setback requirements of this chapter.
  - e. A steel post and mesh Class E wire fence having a height of four 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.
  - f. 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:
    - (1) The establishment of flight patterns and ground traffic patterns.
    - (2) The location of warm-up ramps, parking areas, tie-down areas or hangars.
    - (3) Flight training shall not be scheduled before 7:00 a.m. after 10:00 p.m.
    - (4) Air shows, displays, etc., shall meet the requirements of Use 14.
    - (5) The requirements of Part 18, "Nuisance Standards," 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 East Rockhill Township.
  - g. The buffer requirements of §27-1905 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.
  - h. No airport or heliport shall be established if its flight pattern will conflict with the flight pattern of any existing airport or heliport.
  - i. Parking. Off-street parking spaces for the principal airport or heliport facility as the Board of Supervisors shall determine adequate to serve customers, patrons, visitors, employees and vehicles normally parked on the premises.
- G5 Cellular/Digital Telecommunications Facility. A cellular/digital telecommunication facility consists of the equipment, structures and/or building involved in receiving telecommunication or radio signals from a mobile radio

communication source and transmitting those signals to a central switching computer which connects the mobile unit with the land based telephone lines.

- a. Cellular/digital communication facilities shall be permitted only by conditional use to the Board of Supervisors subject to §27-2209 of this chapter.
- b. In addition to the foregoing requirements, cellular/digital telecommunications facilities shall be permitted subject to the following additional regulations:
  - (1) The location of the tower/pole and equipment building shall comply with all natural resource protection standards of this chapter.
  - (2) The following buffer plantings shall be located around the perimeter of the security fence:
    - (a) An evergreen screen shall be planted that consists of either a hedge, planted three feet on center maximum or a row of evergreen trees planted 10 feet on center maximum.
    - (b) Existing vegetation (trees and scrubs) shall be preserved to the maximum extent possible.
  - (3) An eight foot high security fence shall completely surround the tower/pole (and guy wires, if used) and equipment building.
  - (4) The tower/pole shall be designed and constructed to all applicable standards of the American National Standards Institute, ANSI/EIA-222-E Manual, as amended.
  - (5) A soil report complying with the standards of Appendix I: Geotechnical Investigations, ANSI/EIA-222-E Manual, as amended, shall be submitted to the Township to document and verify the design specifications of the foundation for the tower/pole and anchors for the anchor guy wires, if used.
  - (6) Towers/poles and antennae shall be designed to withstand wind gusts of at least 100 miles per hour.
  - (7) The plan for the construction of any tower/pole shall contain the seal and signature of a professional structural engineer.

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- (8) An antenna may not be located on a building or structure that is listed on a historic register or eligible for listing on a historic register.
- (9) Owners of existing towers shall accept the facilities of additional users at fair market lease value, unless the owner of the tower presents to the Township substantial evidence that the multiple use of the tower is technologically infeasible. Colocators on existing or proposed towers shall be permitted only by conditional use to the Board of Supervisors in accordance with this chapter.
- (10) When a tower is no longer in use as a telecommunications facility, the owner shall promptly remove the tower. Prior to receipt of a zoning permit for the construction of a tower, the applicant shall provide to the Township financial security sufficient to guarantee the removal of the tower. Said financial security shall remain in place until the tower is removed.
- (11) The applicant shall make application for and receive a building permit.
- (12) In addition to the requirements of subsection (b.1) through (11.), a cellular/digital telecommunications facility is permitted as a sole use on a lot subject to the following conditions:
  - (a) Minimum Lot Size. One acre.
  - (b) Minimum Yard Requirement. Height of the tower, plus 20 feet.
  - (c) Maximum Height. 200 feet.
- (13) In addition to the requirements of subsection (b.1) through (11.), a cellular/digital telecommunications facility is permitted with an existing use, subject to the following conditions:
  - (a) The existing use on the property may be any permitted use in the district or any lawful nonconforming use, and need not be affiliated with the cellular/digital telecommunications provider.
  - (b) The cellular/digital telecommunications facility shall be fully automated and unattended on a daily basis, and shall be visited only for periodic maintenance.
  - (c) Minimum Lot Area. The minimum lot area shall be the area needed to accommodate the tower/pole (guy wires if used), the equipment buildings, security fence and buffer

planning. If title to the land on which the cellular/digital telecommunications facility is located is conveyed to the owner of the facility, the land remaining with the principal lot shall continued to comply with a minimum lot area for the district.

- (d) Minimum Setbacks. The height of the tower/pole, plus 20 feet.
  - (e) Access. The vehicular access to the equipment building shall, whenever feasible, be provided along the circulation driveways of the existing use.
  - (f) Maximum Height. 200 feet.
- (14) In addition to the requirements of subsection (b.1) through 11.), an antenna for a cellular/digital telecommunications facility may be attached to an existing structure or building whenever possible subject to the following conditions:
- (a) Maximum Height. 50 feet above the existing building or structure.
  - (b) If the applicant proposed to locate the telecommunications equipment in a separate building, the building shall comply with the following:
    - (1) The building shall comply with the minimum setback requirements for the subject zoning district.
    - (2) An eight foot high security fence shall surround the building.
    - (3) A buffer yard shall be planted in accordance with Subsection (2)(b) and vehicular access to the building shall not interfere with the parking or vehicular circulation on the site for the principal use.
  - (c) Elevations of existing and proposed structures showing width, depth and height using statistical data on the antenna and support structures shall be presented.
- (15) In addition to the foregoing, applicants for cellular/digital telecommunications facilities shall present testimony and evidence to the Board of Supervisors in support of the following requirements:

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- (a) The applicant shall demonstrate that the tower/pole for the telecommunications facility is the minimum height necessary for the service area. The applicant must also demonstrate that the facility must be located where it is to serve the company's system.
  - (b) The applicant shall present documentation that the tower/pole was designed in accordance with the standards cited in this chapter for cellular/digital telecommunications facilities.
  - (c) The applicant shall demonstrate that the proposed tower/pole complies with all State and Federal laws and regulations concerning aviation safety.
  - (d) The need for additional buffer yard treatments shall be evaluated.
  - (e) The applicant shall demonstrate that the telecommunications facility must be located where it is proposed in order to serve the applicant's service area.
  - (f) Where the telecommunications facility 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.
  - (g) If the applicant proposed to build a new tower/pole (as opposed to mounting the antenna on an existing structure), it must demonstrate that it contacted the owners of tall structures within a 1/4 mile radius of the site proposed and were denied permission to install the antenna on those structures. Applicant's conditional use application may be denied to construct a new tower if the applicant has not made a good faith effort to mount the antenna on an existing structure. Tall structures would include smoke stacks, water towers/tanks, tall buildings, other communications towers or poles, church steeples, or other natural or manmade tall structures or features.
- (16) In addition to the requirements of subsection (b.1) through (11), cellular telecommunications facilities shall only be permitted in the following zones:
- (a) New Tower Construction.

- (1) The strip of land 400 feet in width, measured from the right-of-way line of Old Bethlehem Pike.
- (2) The strip of land 400 feet in width, measured from the right-of-way line of Route 313 (SR 313).

(b) A facility attached to an existing tower or other structure as permitted herein may be located in any zoning district.

- c. Facilities owned and operated by East Rockhill Township or leased by East Rockhill Township shall not be subject to the requirements of this chapter, nor to the conditional use provisions of this chapter.
- d. Parking. Two off-street parking spaces, or one space per employee, whichever requires the greatest number of spaces.

#### H. Industrial Uses.

H1 Manufacturing. Manufacturing, including the production, processing, cleaning, testing and distribution of materials, goods, foodstuffs and products.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. One off-street parking space for each employee on the largest shift plus one space for each company vehicle normally stored on the premises.

H2 Research. Research, testing or experimental laboratory.

- a. The buffer requirements of §27-1905 of this chapter shall be met.
- b. Parking. One off-street parking space for each employee on the largest shift, or one off-street parking space for every 250 square feet of total floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

H3 Wholesale Business, Wholesale Storage, Warehousing. Wholesale business, wholesale storage or warehousing with no retail sales.

- a. No explosive, toxic, radioactive or highly flammable materials shall be stored on the premises.
- b. The buffer requirements of §27-1905 of this chapter shall be met.
- c. Parking. One off-street parking space for each employee on the largest shift or one off-street parking space for every 500 square feet of total floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

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- H4 Printing. Printing, publishing, binding.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each employee on the largest shift or one off-street parking space for every 500 square feet of total floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.
- H5 Contracting. Contractor offices and shops such as building, cement, electrical, heating, masonry, painting and roofing.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. All materials and vehicles shall be stored within a building or an enclosed area which is properly screened.
  - c. Parking. One off-street parking space for each employee on the largest shift or one off-street parking space for every 500 square feet of total floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.
- H6 Truck Terminal. A use of land or structures for the storage of trucks and/or the transfer of freight from one truck to another.
- a. Short term warehousing may be permitted under this use.
  - b. The truck terminal shall be licensed by the Public Utilities Commission.
  - c. Trucks with compressors running 24 hours a day shall be located within a quadrangle of buildings or walls.
  - d. The buffer requirements of §27-1905 of this Part shall be met.
  - e. Parking. One off-street parking space for each employee or one space for every 500 square feet of total floor area, whichever requires the greater number of spaces, plus one space for each company vehicle normally stored on the premises.
- H7 Crafts. Plumbing, carpentry, upholstery, cabinetmaking, furniture making, planing mill and similar crafts.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each employee on the largest shift or one off-street parking space for every 500 square feet of total

floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

- H8 Lumber Yard. Lumber yard where lumber products are sold and/or processed. This principal use may be combined with a planing mill.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each employee on the largest shift at maximum employment but in no case less than one off-street parking space for every 300 square feet of total office and customer service area.
- H9 Mill. Mill where grain and similar products are processed.
- a. The buffer requirements of §27-1905 of this chapter shall be met.
  - b. Parking. One off-street parking space for each employee on the largest shift plus one space for every 250 square feet of total floor area used for servicing customers.
- H10 Fuel Storage and Distribution. Storage and distribution of fuel oil or coal.
- a. Approval shall be secured from the Pennsylvania State Police Fire Marshal for the underground storage of fuel.
  - b. The buffer requirements of §27-1905 of this chapter shall be met.
  - c. Parking. Off-street spaces as the Zoning Hearing Board shall determine adequate to serve customers, employees, visitors and vehicles normally parked on the premises but in no case less than one off-street parking space for each employee.
- H11 Junkyard. An area of land, with or without buildings, used for the storage, outside of a completely enclosed building, of used or discarded materials, including but not limited to wastepaper, 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 of two or more motor vehicles not having valid inspection stickers issued by the Pennsylvania Department of Transportation, excluding farm vehicles, or of two or more wrecked or broken vehicles, or the major parts of two or more such vehicles shall only be stored in a licensed junkyard.
- a. 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.

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- b. The boundaries of any junkyard shall at all times be clearly delineated.
- c. All paper, rags, cloth and other fibers and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.
- d. 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.
- e. Such junkyard 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 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.
- f. 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.
- g. Between the fence or wall and the street or property line, buffer plantings shall be placed that are either:
  - (1) One deciduous tree (1 1/2 inch caliper minimum) at an average of one tree per fourth lineal feet of buffer plus one evergreen tree (three foot minimum height) at an average of one tree per 20 lineal feet of buffer.
  - (2) One deciduous tree (1 1/2 inch caliper minimum) at an average of one tree per 40 lineal feet of buffer plus one deciduous shrub (three foot minimum height) per four lineal feet of buffer. Shrubs shall be privet, forsythia or viburnum species.
- h. 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.
- i. No explosive, toxic, radioactive or highly flammable materials shall be kept on the property.
- j. No burning shall be carried on in any junkyard. Fire shall be prevented and hazards avoided by organization and segregation of stored materials with particular attention to the separation of combustibles from other materials and enclosure of combustibles where necessary

(gas tanks shall be drained) by the provision of adequate aisles (at least 15 feet) for escape and firefighting and by other necessary measures.

- k. 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 100 year, 24 hour storm. All hazardous liquids shall be properly disposed of according to the Department of Environmental Protection's rules and regulations.
- l. The natural resource protection standards of §27-1900 shall be met.
- m. A zoning permit shall be obtained on an annual basis.
- n. Parking. One off-street parking space for each employee on the largest shift plus three spaces for customer parking.

H12 Extractive Operation. Sand, clay, shale, gravel, topsoil or similar extractive operations including borrow pits (excavations for removing material for filling operations).

- a. A zoning permit shall be obtained on an annual basis.
- b. When applying for a zoning permit, the applicant shall provide the following plans and information:

(1) Plans Required.

- (a) Plan of general area (within a one mile radius of site) at a scale of 1,000 feet or less to the inch) with a 20 foot or less contour interval to show:

- (i) Existing Data.

- Location of proposed site.

- Land use pattern including building locations and historical sites and buildings.

- Roads, indicating major roads and showing width, weight loads, types of surfaces and traffic data.

- (ii) Proposed Uses or Facilities.

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Subdivisions.

Parks, schools and churches.

Highways (new and reconstructed).

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:

(i) Basic Data.

Soils and geology.

Groundwater data and watercourses.

Vegetation, with dominant species.

Wind data, directions and percentage of time.

(ii) Proposed Usage.

Final grading by contours.

Interior road pattern, its relation to operation yard and points of ingress and egress to State and Township roads.

Estimated amount and description of aggregate and overburden to be removed.

Ultimate use and ownership of site after completion of operation.

Source and amount of water if final plan shows use of water.

Plan of operation showing: proposed tree screen locations; soil embankments for noise, dust, and visual barriers and heights of spoil mounds; method of disposition of excess water during operation; location and typical schedule of blasting; machinery, type and noise levels; and safety measures, monitoring of complaints.

(2) Performance Standards.

- (a) Operations. Extractive operations shall meet all development and performance standards of §27-1900.
- (b) Setbacks. No excavation, quarry wall, storage or area in which processing is conducted shall be located within 200 feet of any lot line, 200 feet of any street right-of-way or within 200 feet of any residential or agricultural district boundary line.
- (c) Grading. All excavations, except stone quarries over 25 feet in depth, shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life.
  - (i) Excavations shall be graded and backfilled to the grades indicated by the site plan. Grading and backfilling shall be accomplished continually and as soon as practicable after excavation. Grading and backfilling may be accomplished by use of waste products of the manufacturing operation or other clean fill materials, providing such materials be composed of nonnoxious, noncombustible solids.
  - (ii) Grading and backfilling shall be accomplished in such a manner that the slope of the fill or its cover shall not exceed normal angle of slippage of such materials or 45° in angle, whichever is less. During grading and backfilling, the setback requirements in subsection (b) above may be reduced by 1/2 so that the top of the graded slope shall not be closer than 100 feet of any district boundary line, any lot line or any street right-of-way. Stockpiles shall not exceed 100 feet in height.
  - (iii) When excavations which provide for a body of water are part of the final use of the tract, the banks of the excavation shall be sloped to a minimum ratio of seven feet horizontal to one foot vertical, beginning at least 50 feet from the edge of the water and maintained into the water to a depth of five feet.
  - (iv) Drainage, either natural or artificial, shall be provided so that disturbed areas shall not collect water or permit stagnant water to remain.

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- (d) Access. Truck access to any excavation shall be so arranged as to minimize danger to traffic and avoid nuisance to surrounding properties.
  - (e) Planting. When planting is the final use to which the tract is put, all that is not covered by water shall be covered with a sufficient amount of arable soils to support vegetation. A planting plan shall be prepared for the entire finished tract using various types of plant material for the prevention of soil erosion and to provide vegetative cover.
  - (f) Stone Quarry. Stone quarries whose ultimate depth shall be more than 25 feet shall provide the following:
    - (i) A screen planting within the setback area as specified in subsection (b) above shall be required. Such a screen shall be no less than 25 feet in width an setback from the excavation so as to keep the area next to the excavation planted in grass or ground cover and clear of any obstruction.
    - (ii) A chain link (or equal) fence at least 10 feet high and with an extra slanted section on top, strung with barbed wire, shall be placed at either the inner or outer edge of planting completely surrounding the area.
    - (iii) Warning signs shall be placed on the fence at intervals of no more than 100 feet.
  - (g) 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 one inch per second, measured at any property line. Blasting shall not occur between the hours of 6:00 p.m. and 7:00 a.m.
  - (h) Applicants for this use shall submit a water impact study in accordance with the requirements of this chapter.
- c. The buffer requirements of §27-1905 of this chapter shall be met.
  - d. Parking. One off-street parking space for each employee in the largest shift plus one space for each company vehicle normally stored on the premises.

H13 Industrial Park. An industrial park is a planned development of industrial and related uses which includes improvements for internal streets, coordinated utilities, landscaping, buffering and stormwater management.

a. Dimensional Requirements.

Minimum site area:	10 acres
Minimum setback from existing streets and property boundary (site):	50 feet
Minimum lot width (site):	200 feet
Minimum lot area (lot):	2 acres
Minimum lot width (lot):	200 feet
Minimum front yard setback (lot):	50 feet
Minimum side yard setback (lot):	35 feet
Minimum rear yard setback (lot):	50 feet
Maximum building height (lot):	40 feet
Maximum impervious surface:	60 percent

b. Permitted Uses. C7, E3, F7, F15, H1, H2, H3, H4, H5, I1, I2.

c. Conditional Uses. D2, F2, F9, F12, F22, H7.

d. Within an industrial park, Use D2, "Private Recreation Facility," shall have a minimum lot area of three acres.

e. Accessory outside storage of raw materials or goods must be buffered by a six foot high evergreen planted screen or six foot solid fence.

f. Outdoor lighting facilities shall be provided and arranged in a manner that will protect the highway and neighboring properties from direct glare or hazardous influence of any land.

g. The buffer requirements of §27-1905 of this chapter shall be met. However, parking may encroach up to 50% within the required buffer yard between individual industrial park uses.

h. No use shall emit noise in excess of limits described in §27-1800 of this chapter.

i. All uses within the industrial park shall be accessed from an interior roadway.

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- j. Street trees shall be installed along all interior roadways in accordance with §22-515 of the Subdivision and Land Development Ordinance [Chapter 22]. A Class C buffer yard shall be installed along all existing streets.
  - k. A traffic impact study prepared in accordance with §22-406 of the Subdivision and Land Development Ordinance [Chapter 22] shall be required.
  - l. A water resources impact study prepared in accordance with §22-408 of the Subdivision and Land Development Ordinance [Chapter 22] shall be required.
  - m. Within the industrial park, buildings on individual lot or lots may be jointly owned and maintained provided this ownership arrangement is in accordance with the Pennsylvania Uniform Condominium Act or other arrangement approved by the Board of Supervisors.
  - n. The applicant shall submit a plan for the overall design and improvements for the industrial park.
  - o. Onlot parking requirements shall be in compliance with §27-304 of this chapter.
  - p. At least 70% of the total floor space of the park must be used for industrial uses.
  - q. All loading facilities/truck parking and outside storage shall be located to the rear or side of buildings.
- H14 Resource Recovery Facility. A facility or land that is used for any one or a combination of the following: composting, incineration, material separation, recycling or trash transfer.
- a. Related Definitions.
    - (1) COMPOSTING FACILITY — a facility for the composting of the organic matter in municipal solid waste.
    - (2) INCINERATOR — a facility designed to reduce municipal 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 (RFD) FACILITY — the extraction of materials from municipal solid waste for recycling or for use as refuse derived fuel (RDF).

- (4) MUNICIPAL SOLID WASTE — the unseparated and/or unprocessed combination of residential and commercial solid waste materials generated in a municipality.
  - (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 municipal 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 of recycling.)
- b. Minimum Lot Area. 10 acres.
  - c. 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.
  - d. Parking areas shall be a minimum of 100 feet from any property line.
  - e. Operation of a resource recovery facility shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania and the rules and Regulations of the Department of Environmental Protection (PaDEP) and the provisions of this chapter. In the event that any of the provisions of this chapter are less restrictive than any present or future rules or regulations of PaDEP, the more restrictive PaDEP regulations shall supersede and control.
  - f. 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.
  - g. Unloading of municipal solid waste shall be continuously supervised by a facility operator.
  - h. Hazardous waste as included on the list of hazardous waste as maintained by the Department of Environmental Protection shall not be disposed of in a resource recovery facility.

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- i. Litter control shall be exercised to confine blowing litter to the work area and a working plan for cleanup of litter shall be submitted to the Township. To control blowing paper, there shall be erected a fence 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.
- j. All parts of the process (unloading, handling and storage of municipal solid waste) shall occur within a building. However, certain separated recyclable materials like glass, aluminum and other metals may be stored outdoors.
- k. The storage of paper shall be within a building.
- l. Any materials stored outdoors shall be properly screened so as not to be visible from any adjacent streets or property.
- m. No material shall be placed or deposited to a height greater than the height of the fence or wall herein prescribed.
- n. No municipal solid waste shall be processed or stored at a recycling facility. For all other types of resource recovery facilities, municipal solid waste shall not be stored on the site for more than 72 hours.
- o. A contingency plan for disposal of municipal solid waste during a plant shutdown must be submitted to the Township and approved by the governing body.
- p. Leachate from the municipal solid waste and water used to wash vehicles or any part of the operation shall be disposed of in a manner in compliance with PaDEP 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's regulations.
- q. 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. This process waste shall be located at least 100 feet from any property line and stored in leakproof and vectorproof containers. Such process waste shall be disposed of in a sanitary landfill approved by PaDEP or in another manner approved by PaDEP.
- r. 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 10 foot staggered centers. In addition, the buffer requirements of §27-1905 of this chapter shall be met.

- s. Solid waste landfill operations and open burning of any materials shall specifically be prohibited.
- t. No use shall emit noise in such quantity as to be audible beyond its lot lines. In addition, the nuisance standards of §27-1800 of this chapter shall be met.
- u. A traffic impact study and a water impact study shall be required.
- v. A zoning permit shall be obtained on an annual basis.

H15 Solid Waste Landfill. 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.

- a. Minimum Lot Area. 50 acres.
- b. The solid waste landfill operation shall be set back from any property line or street right-of-way line at least 300 feet.
- c. Direct access to PA Route 563 (Ridge Road) shall be required for the operation of a solid waste landfill.
- d. A traffic impact study shall be required.
- e. Operation of any solid waste landfill shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania and 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 Part are less restrictive than any present or future rules or regulations of the Department, the more restrictive Department rules or regulations shall supersede and control in the operation of such solid waste landfill.
- f. Suitable measures shall be taken to prevent fires by means and devices mutually agreeable to the Department of Environmental Protection and the Township.
- g. Burning of municipal solid waste is prohibited at a solid waste landfill.
- h. A solid waste landfill operation shall be under the direction at all times of a responsible individual who is qualified by experience or training to operate a landfill.

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- i. 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.
- j. Unloading of waste shall be continually supervised.
- k. Measures shall be provided to control dust. To control blowing paper, there shall be erected a fence having a minimum height of six feet with openings not more than three inches by three inches along any boundary over which such a nuisance may be spread. The entire area shall be kept clean and orderly. Cracks in, depressions in or erosion of cover shall be repaired daily.
- l. 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.
- m. The disposal of sewage liquids and solids and other liquids shall be specifically prohibited in a solid waste landfill.
- n. Litter control shall be exercised to confine blowing litter to the work area and a working plan of cleanup of litter shall be accomplished.
- o. Salvaging shall be conducted by the operator only 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.
- p. 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.
- q. 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.
- r. The buffer requirements of §27-1905 of this chapter shall be met.
- s. A zoning permit shall be obtained on an annual basis.

- t. 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 earthmoving 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.

I. General Accessory Uses and Structures.

I1 Nonresidential Accessory Building. Accessory building, structure or uses customarily incidental to the uses permitted within the zoning district except outside storage. For 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.

- a. Nonresidential accessory buildings shall meet the minimum setbacks for the principal nonresidential use.
- b. School Bus Shelter. A structure for the use of persons waiting for a bus.
  - (1) Maximum Floor Area. 63 square feet.
  - (2) Such structures shall be located at least 12 feet from any street line or lot line.
  - (3) Two parallel signs, no more than six square feet each, may be erected. These signs may advertise goods, services, businesses or organizations not located on the property.
- c. Parking. Parking shall conform to the requirements of the most closely related use.

I2 Outside Storage or Display.

- a. 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.
  - (1) No part of the street right-of-way, no sidewalks or other areas intended to designed for pedestrian use, no required parking areas and no part of the required front yard shall be occupied by outside storage or display except in the VC zoning district where

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outside display shall not extend more than five feet beyond the front of the building.

- (2) Outside storage and display areas shall occupy an area of less than 1/2 the existing building coverage.
- (3) Outside storage areas shall be shielded from view from all public streets.

b. Uses requiring more substantial amounts of land area for storage or display may be exempt from the provisions of subsections I2(a)(2) and (3) when granted as a special exception by the Zoning Hearing Board.

- (1) No more than 25% of the lot area shall be used in outdoor storage or display.
- (2) In particular, uses appropriate under this provision include, but are not limited to, nurseries (Use A2), lumber yards (Use H8), automobile sales (Use F26), truck terminals (Use H6) and agricultural retail (Use A7).
- (3) Among the uses that shall not be appropriate for inclusion under this provision are retail stores (Use F3), repair shops (Use F12), service station or car-washing facility (Use F25), automobile repair (Use F27), sale of automobile accessories (Use F28), wholesale business and storage (Use H3), contractor office and shops (Use H5) and crafts (Use H7).

I3 Temporary Structure. Temporary structure, building or use. A temporary permit may be issued for structures or uses necessary during construction or other special circumstances of a nonrecurring nature.

a. If the temporary structure, building or use is for dwelling purposes, the following conditions shall apply:

- (1) The time period of the initial permit shall be six months. This permit may be renewed for three month time periods, subject to the time limitations specified in §27-303, unless extended by the Board of Supervisors.
- (2) Such structure or use shall be removed completely within 30 days of the expiration of the permit without cost to the Township.
- (3) All requirements of the Bucks County Department of Health pertaining to water use and sewage shall be met by the applicant for the use.

- (4) All Township Building Code requirements [Chapter 5] shall be met by the applicant, if applicable.
  - b. If the temporary structure, building or use involves a construction trailer, sales trailer, model home or other use of a nonresidential nature, the following conditions shall apply:
    - (1) The time period of the initial permit shall be six months. The permit may be renewed for two additional three month time periods.
    - (2) Such structure or use shall be removed completely within 30 days of the expiration of the permit without cost to the Township.
    - (3) The applicant shall file with the Township Zoning Officer a site plan and/or floor plan of the proposed temporary use.
    - (4) The Township shall establish a \$1,000 cash escrow account with the Township to guarantee the removal of the temporary use. The foregoing cash escrow deposit will be held by the Township until either the use and related improvements are removed by the applicant or until such time as the temporary permit and any extensions thereof expire. In the event that the use and intended improvements are not removed upon the happening of the foregoing, the Township will provide 30 days written notice for the use and improvements to be removed by the applicant. If the use and improvements are not removed upon notice, the cash escrow deposit will be forfeited to the Township in order to enforce the terms of the temporary use permit.
    - (5) The applicant shall provide sufficient off-street parking for customers, visitors and employees to the temporary use for the term of the permit. The off-street parking requirements shall be subject to the approval of the Township Engineer.
- I4 Temporary Community Event. A temporary activity including, but not limited to, flea markets, public exhibitions, auctions, carnivals, circuses, picnics, air shows and suppers for fundraising, and similar organization events and meetings.
- a. Such temporary uses shall be limited to occurrences of not more than seven 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 30 day period between such occurrences.
  - b. Signs advertising a temporary community event shall be limited to 12 square feet in size. Such signs shall be posted no more than 14 days

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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.

- c. Such uses may be permitted as conditional uses. The applicant shall provide the Board of Supervisors with plans to ensure adequate parking, emergency access, road access, sanitary facilities, refuse collection, noise control and cleanup after the event.
- I5 Oil and Gas Drilling Well. An accessory use on a property, wells and other structures related to the drilling for, exploration for or production of oil and/or gas.
- a. Wells and storage tanks shall be located not less than 200 feet from any property line or residential dwelling.
  - b. 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.
  - c. 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.
  - d. A fire bank shall be constructed around the tanks to catch and impound oil in the event of spillage and seepage. Such areas shall be lined with an impermeable material to prevent the pollution of the groundwater.
  - e. 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 the groundwater.
  - f. Zoning permit applications shall include the names and addresses of the surface 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.
- I6 Wind Energy Conversion System (WECS). A wind energy conversion system is a device which converts wind energy to mechanical or electrical energy.
- a. Siting.
    - (1) A WECS shall be set back from any property line aboveground utility line or other WECS a distance greater than either:
      - (a) Its overall height, including blades.

- (b) The minimum yard requirements, whichever is greater.
  - (2) In the case of performance subdivisions or cluster developments, a WECS shall be erected within the common open space area and shall be set back from all residences a distance greater than subsections (1)(a) above.
  - (3) Contiguous property owners may construct a WECS for use in common; provided, that the required setback is maintained relative to the property lines of nonparticipating owners.
- b. Size.
- (1) Maximum Output. 200KW.
  - (2) Maximum Blade Diameter. 30 feet.
  - (3) Maximum Height. None. A WECS is not limited by the maximum height restrictions of this chapter except in the Airport Zones.
- c. Safety.
- (1) Minimum Blade Height. 15 feet at lowest point of arc.
  - (2) Access Control. Minimum access height of 12 feet or minimum fence height of six feet with locking portal.
  - (3) The design of a proposed WECS shall be such that it will operate safely, without loss of structural integrity and certified by a licensed engineer, under the following conditions:
    - (a) Loss of utility power (shall not backfeed dead utility line).
    - (b) High wind speed (shall brake or feather below survival wind speed).
    - (c) Blade imbalance (shall support added blade weight of at least 10%).
  - (4) A minimum of one sign shall be posted near ground level or on the tower structure warning of high voltage.
- d. Other.
- (1) The electric and utility lines to and from a WECS shall be underground.

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- (2) The ground level equipment and structures shall be adequately buffered from adjacent properties and street rights-of-way with landscaping or fencing.
  - (3) A WECS shall primarily serve onsite generation needs. If hook-ups to PP&L system is proposed, electrical plans must be prepared by a certified electrical engineer, at the applicant's expense, and submitted to PP&L for approval.
  - (4) A WECS shall not interfere with the reception of any radio, television or other communication equipment.
- I7 Air Landing Field. A private, noncommercial air landing field.
- a. Approval of the Pennsylvania Department of Transportation, Bureau of Aviation, shall be secured.
  - b. No air landing field shall be established if its flight pattern will overlap with the flight pattern of any existing air landing field.
- I8 Radio and Television Towers, Masts, Aerials, Flagpoles, Dish Antenna and Silos. An accessory use for a principal use other than the Use G1.
- a. The structure shall be set back from all property lines a distance at least 1 1/2 times the height of the structure.
  - b. The structure shall be anchored to the ground in a manner satisfactory to the Township.
  - c. The structure shall not be subject to the maximum height limitations of this chapter except in the Airport Zones (§§27-1602 and 27-1603). However, a conditional use permit must be obtained for any structure which will exceed these maximum height limitations.
  - d. On lots of 10 acres or smaller, dish antenna, radio towers and television towers shall not be located in the front yard of a residential structure. On lots greater than 10 acres, these uses shall not be located in the minimum front yard as specified in this chapter.
  - e. The diameter of the dish antenna shall not exceed nine feet.
  - f. When separately supported, the total height of the dish antenna shall not exceed 10 feet unless approved as a conditional use.
  - g. Roof mounting of a dish 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. Dish antennas shall not be mounted on chimneys.

- h. No more than one dish antenna shall be permitted on any lot.
- i. When not roof mounted, the dish 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 the erection of a dish antenna, a screening plan must be submitted to and approved by the local Township Planning Commission.

I9 Off-Street Parking. Off-street parking, subject to the provisions and requirements of §§27-1712 to 27-1714.

I10 Signs. Signs, subject to the provisions and requirements of Part 20 of this chapter.

(Ord. 5/26/1987, §304; as amended by Ord. 110, 7/19/1988; by Ord. 131, 7/17/1990, Art. 1; by Ord. 150, 6/15/1993, Art. 1-5; by Ord. 154, -/-/, §§1-4; by Ord. 161, 10/17/1995, Art. 3; by Ord. 168, 2/18/1997 Art. 2,4,7; by Ord. 174, 1/20/1998, Art. 1; by Ord. 178, 9/15/1998, Art 1; by Ord. 192, 4/18/2000; by Ord. 194, -/-/2000, Art. I, Art. X; by Ord. 228, 1/16/2007; by Ord. 240, 6/17/2008; by Ord. 253, 4/20/1020; and by Ord. 257, 9/21/2010)

### **§27-305. Other Dwelling Types or Uses.**

Other dwelling types or uses, not specifically or adequately defined in §27-304 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 dwelling types or uses may become reasonable and appropriate. It is the purpose of this chapter to provide for all reasonable and appropriate use and it is the purpose of this section to establish a mechanism for including of such additional dwelling types or uses in the Township.

- a. The landowner, equitable or otherwise, shall submit his request for inclusion of a specific dwelling type or use to the Board of Supervisors and Planning Commission with illustrations and explanatory information which fully describe the dwelling type or use and the manner in which the proposed dwelling type or use substantially differs from permitted uses in this chapter.
- b. The Planning Commission shall review the submission and advise the Board of Supervisors, it shall be determined if the proposed dwelling type or use falls within any of the permitted use classifications of this chapter, is a variation of a permitted use or is an exotic use which is not reasonable and appropriate.

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- c. It is the intent of this chapter that reasonable and appropriate dwelling types or uses not specifically or not adequately described in this chapter shall be provided for as follows:
  - (1) Residential uses in the Residential District.
  - (2) Residential dwelling types under. Use B3 “Performance Standard Development in the Residential District.”
  - (3) Institutional uses in the Cultural-Educational District.
  - (4) Office, commercial and consumer service uses in the Commercial-Office District.
  - (5) Industrial uses in the Industrial-1 and Industrial-2 Districts.
- d. Such reasonable and appropriate dwelling types or uses shall be permitted in the districts noted above subject to density, area, dimensional and other requirements of the district as condition uses under Part 20 of this chapter.

(Ord. 5/26/1987, §305)

### **§27-306. Table of Use Regulations.<sup>3</sup>**

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<sup>3</sup> Editor's Note: The Table of Use Regulations is included at the end of this chapter.

**PART 4**

**RP RESOURCE PROTECTION DISTRICT**

**§27-400. Purpose.**

- a. The purpose of the Resource Protection District is to protect areas containing sensitive natural features and areas of natural scenic beauty. Agricultural and low-intensity residential uses are permitted with standards and densities designed to encourage preservation of natural resources.
- b. Within the Resources Protection District a building may be erected, altered or used, and a lot may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §400)

**§27-401. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A3 Intensive Agriculture.
  - (4) A4 Forestry.
  - (5) A5 Riding Academy.
  - (6) A6 Kennel-Commercial.
  - (7) A7 Agricultural Retail.
  - (8) A8 Farm Unit.
  - (9) A10 Kennel-Noncommercial.
  - (10) B1 Detached Dwelling.
  - (11) B2 Cluster Subdivision.
  - (12) B10a Accessory Professional Office.
  - (13) B10b Accessory Personal Services.

## ZONING

- (14) B10c Accessory Instructional Services.
- (15) B10d Accessory Home Crafts.
- (16) B11 Residential Accessory Building.
- (17) B12 Garage Sales.
- (18) C7 Municipal Building.
- (19) D1 Recreational Facility.
- (20) D2 Private Recreational Facility.
- (21) E2 Veterinary Office.
- (22) F21 Golf Course.
- (23) I1 Nonresidential Accessory Building.
- (24) I3 Temporary Structure.
- (25) I9 Off-Street Parking.
- (26) I10 Signs

### b. Uses Permitted by Conditional Use.

- (1) B5 Group Home.
- (2) B9 Residential Conversion.
- (3) B10f Accessory Trades, Business.
- (4) C1 Place of Worship.
- (5) C2 School.
- (6) D3 Private Club.
- (7) F24 Guest House.
- (8) G1 Utilities.
- (9) G2 Emergency Services.
- (10) I4 Temporary Community Event.

- (11) I6 Wind Energy Conversion Systems.
- (12) I7 Air Landing Field.
- (13) I8 Towers, Masts, etc.

c. Uses Permitted by Special Exception.

- (1) B10e Accessory Family Day Care.
- (2) B10g Accessory Repair Service and Other.
- (3) C4 Hospital.
- (4) F19 Cottage Development or Private Camp.
- (5) F20 Recreational Camping Park.
- (6) I5 Oil and Gas Drilling.

(Ord. 5/26/1987, §401; as amended by Ord. 148, 10/20/1992, Art. 3; and by Ord. 168, 2/18/1997, Art. 8)

**§27-402. Area and Dimensional Requirements.**

- a. Unless a maximum height regulations is stated in §27-304, “Use Regulations,” for a specific use, no use in the Resource Protection District shall exceed 35 feet in height. For exceptions, refer to Uses I6 and I8.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Resource Protection District shall meet the following Requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. Percent	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
B1	1.8	150	10		50	30	50
Other Permitted Uses	2.0	200	10	20	75	40	75

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

## ZONING

(Ord. 5/26/1987, §402; as amended by Ord. 110, 7/19/1988; and by Ord. 168, 2/18/1997, Art. 6)

**PART 5**

**AGRICULTURE PRESERVATION DISTRICT**

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

- a. The purpose of the Agriculture Preservation District is to recognize and protect those areas of the Township where farming predominates. Within the district, areas with Class I, II and II agricultural soils, as defined by the U.S. Department of Agricultural Soils Survey, shall be protected in accordance with the standards established herein. This district recognizes that farmland is being used to produce a product and has a positive purpose in utilizing the prime agricultural soils for the benefit of the entire community. Residents of the AP District are advised that there may be noise, odors, dust, fumes or other disturbances associated with agricultural practices which are considered to be acceptable effects of farming and shall not be regulated by Township nuisance laws.
  
- b. Intense residential development adjacent to farming operations are found to have severe, detrimental impacts on agricultural operations due to recognized conflicts between new residents in a farming area and existing farming operations. These residential/agricultural conflicts consist of increased trash in farm fields, increased traffic on country roads which impede the moving of farming equipment in an agricultural area, increased complaints and land use conflicts between new residents and farming operations, and increased pressure to extend public water and public sewer infrastructure into existing agricultural and rural areas. The minimum lot size in the AP District is to provide limited residential development compatible with agricultural operations, and to provide sufficient area for onlot water and onlot sewer facilities while at the same time providing an adequate buffer on the individual lots from farming operations.
  
- c. Within the Agriculture Preservation District, a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987; as added by Ord. 194, -/-/2000, Art. XII; as amended by Ord. 201 5/13/2003, §II)

**§27-501. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming
  - (2) A2 Nursery
  - (3) A3 Intensive Agriculture

## ZONING

- (4) A4 Forestry
- (5) A5 Riding Academy
- (6) A7 Agricultural Retail
- (7) A8 Farm Unit
- (8) A9 Farm Support Facility
- (9) A10 Kennel – Non-commercial
- (10) B1 Detached Dwelling
- (11) B10a Accessory Professional Office
- (12) B10b Accessory Personal Services
- (13) B10c Accessory Instructional Services
- (14) B10d Accessory Home Crafts
- (15) B11 Residential Accessory Building
- (16) B12 Garage Sales
- (17) C7 Municipal Building
- (18) D1 Recreational Facility
- (19) I1 Nonresidential Accessory Building
- (20) I3 Temporary Structure.
- (21) I9 Off-Street Parking
- (22) I10 Signs

b. Uses Permitted by Conditional Use.

- (1) B9 Residential Conversion
- (2) B10f Accessory Trades, Business
- (3) C1 Place of Worship
- (4) C6 Cemetery

- (5) D3 Private Club
- (6) F24 Guest House
- (7) G1 Utilities
- (8) G2 Emergency Services
- (9) I2 Outside Storage or Display
- (10) I4 Temporary Community Event
- (11) I6 Wind Energy Conservation System
- (12) I8 Towers, Masts, etc.

c. Uses Permitted by Special Exception.

- (1) B10e Accessory Family Day Care
- (2) B10g Accessory Repair Service Other
- (3) I5 Oil and Gas Drilling

(Ord. 5/26/1987; amended by Ord. 148, 10/20/1992; by Ord. 168, 2/18/1997, Art. VIII; and by Ord. 194, -/-/2000, Art. XII)

**§27-502. Area and Dimensional Requirements.**

Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all permitted uses shall comply with the following requirements:

a. Sites Containing Less than 10 Acres.

A parcel or tract of land less than 10 acres in area shall comply with the following standards:

- minimum lot size: 80,000 square feet
- minimum lot width: 200 feet
- minimum yards:
  - front: 75 feet
  - side: 30 feet

## ZONING

rear:	100 feet
maximum height:	35 feet
maximum impervious surface:	10%

b. Sites Containing 10 Acres or More.

A parcel or tract of land which is 10 acres or greater shall comply with the following provisions:

- (1) All proposals for subdivisions and land developments shall complete a site analysis as specified by Part 19 of this chapter.
- (2) No more than 40% of prime farmland and farmland of statewide importance may be developed.
- (3) All proposed lots and development must be located on the portion of the tract which is situated outside the nonbuildable site area.
- (4) Lot Area. Each lot permitted on the buildable portion of a tract of land shall contain a contiguous area of at least 32,000 square feet. Larger lot area may be necessary to accommodate onlot sewage disposal systems if proposed.
- (5) Building Envelope.
  - a. All residential lots shall have a contiguous building envelope of at least 7,500 square feet. The purpose of the identification of the building envelope is to provide sufficient area and flexibility for the general location of a building, driveway, parking, patios and other improvements and site alterations while meeting the natural resource protection standards and minimum setback requirements. For uses with onlot sewage disposal systems, a minimum contiguous area of 3,000 square feet in addition to the building envelope specified above shall be identified for the sewage disposal system. Such additional area shall also meet the Natural Resource Protection Standards of §27-1900.
  - b. The building envelope may include woodlands, steep slopes and agricultural soils areas that are not part of the non-buildable site area. The building envelope may not contain any of the following resources:
    - floodplains or floodplain soils
    - wetlands, lakes, ponds or watercourses

wetland margins or lake and pond shorelines

(6) Dimensional Requirements.

minimum lot width:	125 feet
front yard:	50 feet
side yard:	30 feet
rear yard:	50 feet
maximum height:	35 feet
maximum impervious surface	15%

(7) Exceptions.

Lot Line Changes. Lot line changes which do not result in the creation of an additional building lot shall be exempt from the above provisions if the property is immediately conveyed to the adjacent parcel. However, in the case of a lot line change, each resulting lot shall comply with the area and dimensional requirements specified in §27-502(b)(6) above.

c. Standards for Farmland Preservation.

All farmland set aside areas as required by the natural resource protection standards in Part 19 of this chapter shall comply with the following standards:

- (1) The farmland tract shall consist of a contiguous area which includes all protected farmland soils and shall not be less than 300 feet in length, width or any other dimension at any point except as permitted in subsection (3) below.
- (2) The farmland tract shall be of such shape so as to be suitable for the convenient use of modern farm equipment and machinery.
- (3) The farmland tract shall have suitable access, including frontage on a public street of not less than 150 linear feet. In the case where the farmland tract does not have road frontage due to the location of preserved prime farmland and agricultural soils, the tract shall be provided with direct access to a public street. Such accessway shall not be less than 25 feet in width or greater than 45 feet in width.

## ZONING

- (4) A Class D buffer shall be provided between the farmland tract and residential lots in accordance with the requirements of §27-1905 and shall be located on the residential lots and not on the farmland tract.
- (5) The preserved farmland tract may include the existing farmhouse and accessory farm buildings for the continued use of the individual(s) and their family members engaged in the agricultural operation on the property, provided the farmland tract consists of a minimum of 10 acres. The existing farmhouse and accessory farm buildings must comply with the required setback provisions of §27-502(b)(6) of this chapter.

One single-family detached dwelling, and accessory farm buildings may be constructed on a vacant farmland tract for the use of the property owner, and/or their family members engaged in the agricultural operation on the property, provided the farmland tract consists of at least 20 acres. The proposed structure must comply with the setback requirements of §27-502(b)(6) of this chapter.

- (6) To the greatest extent possible, farmland resulting from subdivision shall be situated adjacent to one another to form large contiguous farm tracts.

(Ord. 5/26/1987; as added by Ord. 194, -/2000, Art. XII; as amended by Ord. 201, 5/13/2003, §I)

**PART 6**

**RR RURAL RESIDENTIAL DISTRICT**

**§27-600. Purpose.**

- a. The Rural Residential Districts are intended to promote the preservation of agriculture as a primary use of undeveloped land outside the Development Area. Limited residential uses are permitted as well as agricultural uses. The standards and densities are intended to provide a positive incentive for the preservation of large amounts of open space and the retention of the Township's rural character.
- b. Within the Rural Residential Districts a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §500; as amended by Ord. 194, -/-/2000, Art. XIII)

**§27-601. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A3 Intensive Agriculture.
  - (4) A4 Forestry.
  - (5) A5 Riding Academy.
  - (6) A6 Kennel-Commercial
  - (7) A7 Agricultural-Retail.
  - (8) A8 Farm Unit.
  - (9) A10 Kennel-Noncommercial.
  - (10) B1 Detached Dwelling.
  - (11) B2 Cluster Subdivision.
  - (12) B10a Accessory Professional Office.

## ZONING

- (13) B10b Accessory Personal Services.
  - (14) B10c Accessory Instructional Services.
  - (15) B10d Accessory Home Crafts.
  - (16) B11 Residential Accessory Building.
  - (17) B12 Garage Sales.
  - (18) C7 Municipal Building.
  - (19) D1 Recreational Facility.
  - (20) D2 Private Recreational Facility.
  - (21) E2 Veterinary Office.
  - (22) F21 Golf Course.
  - (23) I1 Nonresidential Accessory Building.
  - (24) I3 Temporary Structure.
  - (25) I9 Off-Street Parking.
  - (26) I10 Signs.
- b. Uses Permitted by Conditional Use.
- (1) B5 Group Home.
  - (2) B9 Residential Conversion.
  - (3) B10f Accessory Trades, Business.
  - (4) C1 Place of Worship.
  - (5) C2 School.
  - (6) D3 Private Club.
  - (7) F24 Guest House.
  - (8) G1 Utilities.
  - (9) G2 Emergency Services.

- (10) I4 Temporary Community Event.
- (11) I6 Wind Energy Conversion Systems.
- (12) I7 Air Landing Field.
- (13) I8 Towers, Masts, etc.

c. Uses Permitted by Special Exception.

- (1) A9 Farm Support Facility.
- (2) B10e Accessory Family Day Care.
- (3) B10g Accessory Repair Service and Other.
- (4) C4 Hospital.
- (5) C6 Cemetery.
- (6) 15 Oil and Gas Drilling.

(Ord. 5/26/1987, §501; as amended by Ord. 148, 10/20/1992, Art. 3; and by Ord. 168, 2/18/1997, Art. 8)

**§27-602. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use no use in the Rural Residential District shall exceed 35 feet in height. For exceptions refer to Uses I6 and I8.
- b. Unless a greater area or dimensional regulation is stated in §27-304, Use Regulations, for a specific use, all uses in the Rural Residential District shall meet the following requirements.

Use	Minimum Lot Area (acres)	Minimum Lot Width (feet)	Maximum Building Coverage (percent)	Maximum Impervious Surface Ratio (percent)	Minimum Yards		
					Front (feet)	Side (feet)	Rear (feet)
B1	1.8	150	10%		50	30	50
C7	2.0	200	10%	50%	25	40	50
Other Permitted Uses	2.0	200	10%	20%	75	40	75

## ZONING

- c. Refer to; §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §502; as amended by Ord. 240, 6/17/2008)

**PART 7**

**S SUBURBAN DISTRICT**

**§27-700. Purpose.**

- a. The purpose of the Suburban Districts is to accommodate single-family detached residential uses. Clustering and performance standard developments provide landowners with some flexibility. In keeping with the Township's rural character, densities are moderate. The protection of natural resources is ensured through performance standards.
- b. Within the Suburban Districts a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §600)

**§27-701. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A8 Farm Unit.
  - (5) A10 Kennel-Noncommercial.
  - (6) B1 Detached Dwelling.
  - (7) B2 Cluster Subdivision.
  - (8) B10a Accessory Professional Office.
  - (9) B10b Accessory Personal Services.
  - (10) B10c Accessory Instructional Services.
  - (11) B10d Accessory Home Crafts.
  - (12) B11 Residential Accessory Building.

## ZONING

- (13) B12 Garage Sales.
- (14) I3 Temporary Structure.
- (15) I9 Off-Street Parking.
- (16) I10 Signs.
- (16) C2 School.

### b. Uses Permitted by Conditional Use.

- (1) A5 Riding Academy.
- (2) A7 Agricultural Retail.
- (3) B3 Performance Standard Development.
- (4) B5 Group Home.
- (5) B10f Accessory Trades Business.
- (6) B13 Age-Qualified Development.
- (7) D1 Recreational Facility.
- (8) D2 Private Recreational Facility.
- (9) G1 Utilities.
- (10) G2 Emergency Services.
- (11) I4 Temporary Community Event.
- (12) I8 Towers, Masts, etc.
- (13) B6 Life Care Facility.
- (14) B7 Full Care Facility.

### c. Uses Permitted by Special Exception.

- (1) B10e Accessory Family Day Care.
- (2) B10g Accessory Repair Service and Other.

(Ord. 5/26/1987, §601; as amended by Ord. 148, 10/20/1992, Arts. 2, 3; by Ord. 168, 2/18/1997, Art. 8; by Ord. 184, 4/20/1999, Art. 3; and by Ord. 253, 4/20/2010)

**§27-702. Area and Dimensional Requirements.**

- a. Unless a maximum height regulations is stated in §27-304, “Use Regulations,” for a specific use, no use in the Suburban District shall exceed 35 feet in height. For exceptions, refer to Use I8.
- b. Unless a greater area or dimensional regulations is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Suburban District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
B1	22,000 sq. ft.	100	15		50	20	50
Other Permitted Uses	2.0 acres	200	10	20	75	40	75

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §602)



**PART 8**

**R-1 RESIDENTIAL DISTRICT**

**§27-800. Purpose.**

- a. The purpose of the Residential Districts is to accommodate all type of residential structures, single-family and multifamily to ensure a balanced community. The R-1 District is medium density in keeping with the Township's character. Performance standards encourage clustered development with open space areas for resource protection and recreation.
- b. Within the Residential Districts a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §700)

**§27-801. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A8 Farm Unit.
  - (5) A10 Kennel-Noncommercial.
  - (6) B1 Detached Dwelling.
  - (7) B2 Cluster Subdivision.
  - (8) B6 Life-Care Facility.
  - (9) B7 Full-Care Facility.
  - (10) B10a Accessory Professional Office.
  - (11) B10b Accessory Personal Services.
  - (12) B10c Accessory Instructional Services.

## ZONING

- (13) B10d Accessory Home Crafts.
- (14) B11 Residential Accessory Building.
- (15) B12 Garage Sales.
- (16) C1 Place of Worship.
- (17) C2 School.
- (18) I1 Nonresidential Accessory Building.
- (19) I3 Temporary Structure.
- (20) I9 Off-Street Parking.
- (21) I10 Signs.

### b. Uses Permitted by Conditional Use.

- (1) B3 Performance Standard Development.
- (2) B9 Residential Conversion.
- (3) B10f Accessory Trades Business.
- (4) D1 Recreational Facility.
- (5) D2 Private Recreational Facility.
- (6) G1 Utilities.
- (7) G2 Emergency Services.
- (8) I4 Temporary Community Event.
- (9) I8 Towers, Masts, etc.

### c. Uses Permitted by Special Exception.

- (1) B4 Mobile Home Park.
- (2) B10e Accessory Family Day Care.
- (3) B10g Accessory Repair Service and Other.

(Ord. 5/26/1987, §701; as amended by Ord. 148, 10/20/1992, Arts. 2, 3; by Ord. 168, 2/18/1997, Art. 8; and by Ord. 253, 4/20/2010)

**§27-802. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulation,” for a specific use, no use in the Residential District shall exceed 35 feet in height. For exceptions, refer to Use 18.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Residential District shall meet the following requirements.

Use	Minimum Lot Area	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
B1	22,000 sq. ft.	100	15		50	20	50
Other Permitted Uses	2.0 acres	200	10	20	75	40	75

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §702)



**PART 9**

**VR VILLAGE RESIDENTIAL DISTRICT**

**§27-900. Purpose.**

- a. The Village Residential Districts are intended to preserve the character of the Township's villages. A variety of residential uses are permitted in these districts. Standards and densities are designed to be compatible with existing conditions in the villages.
- b. Within the Village Residential Districts a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §800)

**§27-901. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A8 Farm Unit.
  - (5) A10 Kennel-Noncommercial.
  - (6) B1 Detached Dwelling.
  - (7) B3 Performance Standard Development.
  - (8) B10a Accessory Professional Office.
  - (9) B10b Accessory Personal Services.
  - (10) B10c Accessory Instructional Services.
  - (11) B10d Accessory Home Crafts.
  - (12) B11 Residential Accessory Building.
  - (13) B12 Garage Sales.

## ZONING

- (14) C1 Place of Worship.
- (15) C2 School.
- (16) I1 Nonresidential Accessory Building.
- (17) I3 Temporary Structure.
- (18) I9 Off-Street Parking.
- (19) I10 Signs

### b. Uses Permitted by Conditional Use.

- (1) B5 Group Home.
- (2) B9 Residential Conversion.
- (3) B10f Accessory Trades Business.
- (4) D4 Community Center.
- (5) G1 Utilities.
- (6) G2 Emergency Services.
- (7) I4 Temporary Community Event.
- (8) I8 Towers, Masts, etc.

### c. Uses Permitted by Special Exception.

- (1) B10e Accessory Family Day Care.
- (2) B10g Accessory Repair Service and Other.

(Ord. 5/26/1987, §801; as amended by Ord. 148, 10/29/1992, Art. 3; and by Ord. 168, 2/18/1997, Art. 8)

### **§27-902. Area, Dimensional and General VR Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, "Use Regulations," for a specific use, no use in the Village Residential District shall exceed 35 feet in height. For exceptions, refer to Use 18.

- b. Unless a great area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Village Residential District shall meet the following requirements.

Use	Minimum Lot Area	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
B1	10,000 sq.ft.	70	30		35	15	40
Other Permitted Uses	1.0 acre	150	15	30	50	30	50

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.
- d. Development within the VR District shall be designed to protect and preserve the character of the village center by employing design, scale, materials and architecture that is consistent with the historic character of villages. The proposed use shall be planned and designed as a single and uniform layout with an architectural theme that is acceptable to the Township. The architectural design of the proposed building(s) shall be submitted to the Township Board of Supervisors and Planning Commission for review and approval as part of the development review process.
- e. All new utilities, newly constructed utilities and/or utilities associated with new land developments and/or subdivisions shall be installed underground in accordance with the East Rockhill Township Subdivision and Land Development Ordinance.<sup>4</sup> Existing overhead utilities shall be relocated underground where possible.

(Ord. 5/26/1987, §802; as amended by Ord. 257, 9/21/2010)

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<sup>4</sup> Editor’s Note: See Ch. 22, Subdivision and Land Development.



**PART 10**

**VC VILLAGE COMMERCIAL DISTRICT**

**§27-1000. Purpose.**

- a. The Village Commercial District deals with a small commercial area adjacent to the village of Hagersville. The intent of this district is to provide local residents with a limited amount of commercial services.
- b. Within the Village Commercial District a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §900)

**§27-1001. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A4 Forestry.
  - (2) A10 Kennel-Noncommercial.
  - (3) B1 Detached Dwelling.
  - (4) B10a Accessory Professional Office.
  - (5) B10b Accessory Personal Services.
  - (6) B10c Accessory Instructional Services.
  - (7) B10d Accessory Home Crafts.
  - (8) B11 Residential Accessory Building.
  - (9) B12 Garage Sales.
  - (10) E3 Office.
  - (11) F5 Village Oriented Shops.
  - (12) F6 Service Business.
  - (13) F7 Financial Establishment.

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- (14) F32 Dwelling in Combination.
  - (15) F33 Nonresidential Conversion.
  - (16) I1 Nonresidential Accessory Building.
  - (17) I3 Temporary Structure.
  - (18) I9 Off-Street Parking.
  - (19) I10 Signs.
- b. Uses Permitted by Conditional Use.
- (1) B9 Residential Conversion.
  - (2) B10f Accessory Trades, Business.
  - (3) D3 Private Club.
  - (4) E1 Medical Office.
  - (5) E2 Veterinary Office.
  - (6) F8 Funeral Home.
  - (7) F25 Service Station or Car-Washing Facility.
  - (8) G1 Utilities.
  - (9) G2 Emergency Services.
  - (10) I4 Temporary Community Event.
  - (11) I8 Towers, Masts, etc.
- c. Uses Permitted by Special Exception.
- (1) A9 Farm Support Facility.
  - (2) B8 Rooming House.
  - (3) B10e Accessory Family Day Care.
  - (4) B10g Accessory Repair Service and Other.
  - (5) F1 Commercial School.

- (6) F9 Eating Place.
- (7) F11 Tavern.
- (8) F23 Inn.
- (9) F27 Automobile Repair.
- (10) F29 Truck and Farm Equipment Sales.

(Ord. 5/26/1987, §901; as amended by Ord. 148, 10/20/1992, Art. 3; by Ord. 168, 2/18/1997, Art. 8; and by Ord. 257, 9/21/2010)

**§27-1002. Area, Dimensional and General VC Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use, no use in the Village Commercial District shall exceed 35 feet in height. For exceptions, refer to Use 18.
- b. Unless a greater area or dimensional regulation is stated in §27-304, Use Regulations, for a specific use and/or unless the proposed use on the property, parcel and/or tract of land consists of multiple uses pursuant to §27-300 which shall be governed by §27-1003, all uses in the VC Village Commercial Zoning District shall meet the following requirements.

Use	Minimum Lot Area	Minimum	Maximum Bldg. Cov. (percent)	Maximum	Minimum Yards		
		Lot Width (feet)		Imperv. Surface Ratio (percent)	Front (ft.)	Side (ft.)	Rear (ft.)
B1	10,000 sq. ft.	70	30		35	15	40
Other permitted uses	1.0 acre*	150	30	60%	25	30	50

\* (When multiple uses are proposed on a property, parcel or tract of land, there shall be no minimum lot area, but there shall be a minimum site area as specified in §27-1003.)

- c. Development within the VC District shall be designed to protect and preserve the character of the village center by employing design, scale, materials and architecture that are consistent with the historic character of villages. The facility shall be planned and designed as a single complex with an architectural theme that is acceptable to the Township. The architectural design of the proposed building(s) shall be submitted to the Township Board of Supervisors and Planning Commission for review and approval as part of the development review process.
- d. All new utilities, newly constructed utilities and/or utilities associated with new land developments and/or subdivisions shall be installed underground in accor-

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dance with the East Rockhill Township Subdivision and Land Development Ordinance.<sup>5</sup> Existing overhead utilities shall be relocated underground where possible.

- e. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §902; as amended by Ord. 257, 9/21/2010)

### **§27-1003. Multiple Uses in VC Zoning District.**

Multiple uses on a property, parcel or tract of land may be permitted within the VC Village Commercial Zoning District only by conditional use. Any and all proposed multiple uses on any property, parcel or tract of land within the VC Village Commercial Zoning District shall meet and comply with the following requirements:

- a. Minimum site area: three acres.
- b. Trash receptacles shall be located and landscaped so as to not create an intrusion upon adjacent properties. A trash storage area shall be screened from the street and adjacent properties by a solid fence or wall at least six feet in height and landscaping acceptable to the Township to prevent trash from blowing from the area and to serve as a visual screen for the trash area.
- c. Development within the VC District shall be designed to protect and preserve the character of the village center by employing design, scale, materials and architecture that are consistent with the historic character of villages. The facility shall be planned and designed as a single complex with an architectural theme that is acceptable to the Township. The architectural design of the proposed buildings shall be submitted to the Township Board of Supervisors and Planning Commission for review and approval as part of the land development review process.
- d. The distance, at the closest point, between any two buildings or groups of units of attached buildings shall not be less than 15 feet.
- e. Minimum Parking Requirement: There shall be a minimum of one parking space per 200 square feet of floor area intended for servicing customers. Parking shall be designed so as to discourage parking and vehicular circulation between the buildings and the existing streets.
- f. Only those uses permitted within §27-1001 shall be allowed as multiple uses.
- g. Minimum Setback Yards: front, 25 feet; side, 30 feet; rear, 50 feet.
- h. Buffer: Buffer requirements shall be in accordance with §27-1905.

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<sup>5</sup> Editor’s Note: See Ch. 22, Subdivision and Land Development.

- i. Requirements for the parking of large vehicles shall be at the discretion of the Board of Supervisors.
- j. Loading Zone: In the event the Township determines that there needs to be a designated loading zone for the proposed use(s), such a loading zone shall be designed in a manner acceptable to the Township to ensure public health, welfare and safety and shall not be located between the building/structure and any street.
- k. Sanitary Sewer and Water Supply: The property and proposed use(s) shall be served by on-lot sanitary sewer and water supply facilities acceptable to the Township only until such time that public sewer and/or public water supply is available to serve the property. When there becomes available public sewer and/or public water supply within 150 feet of the use and/or structure on the property, connection to the public sewer and/or public water system shall be required in accordance with the East Rockhill Township Code of Ordinances. The Board of Supervisors of East Rockhill Township may also require a property to connect to public water and/or public sewer if said property and/or its use is beyond 150 feet from the public water and/or public sewer system if the Board of Supervisors deems it appropriate and/or if East Rockhill Township and/or PaDEP require same because of health, safety and/or welfare concerns.
- l. Each use within the VC Zoning District shall comply with all Zoning Ordinance provisions governing such use as required in §27-304, Use Regulations. When this Section differs from other sections in the Zoning Ordinance, the more restrictive provision shall govern.

(As added by Ord. 257, 9/21/2010)



**PART 11**

**C-E CULTURAL-EDUCATIONAL DISTRICT**

**§27-1100. Purpose.**

- a. The Cultural-Educational District is intended to maintain the character of areas currently used by major institutions.
- b. Within the Cultural-Educational District a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §1000)

**§27-1101. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A10 Kennel-Noncommercial.
  - (5) B6 Life Care Facility.
  - (6) B7 Full Care Facility.
  - (7) B10a Accessory Professional Office.
  - (8) B10b Accessory Personal Services.
  - (9) B10c Accessory Instructional Services.
  - (10) B10d Accessory Home Crafts.
  - (11) B11 Residential Accessory Building.
  - (12) B12 Garage Sales.
  - (13) C1 Place of Worship.

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- (14) C2 School.
  - (15) C3 Library or Museum.
  - (16) C4 Hospital.
  - (17) C5 Nursing Home.
  - (18) C7 Municipal Building.
  - (19) D1 Recreational Facility.
  - (20) D4 Community Center.
  - (21) F2 Day-Care Center.
  - (22) F32 Dwelling in Combination.
  - (23) I1 Nonresidential Accessory Building.
  - (24) I3 Temporary Structure.
  - (25) I9 Off-Street Parking.
  - (26) I10 Signs.
- b. Uses Permitted by Conditional Use.
- (1) B9 Residential Conversion.
  - (2) B10f Accessory Trades Business.
  - (3) D2 Private Recreational Facility.
  - (4) D3 Private Club.
  - (5) G1 Utilities.
  - (6) G2 Emergency Services.
  - (7) I4 Temporary Community Event.
  - (8) I6 Wind Energy Conversion System.
  - (9) I8 Towers, Masts, etc.
- c. Uses Permitted by Special Exception.

- (1) B10e Accessory Family Day Care.
- (2) B10g Accessory Repair Service and Other.
- (3) C6 Cemetery.

(Ord. 5/26/1987, §1001; as amended by Ord. 148, 10/20/1992, Art. 3; and by Ord. 168, 2/18/1997, Art. 8)

**§27-1102. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use, no use in the Cultural-Educational District shall exceed 35 feet in height. For exceptions, refer to Uses 16 and 18.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Cultural-Educational District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Maximum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
All Permitted Uses	2.0	150	15	30	50	20	50

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §1002)



**PART 12**

**C-O COMMERCIAL-OFFICE DISTRICT**

**§27-1200. Purpose.**

- a. The Commercial-Office District is intended to provide a wide range of commercial and service uses for the needs of local and area residents. Office uses are also permitted in this district. Appropriate design standards will ensure that future development is compatible with existing commercial and office uses.
- b. With the Commercial-Office District, a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.
- c. Single family detached dwellings which existed with the Commercial-Office District prior to adoption of this amendment shall, for all purposes, be treated as permitted, not nonconforming uses. It is the intent of the chapter to eliminate the need for the owners of the existing dwellings to obtain special relief in order to make additions to, or to add accessory buildings to their residential properties where the only reason for special relief would be the nonconformity of the single family detached dwelling uses.

(Ord. 5/26/1987, §1100; as amended by Ord. 195, 9/19/2000, Art. III)

**§27-1201. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) D3 Private Club.
  - (2) E1 Medical Office.
  - (3) E3 Office.
  - (4) E4 Office Park.
  - (5) F1 Commercial School.
  - (6) F2 Day-Care Center.
  - (7) F3 Retail Store.
  - (8) F6 Service Business.

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- (9) F7 Financial Establishment.
  - (10) F8 Funeral Home.
  - (11) F9 Eating Place.
  - (12) F10 Drive-In's and Other.
  - (13) F12 Repair Shop.
  - (14) F15 Indoor Athletic Club.
  - (15) F26 Automobile Sales.
  - (16) F28 Automotive Accessories.
  - (17) F32 Dwelling in Combination.
  - (18) F33 Nonresidential Conversion.
  - (19) I1 Nonresidential Accessory Building.
  - (20) I3 Temporary Structure.
  - (21) I9 Off-Street Parking.
  - (22) I10 Signs.
  - (23) C2 School.
- b. Uses Permitted by Conditional Use.
- (1) D1 Recreational Facility.
  - (2) D2 Private Recreational Facility.
  - (3) G1 Utilities.
  - (4) G2 Emergency Services.
  - (5) G3 Terminal.
  - (6) I4 Temporary Community Event.
  - (7) A10 Kennel-Noncommercial.
  - (8) F4 Adult Commercial.

- (9) F14 Theater.
- (10) F16 Amusement Halls and Arcades.
- (11) F17 Outdoor Entertainment.
- (12) F30 Shopping Center.
- (13) I2 Outside Storage and Display.
- (14) I8 Towers, Masts, etc.

c. Uses Permitted by Special Exception.

- (1) F11 Tavern.
- (2) F13 Indoor Entertainment.
- (3) F22 Motel-Hotel.
- (4) F23 Inn.
- (5) F25 Service Station or Car-Washing Facility.

(Ord. 5/26/1987, §1101; as amended by Ord. 148, 10/20/1992, Arts. 3, 4; by Ord. 168, 2/18/1997, Art. 8; and by Ord. 184, 4/20/1999, Art. 3)

**§27-1202. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use, no use in the Commercial-Office District shall exceed 35 feet in height. For exceptions, refer to Use 18.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Commercial-Office District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
B1	22,000 SF	100	15	-	50	20	50
All Permitted Uses	1.0	150	35	70	50	30	50

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- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §1102; as amended by Ord. 195, 9/19/2000, Art. IV)

**PART 13**

**INDUSTRIAL-1 DISTRICT**

**§27-1300. Purpose.**

- a. The Industrial-1 District is intended to provide for industrial, major commercial, intensive office and laboratory uses with suitable open space and landscaping in keeping with the Township's rural character. Such developments should be planned for adequate improvements, internal streets and compatibility with adjacent uses. Adverse impacts on neighboring residential developments must be avoided.
- b. Within the Industrial-1 District a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §1200; as amended by Ord. 195, 9/19/2000, Art. V)

**§27-1301. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A7 Agriculture Retail.
  - (5) A8 Farm Unit.
  - (6) A10 Kennel-Noncommercial.
  - (7) B10a Accessory Professional Office.
  - (8) B10b Accessory Personal Services.
  - (9) B10c Accessory Instructional Services.
  - (10) B10d Accessory Home Crafts.
  - (11) B10e Accessory Family Day Care.
  - (12) B10f Accessory Trades Business.

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- (13) B10g Accessory Repair Service and Other.
- (14) B11 Residential Accessory Building.
- (15) B12 Garage Sales.
- (16) D3 Private Club.
- (17) E1 Medical Office.
- (18) E2 Veterinary Office.
- (19) E3 Office.
- (20) F15 Indoor Athletic Clubs.
- (21) F17 Outdoor Entertainment.
- (22) F18 Outdoor Motion Picture.
- (23) F22 Motel-Hotel.
- (24) F23 Inn.
- (25) F26 Automobile Sales.
- (26) F27 Automobile Repair.
- (27) F28 Automotive Accessories.
- (28) F29 Truck and Farm Equipment Sales.
- (29) F31 Mini-Warehouses.
- (30) F33 Nonresidential Conversion.
- (31) H1 Manufacturing.
- (32) H2 Research.
- (33) H3 Wholesale, Storage, Warehousing.
- (34) H4 Printing.
- (35) H5 Contracting.
- (36) H6 Truck Terminal.

- (37) H7 Crafts.
- (38) H8 Lumber Yard.
- (39) H9 Mill.
- (40) I1 Nonresidential Accessory Building.
- (41) I2 Outside Storage and Display.
- (42) I3 Temporary Structure.
- (43) I8 Towers, Masts, etc.
- (44) I9 Off-Street Parking.
- (45) I10 Signs.

b. Uses Permitted by Conditional Use.

- (1) D1 Recreational Facility.
- (2) D2 Private Recreational Facility.
- (3) G1 Utilities.
- (4) G2 Emergency Services.
- (5) G3 Terminal.
- (6) G4 Airport or Heliport.
- (7) I6 Wind Energy Conservation System.
- (8) I7 Air Landing Field.

c. Uses Permitted by Special Exception.

- (1) F13 Indoor Entertainment.
- (2) F25 Service Station or Car-Washing Facility.
- (3) H10 Fuel Storage.
- (4) H11 Junkyard.
- (5) H14 Resource Recovery Facility.

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- (6) H15 Solid Waste Landfill.
- (7) I5 Oil and Gas Drilling.

(Ord. 5/26/1987, §1201; as amended by Ord. 168, 2/18/1997, Art. 8; and by Ord. 195, 9/19/2000, Art. VI)

**§27-1302. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use, no use in the Industrial-1 District shall exceed 35 feet in height. For exceptions, refer to Uses I6 and I8.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use all uses in the Industrial-1 District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
All Permitted Uses Except H13	5.0	300	35	55	100	100	100

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.
- d. Where the lot abuts an industrial use within the Industrial-1 District the required side yard is reduced to 35 feet and the required rear yard is reduced to 50 feet.

(Ord. 5/26/1987, §1202; as amended by Ord. 174, 1/29/1997, Art. 2)

**PART 14**

**INDUSTRIAL-2 DISTRICT**

**§27-1400. Purpose.**

- a. The Industrial-2 District is intended to provide for industrial, major commercial, intensive office and laboratory uses similar to the Industrial-1 District with smaller lots and suitable open space and landscaping. Such developments should be planned for adequate improvements, internal streets and compatibility with adjacent uses. Adverse impacts on neighboring residential developments must be avoided.
- b. Within the Industrial-2 District a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987; as added by Ord. 194, -/-/2000, Art. XII)

**§27-1401. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) B10a Accessory Professional Office.
  - (5) B10b Accessory Personal Services.
  - (6) B10c Accessory Instructional Services.
  - (7) B10d Accessory Home Crafts.
  - (8) B10e Accessory Family Day Care.
  - (9) B10f Accessory Trades Business.
  - (10) B10g Accessory Repair Service and Other.
  - (11) B11 Residential Accessory Building.
  - (12) B12 Garage Sales.

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- (13) D3 Private Club.
- (14) E1 Medical Office.
- (15) E2 Veterinary Office.
- (16) E3 Office.
- (17) E4 Office Park.
- (18) F12 Repair Shop.
- (19) F15 Indoor Athletic Clubs.
- (20) F17 Outdoor Entertainment.
- (21) F18 Outdoor Motion Picture.
- (22) F21 Golf Course.
- (23) F22 Motel-Hotel.
- (24) F23 Inn.
- (25) F26 Automobile Sales.
- (26) F27 Automobile Repair.
- (27) F28 Automotive Accessories.
- (28) F29 Truck and Farm Equipment Sales.
- (29) F31 Mini-Warehouses.
- (30) F33 Nonresidential Conversion.
- (31) H1 Manufacturing.
- (32) H2 Research.
- (33) H3 Wholesale, Storage, Warehousing.
- (34) H4 Printing.
- (35) H5 Contracting.
- (36) H6 Truck Terminal.

- (37) H7 Crafts.
- (38) H8 Lumber Yard.
- (39) H9 Mill.
- (40) H13 Industrial Park
- (41) I1 Nonresidential Accessory Building.
- (42) I3 Temporary Structure.
- (43) I2 Outside Storage and Display.
- (44) I9 Off-Street Parking.
- (45) I10 Signs.

b. Uses Permitted by Conditional Use.

- (1) D1 Recreational Facility.
- (2) D2 Private Recreational Facility.
- (3) G1 Utilities.
- (4) G2 Emergency Services.
- (5) G3 Terminal.
- (6) G4 Airport or Heliport.
- (7) I6 Wind Energy Conservation System.
- (8) I7 Air Landing Field.

c. Uses Permitted by Special Exception.

- (1) H10 Fuel Storage.
- (2) H11 Junkyard.
- (3) H14 Resource Recovery Facility.
- (4) H15 Solid Waste Landfill.
- (5) 15 Oil and Gas Drilling.

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(Ord. 5/26/1987; as amended by Ord. 168, 2/18/1997; and by Ord. 194, -/-/2000, Art. XII)

**§27-1402. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is stated in §27-304, “Use Regulations,” for a specific use, no use in the Industrial-2 District shall exceed 35 feet in height. For exceptions, refer to Uses I6 and I8.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use all uses in the Industrial-2 District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
All Permitted Uses Except H13	5.0	300	35	55	100	100	100

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.
- d. Where the lot abuts an industrial use within the Industrial-2 District the required side yard is reduced to 35 feet and the required rear yard is reduced to 50 feet.

(Ord. 5/26/1987; as added by Ord. 194, -/-/2000, Art. XII)

**PART 15**

**E EXTRACTION DISTRICT**

**§27-1500. Purpose.**

- a. The Extraction District is established to permit extraction of sand, gravel, shale, clay, stone or similar operations in including borrow pits in a safe and nondeleterious manner. The rehabilitation of land during the extractive operation and at the time operations are ended will be required.
- b. Within the Extraction District a building may be erected, altered or used, and a lot or premises may be used when in conformance with the conditions of this chapter and the specific use, area and design regulations of this district.

(Ord. 5/26/1987, §1300; as amended by Ord. 195, 9/19/2000, Art. VIII)

**§27-1501. Use Regulations.**

- a. Uses Permitted by Right.
  - (1) A1 General Farming.
  - (2) A2 Nursery.
  - (3) A4 Forestry.
  - (4) A7 Agricultural Retail.
  - (5) A8 Farm Unit.
  - (6) A10 Kennel-Noncommercial.
  - (7) I1 Nonresidential Accessory Building.
  - (8) I2 Outside Storage and Display.
  - (9) I3 Temporary Structure.
  - (10) I8 Towers, Masts, etc.
  - (11) I9 Off-Street Parking.
  - (12) I10 Signs.
- b. Uses Permitted by Conditional Use.

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- (1) G1 Utilities.
- (2) G2 Emergency Services.
- (3) B4 Mobile Home Park.

c. Uses Permitted by Special Exception.

- (1) H12 Extractive Operations.
- (2) I5 Oil and Gas Drilling.

(Ord. 5/26/1987, §1301; as amended by Ord. 148, 10/20/1992, Art. 5; and by Ord. 168, 2/18/1997, Art. 8)

**§28-1502. Area and Dimensional Requirements.**

- a. Unless a maximum height regulation is §27-304, “Use Regulations,” for a specific use, no use in the Extraction District shall exceed 35 feet in height. For exceptions, refer to Use I8.
- b. Unless a greater area or dimensional regulation is stated in §27-304, “Use Regulations,” for a specific use, all uses in the Extraction District shall meet the following requirements.

Use	Minimum Lot Area (Acres)	Minimum Lot Width (Feet)	Maximum Bldg. Cov. (Percent)	Maximum Imperv. Surface Ratio (Percent)	Minimum Yards		
					Front (ft.)	Side (ft.)	Rear (ft.)
H13	25.0	300	10		300	200	300
Other Permitted Uses	2.0	200	10		75	40	75

- c. Refer to §27-1900, “Natural Resource Protection Standards,” to determine the buildable portion of the lot.

(Ord. 5/26/1987, §1302)

**PART 16**

**AIRPORT AREA PROTECTION STANDARDS**

**§27-1600. Purpose.**

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 and the Municipalities Planning Code of 1968, P.L. 805, 53 P.S. §10101 et seq., as amended. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Pennridge Airport, located in East Rockhill Township, and property or occupants of land in its vicinity; that an obstruction may reduce the size of areas valuable for the landing, takeoff and maneuvering of aircraft; thus, tending to destroy or impair the utility of Pennridge Airport and the public investment therein. Accordingly, it is declared:

- a. The creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Pennridge Airport.
- b. It is necessary in the interest of the public health, public safety and general welfare of persons using Pennridge Airport that the creation or establishment of obstructions that are a hazard to air navigation be prevented.

It is further declared that the prevention of the creation or establishment of hazards to air navigation, elimination, removal, alteration or mitigation of hazards to air navigation, or making 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. 5/26/1987, §1400)

**§27-1601. Definitions.**

- a. AIRPORT — Pennridge Airport.
- b. AIRPORT ELEVATION — the highest point of the airport's useable landing area, measured in feet from sea level, which is 567 feet above mean sea level.
- c. 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.
- d. AIRPORT HAZARD AREA — an area of land or water upon which an airport hazard might be established if not prevented as provided in this chapter.
- e. APPROACH SURFACE — a surface longitudinally centered on the extended runway centerline extending outward and upward from the end of the primary

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surface and at the same slope as the approach height limitation slope set forth in §27-1603. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

- f. APPROACH, TRANSITIONAL, HORIZONTAL and CONICAL ZONES — these zones as set forth in §27-1602.
- g. CONICAL SURFACE — a surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to one for a horizontal distance of 4,000 feet.
- h. HAZARD TO AIR NAVIGATION — an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.
- i. 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.
- j. 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.
- k. LARGER THAN UTILITY RUNWAY — a runway that is constructed or and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.
- l. NONPRECISION 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 nonprecision instrument approach procedure has been approved or planned.
- m. OBSTRUCTION — any structure, growth or other object, including a mobile object, which exceeds a limiting height set forth in §27-1603.
- n. 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 planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in §27-1602. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- o. RUNWAY — a defined area on an airport prepared for landing and takeoff of aircraft along its length.
- p. STRUCTURE — for the purpose of this Part, an object including a mobile object, constructed or installed by man including but without limitation buildings, tow-

ers, cranes, smokestacks, earth formation and overhead transmission lines in addition to those objects defined in §27-252.

- q. **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 surface 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° to the extended runway centerline.
- r. **TREE** — any object of natural growth.

(Ord. 5/26/1987, §1401; as amended by Ord. 240, 6/17/2008)

### **§27-1602. 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 Pennridge Airport. Such zones are shown on the Pennridge Airport Zoning Map which is attached to this chapter and made a part hereof.<sup>6</sup> An area located in more than one of 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. **Runway Larger than Utility Visual Approach Zone.** The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach 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.
- b. **Transitional Zones.** The transitional zones are the areas beneath the transitional surfaces.
- c. **Horizontal Zone.** The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others 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 zone does not include the approach and transitional zones.

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<sup>6</sup> Editor's Note: The Pennridge Airport Zoning Map, as amended, is on file in the Township offices.

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- d. Conical Zone. The conical zone is established as the area that commences at the periphery of the horizontal zone and extends outward therefrom a horizontal distance of 4,000 feet.

(Ord. 5/26/1987, §1402)

### **§27-1603. 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. Runway Larger than Utility Visual Approach 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 5,000 feet along the extended runway center line.
- b. Transitional Zones. Slope 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 567 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface and extending to where they intersect the conical surface.
- c. Horizontal Zone. Established at 150 feet above the airport elevation, or at a height of 717 feet above mean sea level.
- d. Conical Zone. Slopes 20 feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.
- e. Excepted Height Limitations. Except for the limitations set forth in this section, 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. 5/26/1987, §1403; as amended by Ord. 240, 6/17/2008)

### **§27-1604. 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. 5/26/1987, §1404)

**§27-1605. 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 change 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 East Rockhill 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 Penridge Airport.

(Ord. 5/26/1987, §1405)

**§27-1606. Permits.**

- a. 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 §27-1606(d).
  - (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 topographical features such tree or structure would extend above the height limits prescribed for such zones.

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- (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 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 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.
  - (4) 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 except as set forth in §27-1603.
- 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 East Rockhill 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 East Rockhill Township for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as 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 Pennridge Airport for comments as to the aeronautical effects of the variance. If the owner or manager of

Pennridge 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 unreasonable 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 Pennridge 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 24, "Appeals and Amendments of this chapter."

(Ord. 5/26/1987, §1406)



**PART 17**

**AREA, DIMENSIONAL AND PARKING REQUIREMENTS**

**§27-1700. 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. 5/26/1987, §1500)

**§27-1701. Minimum Lot Area.**

Where a minimum lot area is specified, no primary building or use shall be erected or established on any lot of lesser size than as specified in Parts 4 through 15 except as specified in §27-1702.

(Ord. 5/26/1987, §1501)

**§27-1702. Exceptions to Minimum Lot Areas.**

- a. The provisions of Parts 4 through 15 shall not prevent the construction of a 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 RR and RP 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.
  - (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.

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- (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 12 feet.
- b. This exception shall not apply to any two or more vacant 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. 5/26/1987, §1502; as amended by Ord. 168, 2/18/1997, Art. 9; and by Ord. 194, -/-/2000, Art. I)

### **§27-1703. Minimum Lot Width.**

Where a minimum lot width is specified no principal building shall be erected on any part of a lot which has a width less than that specified in Parts 4 through 13, except as specified in §§27-1702 or 27-1704.

(Ord. 5/26/1987, §1503)

### **§27-1704. Exception to Minimum Lot Width Standards.**

Lane lots may be permitted as an exception to the minimum lot width requirement at the building setback line as defined in §27-211. 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.
- 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 requirements of this chapter at the time the subdivision is proposed then the minimum land width shall be 50 feet 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 land shall be limited to a maximum length of 1,000 feet.
- i. The improvement requirements of the Township's Subdivision and Land Development Ordinance [Chapter 22] shall be met.
- j. Lane lots of three or more will not be permitted if a public street could feasibly be constructed.

(Ord. 5/26/1987, §1504)

**§27-1705. Yard Requirements.**

No portion of a building or structure shall be built within the minimum depth of front, side or rear yards as specified in Parts 4 through 15, except as indicated in §§27-1706 through 27-1709. Driveways shall be permitted in front, rear and side yards.

(Ord. 5/26/1987, §1505)

**§27-1706. Exceptions for Existing Building Alignment.**

A proposed building may be constructed nearer to the street than the required minimum front yard depth under the following conditions:

- 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.
- 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.

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- e. In no case shall the front yard of the proposed building be less than 20 feet.

(Ord. 5/26/1987, §1506)

### **§27-1707. 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. 5/26/1987, §1507)

### **§27-1708. Accessory Buildings in Yards.**

- a. No accessory buildings or structures shall be located in front yards except accessory buildings or structures for Use B1 on lots of 10 acres or greater where such accessory buildings or structures shall be permitted in front yards but shall not be located within the required minimum front yard setback. School bus shelters may be located in front yards but not closer than 12 feet to any street line.
- b. No accessory buildings other than school bus shelters and accessory buildings for Uses A8, B1, B2 and B3 shall be located within the required minimum side or rear yards for the principal use.
- c. Completely detached accessory buildings for Uses A-8, B1, B2 and B3 and school bus stop shelters may occupy a required side or rear yard, but shall not be located closer than five feet to any side or rear property line nor closer than five feet to the rear or side of the principal building within the Suburban, Village Residential, Village Commercial and R-1 Residential Zoning Districts. In all other zoning districts a 12 foot setback, shall be provided. No more than four such accessory buildings shall be permitted on a lot in all zoning districts except where the principal activity on such lot is an agricultural use as set forth in §27-304, A1, A3, A8 or A9 of this chapter.

(Ord. 5/26/1987, §1508; as amended by Ord. 161, 10/17/1995, Art. 1)

### **§27-1709. Fences, Terraces, Decks and Yards.**

The provisions of §27-1705 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 and decks, except that no deck may be built or extend more than 50% within the minimum depth of side or rear yards as specified in Parts 4 through 15.

(Ord. 5/26/1987, §1509; as amended by Ord. 139, 5/28/1991, Art. 1)

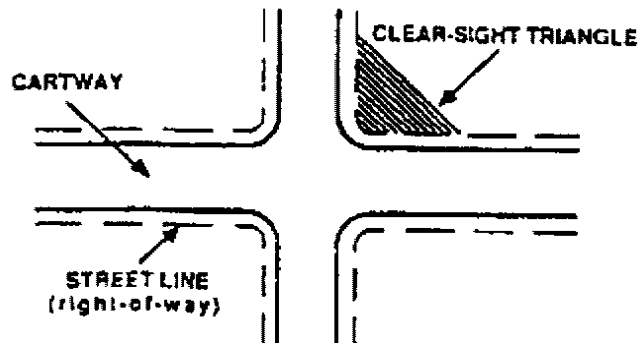
**§27-1710. Height.**

The height of buildings is 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 shall exceed a height of 35 feet except church spires, belfries, silos, water towers, smokestacks, solar panels, wind generator towers, antennas, television towers, masts, aerials or flagpoles; provided, the are not used for human occupancy are set back 1 1/2 time their height (from ground level to the top of the structure) from a building or property line.

(Ord. 5/26/1987, §1510)

**§27-1711. 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 seven 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 25 feet from the intersection of said lines or extension thereof. 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 50 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 10 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. 5/26/1987, §1511)

**§27-1712. Off-Street Parking: General Regulations.**

- a. Ingress and egress for nonresidential uses shall be designed so that vehicles shall not be required to back out onto a street or another lot. Wherever possible, ingress and egress for residential uses shall be designed so that vehicles shall not be required to back out onto a street or another lot.
- b. Parking areas for all uses except residences shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. Wherever possible, parking areas for residential uses shall be designed to permit each motor vehicle to proceed to and from the parking space without requiring the moving of any other motor vehicle.
- c. Structures and uses in existence at the date of adoption of this chapter shall not be subject to the requirements of this section so long as the kind or extent of use is not changed; provided, that any parking facility now serving such structures or uses shall not, in the future, be reduced below such requirements.
- d. Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of this chapter, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section.
- e. No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.
- f. All required facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Part. Reasonable precautions shall be taken by the owner or sponsor of a use to assure the availability of required facilities to the employees or other persons whom the facilities are designed to serve. Such facilities shall be designed and used in such a manner to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.
- g. Two or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total by special exception if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility.

- h. For parking areas of three or more vehicles the area not landscaped and so maintained, including driveways, shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the Township Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked so as to indicate their location. Failure to keep parking areas in satisfactory condition (i.e., free from holes, clearly delineated or properly graded) shall be considered a violation of this chapter.

(Ord. 5/26/1987, §1512)

**§27-1713. Reduction of Nonresidential Parking Requirements.**

In order to prevent the establishment of a greater number of parking spaces than is actually required to serve the needs of nonresidential uses, the Board of Supervisors, after consulting with the Planning Commission and Township Engineer, may permit a conditional reduction of parking space if the following conditions are satisfied:

- a. This conditional reduction of parking space shall apply to Use E4, Office Park, Use F30, Shopping Center, and Use H13, Industrial Park.
- b. The design of the parking lot, as indicated on the land development plan, must designate sufficient space to meet the parking requirements of this chapter. The plan shall also illustrate the layout for the total number of parking spaces.
- c. The conditional reduction shall provide for the establishment of not less than 40% of the required number of parking spaces, as specified in this chapter. This initial phase of the parking shall be clearly indicated on the plan.
- d. The balance of the parking area conditionally reserved shall not include areas for required buffer yards, setbacks or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land or other requirements of this chapter. This parking area which is reserved shall be located and have characteristics so as to provide amenable open space should it be determined the additional parking spaces are not required. The developer shall provide a landscaping plan for the reserved area with the land development plan.
- e. The developer shall enter into a written agreement with the Board of Supervisors that, after one year following the issuing of the last occupancy permit, the additional parking spaces shall be provided at the developer's or owner's expense should it be determined that the required number of parking spaces are necessary to satisfy the need of the particular land development.

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- f. At the time of the above stated agreement, the developer or owner shall post a performance bond or other securities to cover the expense of a traffic study to be undertaken by a registered traffic engineer of the Board of Supervisors' choosing who shall determine the advisability of providing the full parking requirement. Said study shall be undertaken one year after the issuance of the last occupancy permit pursuant to subsection (D) above. With recommendations of the traffic engineer, the Township Engineer and the Planning Commission the Board of Supervisors shall determine if the additional spaces shall be provided by the developer or if the area shall remain as open space.
- g. Land which has been determined and designated by the Board of Supervisors to remain as open space rather than as required parking shall not be used to provide parking spaces for any addition or expansion but shall remain as open space.

(Ord. 5/26/1987, §1513; as amended by Ord. 174, 1/20/1997, Art. 3)

### **§27-1714. Parking Area Design Requirements.**

Parking areas with a capacity of three or more vehicles shall meet the design standards stated in the Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 5/26/1987, §1514)

### **§27-1715. Off-Street Loading.**

Off-street loading improvements shall meet the design standards stated in the Township Subdivision and Land Development Ordinance [Chapter 22].

(Ord. 5/26/1987, §1515)

### **§27-1716. Street Access.**

- a. For all nonresidential uses, access to roads shall be at least 200 feet from the intersection of any street lines.
- b. For all new uses, driveway access to roads shall comply with §22-511 of the East Rockhill Township Subdivision and Land Development [Chapter 22], as amended.

(Ord. 5/26/1987, §1516; as amended by Ord. 168, 2/18/1997, Art. 10)

**§27-1717. Future Right-of-Way.**

<b>Street Name</b>	<b>Right-of-Way (feet)</b>
Blooming Glen Road	60
Branch Road	60
Callowhill Road	60
Dublin Pike (S.R. 313)	100
Fifth Street	80
North Park Road (S.R. 563)	80
Old Bethlehem Pike	60
Old Bethlehem Road	60
Park Avenue	60
Richlandtown Road	60
Ridge Road (S.R. 563)	80
Rockhill Road	60
Schwenkmill Road	60
Sterner Mill Road	60
Three Mile Run Road	60
All other roads	50

(Ord. 5/26/1987; as added by Ord. 139, 5/28/1991, Art. 2; and as amended by Ord. 168, 2/18/1997, Art. 4)

**§27-1718. Alleys.**

Alleys may be permitted upon approval of the Board of Supervisors in limited circumstances as a means of providing direct off-street parking and access for narrow lots.

- a. Alleys are intended to provide access to the rear of residential lots for service and onlot parking.
- b. Frontage on an alley shall not be construed to satisfy the requirements of this chapter for frontage on a street.
- c. No parking shall be provided for or permitted within the cartway of the alley.

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- d. Street systems which contain alleys shall be designed to discourage through traffic on the alleys.
- e. Any portion of an alley located between two points of ingress and egress shall provide rear access to no more than 50 dwelling units.
- f. Alleys may only intersect secondary or primary streets.
- g. Alley length shall not exceed a distance of 660 feet as measured between two points of ingress and egress.
- h. Alleys shall be centered on a rear or side lot line and shall be designed with a 20 foot wide easement and a paved cartway width of 12 feet. Except where specifically approved by the Board of Supervisors, all alleys shall be designed for one-way traffic. Where two-way traffic is permitted by the Board of Supervisors, a cartway width of 20 feet shall be provided.
- i. Parking shall be limited to a distance not to exceed 30 feet from the alley centerline.

(Ord. 5/26/1987; as added by Ord. 150, 6/15/1993.

**PART 18**  
**NUISANCE STANDARDS**

**§27-1800. Noise.**

The sound level of any operation (other than the operation of motor vehicles or other ground transportation facilities on public highways, operations involved in the construction or demolition of structures, emergency alarm signals or time signals) shall not exceed the decibel levels in the designated octave bands as stated below. The sound-pressure level shall be measured with a sound level meter and octave band analyzer that conform to specifications published by the American National Standards Institute. American National Standard Specification for Sound Level Meters, S1.4-1971, American National Standards Institute, Inc., New York, New York and the American Standard Specification for an Octave, Half Octave and Third Octave Band Filter Sets, S1.11-1966, R 1971, American National Standards Institute, Inc., New York, New York shall be used.

Sound-pressure levels shall be measured at the property line upon which the emission occurs. The maximum permissible sound-pressure levels for smooth and continuous noise shall be as follows. (All of the decibel levels stated below shall apply in each case.)

<b>Frequency Band (Cycles per Second)</b>	<b>Maximum Permitted Sound-Pressure Level (Decibels)</b>
20 – 75	60
75 – 150	54
150 – 300	47
300 – 600	41
600 – 1200	37
1200 – 2400	34
2400 – 4800	31
Above 4800	28

If the noise is not smooth and continuous or is radiated during sleeping hours, one or more of the corrections below shall be added to or subtracted from each of the decibel levels given above.

<b>Type of Operation or Character of Noise</b>	<b>Corrections in Decibels</b>
Noise occurs between the hours 10:00 p.m. and 7:00 a.m.	-3
Noise occurs less than 5% of any 1 hour period	+3

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<b>Type of Operation or Character of Noise</b>	<b>Corrections in Decibels</b>
Noise is of periodic character (hum, scream, etc.) or is of impulsive character (hammering, etc.). (In the case of impulsive noise, the correction shall apply only to the average pressure during an impulse and impulse peaks shall not exceed the basic standards given above.)	-5

(Ord. 5/26/1987, §1600)

**§27-1801. Smoke.**

No smoke or other source of visible gray opacity greater than No. 1 on the Ringlemann Smoke Chart as published by the U.S. Bureau of Mines shall be emitted from any chimney, except that smoke of a shade not darker than No. 2 on the Ringlemann Chart may be emitted for not more than four minutes in any 30 minute period.

(Ord. 5/26/1987, §1601)

**§27-1802. Dust, Fumes, Vapors and Gases.**

- a. The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, to animals, to vegetation, or to property or which can cause any soiling or staining of persons or property at the point beyond the lot line of the use creating the emission is herewith prohibited.
- b. No emission of liquid or solid particles from any chimney or other source shall exceed 3/10 grains per cubic foot of the carrying gas at any point beyond the lot line of the use creating the emission. For measurement of the amount of particles in gases resulting from combustion, standard correction shall be applied to a stack temperature of 500° F and 50% excess air in stack at full load.

(Ord. 5/26/1987, §1602)

**§27-1803. Heat.**

No use shall produce heat perceptible beyond its lot lines.

(Ord. 5/26/1987, §1603)

**§27-1804. Odor.**

- a. No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond its lot lines. The guide for determining such

quantities of offensive odors shall be the 50% response level of Table 1 (Odor Thresholds in Ar), "Research on Chemical Odors: Part 1 – Odor Thresholds for 53 Commercial Chemicals," October, 1968, Manufacturing Chemists Association, Inc., Washington, D.C.

- b. Subsection (a) above shall not apply to odors normally created as part of an agricultural or horticultural use except that no animal waste produced off of the property shall be stockpiled unless processed to eliminate all offensive odors.

(Ord. 5/26/1987, §1604)

**§27-1805. Glare.**

No use shall produce a strong, dazzling light or a reflection of a strong, dazzling light beyond its lot lines. In general, lighting fixtures that shield the reflector or lens or any high brightness surface from viewing angles above 60° from horizontal shall be utilized.

(Ord. 5/26/1987, §1605)

**§37-1806. Vibrations.**

No use shall cause earth vibrations or concussions in excess of the standards outlined below, with the exception of that vibration produced as a result of construction activity. The standards below are as set forth in the Table of Frequency Amplitude Relations. Vibration shall be expressed as displacement in inches and shall be measured with a standard three component measuring system which is a device for recording the intensity of any vibration in three mutually perpendicular directions.

<b>Frequency of Ground Motion in Cycles per Second</b>	<b>Maximum Amplitude of Ground Motion in Inches, no more than</b>
up to 10	0.0305
20	0.0153
30	0.0102
40	0.0076
50	0.0061
60	0.0051

(Ord. 5/26/1987, §1606)

**§27-1807. Storage and Waste Disposal.**

The following requirements shall apply to nonresidential land uses.

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- a. No liquids, solids or gases having a flash point less than 73°F (as specified in the National Fire Code Vol. 12 and 13, National Fire Protection Association) shall be stored in bulk aboveground except tanks or drums of fuel having a maximum capacity of 3,000 gallons connected directly with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel. This provision shall not apply to Use H10 in the Industrial District.

### Capacity of Flammable Materials Permitted, Gallons<sup>7</sup>

Flash Point Closed Cup Tester	Aboveground
140°F or higher	10,000
74°F to 139°F	5,000
73°F or less, fuels connected to energy devices	3,000

- b. All outdoor storage facilities for fuel, raw materials and products and all fuel, raw materials and products stored outdoors shall be enclosed by a fence with a minimum height of seven feet. Such fence shall be chain link, stockade, picket (not exceeding three inch spacing), solid wood, building wall or such other material as may be acceptable to the zoning officer to carry out the intent of this chapter.
- c. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation or which will destroy aquatic life be allowed to enter any stream or watercourse. Disposal of sewage, septage or sludge must meet the requirements of the Pennsylvania Department of Environmental Protection.
- d. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards.
- e. Radioactivity and Electrical Disturbance. There shall be no activity which emits dangerous or harmful radioactivity. There shall be no electrical disturbance adversely affecting the operation of any equipment beyond the property line of the creator of such disturbance.

(Ord. 5/26/1987, §1607; as amended by Ord. 192, 4/18/2000)

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<sup>7</sup> When flammable gases are stored and measured in cubic feet, the quantities of cubic feet at standard temperature and pressure permitted shall not exceed 30 times the quantities listed above.

**PART 19**

**NATURAL RESOURCE PROTECTION STANDARDS, SITE CAPACITY CALCULATIONS, OPEN SPACE STANDARDS AND BUFFERS**

**§27-1900. Natural Resource Protection Standards.**

All uses and activities including subdivisions and land developments except lot line adjustments, established after the effective date of this chapter, except recreational development of open space area pursuant to §1903(d)(3) of this chapter, shall comply with the following standards. Development of open space recreational areas may exceed the protection standards established for steep slopes and woodlands if approved by the Board of Supervisors.

Site alterations, regrading, filling or clearing of vegetation 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 standard (the least amount of alteration, regrading, clearing or building) shall apply to the area of overlap.

- a. Floodplain. Floodplain shall be those areas of East Rockhill Township which are subject to the 100 year flood, as identified in the Flood Insurance Study (FIS) dated May 18, 1999, and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA), or most recent revision thereof; and also those areas along streams, ponds, or lakes not identified within the Flood Insurance Study which are inundated by the 100 year reoccurrence internal flood.

When a watercourse, stream, pond, or lake is not within an area identified in the Flood Insurance Study, the applicant shall be required to determine the 100 year flood elevation with hydrologic and hydraulic engineering techniques. Only professional engineers shall undertake hydrologic and hydraulic analyses and 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.

All such areas shall not be altered, regraded, filled, or built upon except in conformance with §1902, "Floodplain Regulations."

- b. Floodplain Soils. Areas subject to periodic flooding and listed in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service, July 1975, as being "on the floodplain" or subject to "flooding." The following types are floodplain soils:

Alluvial land (Ae)

Marsh (mh)

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Alton gravelly loam, flooded (AIA)                      Pope loam (PoA)

Bowmansville silt loam (Bo)                              Rowland silt loam (Ro)

Hatboro silt loam (Ha)

All such areas shall not be altered, regraded, tilled or built upon except in conformance with §1902, "Floodplain Regulations."

- c. Steep Slopes. In areas of steep slopes, the following standards shall apply:
- (1) 15 to 25%. No more than 30% of such areas shall be altered, regraded, cleared or built upon except for tracts of 10 acres or larger within the Agriculture Preservation District, where no more than 75% of such area shall be developed and/or re-graded or stripped of vegetation.
  - (2) 26% or steeper. No more than 20% of such areas shall be altered, regraded, cleared or built upon, except for tracts 10 acres or larger within the Agriculture Preservation District, where no more than 70% of such area shall be developed and/or regraded or stripped of vegetation.
- d. Woodlands. In the RP Resource Protection and RR Rural Residential Zoning Districts, no more than 20% of such areas shall be altered, regraded, cleared, or built upon. In the R-1 Residential, S Suburban, C-O Commercial Office, E Extraction, I-1 Industrial, and I-2 Industrial Districts, no more than 40% of such areas shall be altered, regraded, cleared or built upon. On tracts 10 acres or larger located within the AP, Agriculture Preservation Zoning District, no more than 75% of such areas shall be altered, regraded, cleared or built upon. In all other zoning districts, and tracts less than 10 acres within the AP District, no more than 20% of such areas shall be altered, regraded, cleared or built upon. Except in the R-1, C-O, E, I-1 and I-2 Districts, any permitted clearing or alteration of a forested area shall be undertaken to maintain the existing continuous canopy of trees where a continuous canopy exists and existing hedgerows where possible. The preserved woodland area shall remain in its natural condition with the natural groundcover left intact.
- e. Mature Trees. In the R-1 Residential, S Suburban, C-O Commercial Office, E Extraction, I-1 Industrial, and I-2 Industrial Districts, no more than 40% of such trees shall be altered or cleared.
- f. Streams, Watercourses, Lakes or Ponds. Such areas shall not be altered, regraded, developed, filled, piped, diverted or built upon except that roads and utilities may cross streams and watercourses where design approval is obtained from the Township and Pennsylvania Department of Environmental Resources and where no other reasonable access is available.

- g. Lake or Pond Shorelines. No more than 20% of such areas shall be altered, regraded, filled or built upon.
- h. Wetlands. The following standards shall apply to wetlands:
  - (1) Delineation of Wetlands. When the National Wetlands Inventory (NWI) Maps indicate wetlands on a site or when a site contains hydric soils or an area with a predominance of wetlands vegetation, an onsite investigation shall be conducted to determine if wetlands are present on the site. A landowner or an applicant shall use one of the following methods to delineate wetlands:
    - (a) Wetland boundaries shall be delineated through an onsite assessment which shall be conducted by a professional soil scientist or others of demonstrated qualifications. Such a person shall certify that the methods used correctly reflect currently accepted technical concepts, including the presence of wetlands vegetation, hydric soils, an/or hydrologic indicators. A study shall be submitted with sufficient detail to allow a thorough review by the Township.
    - (b) A wetlands delineation validated by the U.S. Army Corps of Engineers. In the event that a wetlands delineation validated by the U.S. Army Corps of Engineers is shown to vary from a wetlands boundary derived from subsection (a) above, the Corps delineation shall govern.
  - (2) Wetlands of one acre or greater in size shall remain as permanent open space. Such areas shall not be altered, regraded, filled, piped, diverted, or built upon, except for road and utility crossings where design approval is obtained from the Township, where State and Federal permits have been obtained, and where no other reasonable access is available.
  - (3) Wetlands of less than one acre in size shall not be altered, regraded, filled, piped, diverted, or built upon except where State and Federal permits have been obtained.
- i. Wetland Margin. A wetland margin shall be provided for all wetlands. At least 80% of the wetland margin shall remain undeveloped in which no alteration, regrading, filling or other development shall be permitted.
  - (1) For wetlands in excess of one acre, the wetland margin shall extend 100 feet from the wetland boundary or to the limit of the hydric soils, whichever is less. However, in no case shall the wetland margin for wetlands in excess of one acre be less than 50 feet.

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- (2) For wetlands between 0.75 acre and one acre in size, the wetland margin shall extend 75 feet from the wetland boundary or to the limit of the hydric soils, whichever is less. However, in no case shall the wetland margin for wetlands between 0.75 acre and one acre in size be less than 50 feet.
  - (3) For wetlands between 0.5 acre and 0.75 acre in size, the wetland margin shall extend 50 feet from the wetland boundary or to the limit of the hydric soils, whichever is less. However, in no case shall the wetland margin for wetlands between 0.5 acre and 0.75 acre in size be less than 25 feet.
  - (4) For wetlands less than 0.5 acre in size, the wetland margin shall extend 25 feet from the wetland boundary or to the limit of the hydric soils, whichever is less.
- j. Riparian Buffer Overlay Zone.
- (1) Creation and Purposes of Riparian Buffers. A Riparian Buffer Overlay Zone (RBOZ) shall be and hereby is created in order to protect and preserve the numerous benefits that are provided by riparian buffers, including the following:
    - (a) Reduction of the amount of nutrients, sediment, organic matter, pesticides, and other harmful substances that reach watercourses through subsurface and surface flow pathways through natural processes including filtration, deposition, absorption, adsorption, plant uptake, and denitrification, and by improving infiltration, sheet flow, and stabilizing concentrated flows. The consumption of nitrogen and denitrification in surface and groundwater and the trapping of phosphorus-laden sediment and other pollutants resulting from adjacent land uses, thereby protecting water quality are critical;
    - (b) Provision of shade which moderates stream temperature and protects fish habitats by retaining more dissolved oxygen and encouraging the growth of diatoms, beneficial algae and aquatic insects;
    - (c) Provision for stream bank stability that protects fish habitats and controls sediment and erosion. Tree roots consolidate the soils of floodplains and stream banks, reducing the potential for severe bank erosion;
    - (d) Provision of organic matter through leaves which fall into the stream and are trapped on woody debris (fallen trees and limbs) and rocks where they provide food and habitats for small bottom-dwelling creatures (such as insects, amphibians, crusta-

ceans and small fish), which are critical to the aquatic food chain; and

- (e) Conservation of natural features important to land or water resources (e.g., headwater areas, groundwater recharge zones, floodways, floodplains, springs, streams, woodlands, and prime wildlife habitats) that exist on developed and undeveloped land.
- (2) Definitions. When used in this Subsection, the following terms shall have the meanings set forth below:
- (a) The term "stream channel" shall mean the bed and banks of a watercourse or waters of the Commonwealth. For purposes of this Section, stream channel shall include perennial and intermittent watercourses and/or stream channels as defined by PaDEP and/or identified on current USGS maps and NRCS soils maps of the Township, but shall not include ephemeral watercourses as defined by PaDEP.
    - (i) The Township or the applicant may obtain a consultant to verify the delineation of a stream channel if, in the opinion of the Township or applicant, the stream channel information contained on the above-referenced mapping is believed to be inaccurate. The study from the consultant shall evaluate the hydrologic conditions during average springtime nondrought conditions. Additional information may include other mapping produced by state or federal agencies and an Army Corps of Engineers jurisdictional determination. The East Rockhill Township Board of Supervisors shall make the final decision regarding the delineation of a stream channel based on the submitted information. The Township may reduce or eliminate the riparian buffer zone where the Township concurs that the watercourse classification is not accurate or existing conditions and/or topography of the site do not warrant a full riparian buffer.
    - (b) The term "land disturbance" shall mean any activity that exposes soil, alters topography, alters the existing structure of a woodland or hedgerow and/or removes vegetation. Alteration includes the cutting or removal of trees, understory shrubs and vines, woody and herbaceous woodland floor species as well as the removal of humus or duff from the ground. The term "land disturbance" shall not include the mowing and routine maintenance of existing lawn or any lawn area that may be permitted within the RBOZ after the effective date of this Section.

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- (3) Relationship to other zoning regulations. The RBOZ is an overlay to the existing zoning districts within the Township. The provisions of the underlying district shall remain in full force, except where the provisions of the RBOZ differ from the provisions of the underlying district, in which case the provision which is more restrictive, and less permissive, to a landowner or applicant shall apply.
- (4) Establishment. Measurement of the RBOZ shall be and is hereby established as follows:
  - (a) Zone One: This zone will begin at each edge of a stream channel and occupy a minimum width of 30 feet measured horizontally on a line perpendicular to the top of the bank. Where the land within 30 feet of the defined edge of a stream channel has an upland slope greater than 10%, Zone One shall include the land from the stream channel edge and the upland slope and shall further extend outward 30 feet from the edge or top of such upland slope; and
  - (b) Zone Two: This zone will begin at the outer edge of Zone One and occupy a minimum width of 60 feet in addition to Zone One, unless modified herein. Where the one-hundred-year floodplain extends greater than 90 feet from the waterway, Zone One shall remain a minimum of 30 feet, and Zone Two shall extend from the outer edge of Zone One to the outer edge of the one-hundred-year floodplain.
- (5) Activities and Uses Permitted in the RBOZ:
  - (a) No structure, land disturbance or use shall be permitted within the RBOZ unless permitted herein as of right, or by zoning permit, or specifically authorized by conditional use or special exception as provided herein. Notwithstanding the foregoing, in no event shall any of the following activities or uses be permitted: (a) any solid or hazardous waste facilities, including but not limited to sanitary landfills, transfer stations or wastewater lagoons; (b) junkyards, commercial or industrial storage facilities or open storage of vehicles and materials;
  - (b) The allowance of any activity, structure or other use under this Section, whether by right, permit, special exception or otherwise, shall not constitute a waiver of the requirements of any other applicable federal, state or local laws or regulations;
  - (c) In Zone One, the following uses shall be permitted:
    - (i) Pruning and removal of trees and other vegetation which are dead, diseased or in such a condition or physical posi-

tion as to constitute: (a) a danger to the structures or occupants of property or a public right-of-way; or (b) a threat to the well-being of other viable trees and shrubs or the stream channel, provided that any such activities are performed by hand or with the aid only of tools or power equipment which are hand-held;

- (ii) Unpaved hiking, biking or bridle trails;
    - a. Paved hiking, biking or bridle trails are only permitted when the location outside of Zone One is not feasible and only upon approval of the Township of East Rockhill;
  - (iii) Fishing areas; provided, however, that the area provided for any such use on a lot shall not exceed 20% of the area of the riparian buffer on that lot;
  - (iv) Wildlife sanctuaries, arboretums, woodland, and other natural resource preserves, but excluding buildings;
  - (v) Selective cutting of trees and/or the clearing of other vegetation when necessary to prepare land for a use permitted by the underlying zoning district. Removal of trees and/or vegetation is subject to revegetation by native plants that are most suited to the riparian corridor;
  - (vi) Existing customary agricultural uses in accordance with a soil conservation plan approved by Bucks County Conservation District. New agricultural uses, not existing at the time this Section is adopted shall not be permitted;
  - (vii) Routine maintenance and cleaning of streams and stream channels pursuant to all applicable federal, state, and county laws and regulations;
  - (viii) Dredging or grading when incidental to permitted uses; and
- (d) Any of the following uses shall be permitted in Zone One as a conditional use when authorized by the governing body of the municipality in which the use will be located, subject to requirements for conditional uses as set forth in this Chapter as well as Part 3 of this Chapter:
- (i) Culverts, corridor crossings for recreational trails, railroads, roads, and the facilities of all utilities, including sanitary and storm sewers and electric and cable trans-

mission lines are permitted within Zone One by conditional use only, provided that they cross the stream corridor as directly as practical, comply with all applicable federal, state, county and local laws or regulations, and provided that any disturbances are offset by riparian corridor improvements that are approved by the Township.

- (6) Uses Permitted in Zone Two:
  - (a) All uses permitted in Zone One;
  - (b) Reconstruction of a nonconforming building or structure may occur in accordance with Part 21 of this Chapter, Nonconformities, and any other applicable provisions of this Chapter regarding nonconforming buildings and/or structures;
  - (c) Any of the following uses shall be permitted in Zone Two as a special exception when authorized by the Zoning Hearing Board, subject to Part 23 and Part 3 of this Chapter, as follows:
    - (i) Residential Accessory Structures and Uses including: B10 Accessory Home Occupation and B11 Residential Accessory Building, Structure or Use. The foregoing uses shall be permitted within the Riparian Buffer Zone but not within 30 feet of the edge of any stream channel; and
    - (ii) Recreational Uses including: Uses D1 Recreational Facility and D2 Private Recreation Facility, provided that no permitted structure has a footprint of greater than 200 square feet.
  - (d) Any of the following uses shall be permitted in Zone Two as a conditional use when authorized by the governing body of the municipality in which the use will be located, subject to requirements for conditional uses as set forth in this Chapter as well as Part 3 of this Chapter:
    - (i) In channel dams where approvals and/or permits are received from PaDEP, culverts, bridges, roads, and the facilities of all utilities, including sanitary and storm sewers and electric and cable transmission lines, provided that they cross the stream corridor as directly as practical, comply with all applicable federal, state, county and local laws or regulations, and any disturbances offset by riparian corridor improvements approved by the Township; and

- (ii) Stormwater management basins in accordance with the Code of Ordinances of East Rockhill Township and when authorized by the Township.
- (7) The above conditional uses and special exception uses are permitted on the condition that the landowner shows that there is insufficient room outside the riparian buffer to accommodate the particular use or accessory use, and provided that there is no other reasonable alternative to establishment of the use in the riparian buffer.
- (8) Restoration and revegetation of riparian buffers. The requirements of this Section shall apply to those all uses in the RBOZ whether permitted by right, by conditional use, or by special exception, and in cases where a subdivision or land development is proposed. Native vegetation approved by the municipality must be used in replanting efforts. Three layers of vegetation are required when replanting the riparian corridor. Three 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 such as a landscape architect or engineer, shall comply with the following minimum requirements, and shall be subject to the approval of the Municipal Engineer:
  - (a) Ground Cover. Ground cover consisting of a native seed mix extending a minimum of 30 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 herbs and forbs exclusive of noxious weeds as defined by the Pennsylvania State Department of Agriculture. This thirty-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; and
  - (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, beech, 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 the riparian buffer. These plants shall be provided at a rate of at least one overstory tree and three shrubs for every 20 linear feet of waterway.
- (9) Ephemeral watercourses shall be protected from disturbance by the establishment of a thirty-foot-wide drainage easement centered along the watercourse in a form acceptable to the Township of East Rockhill.

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- k. Prime Farmland as Agricultural Soils in AP District. On tracts containing 10 acres or more located within the AP, Agriculture Preservation District, no more than 40% of prime farmland and/or farmland of statewide importance as defined in §27-202 of this chapter may be developed.
- l. Stormwater. All uses and activities shall comply with the East Rockhill Township Stormwater Management Ordinance, Ordinance No. 190, adopted on April 18, 2000, as amended [Chapter 26, Part 3].
- m. Soil Erosion and Sedimentation: All uses shall protect streams, lakes and ponds from sedimentation damage and control erosion in accordance with the Clean Streams Law, P.L. 187, Chapter 102, except that in addition, all subdivisions and land developments shall submit a soil erosion and sedimentation plan as part of the preliminary subdivision or land development plan even where these are less than 25 acres in extent.
- n. Sewage Disposal. All sewage disposal systems, regardless of type, shall meet the requirements and procedures of the East Rockhill Township Sewage Facilities Plan, East Rockhill Sewage Management Ordinance and the Bucks County Department of Health. The applicant shall demonstrate compliance with the requirements of this section for all applications for zoning and building permits.

(Ord. 5/26/1987, §1700; as amended by Ord. 150, 6/15/1993, Art. 7; by Ord. 168, 2/18/1997, Art. 11; by Ord. 192, 4/18/2000; by Ord. 194, -/-/, Art. XIV; by Ord. 201, 5/13/2003, §IV; and by Ord. 253, 4/20/2010)

### **§27-1901. Application of Natural Resource Protection Standards.**

In order to meet the natural resource protection standards of §27-1900(a) through (n), the applicant shall provide the following information with application for a zoning permit or building permit. Where subdivision and land development approval is requested, the applicant shall provide the following information to ensure that each proposed lot is buildable under the terms of this chapter:

- a. For all uses on lots established by subdivision approved after the effective date of this chapter, other than Use B2 Detached Dwelling Cluster Subdivision, Use B3 Performance Standard Development, or Use B4, Mobile Home Park:
  - (1) All lots shall have a contiguous building envelope of at least an area as indicated below within the overall lot. The purpose of the identification of a building envelope is to provide sufficient area for the general location of the building, driveway, parking areas, patios, other improvements and site alterations while meeting the natural resource

protection standards and minimum setback requirements of this chapter.

#### Minimum Building Envelope

District	Use B1 (sq. ft.)	Other Permitted Uses (sq. ft.)
AP	7,500	20,000
RP	10,000	20,000
RR	10,000	20,000
S	5,000	20,000
R-1	5,000	20,000
VR	3,500	13,000
VC	3,500	26,000
C-E	-	26,000
C-O	-	30,000
I	-	24,000
E	-	17,000 (Except Use H12)

- (2) For uses with onlot sewage systems, a 3,000 square foot or larger area, in addition to the building envelope specified in subsection (1) above, shall be identified for the location of the sewage system. Such additional area shall not include natural features with a 100% protection standard and the portion of those natural features that may not be developed or intruded upon as specified in §27-1900.
- (3) Applicants for zoning permits and/or subdivision approval shall submit the following information:
  - (a) A site plan which illustrates all natural resources on the site and the proposed use on the site.
  - (b) All encroachments and disturbances necessary to establish the proposed use on the site.
  - (c) Calculations which indicate the area of the site with natural resources; the area of natural resources that would be disturbed or encroached upon; and the area of the site included in the building envelope.
  - (d) The minimum building envelope may not include preserved woodland areas and mature trees.

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b. The following site capacity calculations shall be submitted with applications for Use B2 Detached Dwelling Cluster Subdivision, Use B3 Performance Standard Development or Use B4 Mobile Home Park. Through these calculations, the net buildable site area, the maximum number of lots or dwelling units, the maximum amount of impervious surfaces and the required open space will be determined for the specific site. The required open space shall be the minimum open space as related to the minimum open space ratio specified in §27-304, Use Regulations, or the calculated resource protection land, whichever is the greater amount. Areas identified as resource protection land shall be included in the required open space for these uses.

- (1) **Base Site Area.** Calculate the base site area. From the total site area, subtract future road rights-of-way, 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.

$$\begin{array}{rcl}
 \text{Total Site Area} & & \text{_____ acres} \\
 & - & \text{_____ acres} \\
 \text{Base Site Area} & = & \text{_____ acres}
 \end{array}$$

- (2) **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.

<b>Resource</b>	<b>Resource Protection Ratio</b>	<b>Acres of Land in Resources</b>	<b>Resource Protection Land (Acres x Open Space Resource Protection Ratio)</b>
Floodplains	1.00		
Floodplain soils	1.00		
Lakes or ponds	1.00		
Wetlands	1.00		
Steep slopes			
26% or more	0.80		
15% to 25%	0.70		
Woodlands			
RP, RR	0.80		
R-1, S, C-O, E, I	0.60		
Lake or pond shorelines	0.80		
Wetlands margin	0.80		

<b>Resource</b>	<b>Resource Protection Ratio</b>	<b>Acres of Land in Resources</b>	<b>Resource Protection Land (Acres x Open Space Re- source Protection Ratio)</b>
Land with Resource Restrictions		_____	_____
Total Resource Protection Land:			_____

- (3) Standard Minimum Open Space. Calculate the standard minimum open space.

$$\begin{array}{rcl}
 \text{Base Site Area} & & \text{_____ acres} \\
 \text{Multiply by Minimum Open Space} & \times & \text{_____ (§27-304)} \\
 \text{Standard Minimum Open Space} & = & \text{_____ acres}
 \end{array}$$

- (4) Determine Required Open Space. The required open space is the resource protection land or the standard minimum open space, whichever is greater.

\_\_\_\_\_ acres

- (5) Net Buildable Site Area. Calculate the net buildable site area.

$$\begin{array}{rcl}
 \text{Base Site Area} & & \text{_____ acres} \\
 \text{Subtract Required Open Space} & - & \text{_____ acres} \\
 \text{Net Buildable Site Area} & = & \text{_____ acres}
 \end{array}$$

- (6) Number of Dwelling Units/Lots. Calculate the maximum number of dwelling units.

$$\begin{array}{rcl}
 \text{Base Site Area} & & \text{_____ acres} \\
 \text{Multiply by Maximum Density} & \times & \text{_____ (§27-304)} \\
 \text{Number of Dwelling Units} & = & \text{_____}^6 \text{ dwelling} \\
 & & \text{units}
 \end{array}$$

<sup>6</sup>**NOTE:** Round up if fraction is equal to or greater than 0.5; round down if less than 0.5.

- (7) Impervious Surfaces. Calculate the maximum area of impervious surfaces.

$$\text{Base Site Area} \quad \text{_____ acres}$$

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$$\begin{array}{rcl} \text{Multiply by Maximum Impervious} & \times & \text{_____} (\$27-304) \\ \text{Surface Ratio} & & \\ \text{Impervious Surfaces} & = & \text{_____ acres} \end{array}$$

(8) Site Capacity Summary.

$$\begin{array}{rcl} \text{Required Open Space (4)} & & \text{_____ acres} \\ \text{Net Buildable Site Area (5)} & & \text{_____ acres} \\ \text{Maximum Number of Dwelling} & & \text{_____ units} \\ \text{Units/Lots (6)} & & \\ \text{Maximum Impervious Surfaces (7)} & & \text{_____ acres} \end{array}$$

c. For all subdivision or land development proposals involving Use B-1, Single Family Detached Dwelling in any residential zoning district except lot line adjustment subdivisions and subdivisions within the Agriculture Preservation District, the following density factor calculations shall be submitted. The minimum lot size established for each individual district will still apply. However, this minimum lot size may be increased (for all or a portion of the proposed lots) based upon the extent and value of the existing natural resources located on the individual site. Density factor calculations are a means of identifying the carrying capacity of the site by establishing the maximum number of permissible lots which can be accommodated without posing a potential threat to the water resources or other natural features on the site. The density factor calculations are designed to establish a reasonable development density while recognizing the unique character of each development site. The resource protection standards of §27-1900 shall be satisfied in addition to the following required calculations:

(1) Base Site Area. Calculate the base site area. From the total site area, subtract future roads right-of-way; 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.

$$\begin{array}{rcl} \text{Total Site Area} & & \text{_____ acres} \\ & - & \text{_____ acres} \\ \text{Base Site Area} & = & \text{_____ acres} \end{array}$$

(2) Land in Resources and Density Factor Area. Calculate the land with resource restrictions and the density factor area. In the event that two or more resources overlap, only the resource with the highest density factor shall be used in the calculations.

<b>Resource</b>	<b>Density Factor</b>	<b>Acres Land in Resources</b>	<b>Density Factor Area (Acres x Density Factor)</b>
Floodplains	1.0		
Floodplains Soils	1.0		
Lakes or Ponds	1.0		
Watercourses or Streams	1.0		
Wetlands	1.0		
Steep Slopes (25% or Over)	0.8		
Lake or Pond Shorelines	0.5		
Steep Slopes (15% – 25%)	0.5		
Wetlands Margin	0.5		
Woodlands	0.2		
		Density Factor Area	_____ Acres

(3) Net Buildable Site Area. Calculate net buildable area.

Base Site Area (1) \_\_\_\_\_ acres

Subtract Density Factor Area (2) - \_\_\_\_\_ acres

Net Buildable Site Area = \_\_\_\_\_ acres

(4) Maximum Number of Permissible Lots. Calculate the maximum number of lots.

Net Buildable Site Area (3) \_\_\_\_\_ acres

Multiply by Maximum Net Density X \_\_\_\_\_ du/ac  
(refer to Net Density Table)

Maximum Number of Permissible Lots = \_\_\_\_\_ lots<sup>8</sup>

**Net Density Table for Use B-1 by District**

<b>Zoning District</b>	<b>Minimum Lot Size</b>	<b>Maximum Net Density</b>
RP	1.8 Ac	0.50du/Ac
RR	1.8 Ac	0.50 du/Ac
S	22,000 SF	1.58 du/Ac
R-1	22,000 SF	1.58 du/Ac

<sup>8</sup> Round up if fraction is equal to or greater than .5; round down if less than .5.

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**Net Density Table for Use B-1 by District**

<b>Zoning District</b>	<b>Minimum Lot Size</b>	<b>Maximum Net Density</b>
VR	10,000 SF	3.48 du/Ac
VC	10,000 SF	3.48 du/Ac

d. The following site capacity calculations shall be submitted with applications for Use B1, Detached Dwelling, subdivisions located on tracts 10 acres or larger within the AP Agriculture Preservation Zoning District.

- (1) **Base Site Area.** Calculate the base site area. From the total site area, subtract ultimate rights-of-way of existing streets, 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.

Total Site Area		_____	acres
	-	_____	acres
Base Site Area	=	_____	acres

- (2) **Land with Resource Restrictions and Resource Protection Land.** Calculate land with resource restrictions and 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.

<b>Resource</b>	<b>Resource Protection Ratio</b>	<b>Acres of Land in Resource</b>	<b>Acres Resource Protection Land (Acres x Resource Protection Ratio)</b>
Prime Farmland & Farmland of Statewide Importance	0.60		
Floodplain and Floodplain Soils	1.00		
Wetlands, Lakes, Ponds, & Watercourses	1.00		
Wetlands Margins	0.80		
Lake or Pond Shorelines	0.25		
Woodlands			
Steep Sloops (15% to 25%)	0.25		
Steep Slopes (26% or more)	0.30		
Total Land with Resource Restrictions		_____	_____
Non-buildable Site Area			_____

- (3) Determination of site capacity in AP District – For subdivisions in the AP District, the site capacity is based on the net buildable site area.

take	Base Site Area	_____
subtract	Non-Buildable Site Area	- _____
equals	Net Buildable Site Area	= _____

Map resource protection land in accordance with the resources described in §27-1900 and locate development on net buildable site area.

(Ord. 5/26/1987, §1701; as amended by Ord. 168, 2/18/1997, Art. 1; by Ord. 194, -/-/2000, Art. I, Art. XV; by Ord. 201, 5/13/2003, §IV; by Ord. 240, 6/17/2008; and by Ord. 253, 4/20/2010)

**§27-1902. Floodplain Regulations.**

No structure or land shall hereafter be used and no structure shall be located, relocated, constructed, reconstructed, enlarged, substantially improved or structurally altered except in full compliance with the terms and provisions of this chapter and any other applicable ordinances and regulations which apply to uses within the jurisdiction of this chapter and all other applicable codes and ordinances such as the East Rockhill Township Subdivision and Land Development Ordinance [Chapter 22] and the East Rockhill Township Building Code [Chapter 5]. Zoning and building permits shall be required before any construction or development is undertaken within any area of the Township. In addition, all such uses, activities and development shall be undertaken only in compliance with Federal or State law including §404 of the Federal Water Pollution Control Act Amendments of 1972, 33 U.S.C. §1334.

Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system.

Prior to any proposed alteration or relocation of any stream, watercourse, etc., within the Township, a permit shall be obtained from the Department of Environmental Protection, Bureau of Dams, Waterways and Wetlands. Further, notification of the proposal shall be given to all affected adjacent municipalities. Copies of such notifications shall be forwarded to both the Federal Insurance Administration and the Department of Community and Economic Development.

For the purposes of this chapter, substantial improvement shall mean any repair, reconstruction or improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored before the damage occurred. 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 struc-

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ture. The term does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary or safety code specifications which are solely necessary to assure safe living conditions or any alteration to a structure listed on the National Register of Historic Places or the State inventory of historic places.

- a. Purpose. The purpose of these provisions is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds of flood protection and relief and to protect the tax base by:
  - (1) Regulating uses, activities and development which, acting alone or in combination with other existing or future uses, activities and development will cause unacceptable increases in flood heights, velocities and frequencies.
  - (2) Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding.
  - (3) Requiring all those uses, activities and development as defined by §27-216 that do occur in floodprone areas to be protected and/or flood-proofed against flooding and flood damage.
  - (4) Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.
- b. Warning and Disclaimer of Liability.
  - (1) 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 on rare occasions. Flood heights may be increased by manmade or natural causes. This chapter does not imply that areas outside the floodplain districts or that uses permitted within such districts will be free from flooding or flood damages.
  - (2) This chapter shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.
- c. Establishment of Floodplain Areas. The identified floodplain area shall be those areas of the Township which are subject to the 100 year flood, as identified in the Flood Insurance Study (FIS) dated May 18, 1999, and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof. For the purpose of this chapter, various floodplain areas are as follows:

- (1) FW (Floodway Area). The areas identified as “Floodway” in the AE Zone of the Flood Insurance Study prepared by FEMA. The term shall also include floodway areas that have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.
- (2) FF (Flood Fringe Area). The remaining portions of the 100 year floodplain in those areas identified as an AE Zone in the Flood Insurance Study where a floodway has been delineated. The Basis for the outermost boundary of this area shall be the 100 year flood elevation as shown in the flood profiles contained in the Flood Insurance Study.
- (3) FA (General Floodplain Area). The areas identified as Zone A in the FIS for which no 100 year flood elevations have been provided and areas adjoining streams, ponds or lakes which are inundated by the 100 year recurrence interval flood. When available, information from other Federal, State and other acceptable sources shall be used to determine the 100 year elevation, as well as a floodway area, if possible. When no other information is available, the 100 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. When a stream, pond or lake is not within an area identified as Zone A in the FIS, the applicant shall be required to determine the 100 year flood elevation with hydrologic and hydraulic engineering techniques. Only professional engineers shall undertake hydrologic and hydraulic analyses and 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.
- (4) Floodplain Soils. As defined in §27-221, are illustrated in the Soil Survey of Bucks and Philadelphia Counties, Pennsylvania. U.S. Department of Agriculture, Soils Conservation Service, July 1975.

d. Use of Floodplain Areas.

- (1) The floodplain areas described above shall be overlays to the existing underlying zoning districts and the floodplain provisions shall serve to supplement the underlying zoning provisions. Where there is a conflict between the provisions or requirements of any floodplain requirement and those of the underlying zoning, the more restrictive provisions and/or those pertaining to the floodplain area shall apply. However, in all cases the floodplain requirements shall be met.
- (2) In the event any provision concerning a floodplain regulations is declared inapplicable as a result of any legislative or administrative ac-

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tions or judicial discretion, the basic underlying zoning district provision shall remain applicable.

- (3) The delineation of any of the floodplain area may be revised by the Township where natural or manmade changes have occurred and/or more detailed studies conducted or undertaken by the U.S. Army Corps of Engineers, a River Basin Commission or other qualified agency or individual documents the notification for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA) and the Pennsylvania Department of Community and Economic Development.
  - (4) Initial interpretations of the boundaries of the floodplain areas shall be made by the Zoning Officer. Should a dispute arise concerning the boundaries of any of the areas, the Zoning Hearing Board shall make the necessary determination. The persons questioning or contesting the location of the boundary shall be given a reasonable opportunity to present their case to the Board and to submit their own technical evidence if they so desire.
- e. Floodway Area and Floor Fringe Area Regulations. In the floodway and flood fringe areas, encroachments, including fill, new construction, substantial improvements and other development that would result in any increase in flood levels within the community during the occurrence of the 100 year flood are prohibited.
- (1) Permitted Uses. In the floodway and flood fringe areas, the following uses and activities are permitted; provided, that they are in compliance with the provisions of the underlying zoning district and are not prohibited by any other ordinance and; provided, that they do not require structures, fill or storage of materials and equipment.
    - (a) Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming and wild crop harvesting.
    - (b) Public and private recreational uses and activities such as parks, day campus, picnic grounds, golf courses, boat launching and swimming areas, hiking and horseback riding trails, wildlife and natural preserves, game farms, fish hatcheries, trap and skeet game ranges, and hunting and fishing areas.
    - (c) Accessory residential uses such as yard areas, gardens, play areas and pervious parking areas.
    - (d) Accessory industrial and commercial uses such as yard areas, pervious parking and loading areas, airport landing strips, etc.

- (2) Uses Permitted by Special Exception. The following uses and activities may be permitted by special exception; provided, that they are in compliance with the provisions of the underlying zoning district in conformance with this section and are not prohibited by any other ordinance:
  - (a) Uses and activities accessory to the uses and activities in subsection §27-1902(e)(1).
  - (b) Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipe lines, water and sewage treatment plants and other similar or related uses.
  - (c) Water-related uses and activities such as marinas, docks, wharves, piers, etc.
  - (d) Extraction of sand, gravel and other materials.
  - (e) Temporary uses such as circuses, carnivals and similar activities.
  - (f) Storage of materials and equipment; provided, that they are not buoyant, flammable or explosive and are not subject to major damage by flooding; or provided, that such materials and equipment are firmly anchored to prevent flotation or movement. Storage of materials and equipment listed in §27-1902(g) shall be prohibited on the floodplain.
  - (g) All uses, activities and structural developments shall be undertaken in strict compliance with the floodproofing provisions contained in all other applicable codes and ordinances.
- f. Approximate 100 Year Flood Boundary Area and Floodplain Soils Area Regulations. Along those portions of streams and watercourses where the floodway and flood fringe areas, as defined in §27-220, have not been determined, the following regulations pertaining to the approximate 100 year flood boundary areas and floodplain soils areas shall apply:
  - (1) For the purposes of this section, it shall be assumed that, absent justification to the contrary submitted by the applicant and approved by the Township, any activity other than allowed in §27-1902(e), "Floodway Area and Flood Fringe Area Regulations," will substantially affect the elevation and velocity of floodwaters. Therefore, the provisions of §27-1902(e), "Floodway Area and Flood Fringe Area Regulations," shall be applicable.
  - (2) The applicant for a proposed use, development or activity in approximate 100 year flood boundary areas and floodplain soils areas shall

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have the opportunity to determine flood profiles and elevations, thereby identifying the floodway and flood fringe areas in accordance with hydrologic and hydraulic engineering techniques as follows:

- (a) The applicant shall provide sufficient documentation to demonstrate that his proposed activity, together with all other existing and anticipated development, uses and activities will not increase the water surface elevation of the 100 year flood more than one foot at any point. The engineering principle of equal reduction of conveyance shall be used to make the determination of increases in flood heights.
  - (b) Hydrologic and hydraulic analyses 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. The study must be approved by the Board of Supervisors.
- g. Development Which May Endanger Human Life. Any new or substantially improved structure which will be used for the production or storage of any of the following dangerous materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) of any of the dangerous materials or substances, including but not limited to the following, on the premises, shall not be permitted in the floodplain or floodplain soils areas:
- (1) Acetone.
  - (2) Ammonia.
  - (3) Benzene.
  - (4) Calcium carbide.
  - (5) Carbon disulfide.
  - (6) Celluloid.
  - (7) Chlorine.
  - (8) Hydrochloric acid.
  - (9) Hydrocyanic acid.
  - (10) Magnesium.

- (11) Nitric acid and oxides of nitrogen.
- (12) Petroleum products (gasoline, fuel, oil, etc.)
- (13) Phosphorus.
- (14) Potassium.
- (15) Sodium.
- (16) Sulphur and sulphur products.
- (17) Pesticides (including insecticides, fungicides and rodenticides).
- (18) Radioactive substances, insofar as such substances are not otherwise regulated.

h. Special Requirements for Manufactured Homes. No manufactured home shall be permitted in the floodplain or floodplain soils areas except as a non-conforming use which predates the enactment of floodplain regulations in the Township. In floodplains or floodplain soils areas, any new manufactured homes or manufactured homes placed in an existing manufactured home park on an existing manufactured home lot shall be anchored to resist flotation, collapse or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards as specified in the Standard for the Installation of Manufactured Homes, including Manufactured Home Park Requirements (CNFPA No. 501 A-1974 CANSI A119.3-1975) as amended for manufactured homes hurricane zones or other appropriate standards such as the following:

- (1) Over the top ties shall be provided at each of the four corners of the manufactured home, with two additional ties per side at intermediate locations for units 50 feet or more in length and one additional tie per side for units less than 50 feet in length.
- (2) Frame ties shall be provided at each corner of the manufactured home with five additional ties per side at intermediate locations for units 50 feet or more in length and four additional ties per side for units less than 50 feet in length.
- (3) All components of the anchoring system shall be capable of carrying a force of 4,800 pounds.
- (4) The stands or lots shall be elevated on compacted fill or on pilings so that the lowest floor of the manufactured home will be 1 1/2 feet or more above the elevation of the 100 year flood.

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- (5) Adequate surface drainage shall be provided.
  - (6) Adequate access for a hauler shall be provided.
  - (7) Where pilings are used for elevation, the lots shall be large enough to permit steps; piling foundations shall be placed in stable soil nor more than 10 feet apart; reinforcement shall be provided for pilings that will extend for six feet or more above the ground level.
  - (8) Refer to §27-1902(1)(2).
- i. Existing Structures in the Floodplain and Floodplain Soils Areas. A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:
- (1) Existing structures and/or uses located in any floodway shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying improvements.
  - (2) The modification, alteration, repair, reconstruction or improvement of any kind to a structure and/or use regardless of its location in a floodplain or floodplain soils areas to an extent or amount of 50% or more of its market value shall be undertaken only in full compliance with the provisions of this chapter and any other applicable ordinances.
- j. Anchoring, Elevation and Floodproofing Requirements.
- (1) Residential Structures. Within any floodplain area or floodplain soils area, the lowest floor (including basement) of any new or substantially improved residential structure shall be at least 1 1/2 feet above the 100 year flood elevation.
  - (2) Nonresidential Structure. Within any floodplain area or floodplain soils area, the lowest floor (including basement) of any new or substantially improved nonresidential structure shall be at least 1 1/2 feet above the 100 year flood elevation, or be designed and constructed so that the space enclosed by such structure shall remain either completely or essentially dry during any flood up to that height.
  - (3) Any structure, or part thereof, which will not be completely or adequately elevated, shall be designed and constructed to be completely or essentially dry in accordance with the standards contained in the publication entitled, "Floodproofing Regulations" (U.S. Army Corps of Engineers , June 1972, as amended March 1992), or some other equivalent standard, for that type of construction.

- (4) 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 100 year flood elevations, pressures, velocities, impact and uplift forces associated with the 100 year flood shall be submitted. 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.
  - (5) Anchoring.
    - (a) All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse or lateral movement.
    - (b) All air ducts, large pipes, storage tanks, and any other similar objects or components located below the regulatory flood elevation shall be securely anchored or affixed to prevent flotation.
- k. Design and Construction Standards.
- (1) Fill. If fill is used, it shall:
    - (a) Extent laterally at least 15 feet beyond the building line from all points.
    - (b) Consist of soil or small rock materials only. Solid waste landfills shall not be permitted.
    - (c) Be compacted to provide the necessary permeability and resistance to erosion, scouring or setting.
    - (d) Be no steeper than one vertical to two horizontal unless substantiated data justifying steeper slopes are submitted to and approved by the Building Permit Officer.
    - (e) Be used to the extent to which it does not adversely affect adjacent properties.
  - (2) Drainage. Storm drainage facilities shall be designed to convey the flow of stormwater runoff in a safe and efficient manner. The system shall insure 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.
  - (3) Water and Sanitary Sewer Facilities and Systems.

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- (a) All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
  - (b) Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into flood waters.
  - (c) No part of any onsite sewage system shall be located within any identified floodplain or floodplain soils area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
- (4) Other Utilities. All other utilities 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.
- (5) Streets. The finished elevation of all new streets shall be at least one foot above the 100 year flood elevation.
- (6) Storage. All materials that are buoyant, flammable, explosive or, in times of flooding, could be injurious to human, animal, or plant life and not listed in §27-1902(g), "Development Which May Endanger Human Life," shall be stored at or above the regulatory flood elevation and/or floodproofed to the maximum extent possible.
- (7) Placement of Buildings and Structures. All buildings and structures shall be designed, located and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.
- (8) The applicant shall submit plans of all proposed buildings, structures and other improvement drawn at suitable scale showing the following:
  - (a) The proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929.
  - (b) The elevation of the 100 year flood.
  - (c) If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a 100 year flood.
  - (d) Detailed information concerning any proposed floodproofing measures.
1. Prohibited Activities in the Floodplain. In addition to the requirements of subsection (e) of this section, the following activities shall be prohibited

within any identified floodplain area or floodplain soils area of the Township.

- (1) The commencement of any of the following activities, or the construction, enlargement, or expansion of any structure used or intended to be used for any of the following activities:
    - (a) Hospitals.
    - (b) Nursing Homes.
    - (c) Jails or prisons.
  - (2) The construction or placement of one or more manufactured homes, or the commencement of, or any construction of, a new manufactured home park or manufactured home subdivision, or a substantial improvement to an existing manufactured home park or manufactured home subdivision.
- m. Variances. In compliance with any of the requirements of this section would result in an exceptional hardship for a prospective builder, developer or landowner, the Zoning Hearing Board may, upon request, grant relief from the strict application of the requirements. Requests for variances shall be considered by the Zoning Hearing Board in accordance with the following:
- (1) No variance shall be granted for any construction, development, use or activity within any floodway area that would cause any increase in the 100 year flood elevation.
  - (2) No variance shall be granted for any of the other requirements pertaining to "Development Which May Endanger Human Life (§27-1902(g)) or "Prohibited Activities (§27-1902(1)).
  - (3) If granted, a variance shall involve only the least modification necessary to provide relief.
  - (4) In granting any variance, the Zoning Hearing Board 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.
  - (5) Whenever a variance is granted, the Zoning Hearing Board 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.

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- (6) In reviewing any request for a variance, the Zoning Hearing Board shall consider, but not be limited to, the following:
    - (a) There is good and sufficient cause.
    - (b) Failure to grant the variance would result in exceptional hardship to the applicant.
    - (c) The granting of the variance will one) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety or extraordinary public expense; nor two) create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable State statute or regulation, or local ordinance or regulation.
  - (7) 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.
  - (8) Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the 100 year flood.
- n. Floodplain Standard Definitions. In addition to the definitions in Part 2, "Definitions," of this chapter, and for the purposes of this Part, the terms, words and phrases in this section shall have the following meanings as applied and limited to this section.
- (1) ACCESSORY USE or STRUCTURE — a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.
  - (2) BASEMENT — any area of the building having its floor below ground level on all sides.
  - (3) BUILDING — a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.
  - (4) COMPLETELY DRY SPACE — a space which will remain totally dry during flooding; the structure is designed and constructed to prevent the passage of water and water vapor.
  - (5) DEVELOPMENT — any manmade change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings

or other structures; the placement of manufactured homes; streets and other paving; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

- (6) **ESSENTIALLY DRY SPACE** — a space which will remain dry during flooding, except for the passage of some water vapor or minor seepage; the structure is substantially impermeable to the passage of water.
- (7) **FLOOD** — a temporary inundation of normally dry land areas.
- (8) **FLOODPLAIN AREA** — 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.
- (9) **FLOODPROOFING** — any combination of structural and nonstructural additions, changes or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.
- (10) **FLOODWAY** — the designated area of a floodplain required to carry and discharge floodwaters of a given magnitude. For the purpose of this chapter, the floodway shall be capable of accommodating a flood of 100 year magnitude.
- (11) **HISTORIC STRUCTURE** — any structure that is:
  - (a) Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
  - (b) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historical district or a district preliminarily determined by the Secretary to qualify as a registered historic district.
  - (c) Individually listed on a State inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior.
  - (d) Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
    - 1) By an approved State program as determined by the Secretary of Interior.

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- 2) Directly by the Secretary of the Interior in states without approved programs.
- (12) IDENTIFIED FLOODPLAIN AREA — the floodplain area specifically identified in this chapter as being inundated by the 100 year flood.
- (13) LAND DEVELOPMENT — any of the following activities:
  - (a) The improvement of one or two or more contiguous lots, tracts or parcels of land for any purpose involving:
    - 1) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; 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 of other features.
  - (b) A subdivision of land.
- (14) LOWEST FLOOR — the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building, access and incidental storage, in an area other than a basement area is not considered the lowest floor of a building; provided, that such space is not designed and built so that the structure is in violation of the applicable nonelevation design requirements of this chapter.
- (15) MANUFACTURED HOME — a structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles which are placed on a site for more than 180 consecutive days.
- (16) MANUFACTURED HOME PARK — a parcel of land under single ownership, which has been planned and improved for the placement of two or more manufactured homes for nontransient use.
- (17) MINOR REPAIR — the replacement of existing work with equivalent materials for the purpose of its 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 sup-

port, or the removal or change of any required means of egress or re-arrangement of parts of a structure affecting the exitway requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

- (18) **NEW CONSTRUCTION** — structures for which the start of construction commenced on or after May 31, 1987, and includes any subsequent improvements thereto.
- (19) **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).
- (20) **PERSON** — an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, which is recognized by law as the subject of rights and duties.
- (21) **RECREATIONAL VEHICLE** — a vehicle which is (a) built on a single chassis; (b) not more than 400 square feet, measured at the largest horizontal projections; (c) designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use.
- (22) **REGULATORY FLOOD ELEVATION** — the 100 year flood elevation plus freeboard safety factor of 1 1/2 feet.
- (23) **SPECIAL PERMIT** — a permit approval which is required for hospitals, nursing homes jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all or a designated portion of a floodplain.
- (24) **STRUCTURE** — anything constructed or erected on the ground or attached to the ground including, but not limited to buildings, sheds, manufactured homes and other similar items. This term includes any manmade object having an ascertainable stationary location on or in land or water whether or not affixed to land.
- (25) **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 divisions 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 in-

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volving any new street or easement of access or any residential dwelling, shall be exempted.

- (26) **SUBSTANTIAL DAMAGE** — damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed 50% or more of the market value of the structure before the damage occurred.
- (27) **SUBSTANTIAL IMPROVEMENT** — any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which equals or exceeds 50% of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage,” regardless of the actual repair work performed. The term does not, however, include either:
  - (a) Any project for improvement of a structure to correct existing violations of State or local health, sanitary code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure living conditions, or;
  - (b) Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

(Ord. 5/26/1987, §1702; as amended by Ord. 185, 5/11/1999, Articles 2, 3, 4, 5)

### **§27-1903. Open Space in Residential Developments.**

#### a. General Requirements.

- (1) Detached dwellings, cluster subdivisions, performance standard developments and mobile home parks shall meet the open space requirements of this chapter (§27-304(B1)(c), B2(a), B3(m) and B4(b)). The plans shall contain or be supplemented by such material as required to establish the method by which open space shall be perpetuated, maintained and administered. The plan and other materials shall be construed as a contract between the landowners and the Township and shall be noted on all deeds.
- (2) For any subdivision involving Use B1, “Single-Family Detached Dwelling,” the natural resource protection areas (per §27-1900) may be held in the ownership of the individual lot owners; provided, that each individual building lot complies with the minimum lot size and building envelope requirements for the applicable zoning district (per §§27-1901(c) and 27-1901(a)(1); or alternatively, the natural resource protection areas may be dedicated to the Township. The Township may accept dedication of the natural resource

protection area either as an easement or as a separate nonbuildable lot. If the Township accepts the natural protection area as a separate non-buildable lot, the lot is not required to comply with the area or dimensional requirements of this chapter.

- (3) The Township may require dedication of the natural resource protection area either in fee simple or by easement, subject to the standards set forth in this subsection (f) of this section; provided, that the land is suitable for park, recreational, open space or other general municipal purposes.
  - (4) There shall be no further subdivision of any lot which has been restricted from further subdivision by note or restriction in or upon a plan, deed or subdivision agreement recorded at the office of the Bucks County Recorder of Deeds nor shall there be any development, clearing, regrading, filling or alteration of any areas contained within individual lots designated as natural resource protection areas, buffer yards or open space.
- b. **Layout of Open Space in the Rural Residential District.** The purpose of open space within this district is to preserve agriculture lands for agricultural use. Therefore, the plan for open space areas shall clearly demonstrate that every effort has been made to provide a maximum amount of farmland in usable fields or garden plots. Prime agricultural soils should be preserved for agriculture.
  - c. **Layout of Open Space in Districts Other than the Rural Residential District.** The open space shall be laid out in accordance with the best principles of site design. It is intended that the open space shall be as close to all residences as possible, with greenways leading to major recreation spaces. Major recreation areas shall be located to serve all residents. The open space is most needed in areas of highest density. The intent is to provide open areas as close to the individual unit as possible.
  - d. **Open Space Designation.** All land held for open space shall be so designated on the plans. The plans shall contain the following statement for lands in subsections (1),(2),(3) or (4) below. Open space land may not be separately sold, nor shall such land be further developed or subdivided. All plans shall further designate the use of open space, the type of maintenance to be provided and a planting plan or schedule. 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.

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- (3) Recreation Area. An area designated for a specific recreational use, including but not limited to tennis, swimming, shuffle board, playfield and tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance and shall perpetuate the proposed use.
  - (4) Agricultural Area. An area designated for family vegetable plots or to be leased or sold for an agricultural use as specified in §27-304. This use is encouraged in the RR District and any lease, sale or gift shall be subject to the provisions of §27-1903(f).
  - (5) Stormwater Management. Not more than 1/3 of the open space may be used for stormwater detention or retention basins.
  - (6) Educational and/or Municipal Use. Notwithstanding any other provisions of this chapter, open space land dedicated or deeded to the Township may be utilized for educational uses or municipal uses owned, leased or sponsored by East Rockhill Township. Any open space areas designated for these uses shall meet the Natural Resource Protection Standards for the open space lot.
- e. Open Space Performance Bond. Designated planning 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 this chapter.
- f. Ownership of Open Space. Any of the following methods may be used to preserve, own or maintain open space: condominium, homeowners association, dedication in fee simple, dedication of easements or transfer to a private conservation organization. The following specific requirements are associated with each of the various methods.
- (1) Condominium. The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Pennsylvania Uniform Condominium Act. All open space land shall be held as common element. Such land shall not be eligible for sale to another party except for transfer to another method of ownership permitted under this section and then only when there is no change in the open space ratio.
  - (2) Homeowners Association. The open space may be held in common ownership by a homeowners association. This method shall be subject to all of the provisions for homeowners associations set forth in Articles VII of the Pennsylvania Municipalities Planning Code.
  - (3) Fee-Simple Dedication. The Township may, but shall not be required to, accept any portion or portions of the open space provided: (1) such land shall be freely accessible public; (2) there shall be no cost to the Township involved; (3) the Township agrees to and has access to maintain such lands;

and (4) the open space shall be in an acceptable condition to the Township at the time of transfer with regard to size, shape, location and improvement. The Township may accept, but shall not be required to accept, any agriculturally designated open space in the Rural Residential District provided: (1) there shall be no cost to the Township involved; (2) such open space shall be deed restricted to agriculture or other open space purposes; and (3) the Township may rent or sell the land subject to such restrictions.

- (4) Dedication of Easements. The Township or county may accept, but shall not be required to accept, easements to any portion or portions of the open space. In such cases, the land remains in the ownership of the individual, condominium or homeowners association while the easements are held in public ownership. The county shall accept the easements only in accordance with the provisions of Act 442 and county plans. The Township may accept such easements as it sees fit. In either case, there shall be no cost to the county or Township for acquisition or maintenance. The Township may require this method where it seems this is the most appropriate way of preserving land in open space, in cluster subdivisions, performance standard developments and mobile home parks this provision for the ownership and preservation of open space cannot be used except for open space land incorporated in required buffer yards.
- (5) Transfer to a Private Conservation Organization. With permission of the Township, an owner may transfer either the fee simple title, with appropriate deed restrictions running in favor of the Township or easements to a private, nonprofit organization amount whose purposes is to conserve open space land and/or natural resources; provided, that:
  - (a) The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence.
  - (b) The conveyance contains appropriate provision for proper reverter or retransfer in the event that the organization becomes unwilling or unable to continue carrying out its functions.
  - (c) A maintenance agreement acceptable to the Township is entered into by the developer and the organization.
- (6) Deed Restrictions.
  - (a) Natural resource protection open space, as required by this chapter, may be held in the ownership of the individual property owners of residential developments. This form of ownership of open space will be subject to the following requirements:
    - (1) This form of ownership will be limited to residential uses that do not require common open space.

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- (2) It may be used only if approved by the Township.
  - (3) Restrictions meeting municipal specifications must be placed in the deed for each property 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 chapter.
  - (4) It will be clearly stated in the individual deeds that the maintenance responsibility lies with the individual property owner.
- (b) For nonresidential uses, buffer yards and areas of natural resource features may be held with the ownership of the entire parcel; provided, the buffer yards and natural features are deed restricted to ensure their protection and continuance.
  - (c) In the case of residential developments where all of the units are rental, the open space land may be in the same ownership as that of the development; provided, that the land is deed restricted to ensure its protection and continuance and that a maintenance agreement suitable to the Township is provided.
  - (d) For any of these options the Township may accept, but is not required to accept, an easement to the open space land in the development.
- g. Costs. Unless otherwise agreed to by the Township or County, 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 a fee which covers maintenance costs, administrative costs and penalties as stipulated in this chapter.

(Ord. 5/26/1987, §1703; as amended by Ord. 168, 2/18/1997, Art. 3; by Ord. 184, 4/20/1999, Art. 4; and by Ord. 194, -/-/2000, Art. I)

### **§27-1904. (Reserved)<sup>9</sup>**

### **§27-1905. Buffer Yards.**

- a. Buffering serves to soften the outline of buildings, to screen glare and noise, and to create a visual and/or physical barrier between conflicting land uses. Buffer yards are required between uses and along existing and proposed streets. The ex-

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<sup>9</sup> Editor's Note: Former §27-1904, Fee in Lieu of Recreation Land, was repealed by Ord. 240, 6/17/2008.

tent of buffering required shall be determined by the type of use proposed and the adjacent uses or streets surrounding the proposed development. The impact of the proposed use on adjoining properties is the basis for establishing buffer yard standards.

To determine the required buffer yard and planting schedule, a three step procedure shall be followed:

Step 1. Site Analysis and Determination of Buffer Yard Class.

Step 2. Selection of the Planting Option for the Buffer Class.

Step 3. Selection of the Plant Materials from the Plant Materials List.

Step 1. Site Analysis and Determination of Buffer Yard Class.

For each property boundary, the applicant shall determine the adjacent land use or road classification. Land use information shall be determined by an onsite survey and the Highway Classification Map shall be utilized to determine road classifications. Table 1 below specifies the buffer yard class for each boundary.

The applicant shall match his proposed land use with the corresponding adjacent land use or road classification of each property boundary. The letter indicates the buffer yard class.

Step 2. Selection of the Planting Option for the Buffer Class. After determining the buffer class, the applicant shall select a planting option from Table 2. For each buffer class, several planting options are available, one of which the applicant shall select to meet the buffer yard requirement for each boundary.

Step 3. Selection of Plant Materials.

Each planting option may utilize any of the plant material outlined in §22-515 of the East Rockhill Township Code of Ordinances.

The applicant shall not be required to provide a buffer yard should existing planting, topography or man-made structures be deemed acceptable for screening purposes by the Township.

b. General Requirements.

(1) 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. If the amount of existing plant material that size or greater equals any of the above planting requirements for reducing buffer yards sizes, the equivalent reduction may be taken without additional plant material being required. In all cases, exist-

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ing plant material of the above caliper and height shall be preserved in any buffer yard except where clearance is required to insure adequate sight distance. Any removal shall, where feasible, involve relocation rather than clearing.

- (2) The buffer yard may overlap the required front, side or rear yards and in case of conflict, the larger yard requirements shall apply.
- (3) All buffer yards shall be maintained and kept clean of all debris, rubbish, weeds and tall grass.
- (4) No structure, manufacturing or processing activity, or parking or storage of materials shall be permitted in the buffer area.
- (5) Plant Materials.
  - (a) Plant materials shall be permanently maintained and any plant material which does not live shall be replaced within one year of installation.
  - (b) Plant Design. It is encouraged that plant materials in buffer yards be planted in natural clusters that will give privacy but do not block views or vistas. The exception shall be commercial or industrial uses bordering residential uses. Here a dense, visual screen is required.
- (6) Residential Uses.
  - (a) In residential uses, the buffer yard may be averaged. The minimum width determined may be varied with the maximum variation being 40% of this.
  - (b) Where open space is required the buffer yard shall be part of the open space and not part of the lot area assigned to a dwelling unit.
- (7) 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. 5/26/1987, §1705; as amended by Ord. 240, 6/17/2008)

**PART 20****SIGNS****§27-2000. Scope and Applicability.**

In all zoning districts signs may be erected, altered, maintained, used, removed or moved only when in compliance with the provisions of this chapter and any other applicable ordinances and regulations.

Signs existing at the time of passage of this chapter which were legally erected and which do not conform with the requirements of this chapter shall be considered nonconforming signs and, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired (including lighting), provided such repainted or repaired sign does not exceed dimensions of the existing sign; wording may also be changed. Also see the requirements of Part 21.

(Ord. 5/26/1987, §1800)

**§27-2001. Definitions.**

- a. EAVES — the lowest horizontal line of a sloping roof.
- b. ELECTRONIC GRAPHIC SIGN — a sign or portion thereof that displays electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements, using different combinations of light emitting diodes (LEDs), fiberoptics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately by means of fade, repixelization or dissolve modes. Electronic graphic signs include computer-programmable, microprocessor-controlled electronic or digital displays. Electronic graphic signs include projected images or messages with these characteristics onto buildings or other objects. Electronic graphic signs shall not include LED gas price illuminations.
- c. ERECT — to build, construct, attach, hang, suspend, affix, alter, structurally repair, relocate, paint or renew on a wall or any other background surface.
- d. FACADE — that portion of any exterior elevation of a building extending vertically from grade to the top of the parapet, wall or eaves and horizontally across the entire width of the building elevation.
- e. FREESTANDING SIGN — a sign permanently supported by an upright or uprights which are permanently anchored into the ground.
- f. MONUMENT SIGN — a freestanding sign with low overall height that stands directly on the ground or at ground level and which is supported by and inte-

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grated with a solid base where the entire bottom of the sign is affixed to the ground, as opposed to poles, posts or other such supports.

- g. 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.
- h. PARALLEL SIGN — a sign painted on or mounted parallel to the face of a structure or wall and projecting not more than 12 inches from the plane or facade of the structure wall or above the roof line or eaves of the structure.
- i. PARAPET — the portion of a facade or wall that extends above the roof.
- j. PORTABLE SIGN — a sign, with or without display or legend, which is self-supporting without being firmly embedded in the ground, or is fixed on a movable stand, or mounted on wheels or movable vehicles or made easily movable in some other manner.
- k. PROJECTING SIGN — a sign which is affixed to any building, wall or structure and extends more than 12 inches horizontally from the facade or plane of the structure.
- l. ROOF LINE — the uppermost line of the roof of a building or, in the case of an extended facade or parapet, the uppermost height of said facade or parapet.
- m. ROOF SIGN — a sign erected and maintained above the roof line, parapet or eaves of a building.
- n. SIGN — any letter, number, symbol, figure, character, mark, plane, design, picture, stroke, stripe, trademark or combination of these, including permanent window signs erected in any manner whatsoever, which shall be used for the attraction of the public to any place, subject, person, firm, corporation, public performance, article or merchandise and which shall be displayed in any manner whatsoever.
- o. VEHICLE SIGN — a portable sign which is affixed and/or painted to a vehicle in such a manner that the carrying of such sign or signs is no longer incidental to the vehicle's primary purpose.
- p. VIDEO SIGN — a sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which mimic the illusion of motion, including but not limited to moving objects, moving patterns or bands of light, or expanding and contracting shapes and/or fade, dissolve, travel or scrolling features. Video signs include projected images or messages with these characteristics onto buildings or other objects, including electronic graphic signs. Video signs shall not include LED gas price illuminations.

- q. WINDOW SIGN — an interior sign affixed to or within 12 inches of the interior surface of a window with its message visible to the outside of said window surface.

(Ord. 5/26/1987, §1801; as amended by Ord. 257, 9/21/2010)

**§27-2002. Area of a Sign.**

- 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 (but not including any supporting framework and bracing incidental to the display itself).
- b. Where the sign consists of individual letters or symbols attached to or painted on a building, wall or window the are shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.
- c. In computing square-foot area of a double-faced sign, only one side shall be considered; provided, both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than 45°, then both sides of such sign shall be considered in calculating the sign area.

(Ord. 5/26/1987, §1802; as amended by Ord. 257, 9/21/2010)

**§27-2003. Height of a Sign.**

- a. The maximum height of a freestanding sign shall be measured from the elevation of the shoulder of the road to the highest point of the sign structure. In the case where there is a sidewalk, the height of the sign shall be measured from the elevation of the sidewalk.
- b. For a projecting, parallel or roof sign the maximum height shall be determined by its placement of the building.

(Ord. 5/26/1987, §1803)

**§27-2004. Illumination of a Sign.**

A light illuminating a sign shall be so arranged that the source of light is not visible from any point off the lot and that only the sign is illuminated thereby. This illumination may be:

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- a. Direct. Illumination of a sign designed to give forth artificial light directly through transparent or translucent materials from a source of light within such sign.
- b. Indirect. Illumination of a sign from an exterior source with a light so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs.
- c. Nonilluminated. Signs that are not illuminated.

(Ord. 5/26/1987, §1804)

### **§27-2005. Placement of a Sign.**

In no case, except for official traffic and street signs, shall any sign be erected so that it:

- a. Lies within 10 feet of or projects over a point within 10 feet of the ultimate right-of-way of any street or is within 10 feet of the shoulder or curb, whichever is greater.
- b. Lies within the clear-sight triangle.
- c. Obscures a motorist's view of traffic signals, stop signs or other warning devices as viewed from any distance of 500 feet along established thoroughfares.
- d. Obscures a motorist's view of roadway or intersections ahead as viewed from a distance of 500 feet along established thoroughfares.
- e. Limits a pedestrian's view of vehicular traffic to less than 500 feet while he stands inside the curblines at an intersection or other established crossing point.
- f. Lies within a distance of 10 feet from any property line.
- g. Lies within a parking space or fire lane.
- h. Blocks the movement of pedestrians traveling on public thoroughfares.
- i. Blocks the entrance, exit, fire escape or fire lane to a building.
- j. The lowest edge of a projecting or freestanding sign shall not be less than 7 1/2 feet above a sidewalk elevation.

(Ord. 5/26/1987, §1805)

**§27-2006. Signs in the RP, RR, S, R-1, VR and C-E Districts.**

In the RP, RR, S, R-1, VR and C-E Districts the following types of signs, and no others, shall be permitted:

- a. Official highway route number signs, street name signs and other official traffic signs may be erected and maintained in the interest of the public safety or for the regulation of traffic. Such signs are exempt from the permit requirements of this chapter.
- b. Temporary signs advertising the sale or rental of premises upon which said sign has been erected or signs indicating that said premises has been sold or rented; provided, that:
  - (1) Such signs shall be erected only on the premises to which they relate.
  - (2) Such signs shall be nonilluminated.
  - (3) The area on one side of any such sign shall not exceed six square feet.
  - (4) No more than one such sign shall be placed on any property held in single and separate ownership unless such property fronts upon more than one public street, in which event, one such sign may be erected on each such street frontage.
  - (5) Such sign shall be removed promptly within 45 days after an agreement of sale or rental has been entered into, whether there are any conditions in the agreement or not or removed within 20 days from the date of occupancy, whichever is the lesser period of time.
  - (6) Such signs do not require a permit provided the applicable requirements of this chapter have been met.
- c. Temporary signs advertising the sale or development of premises upon which they are erected, when erected in connection with the development or proposed development of the premises by a building contractor, developer or other person interested in such sale or development, may be erected and maintained; provided, that:
  - (1) The area on one side of any such sign shall not exceed 24 square feet.
  - (2) Such signs shall be nonilluminated or indirectly illuminated.
  - (3) Not more than one such sign shall be placed upon any property held in single and separate ownership unless such property fronts upon more than one public street, in which event, one sign may be erected on each street frontage.

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- (4) Such sign shall be removed within 45 days after an agreement of sale, lease or rental has been entered into for the last building or dwelling unit or removed within 20 days from the date of occupancy, whichever is the lesser period of time.
- d. Identification signs for schools, places of worship, hospitals, nursing homes, life care facilities, full care facilities, libraries, museums, cemeteries, municipal buildings, community centers and for clubs, golf courses, recreation facilities (public or private), farms, estates or similar permitted uses; provided, that:
- (1) The area of one side of any such sign shall not exceed 24 square feet.
  - (2) Such signs may be directly, indirectly or not illuminated.
  - (3) Not more than one such sign is placed on any premises held in single and separate ownership unless such property fronts upon more than one street, in which event, one such sign may be erected on each street frontage.
  - (4) Said signs may only be located on the premises that they identify.
  - (5) Freestanding, parallel, projecting or window signs may be erected.
  - (6) Such signs are permitted for farms, estates or similar permitted uses on parcels of 20 acres or larger.
- e. Temporary signs advertising political parties or candidates for election may be erected and maintained; provided, that:
- (1) The size of any such sign is not in excess of 16 square feet per side.
  - (2) Such signs shall be nonilluminated.
  - (3) The erector of such signs or an authorized agent of the political party or candidate applies for and obtains a permit from the Township Zoning Officer and makes a deposit with the Township at the time of application of a sum, to be set at a certain amount from time to time by resolution of the Board of Supervisors, to insure that all such signs shall be removed promptly within 20 days after the date of the election to which such signs relate. If such signs are not removed at the end of the 20 day period, the Township will then have them removed at the end of the 20 day period, the Township will then have them removed and keep a sum necessary to reimburse the expense incurred in removal. The deposit shall be returned upon the satisfactory removal of such signs within the 20 day period. A separate permit must be obtained for each election, i.e., primary and general and no sign erected for the primary election shall be permitted to remain until af-

ter the general election. No sign shall be erected more than 30 days prior to an election. The deposit amounts required to be paid herein are in addition to the permit fee. Signs for the individual candidates, different signs for an individual candidate and signs for a political party must obtain separate permits.

- f. Signs of a temporary nature, not otherwise described herein, such as those advertising civil, social or political gatherings and nonprofit organizations may be erected and maintained; provided, that:
  - (1) The size of any such sign is not in excess of 16 square feet per side.
  - (2) Such signs shall be nonilluminated.
  - (3) Not more than two such signs shall be placed on any premises held in single and separate ownership.
  - (4) Said signs may only be located on the premises that they identify.
  - (5) The erector of such signs or those responsible for or benefiting by the erection shall first apply for and obtain a permit from the Township Zoning Officer and make a deposit with the Township at the time of application of a sum, to be set at a certain amount from time to time by resolution of the Board of Supervisors, to insure that all such signs shall be removed promptly within 20 days after the event to which such signs relate. If such signs are not removed at the end of the 20 day period the Township will then have them removed and keep a sum necessary to reimburse the expenses incurred in removal of such signs within the 20 day period. No such temporary sign may be displayed for a period or periods exceeding a total of 45 days in any one calendar year, unless authorized by the Board of Supervisors for a longer period of time. The deposit amounts required to be paid herein are in addition to the permit fee.
- g. Trespassing signs or signs indicating the private nature of a road, driveway, or premises and signs prohibiting or otherwise controlling the fishing and hunting upon a particular premises may be erected and maintained; providing, that the size of any such sign shall not exceed two square feet per side. Such signs do not require a permit provided the applicable requirements of this chapter have been met.
- h. Professional, home occupation or name signs indicating the profession and/or activity and/or the name of the occupant of the dwelling; provided, that:
  - (1) The size of any such sign shall not exceed three square feet per side.
  - (2) Such signs shall be nonilluminated.

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- (3) Not more than one such sign shall be erected for each permitted use or dwelling unit.
  - (4) Any such sign shall be erected only on the premises wherein the professional use or home occupation is located.
  - (5) Freestanding or parallel signs may be erected.
  - (6) A sign is permitted only for such uses that are registered with the Township and have obtained a zoning permit.
- i. Temporary signs of mechanics, contractors and artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected; provided, that:
- (1) The size of any such sign shall not exceed six square feet per side.
  - (2) Such signs shall be nonilluminated.
  - (3) Not more than one sign for each such mechanic, contractor or artisan shall be placed on any one property on which such person is performing work unless such property fronts upon more than one street, in which event, each mechanic, contractor or artisan may erect one such sign on each street frontage.
  - (4) Such signs shall be removed promptly upon completion of work by the mechanic, contractor or artisan.
  - (5) Freestanding or parallel signs may be erected.
  - (6) Such signs do not require a permit; provided, that the applicable requirements of this chapter have been met.
- j. Directional, informational or public service signs such as signs advertising the availability of restrooms, telephones or similar facilities of public convenience and signs advertising meeting times and places of nonprofit service or charitable clubs and organizations; provided, that such signs do not advertise any commercial establishment, activity, organization, product, goods or services and any such sign shall not exceed three square feet per side in size.
- (1) Such signs are exempt from the requirements of §27-2005(a).
  - (2) Such signs do not require a permit; provided, that the applicable requirements of this chapter have been met.

- k. One sign at one principal access drive to a residential development or complex indicating the name of such area or complex and, in the case of a rental complex, the name of the owner or management organization, subject to the following requirements:
  - (1) The size of any such sign shall not exceed 24 square feet per side.
  - (2) Such sign may be located on lands of the rental complex or on common open lands; provided, that all other setback or location requirements are observed:
  - (3) Such signs shall be indirectly or nonilluminated.
  - (4) Freestanding signs may be erected.
- l. Temporary nonilluminated signs advertising the sale of agricultural or horticultural products, where such sale is a permitted use, shall not exceed 12 square feet per side and shall be removed immediately upon the end of the sales season and no more than two such signs may be erected on the premises. One off-premises directional sign, which shall not exceed three square feet per side in size, may be erected.
- m. Signs advertising nonresidential uses, where such uses are permitted as principal or valid nonconforming uses; provided, that:
  - (1) Not more than a total of one sign shall be erected on any one premises under single and separate ownership or on the premises leased or utilized by any one business establishment.
  - (2) Such signs may be indirectly or nonilluminated.
  - (3) The total area of such sign shall not exceed 12 square feet per side.
  - (4) Freestanding or parallel signs may be erected.
  - (5) A sign is permitted only for nonconforming uses that are registered with the Township.
- n. Garage or Yard Sales. See §27-304(B12)(b).
- o. Freestanding signs shall not exceed a maximum height of 10 feet.

(Ord. 5/26/1987, §1806; as amended by Ord. 194, -/-/2000, Art. I)

**§27-2007. Signs in the VC District.**

In the VC District the following types of signs, and no others, shall be permitted:

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- a. Any sign erected and maintained in accordance with the provisions of §27-2006; provided, that the use to which it refers is permitted in the VC District.
- b. Signs Advertising a Business, Office or Other Permitted Use. Such signs shall be on-premises signs and shall be erected on the site where such use is located. All individual store and/or unit signs on a single property shall consist of a unified design.
  - (1) For projecting or freestanding double-faced signs, only one display face shall be measured in computing the total sign area where the sign faces are parallel or where the interior angle formed by the faces is 45° or less. Signs with sides forming an interior angle of more than 45° shall not exceed the maximum area permitted for such signs for all sides combined.
  - (2) The area of each freestanding sign shall include all separate components, which shall not exceed three in number. Freestanding signs shall not exceed a height of seven feet from the ground level to the top of sign and shall be restricted to low-level monument signs.
- c. For all permitted office, commercial, consumer service, retail and/or other nonresidential uses in the VC District, a sign or signs may be erected in accordance with the following:
  - (1) One parallel or window sign along the entrance or parking side of the structure up to a total area not to exceed 12 square feet.
    - (a) An additional window or parallel sign with a total area not to exceed 12 square feet is permitted for each retail business only and may be placed on a wall parallel to a street but located below all second-story windows. This additional window or parallel sign is not permitted for uses other than retail-type uses as determined by the Township and shall not be permitted for offices or other nonretail uses.
  - (2) One low-level monument sign is permitted along each street frontage, and the total area of each such sign shall not exceed 21 square feet, and the height shall not exceed seven feet. However, the area and height of the signs may be increased up to 50% of the aforementioned restrictions if approved by the Board of Supervisors after review of a detailed sign plan and permit application.
- d. Directional Signs. Directional signs of three square feet or less are permitted for traffic control purposes; provided, that such signs do not contain advertising copy.

- e. Temporary Signs. Exterior temporary signs, including all moveable signs such as those advertising commercial sale, when located on the site where such use is conducted, may be permitted for a period not to exceed 30 days in any one calendar year for any one premises or commercial use.
  - (1) The size of such sign may not exceed 12 square feet per side.
  - (2) Application for a temporary sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit, to be set at a certain amount from time to time by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period. If such signs are not promptly removed at the end of the authorized period, the Township will then have them removed and keep a sum necessary to reimburse the expense incurred in removal.
  - (3) Portable and vehicular signs are not permitted in the VC District.
- f. If a business establishment does not have street frontage or if the place of business is not visible to passersby on the adjacent street, then that business may erect an additional sign not exceeding four square feet to the street line entrance to the property; provided, that all setback requirements of this chapter are met.
- g. If there is more than one permitted VC Zoning District use located on a single property, parcel or tract of land within the VC Zoning District, a sign or signs may be erected for each use in accordance with §27-2007, except that all signs proposed for the VC uses on the property, parcel or tract of land shall consist of a unified and coordinated design acceptable to the Township, and all freestanding signs shall be low-level monument signs; and when deemed appropriate by the Township, such multiple uses shall utilize one combined low-level monument sign to include all the proposed uses on the property, parcel and/or tract of land.
- h. All the signs proposed on the property, parcel or tract of land shall consist of a unified and coordinated design acceptable to the Township.
- i. There shall be no internally lit signs and/or signs illuminated from within a structure in the VC Zoning District.

(Ord. 5/26/1987, §1807; as amended by Ord. 257, 9/21/2010)

**§27-2008. Signs in the C-0, I-1, I-2 and E Districts.**

In the C-O, I-1, I-2 and E Districts, the following types of signs, and no others, shall be permitted:

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- a. Any sign erected and maintained in accordance with the provisions of §27-2006; provided, that the use to which it refers is permitted in the C-O, I-1, I-2 and E Districts.
- b. Signs advertising business, office, commercial, consumer service, utility, service, transportation, industrial or extraction uses shall conform to the requirements of §27-2003(b) except that a freestanding sign shall not exceed a height of 20 feet from the ground level to the top of the sign. For all such signs, except office parks, industrial parks or shopping centers, a sign or signs may be permitted in accordance with one of the following:
  - (1) One parallel or window sign up to 24 square feet.
  - (2) Two parallel or window signs mounted on separate walls, one up to 20 square feet and one up to 16 square feet.
  - (3) One freestanding sign up to 24 square feet, plus one of the following:
    - (a) One window sign consisting of individual letters or symbols not to exceed 40% of window area.
    - (b) One projecting sign not more than five feet from the wall up to eight square feet in size.
    - (c) One parallel or window sign up to 10 square feet.

If a building fronts upon more than one street, one additional sign in conformity with either subsection (a), (b) or (c) above may be permitted.
  - (4) Two freestanding signs, one up to 12 square feet and one up to eight square feet on separate poles, plus one of the following:
    - (a) One window sign consisting of individual letters or symbols not to exceed 40% of window area.
    - (b) One building sign projecting not more than five feet from the wall up to eight square feet in size.
    - (c) One building sign mounted flush on wall up to 10 square feet.

If a building fronts upon more than one street, one additional sign in conformity with either subsection (a), (b) or (c) above may be permitted on each street frontage.
- c. For shopping centers, industrial parks and office parks, signs may be erected in accordance with the following:

- (1) One freestanding sign which identifies the shopping center, industrial park or office park and may serve as a directory sign for uses in the development may be erected. No additional directory sign may be erected. Such sign shall not exceed 40 square feet per side and shall only identify the name of the center or park and/or the names of the various businesses or firms located within such center or park. Not more than one such sign shall be erected on any property held in single and separate ownership, unless such premises fronts upon more than one street, in which event one such sign may be erected on each street frontage.
- (2) One sign, which may be limited to the name of the firm, building or business, may be erected on each individual use in accordance with one of the following:
  - (a) Either one window sign consisting of individual letters or symbols not to exceed 40% of the window area for all such signs.
  - (b) One projecting sign not more than five feet from the wall up to 10 square feet in size.
  - (c) One parallel sign up to 12 square feet.
- d. Directional Signs. Directional signs of three square feet or less are permitted for traffic control purposes; provided, that such signs do not contain advertising copy.
- e. Temporary Signs. Exterior temporary signs, including all portable or vehicular signs such as those advertising commercial sale, when located on the site where such use is conducted, may be permitted for a period not to exceed 30 days in any one calendar year for any one premises or commercial use.
  - (1) The size of such sign may not exceed 16 square feet per side.
  - (2) Application for a temporary sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit, to be set at a certain amount from time to time by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period. If such signs are not promptly removed at the end of the authorize period, the Township will then have them removed and keep a sum necessary to reimburse the expense incurred in removal.
- f. If a business establishment does not have street frontage or if the place of business is not visible to passersby on the adjacent street, then the business may erect an additional sign not exceeding four square feet at the street line

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entrance to the property; provided, that all setback requirements of this chapter are met.

### g. Roof Signs.

- (1) Roof signs shall be permitted only in the I-1 Industrial and I-2 Industrial Districts.
- (2) The maximum area of a roof sign shall not exceed 5% of the total area of the building facade upon which the roof sign sits.
- (3) The maximum height that a roof sign may project above a parapet or eaves of a building shall be equivalent to 20% of the height of the building facade.
- (4) Roof signs may exist instead of, but not in addition to, freestanding signs on a given premises. Where a premises is allowed two or more freestanding signs, a roof sign may be used to substitute for one of the freestanding signs.

### h. Off-Premises Signs.

- (1) Off-premises signs shall be permitted only in the C-O Commercial-Office District.
- (2) Off-premises signs may exist instead of, but not in addition to, freestanding signs on a given premises. Where a premises is allowed to or more freestanding signs, an off-premises sign may be used to substitute for one of the freestanding signs.
- (3) One off-premises sign may be erected on a property.
- (4) Off-premises signs shall be nonilluminated, freestanding signs.
- (5) Placement of Off-Premises Signs.
  - (a) Right-of-Way. No such sign or any part thereof shall be erected or maintained within 50 feet of the future right-of-way of a public highway.
  - (b) Side or Rear Yards. No such sign or any part thereof shall be erected or maintained within 50 feet of any side or rear property line.
  - (c) No such sign shall be erected within 500 feet of any other such sign or freestanding sign or residential dwelling.

- (6) Area of Off-Premises Signs. No outdoor advertising sign shall be permitted to exceed a maximum area of 40 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 80 square feet.
  - i. Freestanding and off-premises signs shall not exceed a maximum height of 20 feet.

(Ord. 5/26/1987, §1808; as amended by Ord. 195, 9/19/2000, Art. IX)

**§27-2009. Exempted Signs.**

In addition to the signs that do not require a permit as previously noted, the following signs do not require a permit; provided, that the applicable requirements of this chapter have been met:

- a. Signs displaying the name and address of the occupant of the premises; provided, that the area of any such sign shall not exceed 120 square inches and not more than one such sign shall be erected for each occupant of a premises, unless such property fronts on more than one street, in which case one such sign may be erected on each street frontage.
- b. Governmental flags or insignias.
- c. Legal notices.
- d. Vending machine signs bearing the brand name of a product or the price of such product when displayed on a vending machine selling such product.
- e. Memorial signs or historical signs or tablets; provided, that such sign or tablet does not exceed four square feet.
- f. Window signs giving store hours or the name or names of credit or charge institutions; provided, that the total area of any such sign or all signs together does not exceed two square feet.
- g. Temporary window signs, including community special event signs, shall take up no more than 50% of the window area.
- h. Signs which are a permanent architectural feature of a building or structure, such as a cornerstone, or identifying letters carved into or embossed on a building; provided, that the letters are not made of a reflective material nor contrast in color with the building.

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- i. Bunting, pennants and similar materials are permitted to announce the opening of a new business or industry and must be removed after seven days of the opening day or the first day of business. The owner/user of the business or industry shall inform the Township Zoning officer in writing of the opening day or the first day of business. Such notice shall be submitted at least 14 days prior to the opening day or the first day of business.
- j. Revolving barber shop pole sign; provided, that it does not exceed 36 inches in height.

(Ord. 5/26/1987, §1809)

### **§27-2010. Prohibited Signs.**

The following signs are unlawful and prohibited:

- a. No signs shall be of a flashing, rotating or revolving type, with the exception of barberpoles which are used for a barbershop use.
- b. Any sign suspended between poles and lighted by a series of lights is prohibited.
- c. Any sign erected on a tree or utility pole, or painted or drawn on a rock or other natural feature is prohibited.
- d. Any banner sign or sign of any other type across a public street or on any private property is prohibited, except for such signs which are approved by the Board of Supervisors, as a conditional use, to be of general benefit to the Township or for public convenience, necessity or welfare.
- e. Any sign suspended between poles which is either a pennant which blows in the wind or a spinner which spins in the wind is prohibited.
- f. Any sign is prohibited which does not conform to the requirements of the sign ordinance which was in effect when the sign was erected.
- g. No sign shall be erected containing information on which it states or implies that a property may be used for any purpose not permitted under the provisions of this chapter in the zoning district on which the sign relates is located.
- h. No sign may use the words, "Stop," "Look," "Danger," or any other word or character which attempts or appears to attempt to direct the movement of traffic or which interferes with or resembles any official traffic sign, signal or device within 75 feet of a public right-of-way or within 200 feet of a traffic control device, whichever is greater.

- i. Except for traffic control signals, red or green lights are prohibited within 75 feet of a public right-of-way or within 200 feet of a traffic control device signal, whichever is greater.
- j. A sign that uses any method of illumination that can cause glare is prohibited, except in accordance with the following:
  - (1) It must be so effectively shielded that glaring beams or rays of light are not directed to any portion of any street, highway or adjacent property or structure.
  - (2) It must be less than 1/4 foot candle, as measured from the curb line or shoulder, so as not to cause glare or impair the vision of any motorist or otherwise interfere with a driver's operation of his motor vehicle.
- k. No electronic graphic sign or video sign shall be permitted in any location which is visible from a road, street or highway in East Rockhill Township.

(Ord. 5/26/1987, §1810; as amended by Ord. 257, 9/21/2010)

**§27-2011. Permits, Construction, Maintenance and Violations.**

a. Permits Required.

- (1) A permit must be obtained from the Township before the erection of any sign erected in the Township, unless specifically exempted herein.
- (2) Exemptions from the necessity of securing a permit, however, shall not be construed to relieve the owner of the sign involved from responsibility for its erection in a safe manner and in a manner in accord with all the other provisions of this chapter.
- (3) Before any permit is granted for the erection of a sign or sign structure, plans and specifications shall be filed with the Township showing:
  - (a) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
  - (b) The dimensions of the sign's supporting members.
  - (c) The maximum height of the sign.
  - (d) The proposed location of the sign in relation to the face of the building in front of which or above which it is to be erected.
  - (e) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.

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- (f) Where the sign is to be attached to an existing building, a current photograph of the face of the building to which the sign is to be attached.
  - (g) The materials, finish and details of construction including loads, stresses, anchorage and any other pertinent engineering data.
  - (h) The application for permit shall be accompanied by the written consent of the owner or lessee of the premises upon which the sign is to be erected for Township officials to enter said premises to inspect such sign.
- (4) The following changes to a sign do not require a permit:
- (a) The changing of the advertising copy or message of a painted, plastic face or printed sign only. Except for signs specifically designed for the use of replaceable copy, electric signs shall not be included in this exception.
  - (b) The electrical, repainting or cleaning maintenance of a sign.
  - (c) The repair of a sign.
- (5) Permit fees to erect a sign shall be in accordance with the sign fee schedule adopted by the Township.
- b. Construction Requirements. All signs shall meet the design and construction requirements of the BOCA Basic Building Code [Chapter 5]. All electrical signs shall be manufactured in accordance with the Underwriters Laboratories specifications and shall bear the laboratory label.
- c. Maintenance Requirements. Every sign permitted by this chapter must be constructed of durable materials and kept in good condition and repair.
- d. Removal or Abandonment of Signs.
- (1) The owner of any property or premises upon which any sign is erected shall be responsible for its complete removal at such time as the circumstances which cause its erection have ceased to exist, or at such other time that the sign must be removed under any other provision of this chapter. If the owner of any property upon which a sign has been erected shall fail or neglect to remove it as hereinabove required, the Zoning Officer shall give notice to the owner by certified mail to remove the sign. If this letter is returned undelivered, for any reason, he may post such notice upon the premises. If, upon the expiration of 30 days following notice, the owner fails to remove the sign, the Zoning Officer shall arrange for its removal on behalf of the Township and shall bill the owner for the cost of such work plus 10%

for administrative cost. If such bill remains unpaid after the expiration of 30 days, the Township Solicitor shall take the necessary steps to collect the same. Failure of a property owner to remove such sign after the notice hereinabove provided shall constitute a violation of the terms of this chapter, and each day's continuance of such failure shall constitute a separate violation.

- (2) If the owner of any sign in violation of any of the provisions of this chapter is not the owner of the premises on which it is situated, the identical notices specified above may be issued to him in like manner, and such owner of the sign shall be required to take such steps to comply with the notice or notices issued to him as though he were the owner of the property or premises on which the sign is located; if such owner of the sign fails to comply, such failure shall constitute a violation of the terms of this chapter. Such owner of the sign shall be liable to the same extent as the owner of the property or premises on which the sign is located.
- e. **Unsafe and Unlawful Signs.** If the Zoning Officer finds that any sign regulated herein is unsafe, or insecure, or is a menace to the public or has been constructed, erected or maintained in violation of the provisions of this chapter, he shall give notice to remove or alter the sign to comply with this chapter, in the same manner as in §27-2011(d)(1), above, to the party to whom the permit was issued to erect the sign or to the owner of the sign or to any combination of them. If the parties notified fail to remove or alter the sign to comply with the standards herein set forth within 30 days after notice, such sign may be removed or altered by the Building Inspector at the expense of each and every person notified. The expenses of removal or alteration shall be computed and paid for by the parties notified in the same manner in §27-2011(d)(1), above, and the same sanctions shall apply. The Building Inspector may cause any sign or other advertising structure which is in immediate peril to persons or property to be removed summarily and without notice.
  - f. **Insurance.** It shall be unlawful for any individual, partnership, corporation or other entity to erect, repair or maintain electrical signs, regardless of size or location, or nonelectrical signs which are higher than 10 feet above grade or larger than 24 square feet without submitting a certificate of insurance to the Building Inspector's office in the amount of \$100,000 and \$300,000 personal injury liability and \$25,000 property damage.

(Ord. 5/26/1987, §1811)



**PART 21**  
**NONCONFORMITIES**

**§27-2100. Definitions.**

- a. **NONCONFORMING USE** — 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** — 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. 5/26/1987, §1900)

**§27-2101. Registration of Nonconforming Uses, Structures and Lots.**

Upon request by the Board of Supervisors or a property owner, the Zoning Officer shall identify and register a nonconforming use, structure or lot, together with the reasons why the Zoning Officer identified each as a nonconformity.

(Ord. 5/26/1987, §1901; as amended by Ord. 124, 7/18/1989, Art. 1)

**§27-2102. 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 provision of this chapter or subsequent amendments.

(Ord. 5/26/1987, §1902)

**§27-2103. 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. Such a

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structure may be extended by right along the building lines of the existing non-conformity in keeping with all applicable requirements of this chapter.

- 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 or floor area, whichever is less, existent at the date the use became nonconforming under this or previous ordinances, during the life of the nonconformity, 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. 5/26/1987, §1903)

### **§27-2104. Restoration.**

A nonconforming building, or any building containing a nonconforming use, wholly or partially destroyed by fire, explosion, floor 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. 5/26/1987, §1904)

### **§27-2105. 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 nonconforming use ceases.

(Ord. 5/26/1987, §1905)

**§27-2106. Use Changes.**

Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming 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. 5/26/1987, §1906)



**PART 22**  
**ADMINISTRATION**

**§27-2200. Zoning Officer: Duties and Powers.**

The provisions of this chapter shall be administered and enforced by the Zoning Officer who shall be appointed by the Board of Supervisors.

It shall be the duty of the Zoning Officer and he/she shall have the power to:

- a. Receive and examine all applications for zoning permits.
- b. Process zoning permit applications for all permitted uses. For Uses A6, A9 and B6 through B3 on lots greater than three acres and/or 10,000 square feet of floor area and for Uses C1 through H15 of any size, the Zoning Officer shall receive and submit the application and plans to the Board of Supervisors, the Planning Commission and Township Engineer for review under the provisions of Part 5, "Design Standards," and Part 6, "Required Improvements," of the East Rockhill Township Subdivision and Land Development Ordinance [Chapter 22] as well as the provisions and requirements of this chapter.
  - (1) A6 and A9 Agricultural Uses
  - (2) B6 through B8 Residential Uses
  - (3) C1 through C7 Institutional Uses
  - (4) D1 through D4 Recreational Uses
  - (5) E1 through E4 Office Uses
  - (6) F1 through F33 Commercial and Consumer Service Uses
  - (7) G1 through G3 Utilities, Service and Transportation Uses
  - (8) H1 through H15 Industrial Uses
- c. The Zoning Officer shall issue permits only where there is compliance with the provisions of this chapter, with other Township ordinances and with the laws of the Commonwealth and the Federal Government. Permits for construction or uses requiring a special exception or variance shall be issued only upon order of the Zoning Hearing Board. Permits requiring approval by the Township Supervisors shall be issued only after receipt of approval from the Township Supervisors.

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- d. Receive applications for conditional uses, curative amendments and zoning changes, forwarding requests to the Board of Supervisors, Planning Commission and other appropriate agencies.
- e. Receive applications for special exceptions and variances and to forward these applications to the Zoning Hearing Board for action thereon.
- f. Following refusal of a permit, to receive applications for interpretation, appeals and variances. These applications will then be forwarded to the Zoning Hearing Board for action thereon.
- g. Conduct inspections and surveys to determine compliance or noncompliance with the terms of this chapter.
- h. Issue stop, cease, and desist orders and order in writing correction of all conditions found to be in violation of the provisions of all applicable Township ordinances. Such written orders shall be served personally or by certified mail upon persons, firms or corporations deemed by the Zoning Officer to be violating the terms of this chapter. It shall be unlawful for any person to violate any such order issued lawfully by the Zoning Officer, and any person violating any such order shall be guilty of a violation of this chapter.
- i. With the approval of the Board of Supervisors, or when directed by the, institute in the name of the Township any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use to restrain, correct or abate such violation so as to prevent the occupancy or use of any building, structure, or land or to prevent any illegal act, conduct, business or use in or about such premises.
- j. Revoke any order of zoning permit issued under a mistake of fact, or contrary to the law, or the provisions of this chapter.
- k. Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans and documents shall be a public record.
- l. Maintain a map or maps showing the current zoning classification of all land in the Township.
- m. Register nonconforming structures, uses and lots in accordance with provisions of Part 19.

(Ord. 5/26/1987, §2000)

**§27-2201. Duties of the Township Planning Commission.**

The Planning Commission shall review applications for zoning permits referred to it under §27-2200(b) to ensure compliance with the terms of this chapter. In reviewing such applications, the Planning Commission shall follow the same procedure employed in reviewing subdivision plans. The Planning Commission shall submit its recommendations and findings to the Board of Supervisors.

(Ord. 5/26/1987, §2001)

**§27-2202. Zoning Permits Required.**

Hereafter, no use listed in Parts 4 through 13 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 change 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 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. 5/26/1987, §2002)

**§27-2203. 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 Township 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 (1 inch = 100 feet or larger) showing the location, dimensions and height of proposed buildings, structures, or 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.
  - (3) The information in §27-1901(a)(3).
  - (4) The location, dimensions and arrangements of all open spaces, yards and buffer yards including methods to be employed for screening.

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- (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 §27-1900(j) of this chapter.
  - (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, blare, 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.
- b. No permit for any new use or construction which will involve the onsite 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. 5/26/1987, §2003; as amended by Ord. 124, 7/8/1989, Art 2)

### **§27-2204. 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. 5/26/1987, §2004)

**§27-2205. 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. 5/26/1987, §2005)

**§27-2206. 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.
- 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. 5/26/1987, §2006)

**§27-2207. Conditional 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 except that East Rockhill Township shall not be required to obtain conditional use hearing approval for Township owned, leased or operated recreational or utility uses or facilities. Such uses or facilities shall be deemed uses permitted by right subject to the dimensional requirements of the zoning district.

(Ord. 5/26/1987, §2007; as amended by Ord. 161, 10/17/1995, Art. 2)

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### §27-2208. 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.
  - (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 the additional information required below and any information necessary for the Board of Supervisors to make its evaluation:
  - (1) Uses A5 Riding Academy and A7 Agricultural Retail.
    - (a) Determine its compatibility with adjacent residential uses, existing or potential.
    - (b) Determine if the buffer requirements of §27-1905 need to be supplemented with additional plantings.
  - (2) Use B5 Group Home.

- (a) Provide the means to ensure that the number of occupants will not exceed the maximum permitted by §27-304(B5)(a).
  - (b) Provide information concerning the potential sponsor and proof of its licensing by the County or State in accordance with §27-304(B5)(d).
  - (c) Provide proof that no other group home is within a one mile radius in accordance with §27-304(B5)(f).
- (3) Use B9 Residential Conversion.
- (a) Show how the appearance of the building is to be maintained in accordance with §27-304(B9)(a) and (b).
  - (b) Provide information concerning the recreation/patio area required by §27-304(B9)(i).
    - (i) Location.
    - (ii) Proof that it can serve its intended purpose.
    - (iii) Method to abate impacts on neighboring properties.
- (4) Use B10f Accessory Trades, Business.
- (a) Provide general information concerning the proposed activity.
  - (b) Show the location of the office and storage area and the square footage devoted to each.
  - (c) Indicate how the proposed activity will comply with the requirements of §27-304(B10a)(8) dealing with nuisance standards.
- (5) Uses C1 Place of Worship and C2 School.
- (a) Identify all accessory uses.
  - (b) Show that proposed use will have adequate access.
  - (c) Method of stormwater control.
  - (d) Method to abate impacts on surrounding residential properties.
  - (e) Provide sewage facilities impact statement and water impact study.
- (6) Uses D1 Recreational Facility, D2 Private Recreational Facility, D3 Private Club and D4 Community Center.

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- (a) Identify specific uses and activities.
  - (b) Specify location of outdoor activities; and the Board of Supervisors should determine if buffer requirements of §27-1905 need to be supplemented.
  - (c) Method of stormwater control.
  - (d) Method to abate impacts on surrounding residential properties.
- (7) Uses E1 Medical Office and E2 Veterinary Office.
- (a) Determine if buffer requirements of §27-1905 are adequate.
  - (b) Specify hours of operation; if any hours are after 9:00 p.m., the Board of Supervisors should determine if additional improvements are necessary to abate nuisances.
  - (c) Use E1 shall provide a traffic impact study.
  - (d) Use E2 should indicate how animal noises will be abated.
- (8) Use F8 Funeral Home or Mortuary.
- (a) Show that proposed use will have adequate access and parking.
  - (b) Indicate how parking areas will be screened from view of adjacent residential properties.
  - (c) Method of stormwater management.
  - (d) Method to abate impacts on surrounding residential properties.
- (9) Use F24 Guest House.
- (a) Type of sewage disposal and proof of certification.
  - (b) Method to abate impacts on surrounding residential properties.
- (10) Uses G1 Utilities, G2 Emergency Services and G3 Terminal.
- (a) Evaluate impact on neighboring properties and specify improvements to abate any nuisance.
  - (b) Show that adequate access is available.
  - (c) Use G2 and G3 should provide method of stormwater control.

- (d) Use G2 shall specify any accessory uses or activities.
  - (e) Use G1 if a tower shall provide minimum yards equal to the height of the tower plus 100 feet.
  - (f) Use G1 if a public water supply well shall comply with §27-2411(e) of this chapter whether or not there is a presently proposed use or development and regardless of withdrawal rate.
- (11) Use G4 Airport/Heliport. Evaluate the impacts on neighboring properties and community and specify any improvements needed in addition to the requirements of §27-304(G4).
  - (12) Use G5 Cellular/Digital Telecommunications Facility.<sup>10</sup>
  - (13) Use 13 Temporary Structure.
    - (a) Provide information on permanent structure to be placed on the site.
    - (b) Ensure that, financially, project can be completed.
  - (14) Use 14 Temporary Community Event.
    - (a) Specify the activity or event.
    - (b) Specify hours of operation and number of days it will be occurring.
    - (c) Show that the standards of §27-304(I4)(c) will be met.
  - (15) Use 16 Wind Energy Conversion System. Provide proof that requirements of this chapter can be met.
  - (16) Use 17 Air Landing Field. Evaluate impacts, particularly noise, on neighboring properties and specify any improvements needed in to abate nuisances.
  - (17) Use 18 Towers, Masts, etc.
    - (a) Show the location of the proposed structure on the site.
    - (b) Provide proof that all adjacent property owners have been notified.
- d. Review by Planning Commission. 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 applica-

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<sup>10</sup> Editor's Note: See §27-304, Use G5.

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tion. The Planning Commission may request a report from the Township Engineer.

(Ord. 5/26/1987, §2008; as amended by Ord. 154, 11/16/1993, §5; and by Ord. 178, 9/15/1998)

### **§27-2209. Application Requirements for Conditional Uses.**

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 §27-2203.
- 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. 5/26/1987, §2009)

**PART 23**

**ZONING HEARING BOARD**

**§27-2300. Establishment of Board.**

A Zoning Hearing Board is 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.

(Ord. 5/26/1987, §2100)

**§27-2301. Membership, Terms of Office.**

- a. The Zoning Hearing Board shall, upon the determination of the Board of Supervisors, consist of either three or five residents of the Township appointed in accordance with §903 of the Municipalities Planning Code, as amended. Members of the Board shall hold no other office in the Township.
- b. The Board of Supervisors may appoint, by resolution, at least one but not more than three residents of the Township to serve as alternate members of the Board in accordance with §903 of the Municipalities Planning Code, as amended.

(Ord. 5/26/1987, §2101; as amended by Ord. 124, 7/18/1989, Art. 3)

**§27-2302. Removal of Members.**

Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors which appointed the member taken after the member has received 15 days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

(Ord. 5/26/1987, §2102)

**§27-2303. Procedure.**

- a. Officers. The Board shall elect a chairman from its membership, shall appoint a secretary and shall prescribe rules in accordance with the provisions of the Municipalities Planning Code and this chapter for the conduct of its affairs. The chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.

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- b. Meetings. Meetings shall be open to the public and shall be at the call of the chairman and at such other times as the Board shall specify in its rules of procedure. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Board; but where two members are disqualified to act in a particular matter, the remaining officer may act for the Board. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board.
- c. Records and Decisions. The Board shall keep minutes of its proceedings, showing the vote of each member upon each question; or if absent or failing to vote, indicating such fact; and shall keep records of its examinations and other official actions, all of which shall be filed immediately in the office of the Board and shall be a public record.
- d. Compensation. The Board of Supervisors shall fix per meeting compensation for the members of the Board according to a schedule adopted by resolution of the Supervisors upon the enactment of this chapter or as such schedule may be amended from time to time.
- e. The Board or the hearing office, as the case may be, shall keep a stenographic record and transcript of the proceedings, and copies of graphic or written material received in evidence shall be made available to any party at cost.

(Ord. 5/26/1987, §2103)

### **§27-2304. Powers and Duties; Interpretation.**

Upon appeal from a decision by the Zoning Officer, the Zoning Hearing Board shall decide any questions:

- a. Involving the interpretation of any provisions of this chapter, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.
- b. Where it is alleged there is error in any order, requirement, decision or determination including any order requiring an alleged violation to stop, cease and desist made by the Zoning Officer in the enforcement of this chapter.
- c. An appeal of the decision of the Zoning Officer will not act as a stay of a cease and desist order.

(Ord. 5/26/1987, §2104)

**§27-2305. Powers and Duties; Variances.**

- a. **Applicability.** Upon appeal from a decision by the Zoning officer, the Zoning Hearing 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 this chapter or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition on such piece or 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.
- b. **Condition.** 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.
- c. **Requirement 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 request for the variance is in conformance with all the requirements and standards listed below:

- (1) There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this chapter in the neighborhood or district in which the property is located.
- (2) Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this chapter and that the authorization of a variance is therefore, necessary to enable the reasonable use of the property.
- (3) Such unnecessary hardship has not been created by the applicant, or that the applicant, at the time that he purchased the property was not aware or could not reasonably have been expected to be aware of the zoning classification and restrictions placed on the property or the circumstances giving rise to the hardship.
- (4) The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare.

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- (5) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.
- d. Life of Decision. A variance granted by the Zoning Hearing Board in accordance with this section shall expire at the end of one year from the date of decision, unless the applicant or owner has commenced construction or otherwise executed upon the grant of approval within that time.

In granting any variance, the Board may attach reasonable conditions and safeguards as it may be necessary to implement the purposes of this act in this chapter.

(Ord. 5/26/1987, §2105; as amended by Ord. 124, 7/18/1985, Art. 4)

### **§27-2306. Powers and Duties; Special Exceptions.**

- a. Applicability. The Zoning Hearing Board shall have the power to approve special exceptions when this chapter specifically requires the obtaining of such approval and for no other use or purpose.
- b. Conditions and Standards. In granting a specific 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 standards outlined in this chapter.
- c. The General Requirements and Standards Applicable to All Special Exceptions. The Board shall grant a special exception only if it finds adequate evidence presented by the applicant that proposed special exception is duly authorized under provisions of this chapter; that the application falls within the terms of the specific provisions allowing for special exceptions; and that the proposed use complies with all other requirements of this chapter. The Zoning hearing Board shall refuse an application for special exception where opponents to the application establish by a preponderance of evidence that the application is contrary to the health, safety and morals of general welfare of the community at large. The Zoning Hearing Board, in granting a special exception, may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this chapter. The Board shall, among other things, require that any proposed use and location be:
  - (1) In accordance with the 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.

- (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 arrangement to protect streets from undue congestion and hazard.
- (6) In accordance with sound standards of subdivision and land development where applicable.

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.

- d. In addition to the requirements specified in this chapter, the applicant shall provide the additional information required below and any information necessary for the Zoning Hearing Board to make its evaluation:
  - (1) Use A9 Farm Support Facility.
    - (a) Evaluate the adequacy of the buffer requirements of §27-1905.
    - (b) Evaluate the location of driveways and loading and unloading areas in relation to adjacent uses, as well as their adequacy.
  - (2) Uses B3 Performance Standard Development and B4 Mobile Home Park.
    - (a) Evaluate the adequacy of the buffer requirements of §27-1905.
    - (b) Provide transportation, water and sewage facilities impact studies.
  - (3) Use B8 Rooming or Boarding House.
    - (a) Evaluate its compatibility with adjacent uses.
    - (b) Provide means to ensure that the number of occupants will not exceed the maximum permitted by §27-304(B8)(d).
  - (4) Use B10e Accessory Family Day Care.
    - (a) Ensure that outdoor play areas will not negatively impact adjacent properties.
    - (b) Provide the means to ensure that the number of children does not exceed the maximum permitted under §27-304(B10b)(5).

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- (c) Certify that appropriate fencing will be provided when required in accordance with §27-304(B10e)(5)(e).
- (5) Use B10g Repair Services and Other Home Occupations.
  - (a) Provide general information concerning the proposed activity.
  - (b) Show the location of the office and storage area and the square footage devoted to each.
  - (c) Indicate how the proposed activity will comply with the requirements of §27-304(B10a)(8), dealing with nuisance standards.
- (6) Use C4 Hospital.
  - (a) Identify all accessory uses.
  - (b) Method of stormwater management.
  - (c) Method to abate impacts on surrounding residential properties.
  - (d) Provide transportation, sewage facilities and water impact studies.
- (7) Use C6 Cemetery.
  - (a) Indicate type of cemetery.
  - (b) Identify all accessory uses.
  - (c) Submit a site plan showing the following minimum information:
    - (1) The placement of all structures and parking spaces.
    - (2) The location of any natural resources (listed in §27-1900 of this chapter) on the site.
    - (3) The areas designated for burial plots showing any proposed groupings of burial plots.
    - (4) A macadam walkway system at least 42 inches in width to access the burial plots.
    - (5) The location of the ultimate right-of-way.
    - (6) The location of the setback lines.
    - (7) The location and description of buffer plantings.

- (8) Use F1 Commercial School.
  - (a) Indicate type of school.
  - (b) Identify all accessory uses.
  - (c) Method to abate impacts on adjacent residential properties.
- (9) Uses F9 Eating Place, F11 Tavern and F23 Inn.
  - (a) Show that proposed use will have adequate access and parking.
  - (b) Indicate how parking areas will be screened from view of adjacent residential properties.
  - (c) Method of stormwater management.
  - (d) Uses F9 and F11 shall specify hours of operation and methods to abate impacts on surrounding residential properties, particularly after 9:00 p.m.
  - (e) Use F23 shall provide certification of sewage facilities.
- (10) Use F13 Indoor Entertainment.
  - (a) Specify uses and activities.
  - (b) Specify hours of operation.
  - (c) Show that proposed use will have adequate access and parking.
  - (d) Method to abate impacts on adjacent residential properties.
- (11) Uses F19 Cottage Development or Private Camp and F20 Recreational Camping Park.
  - (a) Identify specific uses and activities.
  - (b) Specify location of outdoor activities; and Zoning Hearing Board should determine if buffer requirements of §27-1905 need to be supplemented.
  - (c) Method to abate impacts on surrounding residential properties.
  - (d) Provide a means to ensure that the lengths of occupants' stays do not exceed the requirements of §27-304(F19)(a) and (F20)(a)(3).
  - (e) Provide water impact study and sewage facilities impact statement.

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- (f) Show access for emergency vehicles.
- (12) Use F22 Motel-Hotel.
- (a) Identify all accessory uses.
  - (b) Method of stormwater management.
  - (c) Provide transportation, water and sewage facilities impact studies.
- (13) Uses F25 Service Station or Car Washing Facility, F27 Automobile Repair, F28 Automotive Accessories and F29 Truck and Farm Equipment Sales.
- (a) Determine if the buffer requirements of §27-1905 need to be supplemented.
  - (b) Show where junk vehicles, parts and refuse are to be stored.
  - (c) Determined if any improvements are necessary for noise abatement.
  - (d) If a car-washing facility is proposed as part of Use F25, a water impact study shall be provided.
- (14) Use H10 Fuel Storage.
- (a) Show method for containing fuel spills.
  - (b) Evaluate adequacy of access.
  - (c) Specify what and where equipment is to be stored on the site.
  - (d) Determine if the buffer requirements of §27-1905 need to be supplemented.
  - (e) Show how proposed activity will comply with requirements of Part 16.
- (15) Uses H11 Junkyard, H12 Extractive Operation, H14 Resource Recovery Facility and H15 Solid Waste Landfill.
- (a) Show that the proposed activity can meet the requirements of §27-304.
  - (b) Uses H12, H14 and H15 shall provide a transportation impact study.
  - (c) Uses H12, H14 and H15 shall provide a water impact study.
- (16) Use 15 Oil and Gas Drilling.

- (a) Provide a water impact study.
  - (b) Show method for containing spills.
  - (c) Method for abating impacts on neighboring properties.
  - (d) Specify what and where equipment is to be stored on the site.
  - (e) Determine the need for buffering or screening.
- e. Life of Decision. A special exception granted by the Zoning Hearing Board in accordance with this section shall expire at the end of one year from the date of decision, unless the applicant or owner has commenced construction or otherwise executed upon the grant of approval within that time.

(Ord. 5/26/1987, §2106; as amended by Ord. 124, 7/18/1989, Art. 4)

**§27-2307. Powers and Duties; Challenge to the Validity of Ordinance or Map.**

The Board shall hear challenges to the validity of this chapter or map, except as indicated in Act 247, §§1003 and 1004(1)(b). In all such challenges, the Board shall take evidence and make a record thereon as provided in §27-2402(d) of this chapter. 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.

(Ord. 5/26/1987, §2107)

**§27-2308. Powers and Duties; Unified Appeals.**

Where the Board has jurisdiction over a zoning matter pursuant to §§27-2304, 27-2305 and 27-2307, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any Township ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the nonzoning issues, but shall take evidence and make a record thereon as provided in §27-2402(d). At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become a part of the record on appeal to the court.

(Ord. 5/26/1987, §2108)

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### **§27-2309. Actions of the Board in Exercising Powers.**

In exercising the above-mentioned powers, the Zoning Hearing Board may in conformity with law and the provisions of this chapter, reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as in its opinion ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

(Ord. 5/26/1987, §2109)

### **§27-2310. General Rules and Procedures for Appeals and Applications.**

- a. Any appeal from the ruling of the Zoning Officer concerning the enforcement and interpretation of the provisions of this chapter shall be filed with the Zoning Officer within 30 days after the date of the Zoning Officer's adverse decision.
- b. All appeals and applications made to the Board shall be in writing on standard forms prescribed by the Zoning Hearing Board and accompanied by fees prescribed by resolution of the Board of Supervisors.
- c. All appeals and applications shall refer to the specific provision of this chapter involved.

(Ord. 5/26/1987, §2110)

### **§27-2311. Who May Appeal.**

Appeals to the Zoning Hearing Board may be taken by any person or Township official aggrieved or affected by any provision of this chapter or by any decision, including any order to stop, cease and desist issued by the Zoning Officer in enforcing the provisions of this chapter.

(Ord. 5/26/1987, §2111)

### **§27-2312. Notice of Hearings.**

Hearings shall be opened to the public and shall be at the call of the chairman and at such other times as the Board shall specify in its rules of procedure, subject to the following provisions:

- a. Public notice for all hearings shall be 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.

- b. Written notice shall be given to the applicant, the Zoning Officer and such other persons as the Board of Supervisors shall designate by ordinance and to any person who has made timely request for the same. Written notices shall be given at such time and in such manner as shall be prescribed by ordinance or, in the absence of ordinance provision, by rules of the Board.
- c. Written notice of hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing.
- d. The hearing shall be held within 60 days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.

(Ord. 5/26/1987, §2112; as amended by Ord. 124, 7/18/1989, Art. 6)

#### **§27-2313. Court Appeals.**

Any persons aggrieved by any decision of the Zoning Hearing Board or the Board of Supervisors may, within 30 days after such decision of the Board, appeal to the Court of Common Pleas of Bucks County, by petition duly verified, setting forth that such decision is arbitrary, capricious, an abuse of discretion or otherwise not in accordance with law and specify the grounds upon which he relies. Such appeals shall be made in accordance with Part 10 of the Pennsylvania Municipalities Planning Code.

(Ord. 5/26/1987, §2113)

#### **§27-2314. Fees and Escrow Deposits.**

The applicant for any hearing before the Zoning Hearing Board shall at the time of making application, pay to the Zoning Officer, for the use of the Township, a fee in accordance with a fee schedule adopted by resolution of the Board of Supervisors upon enactment of this chapter or as such schedule may be amended from time to time. 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. 5/26/1987, §2115)



**PART 24****APPEALS AND AMENDMENTS****§27-2400. Appeals and Jurisdiction.**

The following types of appeals are set forth in Articles VI, IX and X of the Pennsylvania Municipalities Planning Code (MPC), and each has its own procedures as noted.

<b>Type of Appeal</b>	<b>Agency of Jurisdiction</b>	<b>Reference (MPC)</b>
a. Validity of Ordinance – Procedural Question	Bucks County Court of Common Pleas	§1003
b. Validity of Ordinance – Substantive Questions; Landowner Appeals	Zoning Hearing Board or Board of Supervisors	§§609.1, 910, 1004
c. Validity of Ordinance – Substantive Questions Persons Aggrieved	Zoning Hearing Board	§1005
d. Appeal of Decisions or Orders – No Validity Questions Involved; Landowner Appeals	Zoning Hearing Board	§§909, 1006
e. Appeal of Decisions or Orders – No Validity Question: Persons Aggrieved	Zoning Hearing Board	§1007

(Ord. 5/26/1987, §2200)

**§27-2401. Validity of Ordinance; Procedural Questions.**

Questions of an alleged defect in the process of enactment or adoption of any ordinance or map shall be raised by an appeal taken directly from the action of the Board of Supervisors to the Bucks County Court of Common Pleas not later than 30 days from the effective date of this chapter or map.

(Ord. 5/26/1987, §2201)

**§27-2402. Validity of Ordinance; Substantive Questions; Landowner Appeals.**

A landowner who, on substantive grounds, desires to challenge the validity of an ordinance or map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, shall submit the challenge either:

- a. To the Zoning Hearing Board for a report thereon under §27-2307, “Challenge to the Validity of Ordinance or Map,” or §27-2308, “Unified Appeals.”
- b. To the Board of Supervisors, together with a request for a curative amendment. The Board of Supervisors shall hold a hearing as provided in this sec-

tion. The curative amendment shall be referred to the Planning Commission as per §27-2407. The Board of Supervisors shall review an impact statement pursuant to §27-2411. This may be supplied by the developer, the Planning Commission, or both.

- c. The submissions referred to in subsections (a) and (b) above shall be governed by the following (references to “the Board” shall mean Zoning Hearing Board or Board of Supervisors, depending on the type of appeal):
  - (1) The landowner shall make a written request to the Board that it hold a hearing on his challenge. The request shall contain a short statement reasonably informing the Board of the matters that are in issue and the grounds for the challenge. Such statement shall contain a certification that the landowner did not know at the time of the application that the Township had resolved to consider a particular scheme of rezoning by publication of notice of hearings on a proposed comprehensive plan or proposed zoning ordinance or otherwise or that the scheme of rezoning would be inconsistent with the landowner’s proposed use; provided, that this rezoning scheme had reached sufficient particularity to disclose that, if adopted, it would cure the defect in the zoning ordinance attacked by the substantive challenge.
  - (2) The request may be submitted at any time after the ordinance or map takes effect; but if an application for a permit or approval is denied thereunder, the request shall be made not later than the time provided for appeal from the denial thereof. In such case, if the landowner elects to make the request to the Board of Supervisors and the request is timely, the time within which he may seek review of the denial of the permit or approval on other issues shall not begin to run until the request to the Board of Supervisors is finally disposed of.
  - (3) The request shall be accompanied by plans and other materials describing the use or development proposed by the landowner in lieu of the use or development permitted by the challenged ordinance or map. Such plans and other materials shall not be required to meet the standards prescribed for preliminary, tentative or final approval or for the issuance of a permit so long as they provide reasonable notices of the proposed use of development and a sufficient basis for evaluating the challenged ordinance or map in light thereof. Nothing contained herein shall preclude the landowner from first seeking a final permit or approval before submitting his challenge to the Board.
  - (4) If the submission is made to the Board of Supervisors, the request shall be accompanied by an amendment or amendments to the ordinance proposed by the landowner to cure the alleged defects therein.
  - (5) Notice of the hearing required by §27-2409 shall include notice that the validity of the ordinance or map is in question and shall give the

place where and the times when a copy of the landowner's request, including the plans submitted pursuant to §27-2402(c)(3) and the proposed amendments, if any, submitted under §27-2402(c)(4), may be examined by the public.

- (6) The Board shall hold a hearing upon the landowner's request, commencing not later than 60 days after the request is filed, unless the landowner requests or consents in writing to an extension of time.
- d. Hearings pursuant to §27-2402, subsections (a) or (b) shall be held by the Zoning Hearing Board or the Board of Supervisors, as the case may be. The Board shall conduct hearings and make decisions in accordance with the following requirements:
- (1) The parties to the hearing shall be East Rockhill Township, any persons affected by the application who have made timely appearance of record before the Board and any other persons including representatives of civic or community organizations permitted to appear by the Board. The Board may require that all persons who wish to be considered parties enter appearances in writing on forms provided for that purpose at least 24 hours in advance of the meeting.
  - (2) The chairman or acting chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
  - (3) The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and to cross-examine adverse witnesses on all relevant issues.
  - (4) The Board shall keep a stenographic record, and copies of graphic or written material received in evidence shall be made available to any party, at cost. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or shall be paid by the person appealing from the decision of the Board, if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases, the party requesting the original transcript shall bear the cost thereof.
  - (5) The Board shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved, except upon notice and where all parties have to opportunity to participate. The Board shall not take notice of any communication, report, staff memorandum or other materials unless the parties are afforded an opportunity to contest the material so noticed and shall not inspect

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the site or its surroundings after the commencement of hearings with any party unless all parties are given an opportunity to be present.

- (6) The Board shall render a written decision, or render its findings on the application, within 45 days after the last hearing before the Board or hearing officer. Conclusions based on the provision of any Act of the Commonwealth, or ordinance, rule or regulation shall contain a reference to the provision relied upon and the reasons why the conclusion is deemed appropriate in light of the facts found. Where the Board fails to render its decision within 45 days, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing or on the record to an extension of time.
  - (7) A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed their name and address with the Board prior to the close of the hearings, the Board shall mail a brief notice of the decision or findings and a notice of the place where they may examine the full decision or findings.
- e. After submitting a challenge to the Board or Board of Supervisors as provided in subsections (a) and (b) of this section, the landowner may appeal to court by filing same within 30 days after notice of the report of the Zoning Hearing Board is issued or after the Board of Supervisors has denied the landowner's request for a curative amendment. Failure to appeal the denial of a request for a curative amendment shall not preclude the landowner from thereafter presenting the same validity questions by commencing a proceeding as provided in subsection (a) of this section.
  - f. For purposes of subsection (d)(6), the landowner's request of a curative amendment is denied when the Board of Supervisors notifies the landowner that it will not adopt the amendment, or the Board of Supervisors adopts another amendment which is unacceptable to the landowner or the Board of Supervisors fails to act on the landowner's request, in which event the denial is deemed to have occurred on day 45 after the close of the last hearing on the request unless time is extended by mutual consent between the landowner and the Township.

(Ord. 5/26/1987, §2202; as amended by Ord. 124, 7/18/1989, Art. 7)

### **§27-2403. Validity of Ordinance; Substantive Questions; Appeals by Persons Aggrieved.**

Persons aggrieved by a use or development permitted on the land of another, by an ordinance or map or an provision thereof, who desire to challenge its validity on substan-

tive grounds shall submit their challenge to the Zoning Hearing Board as “Challenge to the Validity of Ordinance or Map,” §27-2307 of this chapter. The submission shall be governed by the following:

- a. A written request shall be submitted to the Board that it hold a hearing on the challenge. The request shall contain a short statement reasonably informing the Board of the matters in issue and the grounds for the challenge.
- b. No person shall be allowed to file any proceeding with the Board later than 30 days after any application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body, if such proceeding is designed to secure reversal or to limit the approval in any manner.
- c. The Zoning Hearing Board shall hold a hearing in accordance with §27-2402(d).
- d. After submitting his challenge to the Board as provided in this section, any party aggrieved may take the same to the bucks County Court of Common Pleas by appeal filed no later than 30 days after notices of the report of the Board is issued.

(Ord. 5/26/1987, §2203)

**§27-2404. Applications, Decisions and Orders not Involving the Validity of an Ordinance; Landowner Appeals.**

- a. A landowner who desires to file a zoning application or to secure review or correction of a decision or order of the Board or Supervisors or of any officer or agency of the Township which prohibits or restricts the use or development of land in which he has an interest on the grounds that such decision or order is not authorized by or is contrary to the provisions of any ordinance or map shall proceed as follows:
  - (1) From a decision of the Board of Supervisors or planning under a subdivision or land development ordinance, the landowner may appeal directly to Court or to the Zoning Hearing Board under §27-2308, “Unified Appeals,” in cases where that section is applicable.
  - (2) To the extent that the Board has jurisdiction of the same under §27-2304, “Interpretation of Zoning Officer’s Decisions.” All other appeals shall lie exclusively to the Zoning Hearing Board.
  - (3) Applications for variances or special exceptions shall be made exclusively to the Zoning Hearing Board.
- b. All appeals to the Zoning Hearing Board pursuant to this section shall be filed within 30 days after notice of the decision is issued; or if no decision is made,

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within 30 days after it is deemed to have been made under the provisions of this chapter and the Municipalities Planning Code, Act 247.

- c. The Zoning Hearing Board shall hold a hearing in accordance with §27-2402(d).

(Ord. 5/26/1987, §2204)

### **§27-2405. Decisions and Orders not Involving the Validity of an Ordinance; Appeals by Persons Aggrieved.**

Application shall be made directly to the Zoning Hearing Board under the provisions of §27-2403 where such action involves a question of the Zoning Officer's decision or an action by the Board of Supervisors, Planning Commission or other Township official.

(Ord. 5/26/1987, §2205)

### **§27-2406. Power of Amendment.**

The Board of Supervisors may, from time to time, amend, supplement, change, modify or repeal this chapter, including the Zoning Map. When doing so, the Board of Supervisors shall proceed in the manner prescribed in this Part.

(Ord. 5/26/1987, §2206)

### **§27-2407. Enactment of Zoning Ordinance Amendments.**

Proposals for amendment, supplement, change, modification or repeal of the Zoning Ordinance may be initiated by the Board of Supervisors, by the Township Planning Commission or by petition of one or more owners of property to be affected by the proposed amendment, subject to the following provisions:

- a. Before voting on the enactment of an amendment, the Board of Supervisors shall hold public hearing thereon, pursuant to public notice. In addition, if the proposed amendment involves a zoning map change, notice of said public hearing shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.
- b. In the case of an amendment other than that prepared by the Township Planning Commission, the Board of Supervisors shall submit each such amendment to the Township Planning Commission and the County Planning Commission at least 30 days prior to the hearing on such proposed amendment. All amendments prepared by the Township Planning Commis-

sion shall also be submitted to the County Planning Commission at least 30 days prior to the hearing on the proposed amendment.

- c. If, after a public hearing held upon an amendment, the proposed amendment is changed substantially, or is revised, to include land previously not affected by it, the Board of Supervisors shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.
- d. Citizens' petitions by one or more owners of property to be affected by a proposal for amendment, supplement, change or modification shall be signed, and acknowledged and submitted in writing to the Secretary of the Board of Supervisors. On receipt of said petition, the Board of Supervisors shall transmit a copy of the petition to both the Township Planning Commission and the County Planning Commission. The applicant shall submit the information required in §27-2411, "Impact Statement."
- e. Within 30 days after enactment, a copy of the amendment to this chapter shall be forwarded to the County Planning Commission.

(Ord. 5/26/1987, §2207; as amended by Ord. 124, 7/18/1989, Art. 8)

#### **§27-2408. Extension of the Development Area.**

A landowner who wishes his property to be included in the zoning districts of the Development Area (R-1, C-E, C-O, I-1 OR I-2 districts) may make a request to the Board of Supervisors. The following procedures shall be observed.

- a. The applicant must submit the information required in §27-2411, "Impact Statement."
- b. The applicant must establish that public sewerage is obtainable and that plant capacity is adequate to handle the effluent anticipated to be generated by the proposed development as well as the development which is permitted in the development areas which are serviced by that treatment plant.
- c. The applicant shall be required to provide or to finance a study of the service area of the proposed sewer extension. This study shall be conducted by the township Engineer or other qualified engineer agreed upon by both the Township and the applicant. The study shall determine the feasibility and costs of extending the line and expanding the plant and the amount of development which may be served.
- d. As required by §27-2411, the applicant shall be required to provide or to finance a traffic study to determine if the existing roads are sufficient to accommodate the anticipated traffic generated by the proposed development as well as others in the vicinity.

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- e. Implementation. Prior to hearing and acting on the zoning change request which would extend the development area, the petition and impact statement shall be reviewed by the Township Planning Commission and the Bucks County Planning Commission.

Before voting on the request, the Board of Supervisors shall review the petition, the impact statement and the review comments of the Township Planning Commission, the Bucks County Planning Commission and any consultants hired by the Township.

- f. The petitioner filing the request for an extension of the development area shall at the time of filing, pay to the Zoning Officer, for the use of the Township, a fee and escrow deposit in accordance with the schedules adopted by resolution of the Board of Supervisors upon enactment of this chapter or as such schedule may be amended from time to time.

(Ord. 5/26/1987, §2208; as amended by Ord. 195, 9/18/2000, Art. IX)

### **§27-2409. Notice of Hearings.**

No amendment, supplement, change, modification or repealer shall become effective until after a public hearing in relation thereto at which parties in interest and citizens shall have an opportunity to be heard. Public notice of each hearing to consider amendments (except continued hearings) shall be given not more than 30 days and not less than seven days in advance of any public hearing. Such notice shall be published once each week for two successive weeks in a newspaper of general circulation within the Township. Such notice shall state the time and place of the hearing and shall include either the full text of the proposed amendment, or the title and a brief summary, prepared by the Township Solicitor and setting forth all the provisions in reasonable detail. If the full text is not included (1) a copy shall be supplied to a newspaper of general circulation in the Township at the time the public notice is published and (2) an attested copy of the proposed amendment shall be filed in the County Law Library.

(Ord. 5/26/1987, §2209; as amended by Ord. 124, 7/18/1989, Art. 9)

### **§27-2410. Periodic Review.**

This chapter is based on the development district concept, whereby growth for a 15 year period is intended to be accommodated within a development district where public services are to be provided. Under this concept, periodic review is necessary to ensure the validity of the plan and ordinances in light of changing needs and circumstances. Therefore, at intervals of no more than five years from the effective date of this chapter, or its latest full revision, the Supervisors shall require the Planning Commission to review this chapter and its planning basis and to recommend such changes as are needed to ensure that this document is in keeping with the current planning concepts. The Plan-

ning Commission shall seek authorization for such a study at least six months prior to its due date, and shall report at a public hearing at least one month prior to such date.

(Ord. 5/26/1987, §2210)

### **§27-2411. Impact Statement.**

When required by this chapter, the applicant shall submit the following impact statements. These impact studies will be reviewed by the Township and must be found to be satisfactory prior to approving the use or zoning change. Any improvements identified by the studies will be required improvements at the time approval is granted.

- a. East Rockhill Township Comprehensive Plan Impact. The applicant shall submit an analysis which evaluates the consistency between his proposal and the Township Comprehensive Plan. The analysis shall include, but not be limited to, the consistency with community goals and objectives, the Land Use Plan and Map, population and housing projections, sewer facilities, water facilities, roads, other community services and natural resources.
- b. Natural Resource Impact. The applicant shall submit an analysis which evaluates his ability to meet the environmental protection standards of §§27-1900, 27-1901 and 27-1902 of this chapter. This analysis shall include an evaluation of the impact of the proposed use or change of zoning on the Township's goal to protect and preserve the Township's agricultural industry and its standards for the protection of prime agricultural soils in the RR Zoning District.
- c. Transportation Impact. The applicant shall submit an analysis which evaluates the transportation impact when the proposed use or development generates 250 or more trips per day. The number of trips per day are determined through the use of Table 4, "Trip Generation Rates." The proposed use or development is identified using the columns "Type of Land Use" and "Type of Development." The space of the proposed use or development (number of dwelling units, gross square footage, number of beds, etc.) is multiplied by the appropriate rate listed in the column "Average Trip Generation Rates" to determine the trips per day.
  - (1) Traffic Impact Study. The study will enable the Township to assess the impact of a proposed amendment on the traffic system. Its purpose is to ensure that proposed amendments do not adversely affect the traffic network and to identify any traffic problems associated with access from the site onto the existing roads. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed amendment.
  - (2) Traffic Facilities Description. The description shall contain a full documentation of the proposed internal and existing highway system.

The report shall describe the external roadway system within the area. Major intersections in the study area shall be identified and sketched. All future highway improvements which are part of proposed roadway improvements which are, in turn, part of proposed surrounding developments shall be noted and included in the calculations.

- (3) Major Intersection. Any intersection where traffic generated by the proposal will have a significant impact on the operation of the intersection. Where doubt exists, the transportation engineer shall seek guidance from the Planning Commission prior to the submission of the traffic impact study.
- (4) Study Area. This area will extend approximately 1/2 mile along the adjacent roadway in both directions from all access points or to a major intersection along these roadways. Where doubt exists, the transportation engineer shall seek guidance from the Planning Commission prior to the submission of the traffic impact study.
- (5) Existing Traffic Conditions. Existing traffic conditions shall be measured and documented for all roadways and intersections in the study area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic and peak development-generated hour(s) traffic shall be recorded. Manual traffic counts at major intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s) and documentation shall be included in the report. A volume/capacity and delay 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. Levels of service shall be determined for each location.

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, as described in "Highway Capacity Manual, Special Report 209," Transportation Research Board, 1985, shall be noted as congested locations.

- (6) Traffic Impact of the Amendment. Calculation of vehicular trips to result from the proposal shall be completed for the average daily peak highway hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from Table 4, "Trip Generation Rates." These development-generated traffic volumes shall be provided for the inbound and outbound traffic movements. These generated volumes shall be distributed to the area and assigned to the existing roadway and intersections throughout the area. All turning movements shall be calculated. Documentation of all assumptions used in the distribution and assignment phase shall be provided. Traffic volumes shall be

assigned to individual access points. Any characteristics of the site that will cause particular trip generation problems shall be noted.

- (7) **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 which is estimated to be 2% per year, the proposed use or development-generated traffic, and the traffic generated by other proposed developments in the study area. A second volume/capacity and delay analysis shall be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculation for each state 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. Volume/capacity and delay calculations shall be completed for all major intersections. The procedures described in the "Highway Capacity Manual, Special Report 209," Highway Research Board 1985, as outlined in the "PennDOT Design Manual," Volume 2, shall be followed.
  - (8) **Conclusions and Recommendations.** Levels of service for all roadways and intersections shall be listed. All roadways and/or intersections showing a level of service D, E, or F 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, traffic signal installation and operation including timing and transit design improvements. All physical roadway improvements shall be shown in sketches.
- d. **Sewage Facilities Impact.** The applicant shall submit an analysis which evaluates the consistency between his proposal and the sewage facilities guidelines included in the Township's sewage facilities plan.
  - e. **Water Impact Study.** The applicant shall submit a water impact study when the proposed use or development will use 10,000 or more gallons of water per day. A water impact study will enable the Township to evaluate the impact of the proposed development on the groundwater supply and on existing wells. The purpose of the study will be to determine if there is an adequate supply of water for the proposed use and to estimate the impact on the new use on existing wells in the vicinity. The Township Engineer shall be involved in the impact study as the Township feels is appropriate and necessary. A water system which does not provide an adequate supply of water for the proposed use, considering both quantity and quality, or does not provide for adequate groundwater recharge considering the water withdrawn by the proposed use or adversely affects existing wells in the vicinity of the proposed development shall not be approved by the Township. The

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adequacy of the water supply for residential developments shall be judged upon the assumption that there are 3 1/2 persons per dwelling unit with 75 gallons used per person per day. The applicant shall submit an analysis which evaluates the consistency between the proposed use and the ground-water preservation guidelines included in the Township's Sewage Facilities Plan/210 Facilities Plan.

- (1) A water impact study shall be signed by the person(s) preparing the study and shall include the following information:
  - (a) Calculations of the projected water needs using the criteria set forth in the following references:
    - (i) "Public Water Supply Manual," Bureau of Water Quality Management Publication No. 15 by the Pennsylvania Department of Environmental Protection, Harrisburg, Pennsylvania.
    - (ii) "Guide for Determination of Required Fire Flow" by the Insurance Services Office (ISL) as modified.
    - (iii) "American Water Works Association" Standards and Manuals by the American Water Works Association, Denver, Colorado.
  - (b) A geologic map of the area with a radius of at least one mile from the site.
  - (c) The location of all existing and proposed wells within 1,000 feet of the site with a notation of the capacity of all high yield wells.
  - (d) The location of all existing onlot sewage disposal systems within 1,000 feet of the site.
  - (e) The location of all streams within 1,000 feet of the site and all known point sources of pollution.
  - (f) The location of all known faults and lineations within 1,000 feet of the site.
  - (g) Based on the geologic formation(s) underlying the site, the long term safe yield shall be determined.
  - (h) A determination of the effects of the proposed water supply system on the quantity and quality of water in nearby wells, streams and the groundwater table.

- (i) A statement of the qualifications of the person(s) preparing the study.
- (2) The following procedures shall apply:
  - (a) At least one test well shall be constructed.
    - (i) During construction, the well driller shall keep an accurate record of the elevation to which the water level stabilizes as each aquifer is encountered and the top of each stratum penetrated.
    - (ii) Samples shall be taken from each 20 feet of drilling and at every change in formation. Each sample shall be placed in a nonbreakable container. The containers, in a sturdy box, shall be made available to the Township. Upon completion of a pump house, they shall be stored in the pump house.
  - (b) At least two monitoring wells per test well shall be constructed to monitor the impact of the test well. Monitoring wells at least 200 feet apart shall be a minimum distance of 100 feet and a maximum distance of 200 feet from the test well.
  - (c) Existing wells, within a radius as determined by the chart below, shall be shown on a plan.

<b>Quantity of Cumulative Proposed Withdrawal</b>	<b>Radius from the Proposed Withdrawal to be Considered</b>
10,000 to 50,000 GPD	0.5 mile
50,000 to 100,000 GPD	0.75 mile
in excess of 100,000 GPD	1.00 mile

- (i) All property owners with an identified well shall be notified in writing that a well test will be conducted, the date of the test, the reason for the test and what it will consist of.
- (ii) In order to determine the impact of the test well on existing wells a representative sample, evenly distributed throughout the area, of existing wells shall be monitored. The number and location of wells to be monitored shall be approved by the Township.
- (d) A yield test of 72 hours duration shall be performed on the test well at a rate not less than 125% of that calculated for projected water needs, except for wells that are located in Brunswick for-

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mations which shall be tested at not less than 200% of the projected water needs. Well yields in Brunswick formations have a tendency to decrease from the original yield after the wells have been in production for several years.<sup>11</sup>

- (i) Prior to pumping, the static water level shall be recorded in all wells.
- (ii) The test well shall be pumped at the test flow rate until the water level has stabilized. When the water level has stabilized, the 72 hour test period may begin. A falling pumping level at discharge rates at or below the required test flow rate shall not be considered acceptable for purposes of yield testing.
- (iii) Test pumping equipment shall be capable of operating at a flow range of between 50 and 150% of the test flow rate.
- (iv) A means of accurately measuring the flow of water shall be provided subject to approval by the Township.
- (v) Piping shall be installed as required to direct pumpage to a discharge point suitable to the Township.
- (vi) The method of determining the depth of the water surface at all wells shall be subject to approval by the Township.
- (e) Test pumping shall be continuous for the duration of the test period. An interruption will require extension of the text period subject to approval by the Township.
- (f) During the test period the pump rate and corresponding depth to the water surface in the test well, monitoring wells and existing wells shall be logged at an interval no exceeding one hour.
- (g) Upon completion of yield testing, the depth to the water surface in the test and monitor wells shall be recorded at the following minimum time intervals:

<b>Interval Not Exceeding Test Well Monitor Wells</b>	<b>Minimum Time Period from Pump Shutdown</b>
1 minute 5 minutes	from 0 minute to 15 minutes
5 minutes 5 minutes	from 15 minutes to 2 hours
1 hour 1 hour	from 2 hours to 8 hours

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<sup>11</sup> Groundwater Resources of Bucks County, PA, by David W. Greenman, Topographic and Geologic Survey, Bulletin W11, 1955.

**Interval Not Exceeding  
Test Well Monitor Wells**

**Minimum Time Period  
from Pump Shutdown**

24 hours 24 hours

from 0 hour to 7 days

1 month 1 month

monthly until the wells have  
been integrated into the pub-  
lic water system

- (h) Records shall be compiled in typewritten form to include the following information:
  - (i) Name of driller and personnel conducting tests.
  - (ii) Description of test well to include horizontal and vertical dimensions and casing installed.
  - (iii) List of formation samples.
  - (iv) Static water level immediately prior to yield testing.
  - (v) Log of depth to water surface during test pumping and recovery period at the test well showing corresponding pump discharge rate in gallons per minute and time readings taken.
  - (vi) Log of depth to water surface at existing and monitoring wells during test pumping period showing time readings taken.
- (i) A report shall accompany the test well data which analyzes and interprets all of the data as the impacts of the ground water supply and existing wells. Conclusions shall be drawn from the analysis. The credentials of the individual(s) preparing the report shall be included.
- (j) The submission to the Township shall include any and all applications, reports or supplemental information submitted to the Pennsylvania Department of Environmental Protection and/or the Delaware River Basin Commission.

(Ord. 5/26/1987, §2211; as amended by Ord. 192, 4/18/2000; and by Ord. 194, -/-/2000, Art. I)



**PART 25**  
**ENFORCEMENT**

**§27-2500. 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 purpose permitted herein.

(Ord. 5/26/1987, §2300)

**§27-2501. Remedies.**

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, 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; or 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. 5/26/1987, §2301)

**§27-2502. Enforcement Remedies and Procedure.**

- a. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this chapter shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township in District Justice Court, pay judgment of \$500 plus all court costs, including reasonable attorney fees incurred by the Township as a result of the enforcement proceeding. Each day that a violation continues shall constitute a separate violation, unless the District Justice, determining that there has been a violation, further determines that there was a good faith basis for the person, partnership or corporation violating the chapter to have believed that there was no such violation, in which event, there shall be deemed to have been only one such violation until the 5th day following the date of the determination of a violation by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.
- b. Enforcement proceedings against violations of the this chapter shall be commenced by sending an enforcement notice as provided in this section.

## ZONING

- (1) The enforcement notice shall be sent to the owner of record on which the violation has occurred, to any person who has failed a written request to receive enforcement notices regarding that parcel and to any other person requested in writing by the owner of record.
- (2) An enforcement notice shall state the following:
  - (a) The name of the owner of record and any other person against whom the Township intends to take action.
  - (b) The location of the property in violation.
  - (c) The specific violation with a description of the requirements which have not been met, citing in each instance the applicable provisions of this chapter.
  - (d) The violator must commence steps to come into compliance within five days of the date of the notice and must be in full compliance within 30 days of the date of the notice.
  - (e) The recipient of the notice has a right to appeal to the Zoning Hearing Board within 30 days of the notice.
  - (f) The failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation with possible sanctions described.

(Ord. 5/26/1987, §2302; as amended by Ord. 118, 9/20/1988, Art. 1; and by Ord. 124, 7/18/1989, Art. 10)

**PART 26****ZONING MAP AMENDMENTS**

<b>Ord./Res.</b>	<b>Date</b>	<b>Description</b>
142	10/5/1991	<p>Rezoning the following tax map parcels from Cultural/Educational (C-E) to Residential Agricultural (RA):</p> <p>(1) Tax Parcel No. 12-14-23, property of Naomi Kraus</p> <p>(2) Tax Parcel No. 12-14-23-2, property of Perkasio Borough Industrial Development Authority</p> <p>Tax Parcel No. 12-14-23-3, property of Willard G. and Elaine Wismer</p> <p>(3) Tax Parcel No. 12-14-23-4, property of Kenneth and Anna Mae Texter</p> <p>(4) Tax Parcel No. 12-14-23-5, property of William F. Pilgermayer, Jr.</p> <p>(5) Tax Parcel No. 12-14-23-6, property of John and Margaret Hensel.</p> <p>(6) Tax Parcel No. 12-14-24, property of Pennridge Wastewater Treatment Authority</p>
148	10/20/1992	<p>Creating two new Commercial Office Zoning Districts (C-O) including tax parcels 12-5-49, 12-5-50, 12-5-51, 12-5-72, 12-9-188, 12-9-188-2, 12-9-232, 12-9-259, 12-9-260 and 12-9-260-2</p> <p>Expanding the existing Village Commercial Zoning District (VC) to include tax parcels 12-14-15, 12-14-15-1 and 12-14-15-2</p>
150	6/15/1993	Rezoning Bucks County Tax Map Parcel No. 12-14-29 from RA Rural Agricultural District to R-1 Residential District
162	11/14/1995	<p>Rezoning the following tax map parcels from Cultural/Educational (C-E) to Commercial/Office (C-O)</p> <p>(1) Bucks County Tax Map Parcel No. 12-14-64 consisting of approximately 1.2 acres, property of Donald C. Bedrosian</p> <p>(2) Bucks County Tax Map Parcel No. 12-14-1 consisting of approximately 1.14 acres, property of Charles D. Fulp, Jr., and Marjo Fulp</p>

ZONING

<b>Ord./Res.</b>	<b>Date</b>	<b>Description</b>
166	12/17/1996	Rezoning a portion of Tax Map Parcel No. 12-14-64 currently zoned Cultural/Education (C-E) to Commercial-Office (C-O). The portion of Tax Map Parcel 12-14-64 to be rezoned in that area shown on a plan of subdivision for Donald C. Bedrosian as prepared by Strothers Associates, Inc., consisting of an area of approximately 300 ft. x 25 ft. to be added to Lot No. as shown on the above-described subdivision plan.
257	9/21/2010	(1) Tax Parcel No. 12-14-14 and a portion of Tax Parcel No. 12-14-39 in line with the proposed VC Zoning District expansion north of Fifth Street are hereby rezoned from Zoning District AP to Zoning District VC Village Commercial.  (2) Tax Parcel Nos. 12-14-45 and 12-14-45-3 are hereby rezoned from Zoning District AP to Zoning District VR Village Residential.