

## **Chapter 27**

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**Part 1****Title, Purpose and Jurisdiction****§27-101. Title.**

An ordinance of the Township of Richland, Bucks County, Pennsylvania repealing, in its entirety, Chapter 27 of the Township Richland Code of Ordinances, which is the Richland Township portion of the Quakertown Area Zoning Ordinance, as amended, and enacting a new, amended and revised zoning ordinance regulating the location, height, bulk, erection, construction, reconstruction, alteration, razing, removal, and size of structures; the percentage of lot which may be occupied; the size of yards 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 Richland Township.

(*Ord. 251, 11/14/2011, §27-101*)

**§27-102. Short Title.**

This Chapter shall be known as and may be cited as the “Richland Township Zoning Ordinance.”

(*Ord. 251, 11/14/2011, §27-102*)

**§27-103. Purpose.**

The purpose of this Chapter is the promotion of the health, safety, morals, convenience, order and welfare of the present and future inhabitants of Richland Township by:

A. Lessening the danger and congestion of traffic on the roads and highways and limiting excessive numbers of roads.

B. Securing safety from fire, panic, flood and other dangers.

C. Providing adequate light and air; access to incident solar energy, and a safe, reliable and adequate water supply for domestic, commercial, agricultural and industrial uses.

D. Controlling and regulating the growth of the area, concentrating development in areas where adequate water supply, sewerage, roads and schools can be provided, and limiting development in areas where these facilities are not provided.

E. Providing 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; to protect the people’s right to clean air, pure water and 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.

F. Providing for the use of land for residential housing of various dwelling types encompassing all basic forms of housing, including single-family and two-family dwellings and a reasonable range of multifamily dwellings in various arrangements, mobile/manufactured homes, and mobile home parks; provided, however, that this Chapter shall not be deemed invalid for the failure to provide for any other specific dwelling type.

G. Promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation, water flowage, water supply, drainage, sanitation, schools, parks and other public facilities, educational opportunities, recreation, soil fertility and food supply.

H. Protecting the tax base.

I. Securing economy in governmental expenditures.

J. Fostering agriculture and other industries.

K. Protecting both urban and non-urban development through the use of a development area for urban and suburban uses and a reserve area for non-urban development.

L. Accommodating reasonable overall community growth, including population and employment growth, and opportunities for development of a variety of residential dwelling types and nonresidential uses.

(*Ord. 251, 11/14/2011, §27-103*)

#### **§27-104. 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 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 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. This Chapter does not repeal, abrogate, annul or in any way impair or interfere with existing provisions of other laws or Chapters, except those specifically or impliedly repealed by this Chapter, or any private restrictions placed upon property by covenant, deed or other private agreement unless repugnant hereto.

D. Provisions in the subdivision and land development regulations of Richland Township providing for the varying of design standards shall not be

considered to be in conflict with the provisions of this Chapter.  
(Ord. 251, 11/14/2011, §27-104)

**§27-105. Separability.**

It is hereby declared to be the intent of the governing body that:

A. If a court of competent jurisdiction declares any provisions of this Chapter to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Chapter shall continue to be separately and fully effective.

B. If a court of competent jurisdiction finds the application of any provision or provisions of this Chapter to any lot, building or other structure, or tract of land, to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property or situations shall not be affected.

(Ord. 251, 11/14/2011, §27-105)

**§27-106. Statement of Community Development Goals and Objectives.**

The following statement of community development goals and objectives shall serve as a guideline for growth and development within Richland Township. This statement is in compliance with the requirements of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 *et seq.*

A. *Township Character.* The character of a community is one of its most important qualities; defining its unique people, places and things Richland Township's character is perceived as a positive feature and, therefore, should be preserved and maintained to foster a strong sense of community. Many of the things that help define the Township's character are associated with open space, including agriculture, historic structures, and scenic vistas.

(1) *Goal.* Preserve and maintain Richland Township's rural character.

(2) *Objectives.*

(a) Protect the scenic views and unique landscapes of the Township.

(b) Conserve Richland Township's unique identity and character by protecting the agricultural land and uses.

(c) Encourage development in growth areas, rather than in areas outside of the Primary Development Area, or within sensitive natural resources.

(d) Encourage the acquisition of open space through conservation easements.

(e) Encourage the creation of an Agricultural Security District.

(f) Review and update the Township's open space plan to ensure future preservation of farmland, greenways, open space and natural features within the Township.

(g) Encourage municipal open space planning and acquisition efforts

for the preservation of significant agricultural lands, natural lands and historic sites.

(h) Maintain and encourage the preservation of historic resources and structures.

(i) Maintain and encourage preservation of the existing villages of: Shelly, California, Paletown, and Rich Hill.

(j) Encourage the private purchase and restoration of historic buildings that have fallen into disrepair, for adaptive reuse.

(k) Create and/or update a natural, cultural, historical, scenic and recreational resource survey and develop preservation and conservation programs.

(l) Support and encourage public education, volunteer activities and cultural programs.

B. *Environmental and Open Space Preservation.* Open spaces and environmental areas are abundant in Richland Township. The preservation of Open space protects the water supply, reduces flood hazards, promotes diversity of plants and wildlife, and provides places for the enjoyment of nature and scenic beauty. Open space within the framework of parks, greenways, and other preserved land establishes an interconnected system of natural and cultural resources.

(1) *Goal.* Preserve and maintain the Township's natural areas.

(2) *Objectives.*

(a) Protect the Township's natural resources such as the Quakertown Swamp by limiting adverse impacts into the area.

(b) Continue to coordinate with Heritage Conservancy to implement suggested protection measures for the Quakertown Swamp and the entire Bog Run Watershed and the entire Upper Tohickon Watershed.

(c) Encourage residents to form community preservation and clean-up groups to maintain areas of concern.

(d) Encourage the acquisition of open space and conservation easements to preserve natural areas.

(e) Identify and coordinate areas of natural resources that should be preserved.

(f) Encourage the enforcement of existing regulations and/or establish new protection standards for natural resources.

(g) Encourage and advocate the use and protection of native species of plants.

(h) Develop a working relationship with regulatory agencies (i.e., Department of Conservation and Natural Resources, Bucks County Conservation District, Game Commission) to enforce natural resource protection standards.

(i) Educate Township residents on the impacts associated with using nonnative/invasive plant species and the effects they have on the environment.

(j) Encourage the removal of non-native/invasive species of plants on open lands to promote the natural succession of native plants.

(k) Encourage utility companies to utilize existing rights-of-way and utility easements for the expansion and/or upgrade of service lines.

C. *Nonresidential Development.* Nonresidential uses are vital to the health of a community as these uses provide employment, shopping, and service opportunities for Township residents. Although nonresidential uses may place a burden on the local road system and other services, these uses generate revenues for municipalities, the school district and municipal authorities. Permitting nonresidential development in a controlled manner and in the appropriate areas of the Township will improve the economic vitality of the region.

(1) *Goal.* Seek a balanced, diversified economy in order to maintain and enhance the quality of life of local residents.

(2) *Objectives.*

(a) Work to ensure desirable local development and employment opportunities that strengthen and stabilize the tax base.

(b) Encourage commercial and industrial development and redevelopment along the existing commercial and industrial corridors.

(c) Promote high end professional office development in the designated commercial and industrial corridors.

(d) Promote clean and green industry development in the designated commercial and industrial corridors.

(e) Promote mixed use development such as traditional neighborhood developments and live/work units in the existing commercial corridor to create homes within walking distance of jobs, neighborhood services, schools and recreation.

(f) Develop design guidelines and regulations to allow developers the opportunity to explore more innovative and greener designs.

(g) Encourage the adaptive reuse of brownfields.

D. *Transportation Network.* The transportation network in Richland Township is of vital importance to the entire Quakertown area. The infrastructure of transportation, including arterial highways, secondary streets, sidewalks, bike paths, and railways, needs to be assessed as continual development within Richland Township will lead to growth-related transportation challenges. By incorporating transportation concerns/issues into the planning process, the Township can better provide for an integrated transportation system that will serve the needs of its residents.

(1) *Goal.* Improve traffic conditions/congestion throughout the Township.

(2) *Objectives.*

(a) Perform traffic studies at intersections of concern.

(b) Work with Pennsylvania Department of Transportation to develop a plan to reduce traffic congestion.

(c) Encourage the Township to explore regional mass transit

opportunities.

(d) Coordinate with the Bucks County Transportation Management Association to establish a County-wide public bus system.

(e) Promote commuter park and ride facilities and carpooling.

(f) Encourage residents to use the existing trail network established throughout the Township.

(g) Encourage the use of alternative non-motorized modes of transportation such as: walking, hiking and biking.

(h) Implement the Township traffic improvement plan.

(i) Coordinate with the Bucks County Transportation Management Association's Plan for rail service.

(j) Consider the creation and/or adoption of an Act 209 study, 53 P.S. §10501-A *et seq.*, to identify and quantify future traffic programs.

(k) Obtain access easements and/or trail improvements along the trail network designated on the trails masterplan, as part of the subdivision and land development process.

(l) Continue to develop and expand the trail network.

E. *Stormwater Facilities.* The increase in impervious surfaces from development causes runoff to overburden the sewer infrastructure, which in turn degrades the environment, impacts water quality, and affects human health. Stormwater regulations reduce damage from flooding and erosion, and improve the quality of residents' lives.

(1) *Goal.* Promote stormwater management control and the protection of water resources.

(2) *Objectives.*

(a) Encourage the use of best management practices to improve infiltration and water quality for stormwater management through the use of vegetative filtration, riparian buffer plantings, bio-retention areas, rain gardens, vegetative flow conveyance and other structural and non-structural systems.

(b) Develop and implement stormwater design and maintenance guidelines for developed and developing properties.

(c) Include aquifer recharge as a critical component for any new development.

(d) Identify areas in the Township where innovative paving options could be utilized to facilitate infiltration.

(e) Increase public awareness and educational opportunities for residents regarding stormwater management issues.

(f) Explore the feasibility of constructing innovative stormwater management systems to demonstrate the design and function of best management techniques.

(g) Develop/distribute educational information to residents, businesses and organizations about the importance of riparian buffers, stable

stream-banks and headwater streams for the quality of streams and lakes, and the impacts that they have on flooding in the Township.

(h) Encourage restoration and the creation of riparian buffers along streams and waterways to promote health and natural diversity.

(i) Maintain the natural systems of streams and waterways in Township.

F. *Community Involvement.* Successful community involvement is based upon information and dialogue. Only an informed community can be part of the decision-making process and, therefore, it is necessary to ensure local residents are receiving the most up-to-date information regarding events occurring within the Township.

(1) *Goal.* Increase public awareness of Township events.

(2) *Objectives.*

(a) Continue to submit press releases to local newspapers so that residents are informed as to what is happening in the Township.

(b) Utilize the Township newsletter to encourage residents to become more involved in the community.

(c) Encourage increased use of the Township website.

(d) Update Township website to provide increased public services.

(e) Expand educational efforts (public meetings, mailings, workshops, programs).

(f) Explore new ways to communicate to Township residents through the use of modern technology.

G. *Recreational and Community Facilities.* Recreation is an important part of a person's life as an individual and a member of the community. Active recreation improves physical well being, develops skills and confidence and teaches team work. Passive recreation brings an appreciation of the natural environment. Recreation facilities are key components of the quality of life in Richland Township.

(1) *Goal.* Provide recreational and community facilities to support the current and future population of the Township.

(2) *Objectives.*

(a) Expand existing recreational programs and opportunities to meet the needs of residents of all ages.

(b) Encourage diverse recreational facilities that appeal to residents of all ages.

(c) Encourage residents to use the existing trail network established throughout the Township.

(d) Encourage the use of alternative non-motorized modes of transportation such as: walking, hiking and biking.

(e) Provide additional parks and recreational areas throughout the Township to meet the needs of the current and future population.

(f) Provide additional recreational programming to meet the needs

of current and future residents.

(g) Facilitate and support active and passive recreational facilities within the Township to improve the quality of life of the Township residents.

(h) Encourage cooperation with adjacent municipalities, government agencies and nonprofit service providers and organizations to expand recreational facilities, community facilities, and trail linkages.

(i) Continue the development of the sidewalk/trail network to encourage walking.

(j) Explore opportunities to create trail linkages within the Township and to adjacent municipalities during the expansion of the trail network.

H. *Residential Development.* Continued residential development in Richland Township must be coupled with the necessary expansion of a full range of services and facilities. A variety of housing types at appropriate densities to meet the needs and desires of a broad population should be provided and encouraged through a variety of planning tools.

(1) *Goal.* Provide various housing opportunities to meet the needs of the Township's economically diverse population.

(2) *Objectives.*

(a) Promote quality, affordable housing.

(b) Encourage rehabilitation of existing dwellings.

(c) Encourage a diversity of housing units and types to meet the needs of current and future residents.

(d) Encourage the private purchase of historic buildings that have fallen into disrepair for restoration and/or adaptive reuse.

(e) Develop design guidelines and regulations to allow developers the opportunity to explore more innovative and greener designs.

(f) Promote mixed-use land uses such as traditional neighborhood developments and in-fill development that will create housing within walking distance of jobs, neighborhood services, schools and recreation.

I. *Municipal Services.* Demands for municipal, regional, and school district services and improvements have increased with development, the disappearance of State and Federal programs, economic downturns, and changing requirements of Commonwealth statutes. Richland Township strives to provide needed services on a financially responsible basis and when necessary, achieve regional and community-wide cooperation to do the same.

(1) *Goal.* Expand and improve the Township's community and municipal services to better meet the needs of the growing population.

(2) *Objectives.*

(a) Encourage public participation in community events.

(b) Ensure that police and fire services have sufficient capabilities and are efficiently meeting the needs of current and future Township residents.

(c) Encourage cooperation with adjacent municipalities, government agencies and nonprofit service providers and organizations to expand municipal and community services.

(d) Cooperate with State, County and adjacent municipalities regarding regional services such as ambulance, public safety, library and social services.

(e) Provide educational information regarding recycling programs for Township residents and businesses.

(f) Encourage expanded recycling efforts and participation to increase municipal performance grants.

(g) Expand recycling efforts to include yard waste.

J. *Infrastructure.* Infrastructure consists of structures or physical networks that support society. Infrastructure has a direct impact on investment, the creation of employment and, as a consequence, the improvement of the living conditions of the affected population. In Richland Township, the provision of water and sewer will be guiding forces in the development of the area.

(1) *Goal.* Improve the Township's infrastructure to support future demands.

(2) *Objectives.*

(a) Support the provision of utilizing the public water system to provide high quality drinking water to residents.

(b) Ensure that public wells are monitored and protected.

(c) Support continued maintenance and improvement of all storm-water and sewer facilities.

(d) Adopt the Act 537 plan [53 P.S. §750.1 *et seq.*] and implement proposed strategies.

(e) Update the Act 537 plan [53 P.S. §750.1 *et seq.*] to accommodate new technologies as they are developed.

(f) Support continued maintenance and improvement of the Township's road network.

(g) Encourage utility companies to utilize existing rights-of-way and utility easements for the expansion and/or upgrade of service lines.

(h) Continue inspections and monitoring of non-municipal, industrial, commercial, and individual alternative wastewater facilities in accordance with what is required by the Pennsylvania Department of Environmental Protection and the County Health Department.

(i) Coordinate water and sewer service areas with the primary development area.

(j) Extend public sewer, as appropriate within the sewer service area, to address failing on-lot septic systems.

K. *Planning Initiatives.* Many of the issues and concerns of the Richland Township do not end at municipal boundaries. They extend beyond the borders to affect the region, and should therefore, be addressed by the region as a whole. By

coordinating with other municipalities and agencies duplication of efforts are avoided, conflict can be prevented, and opportunities to work together can be identified.

(1) *Goal.* Coordinate goals of the Comprehensive Plan with those of the Quakertown Area Comprehensive Plan, the Bucks County Comprehensive Plan and the Upper Tohickon Rivers Conservation Plan.

(2) *Objectives.*

(a) Expand opportunities for municipalities and government agencies to share information, resources and data.

(b) Coordinate implementation of municipal projects to avoid conflict with other regional projects so efforts are not counterproductive.

(c) Consider updating Township ordinances to reflect recommendations in the Township Comprehensive Plan.

(d) Explore updating Township ordinances to reflect the recommendations in the Quakertown Area Comprehensive Plan, Bucks County Comprehensive Plan and the Upper Tohickon Rivers Conservation Plan.

(*Ord. 251, 11/14/2011, §27-106*)

#### **§27-107. Enactment and Applicability.**

This Chapter, prepared by Richland Township, was enacted by the governing body under the provisions of Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 *et seq.* The Chapter is administered by the governing body, the Planning Commission, the Zoning Officer, and the Zoning Hearing Board of Richland Township under the further provisions of the Pennsylvania Municipalities Planning Code for the land area within the municipality as illustrated on the municipal zoning map incorporated in this Chapter. The Quakertown Area Planning Committee shall serve the municipality in an advisory capacity under Part 14 of this Chapter and Article XI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10901 *et seq.*

(*Ord. 251, 11/14/2011, §27-107*)

**Part 2****Definitions****§27-201. General.**

1. Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Chapter the meanings given in the following Sections.

2. For the purpose of this Chapter, words and terms used herein shall be interpreted as follows:

A. Words used in the present tense include the future.

B. The singular includes the plural.

C. The word “person” includes an individual, firm, corporation, partnership, company, association or government entity; including a trustee, a receiver, an assignee or a similar representative.

D. The word “lot” includes the word “plot” or “parcel.”

E. The term “shall” is mandatory.

F. 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.”

G. The word “municipal” or “municipality” means Richland Township.

H. The words “governing body” refer to the Board of Supervisors of Richland Township.

I. The word “Commission” and the words “Planning Commission” always mean the Richland Township Planning Commission.

J. The words “Area Planning Committee,” “Planning Committee” or “Committee” mean the Quakertown Area Planning Committee.

K. The words “Zoning Hearing Board” always mean the Richland Township Zoning Hearing Board.

L. The words “Quakertown area” refer to the area comprising the Boroughs of Quakertown, Richlandtown and Trumbauersville and the Townships of Haycock, Milford and Richland.

M. The words “municipal plan” refer to the Richland Township Comprehensive Plan.

3. Any word or term not defined herein shall be used with a meaning of standard usage.

(Ord. 251, 11/14/2011, §27-201)

**§27-202. Definitions.**

*Accessory—*

A. *Accessory building*—see “building, accessory.”

B. *Accessory use*—see “use, accessory.”

*Alley*—a right of-way which provides secondary service access for vehicles to the side or rear of abutting properties.

*Alterations*—as applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement or diminution, or the moving from one location or position to another.

*Animals, grazing*—animals that subsist wholly or partly on naturally growing pastures which usually consist of true grasses, together with other forage species such as legumes.

*Animals, grazing unit*—one horse, cow or mule; or two donkeys; or four alpaca; or five sheep; or six goats; or one of any other grazing animal not listed. Suckling offspring are included within the same animal unit as the mother until weaned.

*Animals, non-grazing*—animals that exist in confined pens, cages, buildings or feed lots on feeds typically harvested and fed to the animals.

*Antenna*—any device used for the transmission or reception of radio, television, wireless telephone, pager, commercial mobile radio service, or any other wireless communications signals including, without limitation, omni directional or whip antennas and directional or panel antennas, owned or operated by any person or entity licensed by the Federal Communications Commission (FCC) to operate such device. This definition shall not include private residence mounted satellite dishes or television antennas, or amateur radio equipment including, without limitation, ham or citizen band radio antennas.

*Area*—

A. *Area, lot*—the area contained within the property lines of the individual parcels of land shown on a plan or required by this Chapter, excluding any area within an existing or designated future street right-of-way.

(1) *Minimum lot area*—the minimum required area of land on which a use can be located. The minimum lot area shall not include the area of any easement excepting those easements necessary for electrical, telephone and communications facilities, any area within a designated buffer yard as required by §27-516, any resource protected area, such as: floodway, floodplain floodplain soils, steep slopes, lakes and ponds, watercourses, and wetlands designated as open space under the requirements of §27-511, “Site Capacity Calculations,” paragraph .E, or any area containing the following resources: lake shore areas, pond shore areas.

(2) *Net lot area*—the area of a lot excluding the area of any easement excepting those easements necessary for electrical, telephone and communications facilities, any area within a designated buffer yard as required by §27-516, any resource protected area, such as: floodway, floodplain, floodplain soils, steep slopes, lakes and ponds, watercourses, and wetlands designated as open space under the requirements of §27-511, “Site Capacity Calculations,” paragraph .E, or any area containing the following resources: lake shore areas, pond shore areas.

(3) *Average lot area*—the sum of all the net lot areas of one type of dwelling unit in a single development divided by the total number of lots in that development containing that dwelling unit type. One or more lots in a development may be under the average lot area provided the same number of lots in the same

development of the same dwelling type are above the average lot area by an equal or greater amount.

B. *Area, floor*—the sum of the areas of the 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 or screened 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.

C. *Area, site*—see “site area.”

*Authority*—a body, politic and corporate, created pursuant to the Act of May 2, 1945, P.L. 382, No. 164, known as the “Municipality Authorities Act of 1945.”

*Base flood*—a flood which has a 1% chance of being equaled or exceeded in any given year (also called the “100-year flood” or “1% annual chance flood”).

*Base station*—a structure, other than a tower, that currently supports or houses an antenna, transceiver, or other associated equipment that constitutes part of a base station at the time the application is filed, even if the structure was not built for the sole or primary purpose of providing such support. It does not include structures that do not, at the time of application, support or house base station components.

*Basement*—a story partly underground, but having one-half or more of its height (measured from floor to ceiling) above the average finished grade level of the adjoining ground. A basement shall be counted as a story for the purposes of height measurement or for the determination of square footage or floor area only if the vertical distance between the ceiling and the average level of the adjoining ground is more than 4 feet, or if it is used for business or dwelling purposes. For purposes of the Floodplain Management Ordinance, the term “basement” shall mean any area of the building having its floor below ground level on all sides.

*Board*—any body granted jurisdiction under this Chapter or under the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, to render final adjudications.

*Boarder, roomer, or lodger*—a person 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 such room or rooms 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).

*Building*—a structure under roof, used for the shelter or enclosure of persons, animals or property. The word “building” shall include any part thereof.

*Building, accessory*—a subordinate building located on the same lot as a principal building and dearily 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.

*Building coverage*—the ratio of the horizontal area measured from the exterior

surface of the exterior walls of the ground floor of all principal and accessory buildings on a lot to the net lot area for that lot.

*Building height*—a vertical distance measured from the elevation of the average Finished grade at the front of the building to the highest point of the roof or the structure.

*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.

*Building setback line*—the line parallel to the street line or lot line at a distance there from equal to the depth of the minimum front, side, and/or rear yard required for the district in which the lot is located. For exceptions, see “lane lot.”

*Building spacing*—the minimum distance between two buildings. The minimum building spacing shall be measured from the outermost wall or projection, including bay windows, chimneys, flues, columns, ornamental features, cornices and gutters.

*Campsite*—a plot of ground within a recreational camping park intended for the accommodation of a recreational vehicle, tent or other individual camping unit on a temporary basis.

*Cellar*—a story partly underground and having more than one-half of its height (measured from floor to ceiling) below the average finished grade level of the adjoining ground. A cellar shall not be counted as a story for the purposes of height measurement or for the determination of square footage or floor area, nor shall it be used for dwelling, office or business purposes.

*Co-location*—the mounting or installation of transmission equipment on an eligible support structure for the purpose of transmitting and/or receiving radio frequency signals (or other transmissions developed in the future) for communications purposes.

*Cold frame*—a small, temporary structure covered with glass or some other transparent material used to protect plants. A cold frame which remains on the ground for more than 5 months in a calendar year shall be considered a greenhouse (see “greenhouse”).

*Commercial communications facility (CCF)*—the antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics, and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless commercial communications services.

*Conditional use*—a use permitted in a particular zoning district pursuant to the provisions of §§27-402.3 and 27-1109 of this Chapter.

*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. §3101 *et seq.*, and in accordance with the

provisions for open space, roads or other development features in this Chapter and the Municipal Subdivision and Land Development Ordinance [Chapter 22].

*DAS or Distributed Antenna System*—a network of spatially or geographically separated antenna nodes that are connected to a common source (hub) through a transport or communication medium in order to provide wireless communication service in a specific locality.

*Decision*—final adjudication of governing body or Zoning Hearing Board granted jurisdiction under this Chapter or the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*, to do so, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of the County and Judicial [Court] District wherein the municipality lies.

*Demolition*—the dismantling or tearing down of all or part of any buildings, foundations, walls, ruins, and any other features.

*Density*—density is a measure of the number of dwelling units per unit of area. It shall be expressed in dwelling units per acre. The measure is arrived at by dividing the number of dwelling units by the net buildable site area. See §27-512, “Table of Performance Standards,” for the density requirements for the various districts and §27-511, “Site Capacity Calculations,” for the calculations used to determine the net buildable site area.

*Determination*—final action by an officer, body or agency charged with the administration of this Chapter or applications there under, except the following:

- A. The governing body.
- B. The Zoning Hearing Board.

Determinations shall be appealable only to the board designated as having jurisdiction for such appeal.

*Development*—any man-made change to improved or unimproved real estate including, but not limited to, buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or the storage of materials or equipment.

*Dwelling*—a building containing one or more dwelling units.

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

*Easement*—a grant of the specified use of a parcel of land by the property owner to the public, a corporation or a person.

*Electric substation*—see “utilities.”

*Eligible facilities request*—any request for modification of an existing wireless support structure that involves:

- A. The collocation of new transmission equipment or nontower CCF;
- B. Removal of transmission equipment or nontower CCF; or
- C. Replacement of transmission equipment or nontower CCF. This does not include the replacement of the tower or base station.

*Emergency*—a condition that (A) constitutes a clear and immediate danger to the

health, welfare, or safety of the public, or (B) has caused or is likely to cause facilities in the rights-of-way to be unusable and result in loss of services provided.

*Employee*—a person who is employed or is engaged in any type of regular work activity. This term is utilized in the parking standards of this Chapter as a measure of the number of parking spaces required. It 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.

*Establishment*—an economic unit, generally at a single physical location, where business is conducted or services or industrial operations performed.

*Fall zone*—the area on the ground within a prescribed radius from the base of a commercial communications facility. The fall zone is the area within which there is a potential hazard from falling debris or the collapsing of the commercial communications facility. The fall zone shall be determined by the applicant's engineer and reviewed by the Municipal Engineer.

*Family*—

A. One or more persons occupying a dwelling unit and living as a single, non-profit housekeeping unit; provided, that a group of six or more persons who are not within the second degree of kinship shall not be deemed to constitute a family.

B. Notwithstanding the definition in the preceding subsection, a family shall be deemed to include six or more persons not within the second degree of kinship occupying a dwelling unit and living as a single, non-profit housekeeping unit, if said occupants are handicapped persons as defined in Title VIII of the Civil, Rights, Act of 1968, as amended by the Fair Housing Amendments Act of 1988, 42 U.S.C., Chapter 45. Such unrelated individuals shall have the right to occupy a dwelling unit in the same manner and to the same extent as any family unit as defined in the first subsection of this definition.

*FCC*—Federal Communications Commission.

*Flex building*—a flex building is a building or series of buildings which is part of a planned development wherein the building or buildings will be occupied by a variety of industrial, office and commercial uses.

*Floodplain*—a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source. As per the Richland Township Floodplain Management Ordinance, "floodplain" is also known as "floodplain area."

*Floodplain soils (alluvial soils)*—soil types found in the latest version of the Soil Survey of Bucks County, Pennsylvania, prepared by the U.S. Department of Agriculture (Natural Resources Conservation Service), September, 2002, including all updates and revisions as being "on the floodplain" or "subject to flooding." Floodplain soils include, but are not limited to: alluvial land; Alton gravelly loam, flooded; Bowmansville silt loam; Hatboro silt loam; marsh; Pope loam; Rowland silt loam.

*Floor area*—see "area, floor."

*Floor area ratio*—the ratio of the floor area to the net lot area.

*Greenhouse*—a building, usually made of glass or some other transparent material, used for the cultivation, storage or protection of plants. A cold frame which remains on the ground for more than 5 months in a calendar year shall be considered a greenhouse.

*Gross leasable area (GLA)*—the total floor area designed for tenant occupation 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 wall faces.

*Hearing*—an administrative proceeding conducted by the governing body or Zoning Hearing Board pursuant to §27-1110 of this Chapter.

*Height of facility*—the overall height of the facility from the base of the facility to the highest point of the facility including, but not limited to, antennas, transmitters, satellite dishes or any other structures affixed to or otherwise placed on the facility. If the base of the facility is not on ground level, the height of the facility shall include the base of the building or structure to which the facility is attached.

*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 historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

C. Individually listed on the Pennsylvania Register of Historic Places.

D. Individually listed on the Richland Township Historic Building Inventory and/or shown on the Richland Township Historic Survey Map (See Appendix 27-D).

*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. See §27-405.H1.

*Hydric soils*—soils that are saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the potential growth and regeneration of wetlands vegetation. Wetlands vegetation is those plant species that have adapted to the saturated soils and periodic inundations occurring in wetlands. The soils classifications can be found in the latest version of the *Soil Survey of Bucks County, Pennsylvania*, prepared by the U.S. Department of Agriculture (Natural Resources Conservation Service), September, 2002, including all updates and revisions:



- A. Bowmansville–Knauers silt barns (Bo).
- B. Croton silt barns (CwA, CwB, and CwxB).
- C. Doylestown silt barns (DdA and DdB).
- D. Fluvaquents (Fl).
- E. Hatboro silt loam (Ha).
- F. Holly silt loam (Ho).
- G. Lamington silt loam (LfA).
- H. Nanticoke–Hatboro silt loam (Na).
- I. Othello silt loam (Ot).
- J. Towhee silt loams (ToA and ToB).
- K. Towhee-Glenville silt barns (TpB).
- L. Urban land–Doylestown complex (UmB).
- M. Urban land–Othello complex (Uw).

*Impervious surface*—impervious surfaces are those surfaces which do not absorb rain. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, or packed stone shall be considered impervious surfaces within this definition. In addition, other areas determined by the Municipal Engineer to be impervious within the meaning of this definition shall also be classed as impervious surfaces.

*Impervious surface ratio*—the impervious surface ratio is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the net buildable site area.

A. *Impervious surface ratio, on-lot*—the impervious surface ratio of an individual lot which is calculated by dividing the total area of all impervious surfaces found on the individual lot by the net lot area.

B. *Impervious surface ratio, on-site*—the impervious surface ratio of the site which is calculated by dividing the total area of all impervious surfaces, including the total of the individual on-lot surfaces, by the net buildable site area.

*Informal sketch plan*—a drawing, which does not necessarily require the services of a professional surveyor or engineer, by the owner or others showing the approximate locations of any existing and proposed features on the property.

*Lake*—a permanent body of water, naturally occurring or man-made, covering an area of two or more acres. See §27-514.G.

*Lake shore area*—the landside edge of lakes from established shoreline to an upland boundary (refer to §27-514.H).

*Landing*—a place where logs, felled as a result of forestry activities, are assembled for transportation in loads.

*Livestock*—animals commonly raised on farms such as cows, steers, sheep, goats, pigs, horses, ponies, donkeys or mules.

*Lot*—a parcel of land, including leaseholds 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 or private street upon which said lot abuts, even if the ownership to such right-of-way is the owner of the lot. A lot for the purpose of this Chapter may or may not coincide with a lot of record.

A. *Lot area*—see “area, lot.”

B. *Lot, corner*—a lot which has an interior angle of less than 135 degrees at the intersection of two street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect with the street lines at an angle of less than 135 degrees.

C. *Lot, lane*—a lot which meets the criteria for an exception to the minimum lot width. See §27-553.3.

D. *Lot, through*—an interior lot having frontage on two parallel or approximately parallel streets.

E. *Lot, depth of*—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.

F. *Lot, reverse frontage*—a through lot extending between and having frontage on streets of two different classifications. Vehicular access to the lot is gained solely and exclusively from the lower order street.

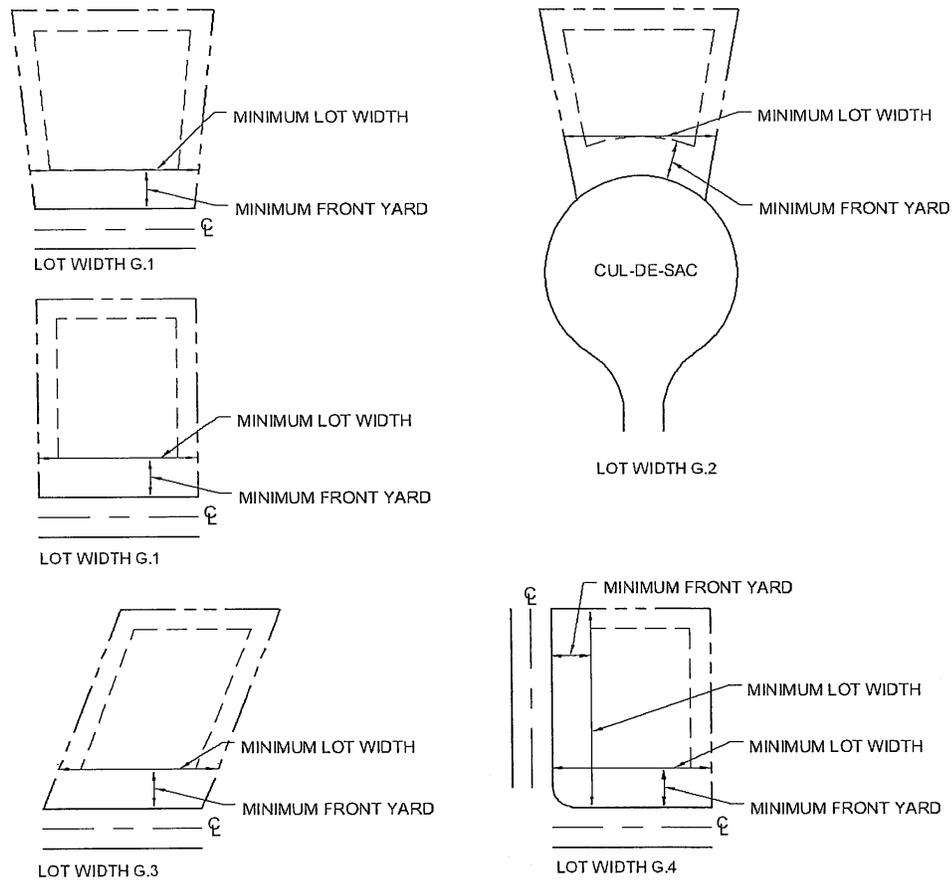
G. *Lot width*—the minimum distance between side lot lines at the required minimum front yard. The width shall be measured in one of the following ways:

(1) Where both side lot lines are perpendicular to the street line or where the side lot lines angle in opposite directions, the width is measured parallel to the street line.

(2) In the case of the lot being located on a curved road or cul-de-sac where the side lot lines angle in opposite directions, lot width shall be measured along the shortest tangent to the arc of the minimum front yard. See §27-553.

(3) Where both side lot lines angle in the same direction and are not perpendicular to the street line, lot width shall be measured along a line extending through the intersection of the front yard and side yard setback lines.

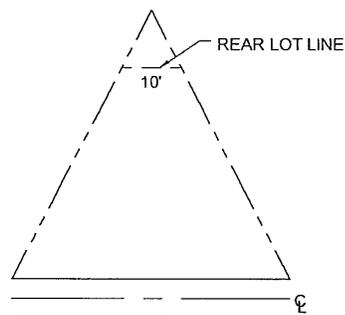
(4) For a corner lot, the minimum lot width must be met along both streets. Refer to sketches on the following page.



**LOT WIDTH**  
N.T.S.

*Lot lines*—any boundary line of a lot.

A. *Lot line, rear*—any lot line which is parallel to or within 45 degrees of being parallel to the street line, except for a lot line that is itself a street line, and except that in the case of a corner lot, the lot line opposite the street line which the front of the principal building faces shall be considered the 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. Where the side property lines of a lot meet in a point, the rear property line shall be assumed to be a line not less than 10 feet long, lying within the lot and parallel to the street line.



**LOT LINES**

N.T.S.

B. *Lot line, side*—any lot line which is not a street line or a rear lot line.

*Mobile / manufactured home*—a transportable, single-family dwelling intended for permanent occupancy, contained in one unit, or in two units designed to be joined into one integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations, and constructed so that it may be used with or without a permanent foundation.

*Mobile home lot*—a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile/manufactured home.

*Modification*—the collocation, improvement, upgrade, expansion, removal, or replacement of an antenna or any other transmission equipment associated with the supporting structure.

*Modular home*—a dwelling unit erected on a permanent foundation, made of one or more sections produced off-site and then assembled and completed on-site. The completed unit must meet the building code which is in effect and is considered to be real property. For the purposes of this Chapter, the term shall not include mobile/manufactured homes.

*Monopole*—a CCF or site which consists of a single pole structure, designed and erected on the ground or on top of a structure to support communications antennas and related equipment.

*Municipal Engineer*—professional engineer licensed as such in the Commonwealth of Pennsylvania, duly appointed as the Engineer for Richland Township.

*Municipal open space plan*—any plan adopted by the municipality which identifies specific areas recommended for open space preservation. Such plans would include the open space plan for Richland Township, and any other open space plan duly adopted by the municipal governing body.

*Municipal waste*—any garbage, refuse, industrial or office waste and other material, including solid, liquid, semi-solid or contained gaseous material, resulting from operation of residential, municipal, commercial or institutional establishments and

from community activities and any sludge not meeting the definition of residual or hazardous waste in the Solid Waste Management Act from a municipal, commercial or institutional water supply treatment plant, wastewater treatment plant or air pollution control facility. The term does not include source-separated recyclable materials.

*Nontower commercial communications facility (nontower CCF)*– Any equipment that facilitates the transmission for any FCC licensed or authorized wireless commercial communications service, including but not limited to antennas, transmitters, receivers, cabling, power supplies, and accessory equipment associated with and necessary for their operation. This shall not include support structures, such as monopoles, poles, towers, etc.

*Nonconformities*–

- A. *Nonconforming lot*–see §27-801.1.



B. *Nonconforming structure*—see §27-801.2.

C. *Nonconforming use*—see §27-801.3.

*Open space*—open space (for the purposes of this Chapter) shall be defined as land that is required to be preserved under the B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park, and B7 Country Property Uses of this Chapter; or as required by §27-511.E. Open space land may be used for active recreation, passive recreation, resource protection, recreational or educational amenities, agriculture, horticulture, silviculture, equestrian use or buffers; and is subject to the provisions of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22]. Land occupied by commercial, industrial, residential or other nonrecreational buildings or structures, roads or road rights-of-way, parking areas for nonrecreational uses, land reserved for future parking areas for nonrecreational uses, stormwater detention or retention basins required as part of nonrecreational uses, areas occupied by sewage disposal systems (including, but not limited to, community sewage treatment systems, spray fields and other sewage facilities) that are associated with nonrecreational uses, or the yards or lots of dwelling units shall not be counted towards meeting minimum open space requirements.

*Open space ratio*—the total area of open space provided in the development divided by the net buildable site area of the site in which the open space is located.

*Parking*—the temporary storage of motor vehicles. For purposes of this Chapter, parking is provided for in the following forms:

A. *On-street parking*—the parking of motor vehicles on a street, in a line parallel to the moving lanes of a street.

B. *Off-street parking*—the parking of motor vehicles in an area which has direct access to a street via a driveway or accessway, but which is not located on a street.

(1) *Common parking area*—an off-street parking lot or garage designed to serve three or more dwelling units or nonresidential uses.

(a) *Common parking lot*—an off-street ground level area for the temporary storage of motor vehicles.

(b) *Common parking garage*—a deck, building or structure, or part thereof, used for the temporary storage of motor vehicles. Where there is ground level parking, it is covered by a roof. Multiple tiers of parking shall be subject to the building height limitations of this Chapter.

(2) *Private parking area*—an off-street parking lot or garage designed for the temporary storage of a small number of motor vehicles. It is for use by one or two dwelling units only and is located in close proximity to the dwelling unit(s) it serves. A private parking area is located on the fee simple lot which contains the dwelling unit it serves, or is located on the minimum lot area required by this Chapter, whether the lot is deeded or for planning purposes only.

(a) *Private parking lot*—an open, uncovered area for the temporary storage of motor vehicles owned and operated by the residents of the nearby dwelling unit(s).

(b) *Private parking garage or carport*—a structure which is accessory to, attached to, or part of a dwelling unit which is used for the temporary storage of motor vehicles and owned and operated by the residents thereof.

(c) *Community garage*—a structure which is accessory to, attached to, or part of a group of attached dwelling units which is used for the temporary storage of motor vehicles and owned and operated by the residents of those units.

C. *Spillover parking*—an area which is intended to accommodate the occasional need for parking beyond the requirements of the residents of the dwelling unit. The need for spillover parking is created by service vehicles and other occasional visitors.

*Performance standard subdivision*—a type of conservation development in which the developer may choose to develop a variety of housing types subject to the regulations in Parts 4 and 5 of this Chapter. Performance standard subdivisions allow the grouping or clustering of dwelling units, permitting a variety of housing types to encourage better, more flexible designs. The subdivision as a whole must meet prescribed standards for open space, density and impervious surfaces.

*Pond*—a permanent body of water, naturally occurring or man-made, covering an area of up to 2 acres. See §27-514.G.

*Pond shore area*—the landside edge of ponds from established shoreline to an upland boundary. See §27-514.I.

*Principal*—

A. *Principal building*—see “building, principal.”

B. *Principal use*—see “use, principal.”

*Public hearing*—a formal meeting held pursuant to public notice by the governing body or planning agency, intended to inform and obtain public comment prior to taking action in accordance with the Pennsylvania Municipalities Planning Code, 53 P.S. §10101 *et seq.*

*Public meeting*—a forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84) known as the “Sunshine Act.”

*Public notice*—notice published once each week for 2 successive weeks in a newspaper of general circulation in the municipality. 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 7 days from the date of the hearing.

*Public utility transmission facility*—a structure, owned and operated by a public utility electric company regulated by the Pennsylvania Public Utility Commission, designed and used to support overhead electricity transmission lines.

*Racing*—see “demolition.”

*Recreational vehicle*—a vehicle or piece of equipment intended primarily as temporary living quarters for recreational camping or travel use, whether self-powered or designed to be pulled or carried. The basic entities are, but are not limited to, the following: travel trailer, truck-mounted camper, motor home, folding tent camper, and autos, buses or trucks adapted for vacation use.

*Relative*—a parent, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece, nephew, stepbrother, stepsister, first cousin or foster child.

*Replacement*—the replacement of nontower commercial communications facilities or transmission equipment on an existing wireless support structure or within an existing equipment compound due to maintenance, repair or technological advancement with equipment composed of the same wind loading and structural loading that is substantially similar in size, weight, and height as the commercial communications facility initially installed and that does not substantially change the physical dimensions of the existing wireless support structure.

*Renewable energy facility*—a use which produces energy from natural resources such as sunlight, wind, and geothermal heat.

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

*Right-of-way*—the surface of and the space above and below any real property in the Township set aside for streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township or Commonwealth, and any unrestricted public or utility easements established, dedicated, platted, improved or devoted for utility purposes, but excluding lands other than streets that are owned by the Township or Commonwealth. The phrase “in the Right(s)-of-Way” means in, on, over, along, above and/or under the right(s)-of-way.

A. *Right-of-way, existing*—the surface of, as well as the space above and below, the legal right-of-way as established by the Commonwealth, Township, or other appropriate governing authority and currently in existence.

B. *Right-of-way, future*—the surface of, as well as the space above and below the future or planned right-of-way deemed necessary to provide adequate width for street, transportation, and other improvements. Future right-of-way widths are designated in §27-555.

*Sewer*—

A. *Sewer, private*—an on-lot sewage disposal system providing for disposal of effluent for one building and its accessory buildings on a single lot.

B. *Sewer, public*—any municipal or privately owned sewer system in which sewage is collected from more than one lot and piped to an approved sewage disposal facility. It may also be referred to as “off-lot” or “off-site” sewer. This shall include capped sewers when installed to municipal specifications.

*Shadow flicker*—the visible flicker effect when rotating wind turbine blades cast shadows on the ground and nearby structures causing the repeating pattern of light

and shadow.

*Sign*—see Part 9.

*Site*—a parcel or parcels of land intended to have one or more buildings or intended to be subdivided into one or more lots.

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

A. *Site area, base*—the area of a tract of land remaining after subtracting future rights-of-way of existing public or private roads; existing utility easements and/or rights-of-way; land which is not contiguous or which is separated from the parcel by a road, railroad, or major stream which acts as a major barrier to common use; or land shown on previous subdivision or land development plans as reserved for open space. See §27-511 for the specific calculations.

B. *Site area, net buildable*—a calculated area upon which the density, impervious surface ratio, and open space ratio requirements for the applicable district are computed. It can be determined for a particular tract of land by completing the calculations found in §27-511.

*Site capacity*—the maximum number of dwelling units, the maximum impervious surfaces, the buildable portion of the site, and the minimum open space as calculated under the provisions of §27-511, “Site Capacity Calculations.”

*Skidding*—dragging trees on the ground, by any means, from the stump to the landing.

*Slash*—debris left on the site after forestry activities, including logs, chunks, bark, branches, stumps, and broken understory or brush.

*Solar collector*—a device or combination of devices, structure(s), or part of a device or structure that transforms direct solar energy into thermal, chemical, or electrical energy.

*Solar energy*—radiant energy (direct, diffuse, and/or reflected) received from the sun.

*Solar energy system*—any solar collector or other solar energy device, or any structural design feature, mounted on a building or on the ground, and whose primary purpose is to provide for the collection, storage, and/or distribution of solar energy for space heating or cooling, for water heating, or for electric generation.

*Solar panel*—a device containing one or more receptive cells, the purpose of which is to convert solar energy into usable electrical energy, heat water or other heat transfer mediums, produce hot air, or perform any other similar function by way of a solar energy system.

*Special exception*—a use permitted in a particular zoning district pursuant to the provisions of §§27-402.2 and 27-1108 of this Chapter.

*Steep slopes*—areas where the average slope is 8% or greater, which because of this slope, are subject to high rates of stormwater runoff and therefore erosion. See §27-514.D.

*Story*—that part of a building located between a floor and the floor or roof above it. The first story of a building is the lowest story having one-half or more of its wall area above average finished grade level. A half-story is a story under a gable, hip or gambrel

roof, the wall plates of which on at least two opposite exterior walls are not more than 2 feet above the floor.

*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.

*Street*—a public or private way used, or intended to be used, for passage or travel by motor vehicles. Streets are further classified by the functions they perform.

A. *Thoroughfares*—

(1) *Expressway*—designed for large volumes of high-speed traffic with access limited to grade-separated intersections.

(2) *Arterial highways*—designed for large volumes of high speed traffic with access to abutting properties restricted.

(3) *Collector highways*—designed to carry a moderate volume of fast-moving traffic from primary and secondary streets to arterial highways, with access to abutting properties restricted.

B. *Local streets*—

(1) *Primary streets*—designed to carry a moderate volume of traffic, to intercept rural roads and secondary streets, to provide routes to collector highways, and to provide access to abutting properties.

(2) *Rural roads and secondary streets*—designed to provide access to abutting properties and to primary streets.

(3) *Marginal access street*—a secondary street parallel to and adjacent to an expressway, arterial highway, or collector highway and which provides access to abutting properties and protection from through-traffic.

*Street line*—the line that is located between and that defines the boundary of the lot and the future right-of-way, as determined in §27-555 herein.

*Structure*—any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land. Any unlicensed or uninspected enclosed trailer or truck body shall be considered to be a structure.

*Subsoil*—the layer of weathered material that underlies the topsoil.

*Substantial change or substantially changed*—the modifications or proposed modifications to the physical dimensions of a tower, tower-based CCF, or base station that meet any of the following criteria:

A. Towers outside rights-of-way:

(1) It increases the height by more than 10% or by the height of 1 antenna array with the separation from the nearest existing antenna not to exceed 20 feet or whichever is greater.

(2) It protrudes from the edge of the tower more than 20 feet, or more than the width of the tower structure at the level of the appurtenance, whichever is greater.

B. Towers inside rights-of-way:

(1) It increases the height of the tower by more than 10 feet or 10%, whichever is greater.

(2) It protrudes from the edge of the tower more than 6 feet.

(3) The installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets.

(4) The installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets.

C. Base stations (regardless of location):

(1) It increases the height of the structure by more than 10 feet or 10%, whichever is greater.

(2) It protrudes from the edge of the structure more than 6 feet.

(3) The installation of any new equipment cabinets on the ground if there are no preexisting ground cabinets.

(4) The installation of ground cabinets that are more than 10% larger in height or overall volume than any other ground cabinets.

D. It involves the installation of more than the standard number of new equipment cabinets for technology involved, but not to exceed 4 cabinets.

E. It entails the excavation or deployment outside the current site of the tower, wireless support structure, or base station.

F. It would defeat the existing concealment elements of the tower, wireless support structure, or base station.

G. It does not comply with the conditions associated with the prior approval of the tower, wireless support structure, or base station unless the noncompliance is due to an increase in height, increase in width, addition of cabinets, or new excavation that does not exceed the corresponding “substantial change” thresholds.

*Substantial damage*—damage from any cause sustained by a structure whereby the cost of restoring the structure to its before damaged condition would be equal or exceed 50% of the market value of the structure before the damage occurred.

*Substantial improvement*—any reconstruction, rehabilitation, addition or other improvement of a structure, the cost of which 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. This term does not, however, include either:

A. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions.

B. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

*Tops*—the upper portion of felled trees that is not merchantable because of size, taper, or defect.

*Topsoil*—the original upper layer of soil material to a depth of about 6 inches that is usually darker and richer in organic matter than the subsoil.

*Tower*—see “tower-based commercial communications facility.”

*Tower-based commercial communications facility (tower-based CCF)*—any structure that is built and used for the sole or primary purpose of supporting 1 or more

FCC-licensed or authorized antennas, and their associated facilities. DAS hub facilities are considered to be tower-based CCFs.

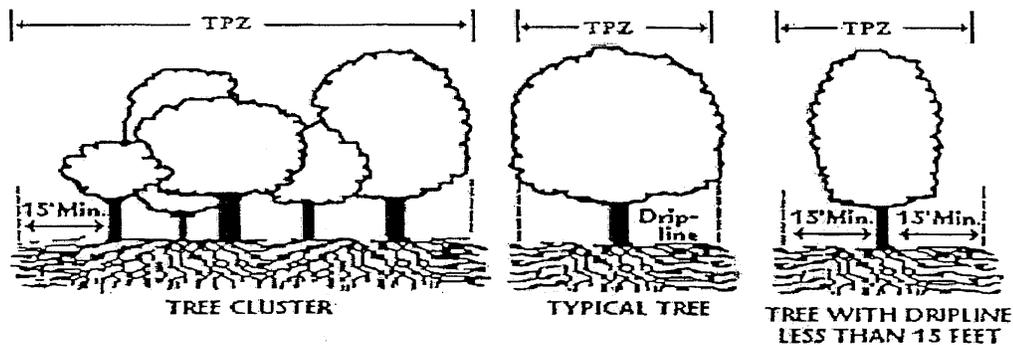
*Township*—Richland Township, Bucks County, PA.

*Trailer*—a non-motorized vehicle designed to be hauled, and used for such purposes as holding materials, goods or objects.

*Transmission equipment*—see “nontower commercial communications facility.”

*Travel trailer*—see “recreational vehicle.”

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



*Use*—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.

A. *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.

B. *Use, principal*—the main use on a lot.

*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).

*Variance*—relief granted pursuant to the provisions of §27-1107 of this Chapter.

*Wetlands*—those areas that are inundated and saturated by surface or ground water at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. See §27-514.J.

*Wetland margin*—the transitional area between the wetland boundary and the upland environment measured from the outer limit of the wetland vegetation to an upland boundary.

*Wind energy system*—an electric generating system, whose main purpose is to supply electricity, consisting of a wind turbine and other accessory structures and

buildings, including substations, metrological towers, electrical infrastructure, transmission lines, and other appurtenant structures and facilities.

*Wind turbine*—a wind energy conversion system that converts wind energy into electricity through the use of a wind turbine generator, and includes the nacelle, rotor, blades, tower, and pad transformer, if any.

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

*Wireless commercial communications services*—wireless telecommunications services, such as, but not limited to, paging, cellular phones, internet, and other satellite telecommunication, which are generally operated by a service provider for commercial use. This excludes cable television services utilizing satellite delivery.

*Wireless support structure*—a freestanding structure, such as a tower-based CCF, monopole, tower, base station or any other support structure that could support the placement or installation of a commercial communications facility if approved by the Township.

*Woodlands*—areas comprised of a ¼ acre or more of wooded land where the largest trees measure at least 6 inches dbh (diameter at breast height) at 4½ feet above the ground. Woodlands are also a grove of trees forming one canopy where 10 or more trees measure at least 10 inches dbh. The woodland shall be measured from the dripline of the outer trees.

*Wrecking*—see “demolition.”

*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.

A. *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.

B. *Yard, rear*—a yard between a structure and a rear lot line and extending the entire length of the rear lot line.

C. *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. 251*, 11/14/2011, §27-202; as amended by *Ord. 262*, 3/9/2015, §1; and by *Ord. 268*, 3/14/2016, §2)

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**Part 3**
**Establishment of Districts**
**§27-301. Establishment of Districts.**

Richland Township is hereby divided into districts of different types, each type being of such number, shape, kind and area, and of such common unity of purpose and adaptability of use, that are deemed most suitable to carry out the objectives of this Chapter and the Comprehensive Plan.

(*Ord. 251, 11/14/2011, §27-301*)

**§27-302. Classes of Districts.**

For the purpose of this Chapter, Richland Township is hereby divided into districts which shall be designated as follows:

RP	Resource Protection
RA	Rural Agricultural
SRC	Suburban Residential Conservation
SRL	Suburban Residential Low
SRM	Suburban Residential Medium
SRH	Suburban Residential High
PC	Planned Commercial
PI	Planned Industrial
EXT	Extraction
URL	Urban Residential Low
AC	Arterial Corridor (Overlay) District
AQ	Age Qualified (Overlay) District

(*Ord. 251, 11/14/2011, §27-302*)

**§27-303. Zoning Districts Map.**

Districts are bounded and defined as shown in the Zoning Map entitled “Richland Township Official Zoning Map” which is contained in this Chapter and which, with all explanatory matters thereon, is hereby made part of this Chapter.

(*Ord. 251, 11/14/2011, §27-303*)

**§27-304. 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 there from as indicated on the Zoning Map.

(Ord. 251, 11/14/2011, §27-304)

**§27-305. Statements of Purposes and Intent for the Districts.**

1. *Resource Protection District (RP)*. The purpose of this district is to protect areas consisting largely of sensitive natural features such as woodlands, steep slopes, scenic areas, wetlands, floodplains, and lakes and ponds. Intensities are such as to ensure that these resources are permanently protected.

2. *Rural Agricultural District (RA)*. The purpose of this district is to provide standards for low-intensity development in rural areas that are currently provided with utilities. Residential uses are permitted on large lots or where they are clustered with large areas of open space.

3. *Suburban Residential Conservation District (SRC)*. It is the purpose of this district to preserve natural features and resources such as woodlands, steep slopes, wetlands, floodplains and lakes and ponds in areas where such features predominate. Residential uses are permitted on very large lots or where they are clustered with large areas of open space.

4. *Suburban Residential Low District (SRL)*. It is the purpose of this district to provide for low-intensity suburban residential development. A variety of housing types are encouraged, as are clustering and the provision of open spaces. The intensities are intended to blend with existing residential uses and protect natural features and resources.

5. *Suburban Residential Medium District (SRM)*. It is the purpose of this district to provide for medium-intensity residential development. A variety of residential uses are encouraged, as are clustering and the provision of open spaces. The medium intensities are intended to encourage well designed residential development near major roads.

6. *Suburban Residential High District (SRH)*. It is the purpose of this district to provide higher intensities of residential development. A variety of residential uses are encouraged. The higher intensities relate to similar uses in adjacent developed areas of easy access and few natural limitations.

7. *Planned Commercial District (PC)*. It is the purpose of this district to provide for the creation and continuation of commercial development in appropriate areas. Highway-oriented businesses may be required to provide an access road which is intended to lessen traffic congestion and hazards by reducing the number of access

points.

8. *Planned Industrial District (PI)*. It is the purpose of this district to encourage planned industrial, heavy commercial, office or laboratory uses in appropriate areas. Such development shall be planned as a whole with all uses fronting on an internal street. The intent is to encourage high-quality industrial and commercial development, which relates to adjacent residential development, with design standards which avoid adverse impacts on neighboring residential developments.

9. *Extraction District (EXT)*. It is the purpose of this district to provide for the continuation of existing extractive operations and other uses which would otherwise interfere with the development and operation of other land uses.

10. *Urban Residential Low (URL)*. It is the purpose of this district to retain the urban character of existing residential areas as well as to provide for future residential development in a variety of housing types at appropriate densities.

11. *Overlay Zoning Districts*.

A. *Arterial Corridor (Overlay) District (AC)*. It is the purpose of this district to provide for convenient access to uses within the district, while promoting consistent and appropriately restrictive management of access to arterial highways in order to maintain critical local and regional arterial functions.

B. *Age Qualified (Overlay) District (AQ)*. It is the purpose of this district to provide for a greater variety of housing and to serve the needs of older persons who prefer an independent residential environment and do not require intensive individual care.

(Ord. 251, 11/14/2011, §27-305)



**Part 4****Use Regulations****§27-401. 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 §27-404 and for the zoning districts so indicated.

(*Ord. 251, 11/14/2011, §27-401*)

**§27-402. Uses by Right, Special Exceptions, Conditional Uses, and Uses Not Permitted.**

1. A use listed in §27-404 is permitted by right in any district denoted by the letter “P” subject to such requirements as may be specified in §27-405, and after a zoning permit has been issued in accordance with Part 10.

2. A use listed in §27-404 is permitted as a special exception in any district denoted by the letter “S,” provided the Zoning Hearing Board authorizes the issuance of a zoning permit by the Zoning Officer, subject to the requirements of §27-405 and Part 11 and such further conditions that the said Board may impose to insure the protection of adjacent uses, or the health, safety and general welfare.

3. A use listed in §27-404 is permitted as a conditional use in any district denoted by the letter “C,” provided the governing body, having received a recommendation from the Planning Commission, grants the conditional use subject to the express standards set forth in Part 11 and such further conditions that the governing body may impose to insure the protection of adjacent uses, or the health, safety or general welfare.

4. A use listed in §27-404 is not permitted in any district denoted by the letter “N.”

5. On any parcel or tract of land, only one principal use shall be permitted, except where specifically permitted by this Chapter.

6. When a specific use is not defined and is neither prohibited nor permitted pursuant to the provisions of this Chapter, the Zoning Hearing Board shall render a decision, as an administrative review, as to the similarity or compatibility of the use in question to the permitted uses in the Zoning District, basing its decision on the overall intent of the district as described in §27-305 herein.

(*Ord. 251, 11/14/2011, §27-402*)

**§27-403. Uses Subject to Other Regulations.**

1. Uses permitted by right or as special exceptions or conditional uses shall be subject, in addition to use regulations, to such regulations of yard, lot size, lot width, building area, easements, provisions for off-street parking and loading, and to such other provisions as are specified in other parts hereof.

2. The conversion of an existing structure to a permitted nonresidential use in a zoning district shall be permitted provided the character of the existing structure is maintained, the parking and other requirements for the particular use are met, and the

buffer requirements of §27-516 are met. A new zoning permit is required each time a structure is converted to a different nonresidential use.

3. In particular, the laws of the Commonwealth and the regulations of the Bucks County Department of Health regarding 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 or until a certification of the availability of public sewage service is obtained from the servicing authority.

*(Ord. 251, 11/14/2011, §27-403)*

**§27-404. Table of Use Regulations.**

<b>A.</b>	<b>Agricultural Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
A1	General Farming	P	P	P	P	P	P	P	N	P	P	P
A2	Nursery	P	P	P	P	P	P	P	N	P	P	P
A3	Intensive Agriculture	C	P	N	N	N	N	N	N	P	P	P
A4	Forestry	P	P	P	P	P	P	P	P	P	P	P
A5	Riding Academy	P	P	P	C	C	C	C	N	P	P	P
A6	Commercial Kennel	C	C	N	N	N	N	N	N	N	N	N
A7	Agricultural Retail	P	P	P	P	P	P	P	N	P	P	P
A8	Farm Unit	P	P	P	P	P	P	P	N	P	P	P
A9	Farm Support Facility	C	P	N	N	N	N	P	N	P	P	N

<b>B.</b>	<b>Residential Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
B1	Single-Family Detached	P	P	P	P	P	P	P	N	N	N	N
B1A	Single-Family Detached Exemption	P	P	P	P	P	P	P	N	N	N	N
B2	Residential Conversion	P	P	P	P	P	P	P	N	N	N	N
B3	Rooming or Boarding House	N	N	N	N	S	S	S	N	N	N	N
B4	Single-Family Detached Enhanced Density	P	P	P	P	P	P	N	C	N	N	N
B5	Performance Standard Subdivision	N	N	P	P	P	P	P	C <sup>*</sup>	N	N	N
B6	Mobile Home Park	N	N	N	P	P	P	N	N	N	N	N
B7	Country Property	P	P	P	P	P	P	N	N	N	N	N

<b>B.</b>	<b>Residential Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
B8	Urban Dwelling	N	N	N	N	N	N	P	N	N	N	N
B9	Life Care Facility	N	C	C	C	C	C	C	N	C	N	N
B10	Community/Group Home	P	P	P	P	P	P	P	N	N	N	N

\*= In accordance with §27-614.1.A(2).

<b>C.</b>	<b>Institutional and Recreational Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
C1	Place of Worship	P	P	P	P	P	P	P	N	P	P	P
C2	School	P	P	P	P	P	P	P	N	N	N	N
C3	Commercial School	N	N	N	N	N	N	N	N	P	P	N
C4	Library or Museum	N	N	N	N	P	P	P	N	P	P	N
C5	Recreational Facility	P	P	P	P	P	P	P	N	P	P	P
C6	Private Recreational Facility	S	S	S	S	S	S	S	N	S	N	N
C7	Golf Course	S	S	S	S	N	N	N	N	S	N	N
C8	Private Club	N	N	N	N	N	N	N	N	C	N	N
C9	Community Center	P	P	P	P	P	P	P	N	P	N	N
C10	Day Care Center	S	S	S	S	S	S	S	N	P	N	N
C11	Hospital	C	C	N	N	N	N	N	N	C	N	N
C12	Nursing Home	N	C	C	C	C	C	C	N	C	N	N
C13	Halfway House	N	N	C	C	C	C	N	N	N	N	N
C14	Cemetery	N	P	N	N	N	N	N	N	N	N	N

<b>C.</b>	<b>Institutional and Recreational Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
C15	Recreational Camping Park	C	C	N	N	N	N	N	N	N	N	N
C16	Municipal Services	P	P	P	P	P	P	P	N	P	P	P

<b>D.</b>	<b>Office Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
D1	Office	N	N	N	N	N	C	C	N	P	P	N
D2	Medical Office	P	P	P	P	P	P	P	N	P	P	N
D3	Office Park	N	N	N	N	N	N	N	N	P	P	N
D4	Neighborhood Office Park	N	N	N	C	N	N	N	N	P	P	N

<b>E.</b>	<b>Retail and Consumer Service Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
E1	Retail Shop	N	N	N	N	N	N	N	N	P	N	N
E2	Large Retail Store	N	N	N	N	N	N	N	N	P	N	N
E3	Service Business	N	N	N	N	N	N	N	N	P	N	N
E4	Financial Establishment	N	N	N	N	N	N	N	N	P	P	N
E5	Eating Place	N	N	N	N	N	N	N	N	P	P	N
E6	Drive-Ins and Other Eating Places	N	N	N	N	N	N	N	N	P	C	N
E7	Repair Shop	N	N	N	N	N	N	N	N	P	P	N
E8	Funeral Home or Mortuary	N	C	N	N	N	N	N	N	P	N	N
E9	Motel, Hotel and/or Inn	N	N	N	N	N	N	N	N	P	N	N
E10	Indoor Entertainment	N	N	N	N	N	N	N	N	P	P	N
E11	Athletic Facility	N	N	N	N	N	N	N	N	P	P	N

<b>E.</b>	<b>Retail and Consumer Service Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
E12	Outdoor Entertainment	N	N	N	N	N	N	N	N	C	N	N
E13	Tavern	N	N	N	N	N	N	N	N	P	N	N
E14	Lumber Yard	N	N	N	N	N	N	N	N	C	P	N
E15	Veterinary Office or Clinic	N	C	N	N	N	N	N	N	P	P	N
E16	Service Station	N	N	N	N	N	N	N	N	C	C	N
E17	Car Wash	N	N	N	N	N	N	N	N	P	N	N
E18	Automotive Sales	N	N	N	N	N	N	N	N	C	P	N
E19	Automotive Repair	N	N	N	N	N	N	N	N	C	P	N
E20	Truck Sales	N	N	N	N	N	N	N	N	C	P	N
E21	Parking Lot or Garage	N	N	N	N	N	N	N	N	P	N	N
E22	Multiple Commercial Use	N	N	N	N	N	N	N	N	C	N	N
E23	Adult Commercial Use	N	N	N	N	N	N	N	N	N	C	N
E24	Outdoor Motion Picture Establishment	N	N	N	N	N	N	N	N	C	C	N
E25	Vehicular Track or Course	N	N	N	N	N	N	N	N	C	N	N
E26	Flea Market	N	N	N	N	N	N	N	N	C	N	N
E27	General Auction	N	N	N	N	N	N	N	N	P	N	N
E28	Livestock Auction	N	C	N	N	N	N	N	N	N	N	N
E29	Vehicle Auction	N	N	N	N	N	N	N	N	C	P	N
E30	Dwelling in Combination	N	N	N	N	N	N	N	N	C	N	N

<b>F.</b>	<b>Utility, Service and Transportation Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
F1	Utilities	S	S	S	S	S	S	S	S	S	P	S
F2	Emergency Services	C	C	C	C	C	C	C	N	C	C	C
F3	Terminal	N	N	N	N	N	N	N	N	P	P	S
F4	Airport or Heliport	N	N	N	N	N	N	N	N	N	S	N
F5a	Tower-Based Commercial Communications Facilities	C	C	C	N	N	N	N	N	C	C	C
F5b	Non-Tower-Based Commercial Communications Facilities	P	P	P	P	P	P	P	P	P	P	P

<b>G.</b>	<b>Industrial Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
G1	Manufacturing	N	N	N	N	N	N	N	N	N	P	N
G2	Research	N	N	N	N	N	N	N	N	N	C	N
G3	Wholesale Business, Wholesale Storage, Warehousing	N	N	N	N	N	N	N	N	C	P	N
G4	Mini-warehouse	N	N	N	N	N	N	N	N	P	P	C
G5	Printing	N	N	N	N	N	N	N	N	P	P	N
G6	Contracting	N	N	N	N	N	N	N	N	N	P	C
G7	Truck Terminal	N	N	N	N	N	N	N	N	N	P	N
G8	Crafts	N	N	N	N	N	N	N	N	C	P	N
G9	Mill	N	N	N	N	N	N	N	N	N	P	N
G10	Outside Storage	N	N	N	N	N	N	N	N	N	P	N
G11	Fuel Storage and Distribution	N	N	N	N	N	N	N	N	N	S	N

<b>G.</b>	<b>Industrial Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
G12	Industrial Park	N	N	N	N	N	N	N	N	N	P	N
G13	Junkyard	N	N	N	N	N	N	N	N	N	C	C
G14	Extractive Operation	N	N	N	N	N	N	N	N	N	C	P
G15	Resource Recovery Facility	N	N	N	N	N	N	N	N	N	C	N
G16	Municipal Waste Landfill	N	N	N	N	N	N	N	N	N	C	N
G17	Flex Building	N	N	N	N	N	N	N	N	N	P	P
G18	Solar Energy Commercial Operation	N	N	N	N	N	N	N	N	N	C	C

<b>H.</b>	<b>Accessory Uses</b>	<b>RP</b>	<b>RA</b>	<b>SRC</b>	<b>SRL</b>	<b>SRM</b>	<b>SRH</b>	<b>URL</b>	<b>AQ</b>	<b>PC</b>	<b>PI</b>	<b>EXT</b>
H1	Accessory Home Occupation											
H1a	Accessory Professional Offices	S	S	S	S	S	S	S	S	P	P	N
H1b	Accessory Personal Services	S	S	S	S	S	S	S	S	P	P	N
H1c	Accessory Instructional Services	P	P	P	P	P	P	P	P	P	P	N
H1d	Accessory Home Crafts	P	P	P	P	P	P	P	P	P	P	N
H1e	Accessory Family Day Care	P	P	P	P	P	P	P	N	P	P	N
H1f	Accessory Group Child Day Care Center	S	S	S	S	S	S	S	N	S	S	N
H1g	Accessory Adult Day Care Center	S	S	S	S	S	S	S	N	S	S	N
H1h	Accessory Trades	P	P	P	P	P	P	P	N	P	P	N
H1i	Accessory Repair Services	S	S	S	S	S	S	S	N	P	P	N
H1j	Accessory No-Impact Home-Based Business	P	P	P	P	P	P	P	P	P	P	P
H2	Residential Accessory Building, Structure or Use	P	P	P	P	P	P	P	P	P	P	N

H.	Accessory Uses	RP	RA	SRC	SRL	SRM	SRH	URL	AQ	PC	PI	EXT
H3	In-law Suite	P	P	P	P	P	P	P	N	N	N	N
H4	School Bus Shelter	P	P	P	P	P	P	P	N	P	P	P
H5	Dormitory	N	C	C	C	C	C	C	N	N	N	N
H6	Nonresidential Accessory Building or Structure	N	N	N	N	N	N	N	N	P	P	P
H7	Outside Storage and Display	N	N	N	N	N	N	N	N	P	P	P
H8	Temporary Structure or Use	P	P	P	P	P	P	P	P	P	P	P
H9	Temporary Community Event	C	C	C	C	C	C	C	C	C	C	C
H10	Air Landing Field	S	S	N	N	N	N	N	N	N	N	N
H11	Satellite Dish Antenna, Aerials, etc.	P	P	P	P	P	P	P	P	P	P	P
H12	Kennel - Hobby	P	P	P	P	P	P	P	P	N	N	N
H13	Noncommercial Kennel	P	P	P	P	P	P	P	P	P	P	P
H14	Bed and Breakfast	P	P	P	P	P	P	P	N	N	N	N
H15	Off-Street Parking	P	P	P	P	P	P	P	P	P	P	P
H16	Signs	P	P	P	P	P	P	P	P	P	P	P
H17	Sale of Agricultural Products	P	P	P	P	P	P	P	P	P	P	P
H18	Outdoor Eating Areas	N	N	N	N	N	N	N	N	P	P	N
H19	Accessory Solar Energy System	P	P	P	P	P	P	P	P	P	P	P
H20	Accessory Wind Energy System	C	C	C	C	C	C	C	C	C	C	C

(Ord. 251, 11/14/2011, §27-404; as amended by Ord. 268, 3/14/2016, §3)

**§27-405. 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; bee raising and the products thereof; and all buildings (barns, sheds, silos, etc.) which are associated with this use are subject to the following provisions:

(a) This principal use may only be combined with the following other principal agricultural uses: A2 Nursery, A4 Forestry, A5 Riding Academy, and A6 Commercial Kennel, subject to the following:

1) The proposed use shall be a permitted use in the applicable zoning district as indicated in §27-404, "Table of Use Regulations."

2) The applicable use regulations of this Section shall be met for each agricultural use.

(b) Dwelling units shall meet the requirements of Use A8 Farm Unit.

(c) Retail sales shall meet the requirements of Use A7 Agricultural Retail.

(d) Any building or structure used for the keeping or raising of livestock, or poultry shall be situated not less than 100 feet from any street line or property line. Livestock and poultry are not permitted to run at large. A fenced-in area for the keeping of livestock and poultry shall be provided and shall not be less than 100 feet from a dwelling other than the owner's.

(e) Silos shall be situated not less than one and one quarter times the height of the silo from any street line or property line.

(f) A cold frame shall not be considered impervious surface and shall not require a zoning permit provided that it does not remain on the ground for more than 5 months in a calendar year.

(g) The raising of ferrets and garbage-fed pigs shall not be permitted.

(h) No area for the storage or processing of animal waste shall be situated less than 100 feet from any street line or property line.

(i) Parking: One off-street parking space per employee.

(j) The keeping or raising of livestock and poultry shall be subject to the following requirements:

1) *Livestock and Poultry.*

a) *Livestock.*

i. Livestock shall not be permitted to over-graze any property in Richland Township except during the winter months of November through February. Over-grazing shall be defined as grazing to the point of removing all or almost all vegetative growth from the ground, leaving only 1 inch or less of cover.

ii. The keeping of animals other than pets on 10 acres or more of contiguous land shall be governed by Pennsylvania Act 38 of 2005, as may be amended, known as the Agriculture, Commu-



nities and Rural Environment Act (ACRE), 3 Pa.C.S.A. §101 *et seq.*

iii. The keeping of grazing animals including, but not limited to, horses, cows, goats and sheep, on contiguous land consisting of less than 10 acres but greater than 2 acres, shall be limited to no more than one unit of grazing animals, as defined, on the first 2 acres of contiguous land, and one unit of grazing animals per acre for each contiguous acre over 2 acres.

iv. The keeping of grazing animals, on contiguous land consisting of 2 acres or less shall be limited to one unit of grazing animals.

v. The keeping of non-grazing animals including, but not limited to, pigs, on contiguous land consisting of less than 10 acres but greater than 2 acres, shall be limited to no more than five heads of non-grazing animals on the first 2 acres of contiguous land, and five heads of non-grazing animals per acre for each contiguous acre over 2 acres.

vi. The keeping of non-grazing animals, including, but not limited to, pigs, on contiguous land consisting of 2 acres or less shall be limited to five heads of non-grazing animals.

vii. Riding academies, livery or boarding stables, and commercial kennels, and the raising of animals for furs or skins are not included in this provision and must meet the requirements of uses A5 or A6, as applicable, herein.

viii. All pastures for grazing livestock shall be fenced along paddock lines of sufficient height and type to contain livestock on the property.

ix. All non-grazing animals shall be kept in defined enclosures or areas of a type to contain the non-grazing animals on the property.

x. Livestock operations involving more than the number of head of livestock provided for in subparagraph A1(j)1) shall be regulated as Intensive Agriculture, Use A3.

b) *Poultry.*

i. The keeping of poultry shall be limited to lots which contain at least 2 acres of land, and shall be limited to no more than 25 heads of poultry for the first 2 acres and up to 25 additional heads of poultry per acre up to 10 acres.

ii. Poultry operations involving more than 25 heads of poultry per acre shall be regulated as Intensive Agriculture, Use A3.

iii. All-poultry shall be kept in defined enclosures or areas of a type to contain the poultry on the property.

c) The keeping of grazing and non-grazing animals and/or poultry on the same property shall be permitted. However, the

minimum required acreage for each animal type noted in the preceding paragraphs shall be provided independently of the other animal types.

d) *Exemption.* Members of youth programs sponsored and organized for the purpose of agricultural education and involving traditional agricultural animals, are hereby exempted from the provisions of this clause (j), during the keeping and raising of traditional agricultural animals within the parameter of the youth programs.

(k) In the case of conflicts between provisions of this Chapter and regulations of Pennsylvania Act 38 of 2005, as may be amended, known as the Agriculture, Communities and Rural Environment Act (ACRE), Pennsylvania Act 38 of 2005, as may be amended, 3 Pa.C.S.A. §101 *et seq.*, shall govern.

**A2 Nursery.** The growing of plants, shrubs and trees, outdoors or in a greenhouse, for sale and transplantation are subject to the following provisions:

(a) The maximum impervious surface ratio shall be 3%. This ratio may be exceeded provided the requirements of Use A3 Intensive Agriculture are met and provided Use A3 Intensive Agriculture is a permitted use in the applicable zoning district.

(b) A cold frame shall not be considered impervious surface and shall not require a zoning permit provided that it does not remain on the ground for more than 5 months in a calendar year.

(c) Dwelling units shall meet the requirements of Use A8 Farm Unit.

(d) Retail sales shall meet the requirements of Use A7 Agricultural Retail.

(e) Parking: One off-street parking space per employee.

(f) A nursery shall not include the outside storage of agricultural products produced and/or grown off site for wholesale purposes.

**A3 Intensive Agriculture.** Mushroom houses; feedlots; aquaculture; confinement livestock or poultry operations taking place in structures or closed pens; livestock operations involving more than the number of head of livestock provided for in subparagraph A1(j)1); poultry operations involving more than 25 heads of poultry per acre; and greenhouse operations which create an impervious surface ratio of greater than 3% are subject to the following provisions:

(a) Minimum lot area: 10 acres.

(b) Any building or structure used for the keeping or raising of livestock or poultry shall be situated not less than 100 feet from any street line or property line. Livestock and poultry are not permitted to run at large. A fenced-in area for the keeping of livestock and poultry shall be provided and shall not be less than 100 feet from a dwelling other than the owner's.

(c) Silos shall be situated not less than one and one quarter times the height of the silo from any street line or property line.

(d) Maximum impervious surface ratio: 20%.

(e) Dwelling units shall meet the requirements of Use A8 Farm Unit.

(f) Retail sales shall meet the requirements of Use A7 Agricultural Retail.

(g) A cold frame shall not be considered impervious surface and shall not require a zoning permit provided that it does not remain on the ground for more than 5 months in a calendar year.

(h) All applicable regulations of the Pennsylvania Department of Environmental Protection (DEP) shall be met.

(i) The keeping of animals other than pets on 10 acres or more of contiguous land shall be governed by Pennsylvania Act 38 of 2005, as may be amended, known as the Agriculture, Communities and Rural Environment Act (ACRE), 3 Pa.C.S.A. §101 *et seq.*

(j) Feedlots, pens and confinement areas shall not be situated less than 30 feet from any stream or swale.

(k) The raising of ferrets and/or garbage-fed pigs shall not be permitted.

(l) Commercial kennels are not included in this use (see Use A6).

(m) No structure for the storage or processing of manure, garbage, or spent mushroom compost or structures for the cultivation of mushrooms shall be situated less than 100 feet from any street line or property line. No storage or processing of manure, garbage or spent mushroom compost shall take place outdoors.

(n) Parking: One off-street parking space for each employee.

(o) In the case of conflicts between provisions of this Chapter and regulations of Pennsylvania Act 38 of 2005, as may be amended, known as the Agriculture, Communities and Rural Environment Act (ACRE), Pennsylvania Act 38 of 2005, as may be amended, 3 Pa.C.S.A. §101 *et seq.*, shall govern.

**A4 Forestry.** The management of forests and timberlands when practiced in accordance with accepted silvicultural principles through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development, are subject to the following provisions:

(a) For all forestry operations, a zoning permit shall be required and the following conditions shall be met:

1) All applications for a forestry zoning permit shall be accompanied by a forestry management plan, prepared by a qualified forester in accordance with the best management practices of the sustainable forestry initiative and the principles and criteria of the Forestry Stewardship Council. The plan shall be submitted to the Zoning Officer or appropriate municipal authority and the Bucks County Conservation District (BCCD) for approval. All forestry management plans shall contain the following minimum requirements:

a) Existing features plan which includes the surveyed site boundary, a site location map, adjacent roadways (site access), the overall site area, existing structures, the location and identification of the principle variety or varieties of trees on the site, and all natural resources found on the site, including, but not limited to, slopes,

wetlands, floodplain, riparian corridor, soil types, etc.

b) An overall plan (narrative), map, and corresponding schedule which indicates the locations and areas to be logged and the proposed timeline of the entire logging program. Plan should address the proposed road system, log landings, skid roads and trails, and maintenance. The plan should address any temporary road system design, removal and restoration stream crossings, haul roads, road use, and location in relation to State and Township roads. The plan should also address water control structures, log landing removal and restoration, and maintenance. Copies of all necessary permits shall be required to appear in the plan’s appendix.

c) *Reforestation Process and Period.*

i. The plan shall identify the reforestation process or processes to be employed and specifically identify, with respect to each principal variety of tree to be reforested, the method or methods of reforestation to be employed and the recommended reforestation period in terms of years. The reforestation period shall be not less than the number of years listed in the table provided below:

Basal Area Percentile Cut	Reforestation Period (years)
15% or less	5
16% to 40%	10
Over 40%	15

ii. The appropriate and approved reforestation period shall be deemed to be an essential part of any forest management plan and as such, will be deemed to be a continuing use until said period is completed. No forestry activity shall be permitted during the approved reforestation period, and the plan shall note the restriction on the forestry activity.

d) An erosion and sedimentation control plan designed to prevent erosion and sedimentation during and after the operation, as well as protect any remaining trees and other natural features. This plan shall meet applicable erosion and sedimentation control and stream crossing regulations under the Clean Stream Law (25 Pa.Code, Chapter 102, Erosion Control Rules and Regulations issued under Act of June 22, 1937, P.L. 1987) and the Dam Safety and Encroachment Act (25 Pa.Code, Chapter 105, Dam and Waterway Management Rules and Regulations issued under Act of 1978, P.L. 1375). The plan shall be submitted to and approved by Bucks County Conservation District and the Township shall receive a copy of the “letter of adequacy” issued by the district, along with any associated plans, reports, and permits.

e) All cutting, skidding, removing, and transporting of trees shall be planned and performed in such a manner as to minimize the

disturbance of or damage to other trees and vegetation and the land itself, including soil compaction. A narrative of these procedures shall be included in the plan.

f) All plans shall show how the general habitat and visual screening 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.

2) A minimum of 20% of the existing forest cover (canopy) shall be kept and the residual trees shall be well distributed to promote reforestation. The forestry plan shall provide for reforestation where necessary to continue proper forest management. For the purposes of an A4 Forestry Use only, the area of land located within the required buffer yards shall be excluded in determining the area of the forest.

3) All required performance standards, environmental performance standards, and area and dimensional requirements of the zoning district in which the forestry operations are to take place, shall be met.

4) “No logging” buffer zones shall be maintained along both sides of any streams and around the perimeter of any springs. The minimum buffer shall be 50 feet.

5) At a minimum, the dimensions and the vegetation of buffer yards, as outlined in §27-516 of this Chapter, are required as indicated herein. No forestry activities are permitted within the required buffer yards:

a) A 100-foot, Class ‘C’ buffer yard is required on the subject property between the proposed forestry use and any adjacent residential use or residential zoning district unless adjacent use is an accessory A4 Use.

b) Between the proposed forestry use and all other uses, a 50-foot, Class ‘B’ buffer yard shall be maintained by the forestry use.

6) *General Operational Requirements.* The following requirements shall govern all forestry activities:

a) Skidding across perennial or intermittent streams is prohibited except over bridges and culverts.

b) Felling or skidding on, across, or within any public right-of-way is prohibited without the express written consent of the party responsible for the right-of-way.

c) No tops or slash shall be left within 25 feet of any public right-of-way or within the minimum distance of the required buffer yard from any adjacent property.

d) All tops and slash shall be cut to a maximum height of 4 feet within 100 feet of any property line.

e) All tops and slash shall be lopped to a maximum height of 6 feet when located between 25 and 50 feet of a public right-of-way.

7) A bond shall be posted, in accordance with Township standards, to ensure reforestation and regrowth for a minimum of a 2-year period.

Escrow fees shall also be required to cover the expense of the plan review by the Township's professionals, as well as meeting attendance, and necessary inspections.

8) A minimum of two meetings are required with the applicant and the Township's professionals. One meeting shall take place prior to any clearing to field verify items contained within the management plan and another inspection meeting shall follow each stage of reforestation to verify proper planting techniques in accordance with the approved management plan and to allow for the release of set bonds. Officials from the BCCD should also be in attendance at these meetings.

9) A copy of the required forestry management plan and zoning permit shall be available on the site at all times. The forestry operation is subject to site inspection by Township officials.

(b) Any landowner or operator who violates any provision of this Section or who willfully or negligently violates any provision of this Section is subject to the provisions of Part 13 of this Chapter and/or any additional penalties approved by the Board of Supervisors.

(c) Individual property owners who choose to cut a tree or trees as part of yard maintenance shall be exempt from the provisions of this Chapter if the following conditions are met:

1) The area to be cleared shall not exceed  $\frac{1}{2}$  of an acre.

a) Compliance with §27-514.E of this Chapter which requires that no more than 20% of the woodlands on a site be altered, regraded, cleared or built-upon, unless approved by the governing body.

b) The tree or trees to be removed are dead or diseased.

c) The tree or trees to be removed are in such condition or physical position as to constitute a danger to the structures or occupants of properties or a public right-of-way.

d) Should the area exceed  $\frac{1}{2}$  of an acre, exceed the woodlands protection of 80%, or include 'more than the removal of dead trees or selective clearing, a zoning permit shall be required from the zoning officer.

(d) Prior to the start of any forestry activities, the applicant shall provide the Township with a signed, recorded agreement clearly stating that no cutting or clearing shall be considered to reduce the area of the forest/woodland for any subdivision or land development, proposed or not, pursuant to this Chapter.

(e) Cutting of trees and/or grading which is initiated 2 years or less before the submission of plans for subdivision, land development, or building permits is presumed to be in anticipation of development. If an application for building, subdivision or land development is submitted for the property within 2 years of the date cutting and/or grading began, the requirements for natural resource protection, as set forth in §27-514 of this Chapter, shall be applied to the property as it was prior to removal of trees or grading. If woodland removal, tree removal, or grading exceeds the limits set forth in §27-514, the applicant is required to replace trees removed during the tree or woodland removal

process. Replacement will be based upon the actual number and size of trees or woodland removed, and trees shall be replaced on an inch-for-inch basis. Determination of actual caliper-inches of trees removed may be determined through site inspection or on the basis of tree inventory that was submitted to the Township. If it is not possible to determine the caliper inches removed, then replacement trees shall be provided so that there shall be a minimum of 1,500 caliper-inches of trees per acre after replanting.

**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 riding academy is subject to the following provisions:

(a) Minimum lot area: 5 acres.

(b) Any building or structure used for the keeping or raising of horses shall be situated not less than 100 feet from any street line or property line.

(c) Silos shall be situated not less than one and one quarter times the height of the silo from any street line or property line.

(d) Maximum impervious surface ratio: 3%.

(e) One single-family detached dwelling shall be permitted on the same tract with this principal use provided that the yard and setback requirements for B1A Single-Family Detached Exemption Use for the applicable zoning district shall be met. If additional dwelling units are proposed, the requirements of Use A8 Farm Unit shall be met.

(f) Shows and/or competitions shall meet the requirements of Use H9 Temporary Community Event.

(g) Retail sales of related items shall be limited to a maximum floor area of 750 square feet.

(h) No area for the storage or processing of animal waste shall be situated less than 200 feet from any street line or property line.

(i) No more than one horse per acre shall be permitted.

(j) 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 Commercial Kennel.** An establishment, structure, lot, or portion of a lot on or in which 6 or more dogs, cats, or domestic pets are housed, bred, boarded, trained or sold or in which animals are raised for furs and skins. A commercial kennel is subject to the following provisions:

(a) Minimum lot area: 10 acres.

(b) No animal shelter or run shall be located closer than 200 feet from any street line or property line.

(c) Maximum impervious surface ratio: 3%.

(d) One single-family detached dwelling shall be permitted on the same tract with this principal use provided that the yard and setback requirements

for the B1A Single-Family Detached Exemption Use for the applicable zoning district shall be met. If additional dwelling units are proposed, the requirements of Use A8 Farm Unit shall be met.

(e) Shows and/or competitions shall meet the requirements of Use H9 Temporary Community Event.

(f) Retail sales of related items shall be limited to a maximum floor area of 750 square feet.

(g) No structure for the storage or processing of animal waste shall be situated less than 200 feet from any street line or property line. No storage, processing or spraying of animal waste shall take place outdoors.

(h) All animals shall be kept indoors between 10 p.m. and 7 a.m.

(i) All dog runs shall be located to the side and/or rear of the principal building, whenever possible.

(j) 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 similar structures to the general public, subject to the following provisions:

(a) Agricultural retail is an accessory use which shall be clearly subordinate to primary uses A1, A2 and A3 only.

(b) Products sold must be grown, raised and produced on the property.

(c) The maximum floor area shall be limited to 2,000 square feet.

(d) When proposed on lots of less than 2 acres, agricultural retail shall only be permitted by conditional use.

(e) Agricultural retail uses shall meet the yard and setback requirements for the related primary agricultural use.

(f) Maximum impervious surface ratio: 30%. If this Chapter requires another maximum impervious surface ratio, the stricter shall apply.

(g) 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 farm unit is subject to the following provisions:

(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 units per acre.

(c) A farm unit shall meet the minimum yard and setback requirements of the B1A Single-Family Detached Exemption Use from any street line or property line and between other farm units on the property.

(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 farm support facility is subject to the following provisions:

- (a) Minimum lot area: 2 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) No outdoor storage of fertilizers or chemicals shall be permitted.
- (e) No structure for the storage or processing of manure, garbage or spent mushroom compost shall be situated less than 200 feet from any street line or property line. No storage or processing of manure, garbage or spent mushroom compost shall take place outdoors.
- (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.

*B. Residential Uses.*

**B1 Single-Family Detached.** A single-family detached dwelling on an individual lot with private yards on all sides of the house and with public or community open space. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, and modular dwellings. Single-Family detached uses shall comply with the requirements in §27-512, “Table of Performance Standards,” for Use B1, and are subject to the following provisions:

- (a) No more than one single-family detached dwelling shall be placed on a lot and such detached dwelling shall be occupied by not more than one single-family.
- (b) If the dwelling is a mobile/manufactured home, the following conditions shall also apply:
  - 1) The provisions of all current municipal ordinances regulating mobile/manufactured homes and regulations of the Bucks County Health Department regarding water supply and waste disposal shall be adhered to.
  - 2) The area between ground level and the perimeter of the mobile/manufactured home shall be enclosed by means of wood or aluminum skirting or other similar material.
- (c) **Parking:** Three off-street parking spaces for dwellings having three bedrooms or less; four off-street parking spaces for dwellings having four bedrooms or more.

**B1A Single-Family Detached Exemption.** Parcels in existence on or before the date of adoption of this Chapter shall be permitted to comply with the standards in this Section. The purpose of this exemption is to permit subdivisions on small, infill sites, and to permit minor subdivisions of larger parcels without the immediate reservation of open space. It is also the purpose of this Section to ensure that land identified as part of the municipal open space plan, shall be permanently protected open space, even as small-scale development occurs. Subdivisions under the B1A exemption use shall meet all of the following provisions:

- (a) A maximum of six lots may be created under the provisions of this

Section provided that the subdivision complies with all other applicable requirements of this Chapter and the Subdivision and Land Development Ordinance [Chapter 22].

(b) Tracts that contain land identified in the municipal open space plan may only use these exemption standards if the proposed subdivision complies with the following:

1) The applicant agrees to protect all such lands identified in the municipal open space plan as permanently preserved open space.

2) Where such lands exceed the minimum required open space for Use B1, as set forth in §27-512 herein, the applicant shall only be required to preserve the minimum open space required for Use B1.

(c) Where the subdivision of six or fewer lots represents maximum development, or for properties in the URL District, no reservation of open space shall be required, unless the circumstances of subparagraph B1A(b) apply.

(d) Where the subdivision of six or fewer lots represents less than maximum development, a restrictive covenant shall be recorded with the final plan stating, to the satisfaction of the municipal solicitor:

1) The number of lots being created and the number that may be created without reserving open space.

2) A calculation of the total required open space to be calculated using the net buildable site area of the entire parcel and the minimum open space required under Use B1, above.

3) A statement that once the maximum number of lots has been created under these exemption provisions, any further subdivision will require the permanent protection of open space for the entire original parcel as calculated in subclause 2), herein.

(e) Subdivisions under the B1A, Single-Family Detached Exemption shall comply with the following area and dimensional requirements (see §27-512 for density requirements):

District	Min. Lot Width at Bldg. Setback Line <sup>1</sup> (ft)	Minimum Yards		
		Front (ft)	Side (ea)(ft)	Rear (ft)
RP	325	75	30	100
RA	200	75	30	100
SRC	250	75	30	100
SRL	100	50	15	50
SRM	100	45	15	50
SRH	85	35	15	50
URL	50	25	10	25

<sup>1</sup>For exception, see §27-553.

(f) If the dwelling is a mobile/manufactured home, the following conditions shall also apply:

1) The provisions of all current municipal ordinances regulating mobile/manufactured homes and regulations of the Bucks County Health Department regarding water supply and waste disposal shall be adhered to.

2) The area between ground level and the perimeter of the mobile/manufactured home shall be enclosed by means of wood or aluminum skirting or other similar material.

(f) Parking: Three off-street parking spaces for dwellings having three bedrooms or less; four off-street parking spaces for dwellings having four bedrooms or more.

(g) Use A4 Forestry shall be permitted as an accessory use; provided all of the provisions of subparagraph A4 are met. In addition, a minimum lot area of 5 acres is required when this accessory use is utilized in conjunction with Use B1A Single-Family Detached Exemption.

**B2 Residential Conversion.** The conversion of an existing residential or nonresidential building into two or more dwelling units, subject to the following provisions:

(a) The following maximum density requirements shall be met:

1) In the RP, RA and SRC Districts, the number of dwelling units permitted on a lot shall not exceed one and one-half times the maximum density permitted in §27-512, "Table of Performance Standards," for the B1 Use Single-Family Detached dwellings.

2) In the SRL, SRM, SRH and URL Districts, the number of dwelling units permitted on a lot shall not exceed the maximum density permitted in §27-512, "Table of Performance Standards," for the B1 Use Single-Family Detached dwellings.

(b) The building to be converted shall meet the minimum yard requirements for B1 Use Single-Family Detached for the applicable zoning district.

(c) Detached dwellings which are converted must maintain the appearance of a detached dwelling with a single front entrance. Stairways leading to the second or any higher floor shall be located within the walls of the building wherever practical. Stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or on a side wall facing a street. After conversion the building shall retain substantially the same structural appearance it had before such conversion.

(d) All septic systems must be approved by the Bucks County Department of Health as suitable for the proposed conversion. For units proposed to be served by public sewers, certification should be provided from the servicing authority that adequate service is available for the proposed conversion.

(e) Separate cooking, sleeping, living and bathroom facilities shall be provided for each dwelling unit.

(f) Trash receptacles shall not be visible from the street or abutting

properties except on scheduled pick-up days.

(g) Each converted structure shall have a recreation area of at least 200 square feet per dwelling unit. The recreation area shall not be located in the front yard or the minimum side or rear yards.

(h) A building must be occupied at least 7 years before it is converted.

(i) Off-street parking spaces shall be located to the side or rear of the converted structure.

(j) Off-street parking lots with three or more spaces shall be buffered from abutting residences by hedge material placed on 3-foot centers. Alternatively, a 4- to 5-foot fence may be erected which provides a visual screen.

(k) **Parking:** Three off-street parking spaces for each dwelling unit having three bedrooms or less; four off-street parking spaces for each dwelling unit having four bedrooms or more. If the converted building fronts on a primary or secondary road on which on-street parking is permitted, the parking requirements may be fulfilled by a combination of off-street and on-street spaces. Off-street parking is required up to the maximum impervious surface ratio. On-street parking is permitted thereafter, based on the street frontage of the lot. One on-street parking space may be permitted for each continuous 40 feet of lot frontage on a primary or secondary road, which is uninterrupted by a driveway, setbacks from fire hydrants or setbacks from street intersections.

**B3 Rooming or Boarding House.** A dwelling used for the housing of roomers, boarders, or lodgers with or without common eating facilities, including dormitory, fraternity, sorority, or other buildings of charitable, educational, or philanthropic institutions, are subject to the following provisions:

(a) The minimum lot area per sleeping room shall be 2,000 square feet in SRM and SRH Districts and 1,000 square feet in URL Districts in addition to the lot area requirement for other permitted uses in the applicable district.

(b) The minimum lot width and minimum yards shall be as specified in §27-513 for the applicable district.

(c) No separate cooking facilities shall be provided.

(d) Conversion of an existing building for rooming house or dormitory purposes shall meet the following requirements of the B2 Use Residential Conversion, subparagraphs B2(c), (d), (f), (h), (i) and (j).

(e) The Zoning Hearing Board shall determine the required amount of parking based on one off-street parking space per occupant at the maximum occupancy rate. The required amount of parking shall be specified in the Zoning Hearing Board's order.

**B4 Single-Family Detached Enhanced Density.** Single-Family detached dwellings on individual lots with private yards on all sides of the houses, patterned to preserve common open space. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, and modular dwellings. This use provides a density bonus for applicants who choose to preserve a higher percentage of open space than for B1 Use Single-Family Detached. The single-family detached enhanced density use is subject to the following provisions:

(a) No more than one single-family detached dwelling shall be placed on a lot and such detached dwelling shall be occupied by not more than one single-family.

(b) The requirements of §27-512, “Table of Performance Standards,” shall be met. Applicants are advised to determine density and open space requirements prior to consulting the area and dimensional requirements below.

(c) *Area and Dimensional Requirements.* All B4, Single-Family Detached Enhanced Density uses shall comply with the following area and dimensional requirements:

District	Min. Avg. Lot Area (sq. ft.)	Min. Lot Area (sq. ft.)	Min. Lot Width at Bldg. Setback Line (ft)	Minimum Yards		
				Front (ft)	Side (ea)(ft)	Rear (ft)
RP	43,560	30,000	70	25	10	40
RA	24,000	12,000	65	25	10	40
SRC	34,00	20,000	50	25	10	35
SRL	6,000	5,000	45	25	10	35
SRM	5,500	4,000	45	25	10	30
SRH	5,500	4,000	45	25	10	30
AQ	--	5,000	50	25	7.5	20

(d) Mobile/manufactured homes shall not be permitted as part of Use B4 Single-Family Detached Enhanced Density.

(e) *Parking:* Three off-street parking spaces for dwellings having three bedrooms or less; four off-street parking spaces for dwellings having four bedrooms or more.

**B5 Performance Standard Subdivision.** A type of conservation development in which the developer may choose to develop a variety of housing types subject to the regulations stated below and the requirements of Part 5 of this Chapter. Performance standard subdivisions allow the grouping or clustering of dwelling units, permitting a variety of housing types to encourage better, more flexible designs. The subdivision as a whole must meet prescribed standards for open space, density and impervious surfaces and is subject to the following provisions:

(a) *General Requirements.*

1) The requirements of §27-512, “Table of Performance Standards,” shall be met.

2) *Dwelling Unit Mix.* A mix of dwelling unit types is necessary to promote a balanced community. Therefore, a mix is required, based on the number of dwelling units as set forth in the accompanying table.

Number of Dwellings in Development	Min. Required # of D.U. Types	Max. Percent of any D.U. Type	Min. Percent of D.U. Type
1–150	1	100%	20%

Number of Dwellings in Development	Min. Required # of D.U. Types	Max. Percent of any D.U. Type	Min. Percent of D.U. Type
151–400	2	60%	15%
401 or more	3	40%	5%

3) *Parking Requirements.* Units containing three bedrooms or less shall provide a minimum of three off-street parking spaces. Units containing four bedrooms or more shall provide a minimum of four off-street parking spaces.

4) The developer of a performance standard subdivision shall be subject to the maximum impervious surface ratio (on-lot) specified in clause (b) for the applicable housing type. An individual lot owner may exceed this maximum impervious surface ratio (on-lot) by 3% to make improvements to the lot. All subsequent homeowners will be bound by this one time 3% maximum increase in lot coverage. However, the developer shall be required to design and construct the stormwater management facilities to accommodate the total maximum impervious surfaces allowed, including the additional 3% homeowner allowance.

(b) *Requirements for Dwelling Unit Types.*

1) *Single-Family Detached.* A single-family 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, and modular dwellings.

a) If the dwelling is a mobile/manufactured home, the requirements of subparagraph B1A(f) shall be met.

b) *Area and Dimensional Requirements.*

Minimum lot area: 10,000 square feet

Minimum lot width at building set-back line: 70 feet

Minimum yards:

Front 35 feet

Side 10 feet

Rear 40 feet

Maximum impervious surface ratio (on-lot): 20%

(2) *Detached Dwelling–Off Center.* A single-family 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 5 feet and the other side yard shall be no less than 15 feet.

a) The standards noted in clause b(1) above for single-family

detached dwellings shall be met except for the side yard requirement.

b) A minimum building spacing of 20 feet shall be provided between dwelling units.

3) *Twin*. A single-family semi-detached unit having only one dwelling from ground to roof and only one wall in common with another dwelling unit.

a) *Area and Dimensional Requirements.*

Minimum lot area (per dwelling unit): 4,500 square feet

Minimum lot width at building setback line (per d.u.): 40 feet

Minimum yards:

Front 25 feet

Side 10 feet

Rear 25 feet

Maximum impervious surface ratio (on-lot): 40%

4) *Duplex*. A single-family semi-detached dwelling unit with one dwelling unit located above another dwelling unit. The dwelling units share a common lot area which is the sum of the required lot areas of all dwelling units within the building. There shall be no more than two dwelling units per structure and each unit shall have individual outside access.

a) *Area and Dimensional Requirements.*

Minimum lot area per building: 6,000 square feet

Minimum lot width at bldg. setback line: 60 feet

Minimum yards:

Front 30 feet

Side 15 feet

Rear 20 feet

Maximum impervious surface ratio (on-lot): 40%

5) *Patio House*. A detached or semi-detached unit, with one dwelling unit from ground to roof having individual outside access. Except for the street setback, the lot shall be fully enclosed by a wall 4 to 6 feet in height. All living spaces, i.e., living rooms, dens, and bedrooms, shall open onto a

private open area or patio.

a) *Area and Dimensional Requirements.*

Minimum lot area:	4,000 square feet
Minimum lot width at bldg. setback line:	40 feet
Minimum setback–street line:	5 feet
Maximum impervious surface ratio (on-lot):	40%
Maximum building height:	25 feet
Minimum patio area (ratio to lot area):	65%
Minimum patio dimensions:	20 feet

6) *Atrium House.* The atrium house is a single-family, attached dwelling unit, one story high, with individual outside access. The lot shall be fully enclosed by a wall at least 7 feet high. A private yard, herein called an atrium, shall be included on each lot. All living spaces, i.e., living rooms, den and bedrooms shall open into the atrium. A row of attached dwellings shall not exceed five dwelling units.

a) *Area and Dimensional Requirements.*

Minimum lot area:	2,100 square feet
Minimum lot width at bldg. setback line:	40 feet
Minimum setback–street line:	10 feet
Maximum impervious surface ratio (on-lot):	70%
Maximum building height:	15 feet
Minimum atrium area (ratio to lot area):	35%
Minimum atrium dimensions:	16 feet

7) *Multiplex.* An attached dwelling unit which may be arranged in a variety of configurations: side by side, back to back, or vertically. The dwelling units share a common lot area which is the sum of the required lot areas of all dwelling units within the building. The essential feature is the small number of units attached. No more than six units shall be attached in any structure, and structures shall average four units each. Each unit shall have individual outside access.

a) *Area and Dimensional Requirements.*

Minimum lot area (per bldg):	8,000 square feet
Minimum lot area (per dwelling unit):	2,500 square feet
Min. lot width at bldg. setback line (per bldg):	80 feet
Maximum impervious surface ratio (on-lot):	45%
Minimum building setback:	
Street	30 feet
Parking area	30 feet
Pedestrian walkway	5 feet
Minimum rear yard:	20 feet
Minimum building spacing:	30 feet

8) *Townhouse*. A single-family attached dwelling unit with one dwelling unit from ground to roof, having individual outside access. A row of attached townhouses shall not exceed eight dwelling units.

a) *Area and Dimensional Requirements.*

Minimum lot area:	2,000 square feet
Minimum lot width:	24 feet
Maximum impervious surface ratio (on-lot):	55%
Minimum building setback:	
Street	20 feet
Parking area	30 feet
Pedestrian walkway	15 feet
Minimum building spacing:	30 feet
Minimum rear yard:	20 feet

9) *Apartments*. 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. Apartments shall contain three or more dwellings in a single structure.

a) *Area and Dimensional Requirements.*

Minimum lot area (per building):	1 acre
Minimum lot area (per dwelling unit):	2,000 square feet
Minimum street frontage:	100 feet
Minimum building setback:	
Street	50 feet
Parking area	30 feet
Pedestrian walkway	5 feet
Minimum building spacing:	50 feet
Maximum number of units per building:	16
Maximum impervious surface ratio (on-lot):	65%

**B6 Mobile Home Park.** A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile/manufactured homes, subject to the following provisions:

(a) *Area and Dimensional Requirements.*

	Min. Lot Area (sq. ft.)	Min. Lot Width at Bldg Setback (ft.)	Max. Bldg. Coverage (%)	Minimum Yards (ft.)			Min. Distances BTW Units (ft.)
				Front	Side	Rear	
Single-wide units 61' or less in length	4,800	45	25	20	5	15	30
Single-wide units greater than 61' in length	5,250	45	25	20	5	15	30
Double-wide units	7,000	60	25	30	15	15	30

(b) Minimum site area: 10 acres.

(c) Mobile home parks must conform to the requirements for open space ratio, density, and impervious surface ratio, established for Use B5 Performance Standard Subdivisions in §27-512, "Table of Performance Standards," for the appropriate districts.

(d) The area between the grade level and the base of the mobile/manufactured home for the entire perimeter of the mobile/manufactured home shall be enclosed by means of wood or aluminum skirting or a similar material.

(e) Every mobile/manufactured home shall have access to an improved

street in the mobile home park in accordance with the Richland Township Subdivision and Land Development Ordinance [Chapter 22].

(f) The minimum number of spaces completed and ready for occupancy before the first occupancy is permitted shall be nine.

(g) No space shall be rented for residential use of a mobile/manufactured home in any such park except for periods of 30 days or more.

(h) Plans for any mobile home park shall be submitted in conformance with the Municipal Subdivision and Land Development Ordinance [Chapter 22] and the regulations of this Chapter.

(i) Public sewerage shall be required.

(j) A zoning permit shall be required for each mobile/manufactured home placed in a park.

(k) Minimum off-street parking: Three spaces for three bedrooms or less; four spaces for four bedrooms or more.

**B7 Country Property.** A single-family detached dwelling on an individual lot with private yards on all sides of the house. Where a property contains characteristics and/or resources that are determined to be worthy of preservation, as outlined in the Richland Township Open Space Plan, the Board of Supervisors may require a 10% open space dedication of this land to the municipality. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, and modular dwellings. This use provides for very low densities appropriate to rural situations with flexible and reduced design standards. For general requirements and design standards regarding open space for this use, refer to §27-563.A(2) and (3). A country property is subject to the following provisions:

(a) *Accessory Dwelling Units in Country Properties.* In addition to one single-family detached dwelling, accessory dwelling units (ADU's) shall be permitted only in existing historic buildings listed in the Richland Township Historic Building Inventory (See Appendix 27-D). Such ADU's may be located in a principal historic structure or an existing historic outbuilding on the property.

1) There may be a maximum of one accessory dwelling unit (ADU) on any legal building lot conforming to the standards for country properties provided all performance standards of this Chapter are met.

2) Changes to the exterior of any ADU shall conform to the following standards:

a) The structure may be expanded 500 square feet, or 20% of the gross floor area, whichever is less.

b) Alterations to the exterior of the ADU shall conform to the United States Secretary of the Interior's Standards for the Rehabilitation of Historic Buildings, as amended and shall be subject to approval from the Board of Supervisors.

c) In order to encourage the preservation of historic buildings as ADU's, the existing structure shall be exempt from the dimensional setback requirements of this Chapter.

(b) The requirements of §27-512, “Table of Performance Standards,” shall be met. However, the minimum open space ratio for the B7 Country Property Use is only required if the subject parcel contains characteristics and/or resources that are determined to be worthy of preservation, as outlined in the Richland Township open space plan and is required for dedication by the Board of Supervisors.

(c) *Area and Dimensional Requirements.*

District	Minimum Lot Width	Min. Yards (ft)		
		Front	Side (ea)	Rear
RP	120 ft	40	30	100
RA	120 ft	40	30	100
SRC	120 ft	40	30	100
SRL	80 ft	25	15	35
SRM	80 ft	25	15	35
SRH	80 ft	25	15	35

(d) Mobile/manufactured homes shall not be permitted as part of Use B7 Country Property.

(e) Four off-street parking spaces shall be provided for the principal use and four for each ADU.

(f) Use A4 Forestry shall be permitted as an accessory use; provided, all of the provisions of subparagraph A4 are met. In addition, a minimum lot area of 5 acres is required when this accessory use is utilized in conjunction with Use B7 Country Property.

**B8 Urban Dwelling.** A detached dwelling—off center, twin, duplex, patio house, or atrium house as defined in subparagraph B5, subject to the following provisions:

(a) The minimum lot area per dwelling unit shall be 7,000 square feet in the URL District. Single-Family detached off-center dwellings must have a lot of at least 8,000 square feet in size.

(b) Existing single lots which do not conform to clause (a) above, may be developed as urban dwellings if the lot is not less than the minimum lot area listed for that dwelling type in subparagraph B5. If the lot is contiguous to another lot under the same ownership, the lots shall be consolidated to reduce the nonconformity.

(c) All area and dimensional requirements in this Section shall be met for the specific dwelling type (except as noted in clauses (a) and (b) above).

(d) No parcel 20,000 square feet or greater in the URL District shall be developed as an urban dwelling. (It may be developed as a performance standard subdivision under the provisions of this Section.)

(e) **Parking:** Three off-street parking spaces for dwellings having three bedrooms or less; four off-street parking spaces for dwellings having four

bedrooms or more.

**B9 Life Care Facility.** A life care facility is a form of residential use designed and operated for individuals requiring certain medical and non-medical support facilities and services. A life care facility is subject to the following provisions:

(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.* The maximum density for a life care facility shall be the highest density permitted in §27-512, "Table of Performance Standards," for the applicable district. In the PC District the maximum density shall be four dwelling units per acre.

(c) Maximum impervious surface ratio: 35%.

(d) *Support Facilities and Services.* A life care facility may include some or all of the following medical and non-medical support facilities and services, provided that they are dearily incidental to the primary life care facility use.

1) Retail facilities shall be for use of residents and their guests only.

2) *Life-Care Nursing Facility.* A health care facility designed for the temporary and long-term care of the residents of the life-care facility. Nursing beds shall not exceed one bed per three dwelling units.

3) *Social Services.* Residents of the life care facility may be provided with social services including, but not limited to, homemaker, personal care and financial management services.

4) Other support facilities may include, but are not limited to, lounge areas, reading rooms, craft rooms, common dining facilities, exercise rooms and recreational rooms.

(e) *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. No outdoor sitting areas shall be located on land subject to flooding or on slopes in excess of 5%.

(f) *Off-Street Parking.* There must be 0.85 off-street parking spaces per bedroom in addition to one off-street parking space for each employee on the largest shift.

(g) *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.

(h) The developer of a life-care facility shall submit to the municipality 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 municipality as a condition for approval of use.

**B10 Community/Group Home.** Community/group homes are facilities for the purpose of providing temporary or permanent residential housing for more than two but fewer than eight persons who are unable to maintain a residence for themselves, including the mentally or physically handicapped. For purposes of this Chapter, community/group homes shall not include facilities for treatment or rehabilitation, halfway houses, or nursing homes, and are subject to the following provisions:

(a) A community/group home shall be operated by a group, organization, or corporation. Proof of compliance with all applicable regulations of any governmental agency authorized to regulate such group shall be obtained and submitted to the Zoning Officer prior to the issuance of any zoning permit.

(b) An employee shall be on the premises 24 hours a day and shall provide supervision to the residents.

(c) No cooking or dining facilities shall be provided in individual rooms.

(d) A minimum of one off-street parking space per two residents at maximum capacity shall be provided.

(e) The use shall be conducted in a building designed to be or to look like a single-family residential home. No signs of any type identifying the use are permitted.

C. *Institutional and Recreational Uses.*

**C1 Place of Worship.** Church, synagogue or other place of religious worship, provided that the following requirements are met:

(a) *Area and Dimensional Requirements.*

Zoning District	RP, RA, SRC, EXT	SRL, SRM, SRH, PC, PI	URL
Minimum Lot Size	5 acres	1 acre	20,000 sq. ft.
Minimum Lot Width	325 feet	120 feet	100 feet
Minimum Front Yard	75 feet	50 feet	50 feet
Minimum Side Yard	30 feet	25 feet	15 feet
Minimum Rear Yard	100 feet	75 feet	50 feet

(b) Access shall be to a collector or primary street.

(c) **Parking:** One off-street parking space for each two seats provided for patron use, or at least one off-street parking space for each 40 square feet of gross 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.

(d) Ancillary activities or use of the facilities is permitted and may include, but shall not be limited to, the following: community groups, service organizations, clubs, athletic associations; meetings, gatherings, instruction, performances and festivals; or other such functions. Parking for ancillary activities or use shall not interfere with, nor conflict with, the operation of the principal use or any adjacent uses.

**C2 School.** Religious, sectarian and non-sectarian, denominational private school or public school which is not conducted as a private gainful business, subject to the following provisions:

(a) The minimum lot area for elementary schools, junior high schools, middle schools or high schools shall meet the minimum requirements of the Pennsylvania State Board of Education.

(b) *Area and Dimensional Requirements.*

Maximum impervious surface ratio:	0.25
Minimum lot width:	200 feet
Minimum front yard:	200 feet
Minimum side yard:	100 feet
Minimum rear yard:	200 feet

(c) Recreational and athletic facilities shall be set back a minimum of 100 feet from any property line.

(d) Schools shall have access to a collector or primary street.

(e) Parking:

1) **Preschool/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) **Middle school/junior high school:** One off-street parking space for each faculty member and employee plus one space per two classrooms and offices.

4) **Senior high school:** One off-street parking space per 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 parking space for every two nonresident students at projected building capacity. Parking for resident students shall meet the requirements for Use H5 Dormitory.

(f) Ancillary activities or use of the facilities is permitted and may include, but shall not be limited to, the following: community groups, service organizations, clubs, athletic associations; meetings, gatherings, instruction, performances and festivals; or other such functions. Parking for ancillary

activities or use shall not interfere with, nor conflict with, the operation of the principal use or any adjacent uses.

**C3 Commercial School.** Trade or professional school, music or dancing school, or other schools not included in Uses C2 or C10, subject to the following provision:

(a) Parking: One off-street parking space per faculty member and employee, plus one space for every two nonresident students, at projected building capacity. Parking for resident students shall meet the requirement for Use H5 Dormitory.

**C4 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, subject to the following provision:

(a) Parking: One off-street parking space per five seats or one off-street parking space per 250 square feet of gross floor area where no seats are provided, plus one space per employee.

**C5 Recreational Facility.** Recreational facility or park owned or operated by the municipality or other governmental agency, subject to the following provisions:

(a) The following requirements shall be met for those recreational facilities or parks, owned or operated by a governmental agency; other than the municipality:

1) No outdoor active recreation area shall be located nearer than 100 feet to any lot line.

2) Outdoor recreation areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.

3) 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.

4) Ancillary activities or use of the facilities is permitted and may include, but shall not be limited to, the following: community groups, service organizations, clubs, athletic associations; meetings, gatherings, instruction, performances and festivals; or other such functions. Parking for ancillary activities or use shall not interfere with, nor conflict with, the operation of the principal use or any adjacent uses.

(b) For all municipally owned or operated recreational facilities or parks, the following shall apply:

1) Impervious and building coverage limitations, area and dimensional requirements, setbacks and buffer yards shall be as determined appropriate by the governing body.

2) Preferred parking: One off-street parking space for every four seats in meeting areas or one off-street parking space for each 200 square

feet of gross floor area, whichever requires the greater number of off-street parking spaces, plus one off-street parking space for every employee. This standard shall be used as a guideline only. Required parking shall be based on the needs as determined by the governing body.

3) Ancillary activities or use of the facilities is permitted and may include, but shall not be limited to, the following: community groups, service organizations, clubs, athletic associations; meetings, gatherings, instruction, performances and festivals; or other such functions. Parking for ancillary activities or use shall not interfere with, nor conflict with, the operation of the principal use or any adjacent uses.

**C6 Private Recreational Facility.** A recreational facility owned or operated by a non-governmental agency, subject to the following provisions:

(a) The use shall not be conducted as a private gainful business.

(b) Except for a snack bar, dining services and/or the service of alcoholic beverages shall not be part of the regular activities at the facility.

(c) No outdoor active recreation area shall be located nearer than 100 feet to any lot line.

(d) Outdoor recreation areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.

(e) Where the recreational facility includes a rifle range, the following additional requirements shall apply:

1) A rifle range shall only be permitted in the PC or RP District by special exception.

2) A minimum lot area of 10 acres shall be required.

3) The range shall be designed and constructed in accordance with the National Rifle Association's standards for the particular type of range.

4) The range shall be operated in strict accordance with the National Rifle Association's standards for operation and safety.

5) The range shall be used only for the type of firearms which it is designed to accommodate.

6) The range shall not be lighted for night time use.

7) The safety of adjoining properties shall be a primary consideration in the location of the rifle range.

8) A Class "C" buffer shall be provided along all property lines of the range. The buffer shall meet the requirements of §27-516 of this Chapter.

(f) **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.

**C7 Golf Course.** An area designed for the play of the game of golf containing greens, tees, fairways, bunkers and related areas. This use shall not include a

miniature golf course. A golf course is subject to the following provisions:

(a) *Minimum Lot Area.*

Regulation	18 hole	130 acres
Executive	18 hole	60 acres
Par 3	18 hole	45 acres
Nine hole	9 hole	70 acres
Par 3	9 hole	25 acres

(b) The golf course may include the following accessory uses: practice driving ranges and putting greens; restrooms and rain shelters; maintenance facilities; golf cart storage; golf club and general storage facilities; caddy shack; golf club repair facilities; and pro shops.

(c) No building shall be closer than 100 feet to any lot line or street line.

(d) No golf hole shall be closer than 150 feet to a lot line or street line, measured from the centerline of the hole.

(e) *Clubhouse Facilities.* Clubhouse facilities including locker rooms, restrooms and shower facilities; administrative, management and club membership offices; private dining facilities, including formal dining, grillroom, bar and lounge, and snack bar; and indoor and outdoor recreational facilities shall be permitted provided the following requirements are met:

- 1) Such facilities shall be clearly accessory to the golf course.
- 2) A minimum lot area of 60 acres shall be required.

(f) **Parking:** Three off-street parking spaces for each hole. In addition, where a club house is proposed in conjunction with a golf course, one off-street parking space for every 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.

**C8 Private Club.** A private club or lodge established for the fraternal, social, educational, civic or cultural enrichment of its members, whose members meet certain prescribed qualifications for membership and pay dues, subject to the following provisions:

(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) No outdoor active recreation area shall be located nearer than 100 feet to any lot line.

(d) Outdoor recreation areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.

(e) **Parking:** One off-street parking space for every three persons present at such facilities when they are filled to 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 members and guests, whichever requires the greater number of off-street parking spaces, plus one additional space for each employee.

**C9 Community Center.** An educational, social, cultural or other similar facility, operated by a public or non-profit group or agency subject to the following provisions:

- (a) The use shall not be conducted as a private gainful business.
- (b) Dining services and/or the service of alcoholic beverages shall not be part of the regular activities at the facility.
- (c) No outdoor active recreation area shall be located nearer than 100 feet to any lot line.
- (d) Outdoor recreation areas shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbances.
- (e) Community centers shall have access to a collector or primary street, except when located in the URL District.
- (f) **Parking:** One off-street parking space for every four persons of total occupancy for meeting halls and one space for every eight persons of total occupancy for all other facilities proposed, including indoor and outdoor facilities.
- (g) Maximum impervious surface ratio: 55%.
- (h) No buffer shall be required adjacent to land owned by the Township.
- (i) In the event of any inconsistencies between the provisions of this Use C9 and any other requirements set forth in this Chapter, the provision of this Use C9 shall prevail.

**C10 Day Care Center.** A facility in which out-of-home day care is provided to four or more children, disabled persons and/or elderly. A day care center is subject to the following provisions:

- (a) In residential districts, the use shall be conducted in a building designed to look like a single-family detached residence.
- (b) The regulations of the Pennsylvania Department of Public Welfare shall be met.
- (c) An outdoor recreation area shall be provided with a minimum area of 200 square feet for each child utilizing the outdoor recreation area at one time and 100 square feet for each disabled or elderly person. This outdoor play area shall be located to the side or the rear of the lot and shall not include any parking areas. The outdoor play area shall be fully enclosed by a 4-foot high fence and shall be sufficiently screened and insulated so as to protect the neighborhood from inappropriate noise and other disturbance.
- (d) Sufficient facilities for passenger loading and unloading shall be provided.
- (e) This use may be permitted as accessory to a permitted nonresidential use.

(f) A license from the Pennsylvania Department of Public Welfare shall be required.

(g) **Parking:** One off-street parking space for each teacher, administrator, and maintenance employee, plus one space per six children and disabled adults of total capacity.

**C11 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) The following uses are permitted in conjunction with a hospital provided such uses are complementary and dearly secondary to the hospital: C1, C2, C3, C9, C10, C12, D1, D2, E1, E3, E5 and E21.

(b) *Area and Dimensional Requirements.*

Minimum lot area:	10 acres
Minimum lot width:	200 feet
Minimum yards	
Front:	75 feet
Side:	100 feet
Rear:	100 feet

(c) Care shall be taken to locate emergency and service entrances where they are not offensive to adjoining neighbors.

(d) Such use shall take access from collector or arterial highways only.

(e) **Parking:** One off-street parking space for each patient bed; plus one off-street parking space for each employee on the two major shifts. When Uses C2, C3, C12, D1 and D2 are proposed in conjunction with a hospital, the parking requirements specified in this Section for the particular use shall be met.

**C12 Nursing Home.** A nursing facility or convalescent home licensed by the Pennsylvania Department of Health which is set up to provide long term health care to individuals who, by reason of advanced age, chronic illness or disabilities are unable to care for themselves. A nursing home is subject to the following provisions:

(a) A lot area of not less than 1 acre, plus 1,000 square feet per resident is required, except that in the RA, SRC, and SRL Districts 3 acres, plus 1,000 square feet per resident is required.

(b) No more than 80 resident patients shall be accommodated at any one time in the RA, SRC, SRL, SRM, SRH and URL Districts.

(c) Each nursing home facility must provide an outdoor sitting area which must be landscaped. The sitting area must be properly situated in terms of the

microclimate (no extreme southerly exposure) and shall not be located on land subject to flooding or on slopes over a 5% grade.

(d) **Parking:** One off-street parking space per two patient beds, plus one off-street parking space for each staff and visiting doctor; plus one parking space for each employee (including nurses) on the two major shifts.

**C13 Halfway House.** A facility which provides living arrangements for persons with emotional, alcohol or drug related problems and who are receiving rehabilitative treatment, therapy, and/or counseling. Also included in this use are facilities for teenage mothers and abused persons. The residents live in the facility for a short period of time, usually 3 to 12 months. A halfway house is subject to the following provisions:

(a) The requirements for other permitted uses in §27-512, "Table of Performance Standards," and the requirements in §27-513, "Area and Dimensional Requirements," shall be met for the applicable district.

(b) The number of persons living in such a facility shall not exceed 10. Support staff which does not reside in the facility shall not be included in the maximum number of 10.

(c) A halfway house must be sponsored and operated by a group, organization or corporation licensed by either the County or the State. Proof of compliance with all applicable County or State regulations shall be furnished to the Zoning Officer prior to the granting of the zoning permit.

(d) No halfway house shall be constructed within a ½-mile radius of any other halfway house (measured from unit to unit).

(e) **Parking:** One off-street parking space per bedroom plus one space for each staff member on the largest shift.

**C14 Cemetery.** A burial place or graveyard including mausoleum, crematory or columbarium, subject to the following provisions:

(a) Minimum lot area: 10 acres.

(b) No more than 10% of the lot area, to a maximum of 5 acres, may be devoted to above-ground buildings not serving as burial markers or memorials, such as business and administrative offices, chapels, maintenance facilities and the like. This restriction includes parking facilities.

(c) No building or structure shall be located within 50 feet of a property line or street line.

(d) One single-family detached dwelling for a full-time caretaker shall be permitted.

(e) **Parking:** One off-street parking space for each employee and one off-street space for each four visitors in total capacity of the chapel.

**C15 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, subject to the following provisions:

(a) Minimum site area: 10 acres.

(b) Campsites shall be rented by the day or week only and occupants of such sites shall not remain in the same recreational camping park for more

than 15 days. A recreational vehicle shall not be occupied at a recreational camping park for more than 3 months in any 1 year.

(c) The maximum density shall be five campsites per acre. The minimum campsite size shall be 1,400 square feet.

(e) A minimum of 40% of the site shall be set aside as common use areas for active or passive recreation.

(f) No buildings or campsites shall be located within 50 feet of a street line or 100 feet of any other property line.

(g) *Required Separation Between Recreational Vehicles.* Recreational vehicles shall be separated from each other and from other structures by at least 10 feet. Any accessory structures such as attached awnings, carports, or individual storage facilities shall, for purposes of this separation requirement, be considered to be part of the vehicles.

(h) Wastewater disposal methods shall conform with the requirements of the Bucks County Department of Health and the municipal sewage facilities plan.

(i) One detached dwelling shall be permitted for the use of the owner or operator of the recreational camping park.

(j) 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.

(k) Parking: At least one parking space for every two campsites shall be provided in a common parking area for spillover parking needs.

**C16 Municipal Services.** All municipal buildings, structures and uses including, but not limited to, governmental offices, garages for the storage of tools, equipment and vehicles, municipally sponsored police and emergency services, transportation, utilities, renewable energy facilities, education, emergency services, recreation, pedestrian safety, information resources and the use of land for the stockpiling of materials used by the municipality in its municipal functions. Municipal services are subject to the following provisions:

(a) Preferred parking: One off-street parking space for every four seats in meeting areas or one off-street parking space for each 200 square feet of gross floor area, whichever requires the greater number of off-street parking spaces, plus one off-street parking space for every employee. This standard shall be used as a guideline only. Required parking shall be based on the needs as determined by the governing body.

(b) Impervious and building coverage limitations, area and dimensional requirements, setbacks and buffer yards shall be as determined appropriate by the governing body.

D. *Office Uses.*

**D1 Office.** Professional, business or government office, other than Uses C16 or D2, subject to the following provisions:

(a) An office located in a zoning district other than PC or PI shall not exceed a gross floor area of 5,000 square feet.

(b) Parking: One off-street parking space for each 250 square feet of gross floor area.

**D2 Medical Office.** Office or clinic for medical or dental examination or treatment of persons as outpatients, including laboratories incidental thereto, subject to the following provisions:

(a) A medical office located in a zoning district other than PC or PI shall not exceed a gross floor area of 5,000 square feet.

(b) Parking: One off-street parking space for every 150 square feet of gross floor area, plus one space for every doctor and full time employee.

**D3 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, subject to the following provisions:

(a) *Area and Dimensional Requirements.*

Minimum site area:	10 acres
Minimum frontage at street line–site:	150 feet
Minimum setback from street lines–site:	100 feet
Minimum setback from property lines–site:	75 feet
Minimum setback-internal streets:	25 feet
Minimum building spacing:	50 feet

(b) *Permitted Uses.* C10 Day Care Center, D1 Office, D2 Medical Office, E1 Retail Shop, E3 Service Business, E4 Financial Establishment, E5 Eating Place, E9 Motel, Hotel and/or Inn, E11 Athletic Facility, E21 Parking Lot or Garage, and G2 Research.

(c) At least 70% of the total floor space of the park shall be utilized for office uses.

(d) Accessory outside storage or display of materials, goods or refuse is not permitted within an office park.

(e) Individual uses may be located in detached and attached structures.

(f) 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.

(g) All parking and loading facilities shall be located to the side or rear of buildings.

(h) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

(i) All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.*, or other ownership arrangement approved by the municipality.

(j) The applicant shall submit a plan for the overall design and improvements for the office park.

(k) Parking: One off-street parking space for each 200 square feet of gross floor area.

**D4 Neighborhood Office Park.** A neighborhood office park is a planned development of offices and related uses, utilities, landscaping and buffering which includes improvements for internal driveways, parking facilities, coordinated accesses and lighting. A neighborhood office park is subject to the following provisions:

(a) *Area and Dimensional Requirements.*

Minimum site area:	5 acres
Maximum site area:	10 acres
Minimum frontage at street line–site:	150 feet
Minimum setback from street line–site:	100 feet
Minimum setback from property lines–site:	75 feet
Minimum setback–internal driveways:	25 feet
Minimum building spacing:	30 feet
Maximum site impervious surface ratio:	60%

(b) *Permitted Uses.* C10 Day Care Center, D1 Office, D2 Medical Office, E1 Retail Shop, E3 Service Business, E4 Financial Establishment, E5 Eating Place, E11 Athletic Facility.

(c) At least 50% of the total floor area of the park shall be utilized for office uses. Any retail use or eating place use shall be limited to a maximum of 2% of the total floor area each.

(d) Accessory outside storage or display of materials or goods is not permitted within D4 Neighborhood Office Park.

(e) Individual uses may be located in detached and/or attached structures.

(f) All uses within the D4 Neighborhood Office Park shall take access from an interior roadway or driveway.

(g) All loading facilities shall be located to the side or rear of buildings, but in no case shall any loading facility be located within the front yard.

(h) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind. All lighting fixtures shall be subject to the approval of the governing body.

(i) The applicant shall submit a plan for the overall design and improvements for the neighborhood office park, which shall be designed with a consistent architectural scheme.

(j) Parking: One off-street parking space for each 250 square feet of gross floor area.

(k) Public Water and Sewer: Any proposed neighborhood office park use

shall be required to be served by public water and sewer.

(1) Parking within the front yard shall be screened in accordance with the buffer yard requirements of §27-516; provided, that where the parking abuts a street, it shall be screened in accordance with Class “B” of §27-516. All plantings within the screening shall be at least one and one half to two times larger than the required caliper size indicated in §27-516.

(m) There shall be a minimum 3-foot elevated berm installed where the neighborhood office park adjoins any residential district. This requirement shall not apply if a street or roadway separates the use from the residential district.

(n) The developer of any neighborhood office park shall explore and utilize, where possible, the most current stormwater management practices including, as a first alternative, infiltration methods of control as referenced in the Pennsylvania *Handbook of Best Management Practices for Developing Areas*.

E. *Retail and Consumer Service Uses.*

**E1 Retail Shop.** A shop or store with a gross floor area of 10,000 square feet or less selling apparel, books, confections, drugs, dry goods, flowers, foodstuffs, furniture, gifts, hardware, toys, household appliances, jewelry, notions, periodicals, shoes, stationery, tobacco, paint, cards, novelties, hobby and art supplies, music, luggage, sporting goods, pets, floor covering, garden supplies, plants, fabrics and automotive accessories. Also included within this use shall be the sale of soft drinks, beer and other alcoholic beverages in sealed containers not for consumption on the premises. A retail shop is subject to the following provisions:

(a) All products produced on the premises shall be sold on the premises at retail.

(b) Parking: One off-street parking space for every 150 square feet of gross floor area, plus one space for every employee.

(c) This use shall not include the sale of vehicular fuels.

(d) Where a drive-in window is proposed, a stacking lane shall be provided to serve a minimum of eight cars. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through circulation or parking.

**E2 Large Retail Store.** A store with a gross floor area of greater than 10,000 square feet, selling commodities and goods to the ultimate consumer such as supermarkets, department stores and discount stores, subject to the following provisions:

(a) All products produced on the premises shall be sold on the premises at retail.

(b) Parking: One off-street parking space for every 250 square feet of gross floor area, plus one space for every employee.

(c) Where a drive-in window is proposed, a stacking lane shall be provided to serve a minimum of eight cars. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through

circulation or parking.

**E3 Service Business.** Service business including, but not limited to: barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer, travel agency, and photocopy center, subject to the following provisions:

(a) Parking: One off-street parking space for every 100 square feet of gross floor area used or intended to be used for servicing customers, plus one space for each employee.

(b) Where a drive-in window is proposed, a stacking lane shall be provided to serve a minimum of eight cars. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through circulation or parking.

**E4 Financial Establishment.** Bank, savings and loan association, credit union and other financial establishments, subject to the following provisions:

(a) For each drive-in teller window, a stacking lane shall be provided to serve a minimum of eight vehicles. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through circulation or parking.

(b) Parking: One off-street parking space for every 150 square feet of gross floor area, plus one space for every employee.

**E5 Eating Place.** Eating place for the sale and consumption of food and beverages without drive-in service. All food and beverages are to be served by waiters and waitresses while patrons are seated at counters and tables. The sale of alcoholic beverages must be incidental to the sale and consumption of food. An eating place is subject to the following provision:

(a) Parking: One off-street parking space for every 50 square feet of gross floor area or one off-street parking space for every three seats, whichever requires the greater number of spaces, plus one space for every employee on the largest shift.

**E6 Drive-Ins and Other Eating Places.** Eating place which utilizes an inside window, service area or cafeteria line where customers place their orders and food is served for consumption at seating areas and for customer take-out service. This type of eating place may also have drive-through service. The sale of alcoholic beverages is prohibited. Drive-ins and other eating places are subject to the following provisions:

(a) Where a drive-in window is proposed, a stacking lane shall be provided to serve a minimum of eight cars. The stacking lane shall not be used for parking lot circulation aisles, nor shall it in any way conflict with through circulation or parking.

(b) Trash receptacles shall be provided outside the restaurant for patron use.

(c) Parking: One off-street parking space for every 50 square feet of gross floor area or one off-street parking space for every two seats, whichever requires the greater number of spaces, plus one space for each employee on the largest shift.

**E7 Repair Shop.** Repair shop for appliances, lawn mowers, watches, guns,

bicycles, locks, small business machines and other light equipment, but not including automobiles, motorcycles, trucks and heavy equipment, subject to the following provision:

(a) **Parking:** One off-street parking space for every 300 square feet of gross floor area, plus one space for each employee.

**E8 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. Any funeral home or mortuary located within the Rural Agricultural (RA) Zoning District shall have a minimum lot size of 10 acres and shall be located along a road classified as a collector or arterial road. A funeral home or mortuary is subject to the following provisions:

(a) **Parking:** One off-street parking space for each four seats provided for patron use, or one off-street parking space for every 50 square feet of gross 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 space for each employee.

**E9 Motel, Hotel and/or Inn.** A building or group of buildings for the accommodation of transient guests, chiefly motorists, containing guest rooms for rent, subject to the following provisions:

(a) Motels, hotels and/or inns may contain the following accessory facilities: eating place, tavern, conference and meeting rooms, and banquet rooms.

(b) **Parking:** One off-street parking space for each rental room or suite, plus one off-street parking space for each employee on the largest shift. In addition, parking shall be provided for the accessory facilities noted in clause (a), above, based on one off-street parking space for every four persons of total capacity.

**E10 Indoor Entertainment.** An entertainment or recreational facility operated as a gainful business and taking place within a building including a bowling alley, skating rink, billiard hall, movie theater, theater or other similar use, subject to the following provisions:

(a) *Parking Requirements.*

1) *Movie Theater, Theater.* One off-street parking space for every three seats provided for patron use, plus one off-street parking space for each employee.

2) *Bowling Alley.* Five off-street parking spaces for every bowling lane, plus one off-street parking space for each employee.

3) *Other Uses.* One off-street parking space for every 120 square feet of gross floor area or one off-street parking space for every three seats, whichever is greater, plus one off-street parking space for each employee.

**E11 Athletic Facility.** An athletic facility with indoor and/or outdoor facilities. Activities may include the following: court games such as racquetball, handball, squash, tennis, basketball, and volleyball; facilities for exercise equipment and health clubs; swimming pools; and facilities related thereto. An athletic facility is subject to the following provisions:

(a) Outdoor active recreation areas shall be set back at least 100 feet from any lot line if adjacent land is zoned for or is in residential use.

(b) Outdoor recreation areas shall be sufficiently screened and isolated so as to protect the neighborhood from inappropriate noise and other disturbances.

(c) Where the athletic facility includes a rifle range, the following additional requirements shall apply:

1) A rifle range shall only be permitted in the PC District, by conditional use.

2) A minimum lot area of 10 acres shall be required.

3) The range shall be designed and constructed in accordance with the National Rifle Association's standards for the particular type of range.

4) The range shall be operated in strict accordance with the National Rifle Association's standards for operation and safety.

5) The range shall be used only for the type of firearms which it is designed to accommodate.

6) The range shall not be lighted for night time use.

7) The safety of adjoining properties shall be a primary consideration in the location of the rifle range.

8) A Class "C" buffer shall be provided along all property lines of the range. The buffer shall meet the requirements of §27-516 of this Chapter.

(d) Parking: One off-street parking space for every three persons of total capacity or at least one off-street parking space for every 150 square feet of gross floor area, whichever requires the greater number of spaces, plus one space for each employee.

**E12 Outdoor Entertainment.** Outdoor entertainment or recreational facility, including miniature golf and golf driving ranges, operated as a gainful business and not including an athletic facility, outdoor motion picture establishment, or vehicular track or course. The outdoor entertainment use is subject to the following provisions:

(a) Recreation areas shall be set back at least 100 feet from any lot line if adjacent land is zoned for or is in residential use.

(b) Recreation areas shall be sufficiently screened and isolated so as to protect the neighborhood from inappropriate noise and other disturbances.

(c) Parking: One off-street parking space for every three persons of total capacity, plus one space for every employee.

**E13 Tavern.** An establishment which serves alcoholic beverages for on-premises consumption and which is licensed by the Pennsylvania Liquor Control Board. The sale of food shall be incidental to the primary use, subject to the following provision:

(a) Parking: One off-street parking space for each 50 square feet of gross floor area or one off-street parking space for every two seats intended for use by patrons, whichever requires the greater number of spaces, plus one off-

street parking space for each employee on the largest shift.

**E14 Lumber Yard.** Lumber yard where lumber products are sold and/or processed, subject to the following provisions:

(a) This principal use may be combined with a planing mill only when located in the PI Zoning District.

(b) **Parking:** One off-street parking space for each employee on the largest shift, or one off-street parking space for every 300 square feet of gross floor area, whichever is greater.

**E15 Veterinary Office or Clinic.** Office of a veterinarian with associated animal kennel. In no event shall animal kennels be allowed as a primary use. A veterinary office or clinic is subject to the following provisions:

(a) No outside animal shelter, kennels or runs shall be located closer than 200 feet from any lot line.

(b) **Parking:** Four off-street parking spaces for each doctor, plus one space for each employee.

**E16 Service Station.** An establishment for the sale of vehicular fuels and the sale and installation of lubricants, tires, batteries and similar automotive accessories, subject to the following provisions:

(a) A minimum lot width of 200 feet shall be provided along each street on which the lot abuts.

(b) Access drives shall be at least 80 feet from the intersection of any streets, measured from the intersection of the street lines.

(c) All activities shall be performed within a completely enclosed building, except those to be performed at the fuel pumps.

(d) Fuel pumps shall be at least 25 feet from any street line.

(e) All automobile parts and similar articles shall be stored within a building.

(f) Lubrication, oil changes, tire changes and minor repairs shall be performed within a building.

(g) Vehicles awaiting repairs shall not be stored outdoors for more than 7 days.

(h) The sale of convenience-type products shall be permitted as an accessory use subject to the following:

1) It shall be in lieu of the sale and installation of lubricants, tires, batteries and similar automotive accessories.

2) The sale of convenience-type products shall be limited to a maximum floor area of 2,000 square feet.

(i) Paint spraying or body and fender work shall not be permitted.

(j) The sale or rental of automobiles, trucks, trailers, or other vehicles shall not be permitted.

(k) All fuel tanks shall comply with Environmental Protection Agency (EPA) and Pennsylvania Department of Environmental Protection (PaDEP)

regulations for such tanks.

(l) **Parking:** One off-street parking space for every 300 square feet of gross floor area or four off-street parking spaces for each service bay, whichever requires the greater number of spaces, plus one space for each employee. Off-street parking spaces are not to be a part of, nor interfere with the accessways to the pump.

**E17 Car Wash.** A facility for washing automobiles, subject to the following provisions:

(a) A car wash shall include a water recycling facility.

(b) Car washes shall be designed with a stacking area to accommodate a minimum of eight cars. The stacking area shall not in any way conflict with through circulation or parking.

(c) **Parking:** One and one quarter off-street parking spaces per employee on the largest shift.

**E18 Automotive Sales.** The sale, lease or rental of new or used automobiles, trucks (not exceeding 1 ton), motorcycles, boats and recreational vehicles, subject to the following provisions:

(a) Display areas shall not be permitted in the required front yard.

(b) Automobile repair work shall be permitted as an accessory use provided the requirements for Use E19 Automotive Repair are met.

(c) **Parking:** One off-street parking space for each 200 square feet of gross floor area and one off-street parking space for each 2,000 square feet of total outside vehicle display area, plus one space for each employee on the largest shift. This required parking shall not be used for the display of vehicles.

**E19 Automotive Repair.** Automobile repair garage, including paint spraying and body and fender work, subject to the following provisions:

(a) All work shall be performed within a fully enclosed building.

(b) All automobile parts and similar articles shall be stored within a building.

(c) Vehicles awaiting repairs shall not be stored outdoors for more than 30 days.

(d) The sale of automotive accessories, parts, tires, batteries and other supplies shall be permitted in conjunction with this use.

(e) **Parking:** One off-street parking space for each 100 square feet of gross floor area, plus one space for each employee.

**E20 Truck Sales.** Truck and heavy equipment repair and sales, subject to the following provisions:

(a) Display areas shall not be permitted in the required front yard.

(b) All repair work shall be performed within a fully enclosed building.

(c) **Parking:** One off-street parking space for each 100 square feet of gross display area, plus one space for each employee on the largest shift.

**E21 Parking Lot or Garage.** A lot of record upon which the parking or

storing of motor vehicles is the primary use, provided:

- (a) No sale, rental, service or repair operation of vehicles shall be performed.
- (b) The parking or storage of heavy trucks (exceeding 1 ton) or trailers shall not be permitted.
- (c) All parking lots shall meet the design standards for automobile parking facilities in the municipal subdivision and land development ordinance.
- (d) All parking garages shall meet the design standards in §27-543.2 of this Chapter.

**E22 Multiple Commercial Use.** A group of commercial establishments which is preplanned and designed as a complex of related structures and circulation patterns, subject to the following:

- (a) The minimum lot area shall be as required for the district in which the site is located.
- (b) Not more than 25% of the total lot area shall be occupied by buildings.
- (c) *Permitted Uses.* D1 Office, D2 Medical Office, E1 Retail Shop, E2 Large Retail Store, E3 Service Business, E4 Financial Establishment, E5 Eating Place, E6 Drive-Ins and Other Eating Places, E7 Repair Shop, E10 Indoor Entertainment, and F3 Terminal.
- (d) Any use of the same general character as any of the above permitted uses shall be permitted when authorized as a special exception by the Zoning Hearing Board, subject to such reasonable restrictions as the Zoning Hearing Board may determine.
- (e) The proposed development shall be constructed in accordance with an overall plan and shall be designed as a single architectural unit with appropriate landscaping and coordinated access.
- (f) Outdoor storage and displays shall conform to the provisions of subparagraph H7.
- (g) The distance at the closest point between any two buildings or groups of units of attached buildings shall be not less than 20 feet.
- (h) The proposed development shall be served by adequate water and public sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed to the satisfaction of the municipal governing body.
- (i) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind.
- (j) Parking: Five off-street parking spaces shall be provided and maintained for each 1,000 square feet, or portion thereof, of gross leasable area.

**E23 Adult Commercial Uses.** The Township has determined that the establishment and operation of adult entertainment uses will cause various secondary effects which may have an impact on the health, safety and general welfare of the Township and its citizens. Said secondary effects include, inter alia,

an increase in law enforcement activity, an increase in municipal maintenance and trash collection, possible deleterious effects on local business and residential property values, an increase in crime and/or prostitution, and the potential for the relocation of residents and businesses.

As a result of the aforementioned concerns, Richland Township has determined that adult commercial uses shall be permitted by conditional use only in the Planned Industrial District (PI). Nothing contained herein is intended to affect or suppress any activities which may be protected by the First Amendment to the United States Constitution. It is the intent of Richland Township, by adopting this Chapter, to address the above mentioned secondary effects associated with adult commercial uses.

(a) An adult store, adult entertainment cabaret, adult theater, and/or other adult uses as defined below:

1) *Adult bookstore*—any establishment or place:

a) Which has a substantial or significant portion of its stock in trade consisting of the following item:

i. Books, magazines or other periodicals, films or other forms of audio or visual representation which are distinguished or characterized by an emphasis on depiction, description or display of sexual activities or conduct, or uncovered or transparently covered specified anatomical areas.

ii. Instruments, devices or paraphernalia which are designed primarily for use in connection with specified sexual activities or conduct.

b) To which the public is permitted or invited wherein coin or slug-operated or electronically or mechanically controlled still or motion picture machines, projectors or other image producing devices are maintained to show images, with or without sound, where the images so displayed are distinguished or characterized by an emphasis on depiction, description or display of specified sexual activities or conduct, or uncovered or transparently covered specified anatomical areas.

2) *Adult entertainment cabaret*—a public or private establishment or place which, as a main part of their business features, on a regular, at least weekly basis, live sex, topless dancers, strippers, or similar entertainers, or any similar establishment to which access is limited to persons 18 years of age or older.

3) *Adult theater*—an enclosed building used regularly and routinely for presenting any form of audio and/or visual material, and in which a significant portion of the total presentation time measured over any consecutive 12-month period is or will be devoted to the showing of material which is distinguished or characterized by emphasis on depiction, description or display of sexual activities or conduct, or uncovered or transparently covered specified anatomical areas.

4) *Other Adult Uses*. Any business, activity or use, similar to or of

the same general nature as the uses listed above.

(b) Definitions for describing adult commercial uses:

1) *Specified anatomical areas*—

a) Less than completely and opaquely covered human genitals, pubic region, buttocks or female breast below a point immediately above the top of the areola.

b) Human male genitals in a discernibly turgid state, even if completely and opaquely covered.

2) *Specified sexual activities*—

a) Human genitals in a state of sexual stimulation or arousal.

b) Acts of human masturbation, sexual intercourse or sodomy.

c) Fondling or other erotic touching of human genitals, pubic region, buttocks or female breast.

(c) These adult commercial uses shall be subject to the following provisions:

1) The building or structure of such use shall be located no less than 1,000 feet from any residential use or district, public or private school, church, camp (for minor's activity), recreation facility or park, child care facility or any other religious, institutional or educational use. The distance between any adult commercial use and any land use described in the previous sentence shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of the adult commercial use to the closest point on the property line of such other land use.

2) No such use shall be located within 1,000 feet of a similar use. The distance between any two adult commercial uses shall be measured in a straight line, without regard to intervening structures, from the closest point on the exterior parcel line of each such establishment or place.

3) No materials, merchandise; or film offered for sale, rent, lease, loan or for view upon the premises shall be exhibited or displayed outside of a building or structure or shall be visible from a window, door, or exterior of a building or structure.

4) Any building or structure used and occupied as an adult commercial use shall be windowless, or have an opaque covering over all windows or doors of any area in which materials, merchandise, or film are exhibited or displayed and no sale materials, merchandise or film shall be visible from outside of the building or structure.

5) No signs shall be erected upon the premises depicting or giving a visual representation of the type of materials, merchandise or film offered therein.

6) No person under the age of 18 years of age shall be permitted within a building whose operation would be considered an adult use. Each entrance to the building shall be posted with a notice specifying that

persons under the age of 18 years are not permitted to enter therein and warning all other persons that they may be offended upon entry.

7) No type of adult commercial use may change or expand to include another adult commercial use, except upon approval of an additional conditional use.

8) No unlawful specified sexual activity or conduct shall be permitted.

9) No more than one adult commercial use establishment or place may be located within one building.

10) 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 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 full-time employee.

11) A 30-foot buffer yard shall be provided, regardless of zoning district, along the side and rear lot lines in accordance with §27-516, but with plantings of an initial minimum height of 5 feet.

12) No pornographic material, displays or words shall be placed in view of persons who are not inside the establishment. Definite precautions shall be made to prohibit minors from entering premises.

13) No such use shall be used for any purpose that violates any Federal, State or Township law.

14) The use shall not include the sale or display of "obscene" materials, as defined by State law, as may be amended by applicable court decisions.

15) A minimum lot area of 2 acres is required.

16) For public health reasons, private or semi-private viewing booths of any kind are prohibited. This specifically includes, but is not limited to, booths for viewing adult movies or nude dancers. No room of any kind accessible to customers shall include less than 150 square feet.

17) No use may include live actual or simulated sex acts or any sexual contact between entertainers or between entertainers and customers.

18) Unless the Zoning Officer agrees in advance to send such notices, the applicant shall provide a written affidavit stating that he/she has mailed or delivered a written notice of the proposed hearing date to all property-owners of record within 500 feet of the subject property at least 10 days prior to the hearing date.

19) Any application for such use shall state the names, home addresses and home phone numbers of:

a) All individuals intended to have more than a 5% ownership in such use or in a corporation owning such use.

b) An on-site manager responsible to ensure compliance with this Chapter. Such information shall be updated twice a year in

writing to the Zoning Officer.

**E24 Outdoor Motion Picture Establishment.** An open lot used for the showing of motion pictures or theatrical productions on a paid admission basis to patrons seated in automobiles. Such use may include facilities for the sale and consumption of food and non-alcoholic beverages. An outdoor motion picture establishment is subject to the following provisions:

(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 governing body. 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 one and one quarter 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 motion picture screen shall not be oriented towards the arterial or collector highway.

(d) Any form of audio and/or visual material in which a significant portion of the total presentation time is or will be devoted to the showing of material which is distinguished or characterized by emphasis on depiction, description or display of sexual activities or conduct, or uncovered or transparently covered specified anatomical areas, shall be subject to the regulations of subparagraph E23 of this Section.

(e) The maximum impervious surface coverage shall be 60%.

**E25 Vehicular Track or Course.** A recreational facility that provides a motor powered vehicle to a patron, for a fee, to drive on a track or course that is located on the premises. For the purposes of this use, a motor-powered vehicle is a motorcycle, all-terrain vehicle (three or four wheeled), go-cart, or other vehicle with two, three or four wheels of a similar nature. These vehicles are usually designed to accommodate only one person. A vehicular track or course is subject to the following provisions:

(a) Minimum lot area: 10 acres.

(b) The property shall front on and take access from an arterial or collector highway.

(c) Only one person shall ride on a vehicle at a time.

(d) The track or course and all areas used by the vehicles shall be paved.

(e) There shall be no racing on the course or track; however, vehicles may be timed.

(f) A fence shall be placed around the entire course or track. It shall be a minimum of 4 feet in height.

(g) The noise level at the recreational facility shall not exceed the noise

limits specified in §27-531 of this Chapter. The application for such a use shall be accompanied by a certification from the manufacturer or a qualified operator of a noise meter stating the noise level of the motor that will power the vehicle. It shall be the responsibility of the applicant to demonstrate in advance that when the tract is in full use by the usual number of vehicles at the usual r.p.m., the noise levels of §27-531 will not be exceeded at the property line.

(h) Such use shall only be operated between the hours of 10 a.m. and 10 p.m.

(i) The sale of food and beverages, except from vending machines, shall be prohibited.

(j) Fuel for the vehicles shall not be stored within the enclosed track area. The fueling point shall be equipped with firefighting equipment. Approval shall be secured from the Pennsylvania State Fire Marshall for the underground storage of fuel.

(k) Public address systems shall be prohibited.

(l) Parking: One off-street parking space for every three persons of total capacity, plus one space for every employee.

**E26 Flea Market.** A periodic sales activity held within a building and/or outdoors, where retail merchants offer goods, new or used, for sale to the public, subject to the following provisions: (This use does not include garage or yard sales as defined in subparagraph H2(h).)

(a) The minimum site area shall be 5 acres.

(b) Outdoor sales areas shall not exceed 40% of the site devoted exclusively to the flea market activity.

(c) Outdoor sales area shall not be located in the minimum front, side or rear yards and shall be set back at least 50 feet from any lot line or street line.

(d) Sales directly from vehicles shall be prohibited.

(e) Tables and other accessories which are used for outdoor sales shall be stored within a completely enclosed building when the flea market is not open.

(f) Goods for sale must be removed from the site when the flea market is not in use.

(g) A flea market shall not be open more than 3 days in any 1 week.

(h) The area to be utilized for outdoor sales shall be physically delineated on the site by fencing, plantings, markers or other means acceptable to the governing body.

(i) Outdoor sales areas shall not encroach upon required parking areas and shall not interfere with traffic movement on the site.

(j) The proposed flea market shall be served by adequate water and sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed to the satisfaction of the municipal governing body.

(k) Parking: One off-street parking space for every 150 square feet of gross floor area and outdoor sales areas; plus one space for each merchant.

**E27 General Auction.** A public or private sale conducted by competitive bidding for real goods, new or used, that occurs on a regular basis, subject to the following provisions:

(a) The minimum site area shall be 2 acres.

(b) Outdoor sales areas shall not be located in the minimum front, side or rear yards and shall be set back at least 50 feet from any lot line or street line.

(c) Tables and other accessories which are used for outdoor auction activities shall be stored within a completely enclosed building when the auction is not operating.

(d) Outdoor auction activities shall not encroach upon required parking areas and shall not interfere with traffic movement on the site.

(e) The proposed auction facility shall be served by adequate water and sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed to the satisfaction of the municipal governing body.

(f) Activities, noise and displays shall be sufficiently screened from adjacent properties to the satisfaction of the governing body.

(g) Parking: One off-street parking space for every 150 square feet of gross floor area and outdoor auction areas; plus one space for every employee.

**E28 Livestock Auction.** A public or private sale of livestock, conducted by competitive bidding which occurs on a regular basis, subject to the following provisions:

(a) The minimum site area shall be 10 acres.

(b) The operator of such use would be required to provide the governing body with plans to ensure adequate parking, emergency access, road access, sanitary facilities, refuse collection including manure disposal, noise control and clean-up procedures.

(c) The auction and placement of livestock shall not be located closer than 200 feet from all property lines, and 300 feet from all property lines adjacent to residential districts and uses.

(d) All entrances and exits to the livestock auction shall be designed and improved in a manner which does not allow mud or gravel to be deposited or accumulated in or along abutting public streets.

(e) Activities, noise and displays shall be sufficiently screened from adjacent properties to the satisfaction of the governing body.

**E29 Vehicle Auction.** A public or private sale of new or used vehicles, conducted by competitive bidding that occurs on a regular basis, subject to the following provisions:

(a) The minimum site area shall be 20 acres.

(b) The operator of such use would be required to provide the governing body with plans to ensure adequate parking, emergency access, road access, sanitary facilities, refuse collection, noise control and clean-up procedures.

(c) The auction and placement of vehicles shall not be located closer than 200 feet from all property lines, and 300 feet from all property lines adjacent to residential districts and uses.

(d) Activities, noise and displays shall be sufficiently screened from adjacent properties to the satisfaction of the governing body.

**E30 Dwelling in Combination.** A dwelling or dwellings within the same building as an existing or permitted office or commercial use, subject to the following provisions:

(a) The maximum density shall be one and one half dwelling units per acre.

(b) The total floor area of the dwelling units shall not exceed that of the commercial or office use.

(c) All septic systems must be approved by the Bucks County Department of Health as adequate for the proposed dwellings.

(d) Separate cooking and sanitary facilities shall be provided for each dwelling unit.

(e) Parking: Three off-street parking spaces for dwellings having three bedrooms or less; four off-street parking spaces for dwellings having four bedrooms or more. This parking is in addition to the parking required for the commercial or office use.

F. *Utility, Service and Transportation Uses.*

**F1 Utilities.** Transformer station, pumping station, relay station, towers, substations, switching center, sewage treatment plant and any similar or related installation, not including a public incinerator, a public or private landfill, or any equipment, pole or tower related to commercial communication facilities. In addition to public utilities, this use includes private utilities in a subdivision or land development. A utilities use is subject to the following provisions:

(a) In residential districts such uses shall be permitted only where all of the following conditions have been met. These requirements shall not apply to uses that are exempt under Article VI of the Pennsylvania Municipalities Planning Code, 53 P.S. §10601 *et seq.*

1) Such installation is essential to service such residential areas.

2) No public business office, storage building or storage yard shall be operated in connection with the use.

(b) Parking: Two off-street parking spaces, plus one off-street parking space for each employee normally in attendance at the facility at any time.

(c) All uses associated with the operation of commercial communication facilities shall be in accordance with subsection .F5 of this Section and shall not be installed within Township owned rights-of-way, except as permitted by Chapter 21, Part 6 of the Township Code.

**F2 Emergency Services.** Fire, ambulance, police, rescue and other emergency services of a municipal or volunteer nature, subject to the following

provisions:

(a) Ancillary activities or use of the facilities is permitted and may include, but shall not be limited to, the following: community groups, service organizations, clubs, athletic associations; meetings, gatherings, instruction, performances and festivals; or other such functions. Parking for ancillary activities or use shall not interfere with, nor conflict with, the operation of the principal use or any adjacent uses.

(b) Parking: Three off-street parking spaces for every four employees/volunteers 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 50 square feet of gross floor area.

**F3 Terminal.** Railway station or bus station providing transportation services to the general public, subject to the following provisions:

(a) Parking: Off-street parking spaces as the Planning Commission and governing body shall determine adequate to serve customers, patrons, visitors, employees and vehicles normally parked on the premises.

**F4 Airport or Heliport.** A place where aircraft can land and take off, subject to the following provisions:

(a) Office, commercial and industrial uses may be permitted as accessory uses to an airport or heliport when authorized by the governing body as a conditional use.

(b) Approval shall be secured from the Pennsylvania Department of Transportation, Bureau of Aviation.

(c) No buildings, runways, taxiways, parking areas, warm-up pads, communications facilities, tie-down areas, repair facilities, refueling facilities or other facilities shall be located within the minimum front, side or rear yard setbacks.

(d) Parking: Off-street parking spaces for the airport or heliport as the Planning Commission and governing body determine adequate to serve customers, patrons, visitors, employees and vehicles normally parked on the premises. In addition, parking for the accessory uses noted in clause (a), above, shall be provided based on the parking requirement for the specific use.

**F5 Commercial Communications Facilities.** The antennas, nodes, control boxes, towers, poles, conduits, ducts, pedestals, electronics and other equipment used for the purpose of transmitting, receiving, distributing, providing, or accommodating wireless commercial communications services.

(a) *Use F5a. Tower-Based Commercial Communications Facilities.*

1) *General Requirements for All Tower-Based Commercial Communications Facilities (CCF).* The following regulations shall apply to all tower-based commercial communications facilities:

a) *Standard of Care.* The CCF applicant shall present documentation that the tower-based CCF shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety-related codes, including, but not limited to, the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, National Electrical Code, as well as the accepted and responsible workmanlike industry practices of the National Association of Tower Erectors, and the Electrical Industrial Association/Telecommunications Industry Association. Certification of the design from a Pennsylvania registered professional engineer is required. Any tower-based CCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township.

b) *Structural Requirements.*

i. Any tower-based CCF structures shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA 222-G Code, as amended).

ii. A soil report complying with the standards of Appendix I, Geotechnical Investigations, ANSI/EIA/TIA 222-G, as amended, shall be submitted.

iii. The facility shall be constructed to withstand a wind velocity of 100 miles per hour as well as all proposed placements or collocation of nontower CCFs.

iv. A copy of the structural analysis, signed and sealed by a registered structural engineer licensed in the Commonwealth of Pennsylvania, shall be submitted to the Township.

c) *Public Safety Communications.* No tower-based CCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

d) *Maintenance and Inspection.* The following maintenance and inspection requirements shall apply:

i. Any tower-based CCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

ii. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.

iii. All maintenance activities shall utilize nothing less than

the best available technology for preventing failures and accidents.

iv. Guyed-towers and other wireless support structures shall be inspected every 3 years and self-supporting towers/monopoles shall be inspected every 5 years. All towers shall be inspected after severe wind (sustained tropical storm or hurricane force winds) or ice storms or other extreme loading conditions. Inspection reports shall be prepared by a licensed professional engineer and submitted to the Township Engineer for review.

e) *Radio Frequency Emissions.* No tower-based CCF may, by itself or in conjunction with other CCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as amended.

f) *Historic Buildings or Districts.* No tower-based CCF may be located on a building, structure or site that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts list maintained by the Township, or has been designated by the Township as being of historic significance.

g) *Identification.* All tower-based CCFs shall post a notice in a readily visible location identifying the name and phone number of a party to contact in the event of an emergency, subject to approval by the Township. The Township shall be notified of the use or storage of external power sources, such as batteries or fuel tanks.

h) *Lighting and Signage.* No signs or lights shall be mounted on a tower-based CCF except as required by law, the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA) or any other governmental agency having jurisdiction over the same. If lighting is required, the applicant shall provide a detailed plan for sufficient lighting, demonstrating as unobtrusive and inoffensive an effect as is permissible under State and Federal regulations. Emergency lighting for any accessory facility/building and signage as allowed in subsection .F.5.g above is permitted, subject to Township review and approval.

i) *Appearance.* Towers shall be galvanized and/or painted with a rust-preventive paint of an appropriate color to harmonize with the surroundings.

j) *Noise.* Tower-based CCFs shall be operated and maintained so as not to produce noise in excess of applicable noise standards under State law and the Township Code, except in emergency situations requiring the use of a backup generator, where such noise

standards may be exceeded on a temporary basis only.

k) *Aviation Safety*. Tower-based CCFs shall comply with all Federal and State laws concerning aviation safety and applicable airport zoning regulations.

i. Documentation from the Federal Aviation Administration (FAA) shall be submitted by the applicant for any tower-based CCF exceeding 200 feet in height stating that the subject CCF is approved by the FAA.

ii. Any applicant for a proposed tower-based CCF located within a radius of 5 aerial miles of the Quakertown and Pennridge Airports shall notify said airport, in writing, of its intent to construct a CCF prior to construction.

l) *Retention of Experts*. The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the tower-based CCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Section. The applicant and/or owner of the tower-based CCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.

m) *FCC License*. The applicant shall submit to the Township a copy of its current Federal Communications Commission (FCC) license, the name, address, emergency number, and operator of the facility.

n) *Insurance*. Each person that owns or operates a tower-based CCF shall provide the Township with proof of insurance. A certificate of insurance evidencing general liability coverage in the minimum amount of \$1,000,000 per occurrence and property damage coverage in the minimum of \$1,000,000 per occurrence covering the communication facility is required. The Township, its employees, Engineer, Solicitor, Planner and other relevant professionals shall be named additional insured and the certificate shall provide, as a minimum, that the additional insured shall be notified not less than 60 days in advance of the insurance not being renewed or being cancelled for any reason.

o) *Timing of Decision*. Within 30 calendar days of the date that an application for a tower-based CCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Where a conditional use approval is required, the governing body shall render a decision within 45 days after the last hearing before the governing body. All other applications, including land development, for tower-based CCFs shall be acted upon within 90 days of the receipt of a fully completed application for the approval of such tower-based CCF and the Township shall advise the applicant in writing of its decision. If

additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the 90-day review period.

p) *Nonconforming Uses.* Nonconforming tower-based CCFs which are hereafter damaged or destroyed due to any reason or cause may be repaired and restored at their former location, but must otherwise comply with the terms and conditions of this Section.

q) *Indemnification.* Each person that owns or operates a tower-based CCF shall, at its sole cost and expense, indemnify, defend, and hold harmless the Township, its elected and appointed officials, employees, Engineer, Solicitor, Planner, agents, and other relevant professional consultants, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the person, its officers, agents, employees, or contractors arising out of but not limited to the construction, installation, operations, maintenance, or removal of a tower-based CCF. The obligation to indemnify, hold harmless, and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorney's fees, reasonable expert fees, court costs, and all other costs of indemnification.

r) *Removal/Financial Security.* In the event that use of a tower-based CCF is planned to be discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. If it remains unused for a period of 6 consecutive months, the Township will provide notice to the owner/operator to remove the tower.

Unused or abandoned tower-based CCFs or portions of tower-based CCFs shall be removed as follows:

i. All unused or abandoned tower-based CCFs and accessory facilities shall be removed within 6 months of the cessation of operations at the site or from the time the municipality provides notice, unless a time extension is approved by the Township.

ii. If the tower-based CCF and/or accessory facility is not removed within 6 months of the cessation of operations at a site, from the time the municipality provides notice, or within any longer period approved by the Township, the tower-based CCF and accessory facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the tower-based CCF.

iii. Prior to the issuance of a zoning permit, the owner/operator of the tower-based CCF shall post security, in a form acceptable to the Township, favoring the municipality to assure the faithful performance of the terms and conditions of this

Section. Security shall be an amount to cover tower and/or antenna removal and site clean-up. The security shall be utilized by the Township in the event the owner or operator of the tower-based CCF does not remove the facility as outlined in subsections i) and ii) above, or to recover any and all compensatory damages incurred by the Township for violations of this Section, after reasonable notice and opportunity to cure.

iv. The Township must approve all replacements of portions of a tower-based CCF previously removed.

2) *Tower-Based CCFs Outside the Rights-of-Way.* The following regulations shall apply to tower-based commercial communications facilities located outside the rights-of-way:

a) *Development Regulations.*

i. *Allowable Districts.* Commercial communications facilities are permitted/prohibited as follows:

aa. No tower-based CCF shall be located closer than 250 feet to an existing residential dwelling or residential zoning district boundary in which CCFs are prohibited.

bb. Tower-based CCFs are prohibited in the SRL, SRM, SRH, URL, and AQ residential zoning districts.

cc. Tower-based CCFs are permitted by conditional use in accordance with the requirements of §27-1109 in the RP, RA, SRC, PC, PI, and EXT zoning districts.

ii. *Gap in Coverage.* An applicant for a tower-based CCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of tower-based CCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or nonexistence of a gap in wireless coverage shall be a factor in the Township's decision on an application for approval of tower-based CCFs.

iii. *Height.* Any tower-based CCF outside of the rights-of-way shall be designed at the minimum functional height and shall not exceed a maximum total height of 150 feet. However, such height may be increased to no more than 200 feet, provided the setbacks from adjoining property lines (not lease lines) are increased by 1 foot for each 1 foot of height in excess of 150 feet and the applicant must submit documentation to the Township justifying the total height of the structure. Height shall include all subsequent additions or alterations.

iv. *Sole Use on a Lot.* A tower-based CCF is permitted as a sole use on a lot subject to the minimum lot area and yards complying with the requirements for the applicable zoning district.

v. *Combined with Another Use.* A tower-based CCF may be permitted on a property with an existing use or on a vacant parcel in combination with another industrial, commercial, institutional or municipal use, subject to the following conditions:

aa. The existing use on the property may be any permitted use in the applicable district, and need not be affiliated with the communications facility.

bb. The tower-based CCF may occupy a leased parcel within a lot meeting the minimum lot size for the zoning district. The leased parcel shall be, at a minimum, the area needed to accommodate the tower-based CCF and guy wires, the equipment building, security fence, and buffer planting.

cc. *Minimum Lot Area.* The minimum lot shall comply with the requirements for the applicable district.

dd. *Minimum Setbacks.* The tower-based CCF and accompanying equipment building shall not be located in the minimum front, rear, or side yard setbacks for the applicable zoning district. Further, no tower-based CCF shall be located within 100 feet or the distance of the fall zone, whichever is greater, from any property line or existing street right-of-way or 200 feet of any occupied building.

ee. Vehicular access to the tower-based CCF shall not interfere with parking or circulation on the site.

vi. Applicant shall demonstrate, utilizing the most current technological evidence available, that the commercial communications facility (CCF) must be constructed where it is proposed in order to satisfy its function pursuant to the communications industry's technological requirements.

b) *Co-Location.* An application for a new tower-based CCF shall not be approved unless the Township finds that the wireless communications equipment planned for the proposed tower-based CCF cannot be accommodated on an existing or approved structure or building. Any application for approval of a tower-based CCF shall include a comprehensive inventory of all existing towers and other suitable structures within a 2-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

c) *Design Regulations.*

i. The tower-based CCF shall employ the most current standards available in an effort to appropriately blend into the

surrounding environment and minimize aesthetic impact.

ii. Any height extensions to an existing tower-based CCF shall require prior approval of the Township. The Township reserves the right to deny such requests based upon land use impact or any other lawful considerations related to the character of the Township.

iii. Any proposed tower-based CCF shall be designed structurally, electrically, and in all respects to accommodate both the CCF applicant's antennas and comparable antennas for future users. At a minimum the structure and wind load should be able to accommodate a 10% increase in height or 1 additional array, not to exceed a total height of more than 200 feet.

d) *Surrounding Environs.*

i. The tower-based CCF shall comply with the required yard requirements of the applicable zoning district.

ii. The tower-based CCF applicant shall ensure that the existing vegetation, trees and shrubs located within proximity to the tower-based CCF structure shall be preserved to the maximum extent possible.

e) *Fence/Screen.*

i. A security fence having a maximum height of 8 feet shall completely surround any tower-based CCF, guy wires, parking, or any building/structure housing CCF equipment.

ii. An evergreen screen shall be required to surround the site of the proposed tower-based CCF. The screen shall either be a hedge (planted 3 feet on center maximum) or a row of evergreen trees (planted 10 feet on center maximum). The evergreen screen shall be a minimum 6 feet at planting and shall grow to a minimum 15 feet at maturity. The vegetation utilized should be deer resistant.

iii. The tower-based CCF applicant shall submit a landscape plan for review and approval by the Township for all proposed screening.

iv. Alternate forms of screening, other than the landscaping outlined in subsection (e)(ii), may be permitted if reviewed and approved by the Zoning Officer or the Board of Supervisors during the conditional use process.

f) *Accessory Equipment.*

i. Ground-mounted equipment associated to, or connected with, a tower-based CCF shall be underground. In the event that an applicant can demonstrate that the equipment cannot be located underground to the satisfaction of the Township Engineer, then the ground-mounted equipment shall be screened from

public view.

ii. All utility buildings and accessory structures shall be architecturally designed to blend into the environment in which they are situated and shall meet the minimum setback and height requirements of the underlying zoning district.

g) *Additional Antennas.* As a condition of approval for all tower-based CCFs, the CCF applicant shall provide the Township with a written commitment that it will allow other service providers to collocate antennas on tower-based CCFs where technically and economically feasible. The owner of a tower-based CCF shall not install any additional antennas without obtaining the prior written approval of the Township.

h) *Access Road/Lease Area.* Adequate emergency and service access to tower-based CCFs must be provided.

i. Access shall be provided to the facility by means of a public street or easement to/from a public street unless waived in writing by the Richland Township Board of Supervisors. The easement shall be a minimum to 20 feet in width and shall be improved to a width of at least 10 feet with a paved surface for its entire length. Road construction shall at all times minimize ground disturbance and the cutting of vegetation. Road grades shall closely follow natural contours to assure minimal visual disturbance and minimize soil erosion.

ii. A minimum of 2 off-street parking spaces shall be provided for a tower-based CCF.

iii. A turnaround area must be provided within the fenced area to allow adequate access by all service and emergency vehicles.

j) *Site Plan Required.* In order to determine the requirements of the conditional use and this Section are met, the applicant shall present a site plan showing, at a minimum, the following items:

i. Locations of all existing and proposed uses on the subject site including the proposed tower-based CCF.

ii. Elevations and drawings of any existing uses and proposed tower-based CCFs, showing proposed width, depth, height, architectural style and structural data for any towers, antennas, etc., proposed.

iii. Site boundary, lease area boundary, zoning data, setbacks/yards, and adjacent uses.

iv. Vehicular access, fencing, landscaping, utility and/or access easements.

j) *Inspection.* The Township reserves the right to inspect any tower-based CCF to ensure compliance with the provisions of this

Section and any other provisions found within the Township Code or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a tower-based CCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

3) *Tower-Based CCFs in the Rights-of-Way*. The following regulations shall apply to tower-based commercial communications facilities located in the rights-of-way:

a) *Development Regulations*.

i. No tower-based CCF shall be located within the existing or future rights-of-way of any secondary street as designated by the Township.

ii. Tower-based CCFs are permitted in all other existing rights-of-way.

iii. The applicant shall provide proof of authorization from the owner of the right(s)-of-way for the location(s) of the proposed tower(s).

iv. The application shall be accompanied by plans and other materials, as required by this Chapter, describing the use and locations proposed. Such plans and other materials shall provide sufficient basis for evaluating the applicant's requests.

v. The applicant shall demonstrate compliance with Chapter 21, Part 6 of the Township Code (Right-of-Way Management). A copy of the provider certification form shall accompany the application.

b) *Gap in Coverage*. An applicant for a tower-based CCF must demonstrate that a significant gap in wireless coverage exists with respect to all wireless operators in the applicable area and that the type of tower-based CCF being proposed is the least intrusive means by which to fill that gap in wireless coverage. The existence or nonexistence of a gap in wireless coverage shall be a factor in the Township's decision on an application for approval of tower-based CCFs in the right-of-way.

c) *Height*. Any tower-based CCF in rights-of-way shall be designed at the minimum functional height and shall not exceed a maximum total height of 50 feet, which height shall include all subsequent additions or alterations. All tower-based CCF applicants must submit documentation to the Township justifying the total height of the structure.

d) *Co-location*. An application for a new tower-based CCF in the right-of-way shall not be approved unless the Township finds that the proposed wireless communications equipment cannot be accommodated on an existing structure, such as a utility pole or traffic light pole. Any application for approval of a tower-based CCF shall include a

comprehensive inventory of all existing towers and other suitable structures within a 1-mile radius from the point of the proposed tower, unless the applicant can show to the satisfaction of the Township that a different distance is more reasonable, and shall demonstrate conclusively why an existing tower or other suitable structure cannot be utilized.

e) *Time, Place and Manner.* The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all tower-based CCFs in the right-of-way based on public safety, traffic management, physical burden on the right-of-way, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.

f) *Equipment Location.* Tower-based CCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the right-of-way as determined by the Township. In addition:

i. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb.

ii. Ground-mounted equipment that cannot be placed underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.

iii. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.

iv. Any graffiti on the tower or on any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti.

v. Any underground vaults related to tower-based CCFs shall be reviewed and approved by the Township.

g) *Design Regulations.*

i. The tower-based CCF shall employ the most current standards available in an effort to appropriately blend into the surrounding environment and minimize aesthetic impact.

ii. Any height extensions to an existing tower-based CCF shall require prior approval of the Township, and shall not increase the overall height of the tower-based CCF to more than 50 feet.

iii. Any proposed tower-based CCF shall be designed structurally, electrically, and in all respects to accommodate both the CCF applicant's antennas and comparable antennas for

future users.

h) *Additional Antennas.* As a condition of approval for all tower-based CCFs in the right-of-way, the CCF applicant shall provide the Township with a written commitment that it will allow other service providers to co-locate antennas on tower-based CCFs where technically and economically feasible. The owner of a tower-based CCF shall not install any additional antennas without obtaining the prior written approval of the Township.

i) *Relocation or Removal of Facilities.* Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a tower-based CCF in the right-of-way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any tower-based CCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall determine that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

- i. The construction, repair, maintenance or installation of any township or other public improvement in the right-of-way;
- ii. The operations of the Township or other governmental entity in the right-of-way;
- iii. Vacation of a street or road or the release of a utility easement; or
- iv. An emergency as determined by the Township.

j) *Compensation for Right-of-Way Use.* In addition to permit fees, every tower-based CCF in the right-of-way is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the right-of-way. Such compensation for right-of-way use shall be directly related to the Township's actual right-of-way management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other right-of-way management activities by the Township. The owner of each tower-based CCF shall pay an annual fee to the Township to compensate the Township for the Township's costs incurred in connection with the activities described above. The annual right-of-way management fee for tower-based CCFs shall be determined by the Township and authorized by resolution of Township Board of Supervisors and shall be based on the Township's actual right-of-way management costs as applied to such tower-based CCF.

(b) *Use F5b. Nontower Commercial Communications Facilities.*

1) *General Requirements for All Nontower Commercial Communications Facilities (CCF) and Base Stations.*

a) *Standard of Care.* Any nontower CCF that is considered a collocation, modification, or replacement shall be designed, constructed, operated, maintained, repaired, modified and removed in strict compliance with all current applicable technical, safety and safety related codes, including but not limited to the most recent editions of the American National Standards Institute (ANSI) Code, National Electrical Safety Code, and National Electrical Code. Any nontower CCF shall at all times be kept and maintained in good condition, order and repair by qualified maintenance and construction personnel, so that the same shall not endanger the life of any person or any property in the Township. The Township shall be notified of the use or storage of external power sources, such as batteries or fuel tanks.

b) *Wind and Load.*

i. Any nontower CCF that is considered a collocation, modification, or replacement shall be designed to withstand the effects of wind according to the standard designed by the American National Standards Institute as prepared by the engineering departments of the Electronics Industry Association, and Telecommunications Industry Association (ANSI/EIA/TIA 222-G Code, as amended).

ii. The wireless support structure to which the nontower CCF is attached shall be able to withstand the additional structural load of the collocation, modification, or replacement.

iii. A copy of the structural analysis, signed and sealed by a registered engineer in the State of Pennsylvania, shall be submitted to the Township and reviewed as a portion of the permitting process for collocations, modifications, or replacements.

c) *Public Safety Communications.* No nontower CCF shall interfere with public safety communications or the reception of broadband, television, radio or other communication services enjoyed by occupants of nearby properties.

d) *Aviation Safety.* Nontower CCFs shall comply with all Federal and State laws and regulations concerning aviation safety.

e) *Radio Frequency Emissions.* No nontower CCF may, by itself or in conjunction with other CCFs, generate radio frequency emissions in excess of the standards and regulations of the FCC, including, but not limited to, the FCC Office of Engineering Technology Bulletin 65 entitled "Evaluating Compliance with FCC Guidelines for Human Exposure to Radio Frequency Electromagnetic Fields," as

amended.

f) *Historic Buildings.* Nontower CCFs may not be located on a building or structure that is listed on either the National or Pennsylvania Registers of Historic Places or the official historic structures and/or historic districts lists maintained by the Township or has been designated by the Township as being of historic significance.

2) *Nontower CCF Development Regulations: No Substantial Change.* If the eligible facilities request for a nontower commercial communication facility or base station is a collocation, modification, or a replacement that does not substantially change the existing wireless support structure, then the requirements contained herein will be applicable.

a) *Permitted in All Zoning Districts.* Nontower CCFs are permitted in all zoning districts:

i. *Building Permit Required.* Collocations, modifications, or replacements of nontower CCFs or transmission equipment on existing wireless support structures or base stations are subject to the initial zoning or land use approvals for the previously approved wireless support structure or nontower CCF, and subject only to the building permit review and approval process of the Township.

ii. *No Building Permit Required.* Replacement of nontower CCFs or transmission equipment on existing, Township-approved wireless support structures or base stations, without an increase in wind or structural load, may be performed by the applicant without obtaining a building permit.

b) *Removal.* In the event that use of a nontower CCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. If it remains unused for a period of 12 consecutive months, the Township will provide notice to the owner/operator to remove the tower.

Unused or abandoned nontower CCFs or portions of nontower CCFs shall be removed as follows:

i. All abandoned or unused nontower CCFs and accessory facilities shall be removed within 3 months of the cessation of operations at the site, or from the time the municipality provides notice, unless a time extension is approved by the Township.

ii. If the nontower CCF or accessory facility is not removed within 3 months of the cessation of operations at a site, or within any longer period approved by the Township, the nontower CCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the nontower CCF.

c) *Timing of Decision.* Within 30 calendar days of the date that

an application for a collocation, modification, or replacement of a nontower CCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. If additional information is requested by the Township to complete an application, the time period for review may be tolled by mutual agreement. Within 60 calendar days of receipt of the application, accounting for tolling, the Township must make a final decision regarding the application and shall advise the applicant in writing of such decision.

i. A determination of incompleteness must specifically delineate all missing information, and specify the code provision, ordinance, application instructions or otherwise publically stated procedures that require the information to be submitted.

ii. Following an applicant's resubmission in response to a determination of incompleteness, the Township may reach a subsequent determination of incompleteness based solely on the applicant's failure to supply the specific information that was requested within the first 30 days.

iii. The 60-day review period begins running again when the applicant makes its supplemental resubmission; however, the review period may be tolled, once again, if the Township notifies the applicant within 10 days that the supplemental submission did not provide the specific information identified in the original notice delineating missing information.

3) *Nontower CCF Development Regulations: Substantial Change.* If the eligible facilities request for a nontower commercial communication facility or base station is a collocation, modification, or a replacement that substantially changes the existing wireless support structure, then the requirements contained herein will be applicable.

a) *Permitted in All Zoning Districts.* Nontower CCFs are permitted in all zoning districts subject to the initial zoning or land use approvals for the previously approved wireless support structure or nontower CCF. These CCFs are subject to the building permit review and approval process of the Township. Conditional use approval may be required as noted.

b) *Maintenance.* The following maintenance requirements shall apply:

i. The nontower CCF shall be fully automated and unattended on a daily basis and shall be visited only for maintenance or emergency repair.

ii. Such maintenance shall be performed to ensure the upkeep of the facility in order to promote the safety and security of the Township's residents.

iii. All maintenance activities shall utilize nothing less than

the best available technology for preventing failures and accidents.

c) *Retention of Experts.* The Township may hire any consultant(s) and/or expert(s) necessary to assist the Township in reviewing and evaluating the application for approval of the nontower CCF and, once approved, in reviewing and evaluating any potential violations of the terms and conditions of this Section. The applicant and/or owner of the nontower CCF shall reimburse the Township for all costs of the Township's consultant(s) in providing expert evaluation and consultation in connection with these activities.

d) *Timing of Decision.* Within 30 calendar days of the date that an application for a nontower CCF is filed with the Township, the Township shall notify the applicant in writing of any information that may be required to complete such application. Within 90 calendar days of receipt of a complete application, the Township shall make its final decision on whether to approve the application and shall advise the applicant in writing of such decision. If additional information was requested by the Township to complete an application, the time required by the applicant to provide the information shall not be counted toward the Township's 90-day review period.

e) *Removal.* In the event that use of a nontower CCF is discontinued, the owner shall provide written notice to the Township of its intent to discontinue use and the date when the use shall be discontinued. Unused or abandoned nontower CCFs or portions of nontower CCFs shall be removed as follows:

i. All abandoned or unused nontower CCFs and accessory facilities shall be removed within 3 months of the cessation of operations at the site unless a time extension is approved by the Township.

ii. If the nontower CCF or accessory facility is not removed within 3 months of the cessation of operations at a site, or within any longer period approved by the Township, the nontower CCF and/or associated facilities and equipment may be removed by the Township and the cost of removal assessed against the owner of the CCF.

iii. Prior to the issuance of a zoning permit, the owner/operator of the nontower CCF shall post security, in a form acceptable to the Township, favoring the municipality, to assure the faithful performance of the terms and conditions of this Section. Security shall be an amount to cover tower and/or antenna removal and site cleanup. The security shall be utilized by the Township in the event the owner or operator of the nontower CCF does not remove the facility as outlined in subsections .i and .ii above or to recover any and all compensatory damages incurred by the Township for violations of this

Section, after reasonable notice and opportunity to cure.

f) *Indemnification.* Each person that owns or operates a nontower CCF shall, at its sole cost and expense, indemnify, defend, and hold harmless the Township, its elected and appointed officials, employees, Engineer, Solicitor, Planner, agents, and other relevant professional consultants, at all times against any and all claims for personal injury, including death, and property damage arising in whole or in part from, caused by or connected with any act or omission of the person, its officers, agents, employees, or contractors arising out of but not limited to the construction, installation, operations, maintenance, or removal of a nontower CCF. The obligation to indemnify, hold harmless, and defend shall include, but not be limited to, the obligation to pay judgments, injuries, liabilities, damages, reasonable attorney's fees, reasonable expert fees, court costs, and all other costs of indemnification.

4) *Nontower CCFs Outside the Rights-of-Way.* If the eligible facilities request for a nontower commercial communication facility or base station is a collocation, modification, or a replacement that substantially changes the existing wireless support structure and is located outside the right-of-way, then the requirements contained herein will be applicable.

a) *Development Regulations.* Nontower CCFs shall be co-located on existing wireless support structures/base stations, subject to the following conditions:

i. Such nontower CCF does not exceed the maximum permitted height of the existing wireless support structure.

ii. If the nontower CCF applicant proposes to locate the communications equipment in a separate building, the building shall comply with the minimum requirements for the applicable zoning district.

iii. An 8-foot-high security fence shall surround any separate communications equipment building. Vehicular access to the communications equipment building shall not interfere with the parking or vehicular circulations on the site for the principal use.

b) *Design Regulations.*

i. Nontower CCFs shall be treated to match the supporting structure in order to minimize aesthetic impact.

ii. Nontower CCFs, which are mounted to a building or similar structure, may not exceed a height of 15 feet above the roof or parapet, whichever is higher, unless the nontower CCF applicant obtains a conditional use permit.

iii. All non-tower-based CCF applicants must submit documentation to the Township justifying the total height of the nontower structure. Such documentation shall be analyzed in the

context of such justification on an individual basis.

iv. Antennas, and their respective accompanying support structures, shall be no greater in diameter than any cross-sectional dimension than is reasonably necessary for their proper functioning.

c) *Inspection.* The Township reserves the right to inspect any nontower CCF to ensure compliance with the provisions of this Section and any other provisions found within the Township Code or State or Federal law. The Township and/or its agents shall have the authority to enter the property upon which a nontower CCF is located at any time, upon reasonable notice to the operator, to ensure such compliance.

5) *Nontower CCFs in the Rights-of-Way.* If the eligible facilities request for a nontower commercial communication facility or base station is a collocation, modification, or a replacement that substantially changes the existing wireless support structure and is located in the right-of-way, then the requirements contained herein will be applicable.

a) *Co-location.* Nontower CCFs in the right-of-way shall be located on existing poles/base stations, such as existing utility poles or light poles or other wireless support structures.

b) *Design Requirements.*

i. Nontower CCF installations located above the surface grade in the public right-of-way including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than 6 feet in height and that are compatible in scale and proportion to the structures upon which they are mounted. All equipment shall be the smallest and least visibly intrusive equipment feasible.

ii. Antennas and all support equipment shall be treated to match the supporting structure. Nontower CCFs and accompanying equipment shall be painted, or otherwise coated, to be visually compatible with the support structure upon which they are mounted.

c) *Equipment Location.* Nontower CCFs and accessory equipment shall be located so as not to cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the right-of-way as determined by the Township. In addition:

i. In no case shall ground-mounted equipment, walls, or landscaping be located within 18 inches of the face of the curb.

ii. Ground-mounted equipment shall be located underground. In the event an applicant can demonstrate, to the satisfaction of the Township Engineer, that ground-mounted

equipment cannot be placed underground, then all such equipment shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township.

iii. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.

iv. Any graffiti on the nontower CCF or on any accessory equipment shall be removed at the sole expense of the owner within 10 business days of notice of the existence of the graffiti.

v. Any underground vaults related to nontower CCFs shall be reviewed and approved by the Township.

d) *Time, Place and Manner.* The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all nontower CCFs in the right-of-way based on public safety, traffic management, physical burden on the right-of-way, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.

e) *Relocation or Removal of Facilities.* Within 60 days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an emergency, an owner of a nontower CCF in the right-of-way shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any nontower CCF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change or alteration is reasonably necessary under the following circumstances:

i. The construction, repair, maintenance or installation of any Township or other public improvement in the right-of-way;

ii. The operations of the Township or other governmental entity in the right-of-way;

iii. Vacation of a street or road or the release of a utility easement; or

iv. An emergency as determined by the Township.

f) *Compensation for Right-of-Way Use.* In addition to permit fees, every nontower CCF in the right-of-way is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the right-of-way. Such compensation for right-of-way use shall be directly related to the Township's actual right-of-way management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other right-of-way manage-

ment activities by the Township. The owner of each nontower CCF shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above. The annual right-of-way management fee for nontower CCFs shall be determined by the Township and authorized by resolution of the Township Board and shall be based on the Township's actual right-of-way management costs as applied to such nontower CCF.

*G. Industrial Uses.*

**G1 Manufacturing.** Manufacturing, including the production, processing, cleaning, testing, and/or distribution of materials, goods, foodstuffs and products, subject to the following provisions:

(a) All manufacturing uses must meet the nuisance standards listed in §§27-531 through 27-538 in this Chapter.

(b) Parking: One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

(c) Outside storage shall meet the requirements of Use H7 Outside Storage and Display.

**G2 Research.** Research, testing, experimental laboratory, and/or the storage or breeding of animals for laboratory use.

(a) Parking: One off-street parking space for each employee on the largest shift, or one space for every 250 square feet of gross floor area, whichever requires the greater number of parking spaces, plus one space for each company vehicle normally stored on the premises.

**G3 Wholesale Business, Wholesale Storage, Warehousing.** A building or group of buildings primarily used for the indoor: storage, transfer, distribution, and/or the wholesale selling of products and materials to retailers, other merchants, or industrial, institutional, and commercial users, mainly for resale or business use. This use shall exclude retail sales and is subject to the following provision:

(a) Parking: One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

**G4 Mini-Warehouse.** A structure containing separate storage spaces which are leased to the general public for the purpose of storing items generally stored in residential structures, subject to the following provisions:

(a) The maximum height of storage units shall be 12 feet.

(b) The minimum building spacing shall be 24 feet.

(c) No structure shall exceed 6,000 square feet in size.

(d) Outdoor storage of automobiles, boats and recreational vehicles shall be permitted based on the following ratio: One square foot of outdoor storage

area for every 2 square feet of indoor storage area. The outdoor storage area shall not be located in the required yards and shall not interfere with traffic movement through the complex. Outdoor storage areas shall be properly screened so as not to be visible from any adjacent streets or property.

(e) Such use shall be surrounded by a fence at least 6 feet in height.

(f) One office and one dwelling unit shall be permitted as accessory uses.

(g) No business activity other than leasing of storage units shall be permitted.

(h) Storage of explosive, toxic, radioactive or highly flammable materials shall be prohibited.

(i) **Parking:** One off-street parking space for each 2,000 square feet of gross floor area of storage. These parking spaces should be distributed equally throughout the storage facility. In addition, one off-street parking space for each 10,000 square feet of gross floor area of storage shall be provided at the project office for use by prospective clients. If living quarters for a caretaker are provided, two additional off-street parking spaces are required.

**G5 Printing.** Printing, publishing, binding, subject to the following provisions:

(a) **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 gross floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

**G6 Contracting.** Contractor offices and shops such as building, cement, electrical, heating, painting, masonry, roofing and other similar contracting services, subject to the following provisions:

(a) **Parking:** One off-street parking space for each employee on the largest shift, or one space for each 250 square feet of gross floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

**G7 Truck Terminal.** The use of land and/or structures for the storage of trucks and for the transfer of freight from one truck to another, subject to the following provisions:

(a) Short-term warehousing of less than 30 days 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) **Parking:** One off-street parking space for each employee or one space for every 500 square feet of gross floor area, whichever requires the greater number of spaces, plus one space for each company vehicle normally stored on the premises.

**G8 Crafts.** Carpentry, upholstery, cabinet-making, furniture-making and similar crafts, subject to the following provisions:

- (a) **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 gross floor area, whichever is greater, plus one space for each company vehicle normally

stored on the premises.

**G9 Mill.** Mill where lumber and similar products are processed primarily for wholesale use, including mulch operations, subject to the following provisions:

(a) **Parking:** One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

**G10 Outside Storage.** An area not contained within a building, on which materials and objects are stored but not processed, manufactured, remanufactured, or abandoned. Such use is not open to the public, and materials and objects are not available for retail sale. This use shall be subject to the following provisions:

(a) No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, no required parking areas, and no part of the front yard shall be occupied by outside storage.

(b) Outside storage and display areas shall be shielded from view from all public streets and adjacent lots.

(c) A Class “C” buffer shall be provided along all adjacent uses in accordance with the requirements of §27-516.

**G11 Fuel Storage and Distribution.** Fuel storage and distribution tanks and related buildings, subject to the following provisions:

(a) Approval shall be secured from the Pennsylvania State Police Fire Marshall and the Pennsylvania Department of Labor and Industry for the underground storage of fuel.

(b) No retail sales shall be permitted on the premises.

(c) **Parking:** One off-street parking space for each employee, plus one space for each company vehicle normally stored on the premises.

**G12 Industrial Park.** An industrial park is a planned development of industrial and related uses which includes improvements for internal streets, coordinated utilities, landscaping and buffering, subject to the following provisions:

(a) *Area and Dimensional Requirements.*

Minimum site area:	10 acres
Minimum frontage at street line–site:	150 feet
Minimum setback from street lines–site:	100 feet
Minimum setback from property lines–site:	75 feet
Minimum setback–internal streets:	30 feet
Minimum building spacing:	50 feet

(b) *Permitted Uses.* D1 Office, D2 Medical Office, E4 Financial Establishment, E5 Eating Place, E7 Repair Shop, E9 Motel, Hotel or Inn, E11 Athletic Facility, E15 Veterinary Office or Clinic, G1 Manufacturing, G2 Research, G3 Wholesale Business, Wholesale Storage or Warehousing, G5 Printing and G6

Contracting.

- (c) Uses may be located in attached or detached structures.
- (d) At least 70% of the total floor space of the industrial park must be used for industrial uses.
- (e) All uses within the industrial park shall take access from an interior roadway. Access for the industrial park shall be from an arterial or collector highway, unless otherwise approved by the governing body.
- (f) All parking and loading facilities shall be located to the rear or side of buildings.
- (g) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
- (h) All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.*, or other ownership arrangement approved by the municipality.
- (i) The applicant shall submit a plan for the overall design and improvements of the industrial park.
- (j) Parking: One off-street parking space for each employee on the largest shift, or one space for every 500 square feet of gross floor area, whichever is greater, plus one space for each company vehicle normally stored on the premises.

**G13 Junkyard.** An area of land, with or without buildings, used for the storage of used or discarded materials, including, but not limited to, waste paper, glass, rags, metal, building materials, house furnishings, machinery, tires, vehicles, or parts thereof. 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 junkyard is subject to the following provisions:

- (a) The maximum lot area shall be 10 acres.
- (b) The land area used for junkyard purposes shall be located at least 400 feet from any existing residential use and a minimum of 100 feet from any street line or property line; except a front yard setback of 150 feet shall be provided in the EXT Extraction Zoning District.
- (c) The land area used for junkyard purposes shall not be exposed to public view from any public street or residence.
- (d) A junkyard shall be entirely enclosed by a solid fence or wall, at least 8 feet but no more than 10 feet high, constructed of plank boards, brick, cinder block or concrete, with access only through solid gates. Such gates shall be locked at all times when the junkyard is not in operation. Such fence or wall shall be kept in good repair and neatly painted in a uniform color.
- (e) A dense evergreen buffer shall be provided on the outside perimeter of the fenced area. The buffer yard shall be 100 feet in width. Evergreens shall be 4 to 5 feet in height and planted on 10-foot staggered centers. The buffer

yard plantings required by §27-516, Table 27-516-1, "Determination of Buffer Yard Class," and Table 27-516-2, "Planting Options" shall not be applicable. However, all other requirements of §27-516 shall be met.

(f) The contents of a junkyard shall not be placed or deposited to a height greater than 8 feet.

(g) All activities involving paper, rags, cloth and other fibers, other than loading and unloading, shall be within fully enclosed buildings.

(h) The storage of toxic chemicals or nuclear wastes shall be prohibited.

(i) Dumping of trash or landfill operations and burning of any materials shall be prohibited.

(j) No material shall be placed in a junkyard in such a manner that it is capable of being transferred out of the junkyard by wind, water or other natural causes.

(k) 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.

(l) 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.

(m) 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 (DEP) rules and regulations.

(n) A zoning permit shall be obtained on an annual basis with application made by January 15<sup>th</sup> of each year. The permit shall be issued only after an inspection by the Zoning Officer to certify that this use meets all provisions of this and other ordinances.

(o) Parking: One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

**G14 Extractive Operation.** Extractive operations for sand, clay, shale, gravel, topsoil or similar operations, including borrow pits (excavations for removing material for filling operations), subject to the following provisions:

(a) Minimum lot area: 25 acres.

(b) When applying for a zoning permit or change of zoning or when

submitting land development plans, the applicant shall provide the following plans and information:

1) Plan of general area (within a 1-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:

a) *Existing Data.*

i. Location of proposed site.

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

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

b) *Proposed Uses or Facilities.*

i. Subdivisions.

ii. Parks, schools, and churches.

iii. Highways (new and reconstructed).

iv. Other uses potentially affecting or affected by the proposed extractive operation.

2) Plan of proposed site at a scale of 100 feet or less to the inch with a 5-foot or less contour interval to show:

a) *Basic Data.*

i. Soils and geology.

ii. Groundwater data and water courses.

iii. Vegetation with dominant species.

iv. Wind data-directions and percentage of time.

b) *Proposed Usage.*

i. Final grading by contours.

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

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

iv. Ultimate use and ownership of site after completion of operation.

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

vi. Plan of operation showing:

a. Proposed tree screen locations.

b. Soil embankments for noise, dust, and visual barriers and heights of spoil mounds.

c. Method of disposition of excess water during operation.

d. Location and typical schedule of blasting.

- e. Machinery–type and noise levels.
  - f. Safety measures–monitoring of complaints.
- (c) *Performance Standards.*
- 1) *Operations.* Extractive operations shall meet all development and performance standards of Part 5.
  - 2) *Setbacks.* No excavation, quarry wall, storage or area in which processing is conducted shall be located within 200 feet of any lot line or street line.
  - 3) *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.
    - a) 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 are composed of non-noxious, noncombustible solids.
    - b) 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 degrees in angle, whichever is less. During grading and backfilling, the setback requirements in subclause 2) above may be reduced by one-half, so that the top of the graded slope shall not be closer than 100 feet of any lot line or any street line. Stockpiles shall not exceed 100 feet in height.
    - c) 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 7 feet horizontal to 1 foot vertical, beginning at least 50 feet from the edge of the water and maintained into the water to a depth of 5 feet.
    - d) Drainage, either natural or artificial, shall be provided so that disturbed areas shall not collect water or permit stagnant water to remain.
  - 4) *Access.* Truck access to any excavation shall be so arranged as to minimize danger to traffic and avoid nuisance to surrounding properties.
  - 5) *Stone Quarry.* Stone quarries whose ultimate depth shall be more than 25 feet shall provide the following:
    - a) A screen planting within the setback area as specified in subclause 2) above shall be required. Such a screen shall be no less than 25 feet in width and 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.
    - b) 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.

c) Warning signs shall be placed on the fence at intervals of no more than 100 feet.

6) No ground vibration caused by blasting or machinery shall exceed local, County or State limits with the exception that no blasting shall cause a peak particle velocity greater than 1 inch per second, measured at any property line.

7) No blasting shall occur between the hours of 6 p.m. and 7 a.m.; no blasting shall occur on Saturday or Sunday.

8) *Buffering.* A berm with an average height of 15 feet and a maximum height of 50 feet shall be provided along all boundary lines. The slope of the sides of the berm shall not exceed a 3:1 ratio. Berms shall be constructed no closer than 25 feet to a lot line or street line. Berms shall be planted and erosion control measures shall be taken as may be approved by the U.S. Soil Conservation Service. In addition, the buffer requirements of §27-516 of this Chapter shall be met. Buffer plantings shall be located between the berm and the property line.

9) *Parking.* One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

(d) *Rehabilitation and Conservation Requirements.*

1) The owner, operator, lessee of any extractive operation shall, at the time of application for a zoning permit submit to the municipality its reclamation plan as submitted to the Pennsylvania Department of Environmental Protection (DEP). No permit shall be issued where said reclamation plan provides for quarrying in areas of the site not permitted by this Chapter.

2) Along with said plan, the applicant shall include a timetable for the reclamation proposed for the site in general with an actual timetable for reclamation of slopes as may be found reasonable by the governing body within the setback areas.

3) Owner, lessee, or operator of any extraction operation within the municipality shall, within 6 months from the date of this Chapter or receipt of a zoning permit authorizing said extraction operation, whichever is the latter, submit a plan which shall include descriptions and plans for suitable after-conditions or after-uses for all the land affected.

4) Plans for the rehabilitation uses may include the following after-uses among others:

- a) Open areas suitably graded and covered with suitable shrubs, grasses or trees.
- b) Recreation land, ponds, and lakes.
- c) Agriculture of any type.
- d) Sites for residential use.

5) Rehabilitation shall commence within 1 year following the completion or the discontinuance for a period of 1 year of any extractive operation (or the completion of the excavation of a portion of an entire operation which can feasibly be restored separately from other portions of the operation and which is not necessary to the operation). Such rehabilitation shall be completed within 5 years from the date rehabilitation commenced except where a longer period of time is specifically authorized as part of the rehabilitation program.

6) Rehabilitation shall include removal of all debris, temporary structures and stock piles.

7) A layer of arable soil of sufficient depth to sustain grass, shrubs and trees shall be provided in those parts of the operation where feasible to do so. Grass, shrubs, and trees native to their area shall be planted thereon within 6 months after the providing of arable soil.

8) Where the extraction operations are to be filled as part of the rehabilitation process, no material shall be used for fill purposes other than earth, stone, sand, concrete or asphalt.

9) Water accumulation upon the site may be retained after the completion of such operations where the excavation cannot be reasonably drained by gravity flow; provided, that adequate provision shall be made to avoid stagnation, pollution, and the danger of improperly controlled release of such waters from the site.

10) Upon receipt of the rehabilitation plans, the municipality shall review the plans to insure compliance with all provisions of this performance standard. Upon approval thereof, the municipality shall issue a certificate indicating approval of the plans as submitted or amended, and the approved plans should be permanently filed in the official records of the municipality.

11) Plans may be amended from time to time by approval of the municipality upon application of the owners.

12) A performance bond may be required by the municipality in an amount determined by the municipality to be sufficient to insure the rehabilitation of the affected site in accordance and compliance with the standards for the issuance of any original permit or annual renewal permit in accordance with the provisions of the plan of rehabilitation as submitted pursuant to this Chapter, if the bond posted with the Commonwealth of Pennsylvania, Department of Environmental Protection (DEP), or other agency is not kept in force or if the municipality is not named therein. The municipality may require that the bond posted with any State agency may not be withdrawn or reclaimed without municipal approval. With the approval of the municipality, and for such period or periods as may be specified, an owner may be permitted to post his own bond without corporate surety.

13) The applicant for an extractive operation shall provide appropriate documentation from any applicable local, State or Federal agency that the plan for rehabilitation meets all current applicable requirements.

**G15 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 as defined below. Municipal waste landfill operations are not included under this use and open burning of any materials shall specifically be prohibited. A resource recovery facility is subject to the following provisions:

(a) *Related Definitions.*

1) *Composting facility*—a facility for the composting of the organic matter in municipal waste.

2) *Incinerator*—an enclosed device using controlled combustion with a primary purpose of thermally breaking down municipal waste and which is equipped with a flue.

3) *Material separation and / or refuse derived fuel (RDF) facility*—the extraction of materials from municipal waste for recycling or for use as refuse derived fuel (RDF).

4) *Recycling facility*—a business that accumulates source-separated, recyclable 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.

5) *Transfer station*—a facility where municipal waste is delivered for the purpose of transferring and/or 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, any resource recovery facility shall be a minimum of 300 feet from any residential zoning district or occupied residential dwelling unit.

(d) Parking areas, vehicle storage, maintenance or accessory buildings 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 (DEP) and all provisions of this Chapter and all other applicable ordinances. In the event that any of the provisions of this Chapter are less restrictive than any present or future rules or regulations of DEP, the more restrictive DEP regulations shall supersede and control.

(f) 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 municipality. To control blowing paper, there shall be erected a fence having a minimum height of 6 feet, with openings not more than 3 inches by 3 inches, 20 feet inside all boundaries. The entire area shall be kept clean and orderly.

(g) 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 6 feet high and shall be kept in good repair and neatly painted in a uniform color. This limitation of access may be waived by the governing body for recycling drop-off stations where public access is essential for the operation.

(h) Unloading of municipal waste shall be continuously supervised by a facility operator.

(i) Hazardous waste as included on the list of hazardous waste as maintained by the Department of Environmental Protection (DEP) shall not be disposed of in a resource recovery facility.

(j) All parts of the process—unloading, handling and storage of municipal waste shall occur within a building. However, certain separated, recyclable materials like glass, aluminum, and other materials may be unloaded, handled or stored outdoors when authorized by the governing body. All outdoor storage shall meet the standards of clauses (c) and (l) hereof.

(k) Paper shall be stored within an enclosure.

(l) Any materials stored outdoors shall be properly screened so as not to be visible from any adjacent streets or properties.

(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 waste shall be processed or stored at a recycling facility. For types of resource recovery facilities other than a recycling facility, municipal waste shall not be stored on the site for more than 72 hours.

(o) A contingency plan for disposal of municipal waste during a plant shutdown must be submitted to the municipality and approved by the governing body.

(p) Leachate from the municipal waste and water used to wash vehicles or any part of the operation shall be disposed of in a manner in compliance with Pennsylvania Department of Environmental Protection's (DEP) regulations. If the leachate is to be discharged into 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 DEP 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. Such residual waste shall be located at least 200 feet from any property line and stored in leak proof and vector proof containers. Such residual processed waste shall be disposed of in a sanitary landfill approved by Pennsylvania Department of Environmental Protection (DEP) or in another manner approved by DEP.

(r) A dense evergreen buffer shall be maintained as a permanent visual

screen outside of the fenced area. The visual screen shall begin at the ground and extend to the height of the fence. Evergreens shall be 4 to 5 feet in height and shall be planted in two rows 10 feet apart on 10 foot staggered centers. The lower branches of mature trees shall not be removed. In addition, the buffer requirements of §27-516 of this Chapter shall be met.

(s) Municipal waste landfill operations are not included under this use and open burning of any materials shall specifically be prohibited.

(t) The nuisance standards of Part 5 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 with application made by January 15 of each year. The permit shall be issued only after an inspection by the Zoning Officer to certify that this use meets all provisions of this and other ordinances.

(w) A certificate of pollution insurance in compliance with all applicable sections of the Pennsylvania Municipalities Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), 53 P.S. §4000.101 *et seq.*, as amended, shall be required on an annual basis.

(x) **Parking:** One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

**G16 Municipal Waste Landfill.** A facility using land for disposing of municipal waste. The facility includes land affected during the lifetime of the operation including, but not limited to, areas where disposal or processing activities actually occur, support facilities, borrow areas, offices, equipment sheds, air and water pollution control and treatment systems, access roads, associated on-site and contiguous collection, transportation and storage facilities, closure and post-closure care and maintenance activities and other activities in which the natural land surface has been disturbed as a result of, or incidental to, the operation of the facility. The term does not include a construction/demolition waste landfill or a facility for the land application of sewage sludge. (Pa.Code, Title 25, Environmental Protection Part I, Chapter 271.1, as amended). A municipal waste landfill is subject to the following provisions:

(a) Minimum lot area: 50 acres.

(b) The municipal 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 an arterial road shall be required for the operation of a municipal waste landfill.

(d) A traffic impact study shall be required.

(e) Operation of any municipal 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 (DEP) and all provisions of this Chapter and all other applicable ordinances. In the event that any of the provisions of this Chapter 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 municipal waste landfill.

(f) Suitable measures shall be taken to prevent fires by means and devices mutually agreeable to the Department of Environmental Protection (DEP) and the municipality.

(g) Municipal waste shall not be burned at a municipal waste landfill.

(h) A municipal 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.

(i) Measures shall be provided to control dust and a working plan for cleanup of litter shall be submitted to the municipality. To control blowing paper, there shall be erected a fence having a minimum height of 6 feet, with openings not more than 3 inches by 3 inches, 20 feet inside all boundaries. The entire area shall be kept clean and orderly. Cracks in, depressions in or erosion of cover shall be repaired daily.

(j) 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 municipal 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.

(k) Unloading of waste shall be continuously supervised.

(l) Hazardous materials, as listed on the Federal Hazardous Waste List promulgated under the Resource Conservation and Recovery Act as defined in CFR, Title 40, Chap. 1, Part 261, Subpart D, dated July 1, 1984, as amended, shall not be disposed of in a municipal waste landfill.

(m) The disposal of sewage liquids and solids and other liquids shall be specifically prohibited in a municipal waste landfill.

(n) Litter control shall be exercised to confine blowing litter to the work area and a working plan of clean up 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 disease transmitting organisms.

(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 rain water falling onto the fill, and to prevent the collection of standing water. The operator shall comply with local requirements and applicable municipal ordinances so that there is no adverse off-site impact from the drainage of surface water.

(q) Operation of any municipal waste landfill shall at all times be in full compliance with the Pennsylvania Clean Streams Law, Act 157 of 1980, 35 P.S. §691.1 *et seq.*, as amended.

(r) A dense evergreen buffer shall be provided outside of the fenced area.

Evergreens shall be 4 to 5 feet in height and shall be planted in two rows 10

feet apart on 10-foot staggered centers. In addition, the buffer requirements of §27-516 of this Chapter shall be met.

(s) A zoning permit shall be obtained on an annual basis with application made by January 15 of each year. The permit shall be issued only after an inspection by the Zoning Officer to certify that this use meets all provisions of this and other ordinances.

(t) A final inspection of the entire site shall be made by the Department of Environmental Protection (DEP) and the municipality and their authorized representatives to determine compliance with applicable Department of Environmental Protection’s rules and regulations Title 25, Pa.Code, Chapter 273, as amended, and approved plans and specifications before the earthmoving equipment is removed from the site. Any necessary corrective work shall be performed before the municipal 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 2 years following completion of the municipal waste landfill. A bond shall be posted to ensure that all corrective work is completed.

(u) A certificate of pollution insurance in compliance with all applicable sections of the Pennsylvania Municipalities Waste Planning, Recycling and Waste Reduction Act (Act 101 of 1988), 53 P.S. §4000.101 *et seq.*, as amended, shall be required on an annual basis.

(v) **Parking:** One off-street parking space for each employee on the largest shift plus one off-street parking space for each company vehicle normally stored on the premises plus one off-street parking space for every 10 employees on the largest shift for visitor parking.

**G17 Flex Building.** A flex building is a building or series of buildings which is part of a planned development wherein the building or buildings will be occupied by a variety of industrial, office and commercial uses, subject to the following provisions:

(a) *Area and Dimensional Requirements.*

Minimum site area:	3 acres
Minimum frontage at street line–site:	150 feet
Minimum setback from street lines–site:	25 feet
Minimum setback from property lines–site:	25 feet
Minimum building spacing:	50 feet
Maximum impervious surface ratio:	0.60
Maximum building coverage:	0.40
Maximum floor area ratio:	0.40

(b) *Permitted Uses.* D1 Office, D2 Medical Office, E4 Financial Establishment, E7 Repair Shop, E10 Indoor Entertainment, E11 Athletic Facility (excluding outdoor facilities, health clubs, and swimming pools), G1 Manufac-

turing, G3 Wholesale Business, Wholesale Storage or Warehousing, G5 Printing, G6 Contracting, G8 Crafts and G9 Mill.

(c) *Conditional Use.* G2 Research Use shall only be permitted as a conditional use when included as part of a G17 Flex Building Use.

(d) Each proposed building may be occupied by a maximum of six tenants and any tenant space must have a minimum of 2,000 square feet.

(e) No more than 50% of the total gross floor area of any one building or group of buildings within a planned development may be occupied by Use D1 Office and/or Use D2 Medical Office or any combination thereof.

(f) **Parking:** Each facility must have a minimum of one parking space per 300 square feet of floor area. Prior to the initial occupancy or to the change of occupancy of any space in a building the Township Zoning Officer shall review and approve an application for certificate of occupancy which application shall show, among other things, the proposed use, the overall parking requirements for the subject property, the parking requirements for each of the buildings, the parking requirements for each of the existing tenants, and shall demonstrate that the required parking is available for the use for which occupancy is sought. If the parking required for the proposed use under this Chapter cannot be met, the Zoning Officer shall deny the use and occupancy certificate.

(g) All tenants shall take access to and from a building by way of an interior driveway. Access to and from the interior driveway shall be from an arterial or collector highway, unless otherwise approved by the governing body.

(h) Parking facilities shall be located no closer than 5 feet from the front, rear or side of any building. All loading facilities shall be located to the side or rear of buildings, but in no case shall any loading facility be located between the front of a building and any street line.

(i) Lighting facilities shall be provided and arranged in a manner which will protect the highway and neighboring properties from direct glare or hazardous interference of any kind.

(j) All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act, 68 Pa.C.S.A. §3101 *et seq.*, or other ownership arrangement approved by the municipality.

(k) The applicant shall submit a plan for the overall design and improvements of each flex building project.

**G18 Solar Energy Commercial Operation.** A solar collection system which exists solely to generate energy for sale into the wholesale market, rather than being consumed on site. Solar energy commercial operations shall include the solar energy system, accessory structures and buildings, including substations, electrical infrastructures, transmission lines, and other appurtenant structures, equipment, and facilities; and, shall include any system installed as a ground array and/or mounted to a structure. Solar energy commercial operations are subject to the following provisions:

(a) All associated solar energy equipment shall be located on the same lot as the principal use.

(b) The solar energy commercial operation and all associated equipment

shall conform to the area and dimensional requirements of the zoning district in which the solar energy system is installed.

(c) All components of the facility shall be considered impervious and considered as such in the calculation of the maximum impervious coverage. Impervious coverage for solar panels/collectors shall be measured when oriented at the absolute maximum horizontal position.

(d) A ground-mounted solar system may not exceed a height of 15 feet above the ground when oriented at maximum tilt.

(e) Roof-mounted solar panels may be located on an accessory structure to the principal use. Permitted roof-mounted solar panels shall not exceed a height of 3 feet from the rooftop at any point; shall not project vertically above the peak of a sloped roof or project vertically more than 5 feet above a flat roof installation; and shall not exceed the maximum height requirements for the district in which it is located.

(f) The facility in its entirety shall be enclosed by a minimum 8-foot high fence with a self-locking gate to prevent or restrict unauthorized persons or vehicles from entering the property on which the facility is located.

(g) A minimum of two off-street parking spaces shall be provided for a solar energy commercial operation facility.

(h) The facility shall not display advertising. Signage on the solar energy commercial operation facility shall be limited to one sign at each access point no larger than 16 square feet identifying the manufacturer and owner, and shall provide a 24-hour emergency contact phone number. In addition, incidental signs shall be provided on the perimeter fence and at the base of all pad mounted transformers and substations to inform individuals of potential voltage hazards. The signs shall comply with all applicable requirements of this Chapter.

(i) All electrical transmission lines, wiring, and cables shall be installed in conduit underground.

(j) No solar energy commercial operation facility shall be constructed until/unless a building/zoning permit has been approved and issued. The solar energy commercial operation facility shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such solar energy commercial operation facility.

(k) No adjacent property owner shall be required to remove or cut any existing plant, bush, crop, or tree, nor be required to relocate any existing structure(s). A solar energy commercial operation facility shall not be located so that glare is directed toward an adjoining property. Where a solar energy commercial operation facility has been installed, it shall be the responsibility of the property owner to secure any easements or restrictive covenants necessary to protect the sky space affecting the solar energy system. Such an agreement shall be negotiated between owners of affected properties, but is not a requirement for approval of a building and zoning permit.

(l) All mechanical equipment associated with and necessary for the operation of the solar energy commercial operation facility shall be screened

from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other materials that provide a visual screen.

(m) The owner of the facility shall provide a copy of the approved land development plan to the local fire company. The owner shall cooperate with the Township and local emergency providers to develop an emergency response plan. All methods of shutting down the facility shall be clearly marked.

(n) No facility shall be constructed until proof is submitted that an applicable utility distributor has approved the applicant as a wholesale utility provider.

(o) All wiring shall comply with the applicable version of the National Electric Code (NEC).

(p) The installation of a solar energy commercial operation facility shall conform, to the extent applicable, to the Pennsylvania Uniform Construction Code [Chapter 5, Part 1A], as amended, and regulations adopted by the Pennsylvania Department of Labor and Industry.

(q) The applicant shall demonstrate that the facility conforms to applicable industry standards, including those of the American National Standards Institute. The applicant shall submit certificates of design compliance obtained by the equipment manufacturer from Underwriters Laboratories (UL), the Institute of Electrical and Electronics Engineers (IEEE), Solar Rating and Certification Corporation (SRCC), Electrical Testing Labs (ETL), or any other similar certifying organization.

(r) If any of the requirements herein conflict with Federal and/or State requirements then the Federal and/or State requirements shall govern unless the requirements of this Chapter are more stringent in which case this Chapter shall govern.

(s) For all municipally owned or operated solar energy commercial operation facilities, the requirements of this Use G18 shall be as determined appropriate by the governing body.

#### H. *Accessory Uses.*

**H1 Accessory Home Occupation.** An accessory home occupation is 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. 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 unit 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) No more than one accessory home occupation shall be permitted per residential dwelling.

3) The maximum amount of floor area devoted to the home occupation shall not be more than 25% of the ground floor area of the

principal residential structure (excluding the ground area covered by an attached garage or such other similar buildings), or 600 square feet, whichever is less.

4) In no way shall the appearance of the residential structure be altered or the occupation within 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, signs or advertising visible outside the premises to attract customers or clients, other than a sign as permitted in Part 9.

5) All commercial vehicles shall be parked on-lot. Only one commercial vehicle may be parked outside of a garage or an enclosed structure.

6) Off-street parking spaces are not permitted in the front yard. A 10-foot wide 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 by evergreen hedge material placed on 3-foot centers. Alternately, a 4- to 5-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 interference in any radio or television receivers off the premises All provisions of §§27-531 through 27-538 (nuisance standards) will be enforced.

9) Servicing by commercial vehicles for supplies and/or materials shall not exceed those normally associated with a residential use.

10) Home occupations shall not include the following: animal hospitals, commercial stables and kennels, funeral parlors or undertaking establishments, tourist homes, restaurants, furniture stripping, and rooming, boarding or lodging houses.

11) Zoning permits shall be required for all accessory home occupations.

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

1) **Use H1a Accessory 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 saleable 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, physician, 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) No more than two persons, other than resident members of the immediate family, may be employed or subcontracted at the residence.

b) **Parking:** 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.

2) **Use H1b Accessory Personal Services.** A service business including, but not limited to: barber, beautician, shoe repair, tailor, photographer, and travel agency.

a) Beauty parlors and barber shops may be permitted as a special exception 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) **Parking:** 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 service space.

d) Laundry and dry cleaning, and photocopy centers shall not be permitted.

3) **Use H1c Accessory 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.

a) Instructional services involving a maximum of four students at a time are permitted. In the case of musical instructions, no more than two students at a time shall be permitted.

b) No persons shall be employed other than resident members of the immediate family.

c) **Parking:** 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.

4) **Use H1d Accessory 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 crafts 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) No more than one person other than resident members of the immediate family may be employed.

b) 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.

**5) Use H1e Accessory Family Day Care.** A family day care use is a facility in which care is provided for four to six children or up to four disabled and/or elderly persons at any one time, who are not relatives of the caregiver, where the child or adult care areas are being used as a family residence.

a) Prior to the final approval of the use and the issuing of a permit by the Zoning Officer, the applicant must obtain a registration certificate from the Department of Public Welfare, and/or the Department of Aging.

b) The regulations of the Pennsylvania Department of Public Welfare shall be met.

c) This use shall be conducted in a building designed for residential occupancy and for the safety and well-being of the occupants.

d) 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. An outdoor recreation area of 100 square feet of contiguous area shall be provided for each disabled and/or elderly person. This area shall not include any impervious surface or parking areas.

e) If a family day care use is located adjacent to a nonresidential use, a parking lot or on a street with a classification higher than a secondary street, the outdoor play or recreation area must be enclosed by a self-locking and self-closing 4-foot high fence which is deemed appropriate by the municipality. The outdoor play or recreation area should be located to the side or rear of the property.

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

g) Parking: 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 and one space for the loading and unloading of children or disabled and/or elderly persons.

**6) Use H1f Accessory Group Child Day Care Center.** A group child day care center is a facility in which care is provided for more than six but no more than 12 children at any one time, who are not relatives of the caregiver, where the child care areas are being used as a family residence. The following criteria shall be met:

a) All applicable standards noted in subparagraph H1(b)5) for Use H1e Accessory Family Day Care shall be met.

b) The regulations of the Pennsylvania Department of Public

Welfare shall be met.

c) 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, 62 P.S. §1001 *et seq.*

d) Minimum lot area: 2 acres.

7) **Use H1g Accessory Adult Day Care Center.** A facility in which day care is provided for six or more elderly and/or disabled adults at any one time, who are not relatives of the caregiver, where the adult care areas are being used as a family residence.

a) Prior to the final approval of the use by the Zoning Hearing Board and the issuing of a permit by the Zoning Officer, the applicant must obtain a license from the Department of Public Welfare and/or the Department of Aging.

b) The regulations of the Pennsylvania Department of Public Welfare shall be met.

c) This use shall be conducted in a building designed for residential occupancy and for the safety and well-being of the occupants.

d) An outdoor recreation area of 100 square feet of contiguous area shall be provided for each disabled and/or elderly person. This area shall not include any impervious surface or parking areas.

e) If an adult day care use is located adjacent to a nonresidential use, a parking lot or on a street with a classification higher than a secondary street, the outdoor recreation area must be enclosed by a self-locking and self-closing 4-foot high fence which is deemed appropriate by the municipality. The outdoor recreation area should be located to the side or rear of the property.

f) Parking: 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 and one space for the loading and unloading of disabled and/or elderly persons.

8) **Use H1h Accessory Trades.** The use of a residence as a base of operation for the business. Trades for this home occupation include, but are not limited to: electrician, plumber, carpenter, mason, painter, roofer, and similar occupations.

a) The area of the office, storage of materials and equipment (excluding vehicles) shall not exceed the limitations of subparagraph H1(a), "General Standards."

b) No manufacturing, processing or sales shall be conducted on the property.

c) **Parking:** 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 parking space for each business vehicle.

9) **Use H1i Accessory Repair Services.** A repair shop for appliances, lawn mowers, watches, guns, bicycles, locks, small business machines and other goods but not including automobile, truck and motorcycle repairs.

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

b) **Parking:** In addition to the off-street parking spaces required in this Chapter for the particular residential use concerned, this accessory use shall provide one off-street space per 200 square feet of total floor area used for the home occupation.

10) **Use H1j Accessory No-Impact Home-Based Business.** A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pick-up, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

a) The business activity shall be compatible with the residential use of the property and surrounding residential uses.

b) The business shall employ no employees other than family members residing in the dwelling.

c) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.

d) There shall be no outside appearance of a business use including, but not limited to, parking, signs or lights.

e) Business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.

f) The business activity may not generate any solid waste or sewage discharge in volume or type which is not normally associated with residential use in the neighborhood.

g) The business activity shall be conducted within the dwelling and may not occupy more than 25% of the habitable floor area.

h) The business may not involve any illegal activity.

**H2 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 1 ton.

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

1) No more than one commercial vehicle shall be parked outside of a garage or an enclosed structure.

2) Only the tractor of a tractor/trailer combination may be parked on properties of 3 acres or less.

3) Only one tractor or one tractor/trailer combination shall be permitted on a lot.

4) Any non-licensed, non-inspected, commercial vehicle, tractor or trailer shall meet the provisions of subparagraph H2(e) of this Section.

(c) Structures such as fences, walls or signs.

(d) Buildings such as storage sheds, gazebos, bath houses and private greenhouses. These structures may be placed in side and rear yards at a distance from property lines of no less than 5 feet, provided that the size of the structure is no more than 160 square feet. Zoning permits are required.

(e) *Parking or Storage of Recreational Vehicles and Other Recreational Equipment.* Recreational vehicles and recreational equipment shall include, but not be 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 parked and/or stored either in a driveway, to the rear or side of the dwelling, in a garage, or in a roofed structure.

(f) *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 single-family detached dwellings.

3) The roomers, boarders or lodgers shall live within the principal residential building.

4) No separate cooking facilities or dwelling units may be created.

5) Parking: One off-street parking space shall be provided for each roomer, boarder or lodger.

(g) A swimming pool shall be permitted as an accessory use to a residential use, provided:

1) Swimming pools, in general:

a) No person, owner or occupant of land shall install or maintain a swimming pool or other artificial body of water capable of being filled to a depth exceeding 24 inches at the deepest or lowest point unless a permit is first obtained from the zoning officer and the required plans and information are filed, together with required permit fees. Wading pools, which are exempt from the provisions of this Chapter, are those temporary pools of plastic, light metal, or other light duty material which do not exceed 24 inches in depth at

the deepest or lowest point, and, in addition, which are completely emptied of water when not in use.

b) Each pool or water area and the paving or coping surrounding it or associated with it shall be located not less than 15 feet behind the front building setback line and not closer than 10 feet to any property line.

c) Building permits are required prior to the construction, alteration, remodeling, or additions to a swimming pool or other artificial water areas not specifically exempt from this Chapter. Proposed grading associated with the installation of a new pool shall be shown on all submitted permit plans.

2) Any pool or water area subject thereto shall be suitably designed, located, and maintained so as not to become a nuisance or hazard either to adjoining property owners or the public generally. All detachable ladders shall be removed when the pool is not in use.

3) Outdoor lighting, if used, shall be installed in such a way as to be shielded and not to reflect toward or into the interior of adjacent residential properties.

4) All electrical work connected with the pool and all equipment incidental thereto shall comply with all underwriter's regulations and must be inspected and certified by an electrical underwriter's inspection agency prior to the issuance of a certificate of compliance. In no event may any pool be used prior to such approval.

5) A minimum isolation distance of 25 feet shall be required between a swimming pool and any sewage disposal system.

6) There shall be no cross-connection with a public sewage system.

7) Approved filtration systems and circulators must be provided for all pools except such exempt or non-exempt wading pools which are emptied on a daily basis as hereinafter provided.

8) The permanent inlet shall be above the overflow level of the pool.

9) All pool installations shall conform to all applicable building codes.

10) In no case shall water in the pool or pool area be permitted to emit an offensive odor or create any unhealthy condition. Further, it shall be a violation of this Chapter to cause or allow drainage onto an adjoining land, public or private; provided, however, that the building officer may issue a permit for drainage into storm sewers at his discretion.

11) No pool shall be located under any electrical power lines (including service lines), and the pool must be located at least 10 feet (measured horizontally) from such power lines.

12) No water shall be placed in the pool until a fence, as required by this Chapter, has been constructed.

13) Fences are required and are subject to the requirements of the Residential Building Code [Chapter 5, Part 1].

14) Should the owner abandon the pool, a demolition permit shall first be obtained from the Zoning Officer. The site shall be returned to its original grade and condition prior to the installation of said pool so as to not become a nuisance or hazard either to adjoining property owners or the general public.

(h) *Garage or Yard Sales.* The temporary display and sale of goods and craft items on a residentially used property.

1) Such temporary uses shall be limited to occurrences of not more than 3 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.

2) Signs advertising garage or yard sales shall meet the requirements of Part 9.

(i) Accessory buildings and structures shall not exceed 24 feet in height; unless otherwise regulated by more restrictive standards in this Chapter.

**H3 In-law Suites.** One in-law suite to a single-family detached dwelling shall be permitted, provided that the conditions set forth in this Section are met, and, further provided, that all accessory use, in all respects, complies with the Chapter related to the zoning district wherein the proposed in-law suite is to be constructed or to be used. 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 otherwise permitted. The conditions are as follows:

(a) The in-law suite shall occupy no more than 33% of the total useable floor area of the principal residence only, exclusive of the area occupied by garages, if the suite is to be included as a portion of the principal residence, with an amount not to exceed 1,000 square feet. If the suite is to be a portion of an accessory structure, the area of the suite shall not exceed 1,000 square feet.

(b) In-law suites may contain separate cooking, sleeping, living and bathroom facilities.

(c) In-law suites shall be a part of the principal residence or may be contained in an accessory structure such as a garage. In-law suites shall not be located in cellar areas (an area having one-half or more of its floor to ceiling height below the average level of the adjoining ground), except where at least one wall of the accessory dwelling is at grade level with direct access to the outside from the accessory in-law dwelling.

(d) The required off-street parking for the principal dwelling plus one additional off-street parking space for the in-law suite shall be provided.

(e) In-law suites shall be occupied only by related family members such as elderly parents or dependent adult children.

(f) There shall be no changes to the exterior of the residence which suggests that the dwelling unit is other than a single-family dwelling or which would otherwise detract from the single-family character of the neighborhood.

(g) No more than one in-law suite shall be permitted per single-family

detached dwelling, per lot.

(h) Each in-law suite shall be registered with the Richland Township Zoning Officer, who shall keep a record of its use to ensure compliance with this Section.

(i) A certification shall be received from the Bucks County Board of Health or other regulatory agency certifying that the wastewater facilities are adequate to accommodate the single-family dwelling as well as the in-law suite as defined in this subparagraph.

(j) Access for each accessory dwelling shall be restricted to the existing access to the lot; no additional or multiple driveways will be permitted.

(k) All performance standards, dimensional requirements, and buffer yard requirements, for the lot on which the in-law suite is proposed, must be met.

**H4 School Bus Shelter.** A structure for the use of students waiting for a bus, subject to the following provisions:

(a) Maximum floor area: 65 square feet.

(b) Such structures shall be located at least 5 feet from any street line and 15 feet from any other lot line. In addition, such structures shall meet the requirements of §27-554 of this Chapter regarding traffic visibility across corners.

(c) A bus shelter shall be constructed of primarily clear shatter resistant materials, which offer an unobstructed view into the shelter.

**H5 Dormitory.** An accessory building for the residency of students, religious orders, teachers or others engaged in the primary activity of the institution where individuals need to live on the site. The density in such areas shall be based on persons per acre since dormitories are not family dwellings. A dormitory is subject to the following provisions:

(a) Each dormitory resident shall have a minimum of 180 square feet of space within the building.

(b) The density on an institutional site shall not exceed 12 residents per acre.

(c) No more than 25% of any institutional tract shall be devoted to dormitory use, including required parking areas.

(d) Parking: Four-tenths parking spaces per resident shall be provided; however, if the institution has administrative policies which restrict vehicle ownership, the governing body shall establish the parking requirement.

**H6 Nonresidential Accessory Building or Structure.** Accessory buildings or structures, or uses customarily incidental to nonresidential uses except outside storage or display. If the principal use is permitted by special exception or conditional use, the accessory use shall only be permitted as a special exception or conditional use. A nonresidential accessory building or structure is subject to the following provisions:

(a) Parking shall conform to the most closely related use in §27-405.

**H7 Outside Storage and Display.** Any outside storage or display, other than storage as a principal use of the land, necessary to the normal operation of a

principal use, subject to the following provisions:

(a) No part of the street right-of-way, no sidewalks or other areas intended or designed for pedestrian use, no required parking areas, and no part of the front yard shall be occupied by outside storage or display. The Board of Supervisors may allow a portion of the sidewalk (limited to sidewalk that is interior to the site surrounding the principal building) to be designated for outdoor display by clearly delineating such area (e.g., by the use of crosshatching or a yellow line, or by the use of fencing or other physical enclosure) on both the sidewalk and the project site plan submitted for Township approval; provided, however, that the area of remaining sidewalk designated for exclusive pedestrian use shall be no less than 48 inches wide. Outdoor display areas shall not be permitted on sidewalks within any street right-of-way.

(b) Outside storage and display areas shall occupy an area of less than one-half the existing building coverage.

(c) Outside storage areas shall be shielded from view from all public streets and adjacent residential lots except that in the case of a retail commercial use with over 100,000 square feet of gross floor area, the Board of Supervisors may allow an outdoor area for display of retail merchandise that fronts on PA 309 to be visible from PA 309.

(d) Outside display shall be shielded from any adjacent residential uses.

(e) Uses requiring more substantial amounts of land area for storage or display may be exempt from the provisions of clause (b), above, when granted as a conditional use; provided that:

1) No more than 25% of the lot area shall be used for outdoor storage or display in the PC District and no more than 50% of the lot area shall be used for outdoor storage or display in the PI and EXT Districts.

2) Outside storage and display areas shall not encroach upon the front yard or any buffer yard.

3) Uses appropriate under this clause (e) include, but are not limited to, A2 Nursery, A7 Agricultural Retail, E14 Lumber Yard, E18 Automotive Sales, F3 Terminal, G1 Manufacturing, G2 Research, G5 Printing, G6 Contracting, G7 Truck Terminal, G8 Crafts, G9 Mill, G11 Fuel Storage and Distribution, G12 Industrial Park, G14 Extractive Operation, G15 Resource Recovery Facility, G16 Municipal Waste Landfill, G17 Flex Building, and G18 Solar Energy Commercial Operation.

4) Among the uses that shall not be appropriate for inclusion under this clause (e) are E1 Retail Shop, E2 Large Retail Store, E7 Repair Shop, E16 Service Station, E19 Automotive Repair, G3 Wholesale Business, Wholesale Storage and Warehousing, G4 Mini-Warehouse, and G13 Junkyard.

**H8 Temporary Structure or Use.** Temporary structure, building or use. A permit shall be required for temporary structures or uses necessary during construction or other special circumstances of a nonrecurring nature. A temporary structure or use is subject to the following provisions:

(a) The time period of the initial permit shall not exceed 60 consecutive days and no more than two permits shall be issued for the same use on the same property within any calendar year. Extensions must be approved by the Zoning Hearing Board. However, a permit for the sale of fresh produce may be issued for the local growing season, but in no case be valid between November 1 and the following April 30.

(b) Temporary nonconforming structures or uses shall only be permitted by special exception.

(c) A garage or other accessory building, partial structure or temporary structure may be used for dwelling purposes subject to the following:

1) Cooking and sanitary facilities must be provided.

2) Sewage disposal methods must be approved by the Bucks County Department of Health.

(d) Such structure or use shall be removed completely upon expiration of the permit without cost to the municipality.

**H9 Temporary Community Event.** A temporary activity including, but not limited to, flea markets, public exhibitions, auctions, carnivals, circuses, picnics, air shows and suppers for fund raising, and similar organizational events and meetings, subject to the following provisions:

(a) Such temporary uses shall be limited to occurrences of not more than 7 days per occurrence. Such occurrences shall be limited to not more than four occurrences in a calendar year for each organization or property. There shall be at least a 30-day period between such occurrences.

(b) Signs advertising a temporary community event shall be permitted in accordance with Part 9.

(c) The applicant shall provide the governing body with plans to ensure: adequate parking, emergency access, road access, sanitary facilities, refuse collection, noise control and clean-up after the event.

(d) The applicant shall remove all evidence of such temporary activity within 5 business days of the end of the event, and the site shall be restored to pre-event condition.

**H10 Air Landing Field.** A private, noncommercial air landing field, subject to the following provisions:

(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

(c) There shall be no rental or hangar space or commercial activities, including storage facilities or instruction in conjunction with this use.

(d) The air landing field shall not be located within the minimum yard setbacks for the applicable district.

**H11 Satellite Dish Antenna, Aerials, Masts, Radio and Television Facilities and Flagpoles.**

(a) Such structures shall be set back from all property lines a distance equal to the height of the structure.

(b) Such structures shall be anchored to the ground in accordance with building code requirements.

(c) Such structures may have a maximum height of up to 75 feet providing they are consistent with the height restrictions on the Airport Zoning Map for the Quakertown Airport and the Pennridge Airport.

(d) The following additional regulations shall apply to satellite dish antennas:

1) Satellite dish antennas 1 meter (39.37") or less in diameter are subject to the following regulations:

a) A satellite dish shall not be located within the front yard, unless the applicant demonstrates that the location of the satellite dish in the rear or side yard would result in the obstruction of the antenna's reception window; furthermore, such obstruction involves factors beyond the control of the applicant.

b) *Roof Mounting.*

i. For residential uses, 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, unless the applicant demonstrates that anchoring the antenna to the rear portion of the roof would result in the obstruction of the antenna's reception window; furthermore, such obstruction involves factors beyond the control of the applicant.

ii. If the total height of the satellite dish antenna and mast will exceed 12 feet above the roof line, the applicant must provide a certified statement from a registered engineer that the proposed installation meets or exceeds the building code requirements. This shall include documentation of the load distributions within the building's support structure.

iii. A satellite dish antenna shall not be mounted on a chimney.

c) *Historic Properties.* The location of satellite dishes on a designated or eligible historic site, building, structure, or object, or within a historic district, is subject to review by the Township.

2) Satellite dish antennas greater than 1 meter (39.37") in diameter are permitted by conditional use only, subject to the following regulations:

a) When separately supported, the total height of the satellite dish antenna shall not exceed 12 feet.

b) When separately supported, the satellite dish antenna shall be screened by staggered plantings of evergreen trees or hedge which present a solid visual barrier to any adjoining residential uses and to the street.

c) *Historic Properties.* The location of satellite dishes on a

designated or eligible historic site, building, structure, or object, or within a historic district, is subject to review by the Township.

d) Roof mounting of any satellite dish antenna is only permitted subject to the following:

i. The applicant must demonstrate that anchoring the antenna to the ground would result in the obstruction of the antenna's reception window; furthermore, such obstruction involves factors beyond the control of the applicant.

ii. A satellite dish antenna shall not be mounted on a chimney.

iii. If the total height of the satellite dish antenna and mast will exceed 12 feet above the roof line, the applicant must provide a certified statement from a registered engineer that the proposed installation meets or exceeds the Building Code requirements. This shall include documentation of the load distributions within the building's support structure.

iv. For commercial uses, with antennas greater than 1 meter (39.37") in diameter. The applicant must provide a certified statement from a registered engineer that the proposed installation meets or exceeds the building code requirements. This shall include documentation of the load distributions within the building's support structure.

e) *Residential Installations.*

i. The diameter of a satellite dish antenna shall not exceed 9 feet when proposed as an accessory use to a residential use or to any use in RP, RA, SRC, SRL, SRM, SRH and URL Districts.

f) *Commercial Installations.*

i. The diameter of a satellite dish antenna shall not exceed 23 feet when proposed as an accessory use to any use in the PC, PI and EXT Districts.

**H12 Kennel-Hobby.** The keeping of dogs, cats and other domestic animals; the keeping of livestock and poultry for private purposes, subject to the following provisions:

(a) Such use shall be accessory to the B1A Single-Family Detached Exemption Use and the B7 Country Property Use and shall not be operated as a gainful business.

(b) Minimum lot area: 2 acres.

(c) A combination of more than five but less than 10 dogs or cats or no more than 15 smaller domestic animals shall be kept under the permanent care of the occupants.

(d) No more than one unit of grazing animals or five head of non-grazing animals; and 25 fowl shall be kept under the permanent care of the occupants.

(e) Animal shelters shall not be located closer to the property line than 25 feet.

(f) Animal shelters and runs which are located within 50 feet of a property line shall be buffered from the adjacent property by an evergreen hedge. Hedge material shall be placed on 3-foot centers and shall produce a visual screen.

(g) Animals shall not be permitted to run at large, except under a managed exercise program.

(h) Animal shelters and runs shall be properly cleaned and maintained to prevent the creation of any nuisance, health hazard or odor.

(i) 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.

**H13 Noncommercial Kennel.** The keeping of dogs, cats or other small animals ordinarily kept in the home for private purposes, subject to the following provisions:

(a) A noncommercial kennel shall be established as an accessory use only.

(b) No more than a combination of five dogs, cats or other small animals ordinarily kept in the home shall be kept under the permanent care of the occupants.

(c) Animals shall not be permitted to run at large.

(d) Animal shelters and runs shall be properly cleaned and maintained to prevent the creation of any nuisance, health hazard or odor.

(e) 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.

(f) A zoning permit shall not be required for this use.

**H14 Bed and Breakfast.** The use of a detached dwelling for the accommodation of overnight guests for a fee, subject to the following provisions:

(a) Such use shall be accessory to single-family detached dwelling for Uses B1A Single-Family Detached Exemption or B7 Country Property only.

(b) Minimum lot size:

1) In the RP District the minimum lot size shall be 5 acres.

2) In the RA and SRC Districts, the minimum lot size shall be 3 acres.

3) In the SRL, SRM, SRH and URL Districts, the minimum lot size shall be 1 acre.

(c) The maximum number of guest rooms in the RP, RA and SRC Districts shall be six. In all other districts, the maximum number of guest rooms shall be four.

(d) There shall be no use of show windows for display or advertising visible outside the premises to attract guests, other than a single, non-illuminated sign which may not exceed 4 square feet.

(e) Nonresident employees shall be limited to two in addition to the resident members of the family.

(f) No external alterations, additions, or changes to the exterior structure shall be permitted, except as required by the Pennsylvania Department of Labor and Industry or for safety reasons as required by any other governmental agency. Fire escapes or external stairways shall be located either to the rear or to the side of the residence.

(g) 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. There shall be no restaurant facilities on the premises open to the public.

(h) The maximum, uninterrupted length of stay at a bed and breakfast facility shall be 14 days.

(i) The use of any outdoor amenities provided on the premises, such as a swimming pool or tennis court, shall be restricted to the resident family and its guests and to the guests of the establishment. If the outdoor amenities are within 100 feet of a property line, an evergreen hedge or row of evergreen trees shall be planted along the property line, which will block the view of the recreation facilities from the adjacent property.

(j) A zoning permit shall not be granted unless the applicant has obtained a valid Bucks County Department of Health permit for this intended use. If the proposed use is to be served by a public sewage system, the applicant shall submit documentation from the servicing authority that adequate service is available for the proposed use.

(k) **Parking:** There shall be one off-street parking space per guest bedroom provided on the premises, in addition to other off-street parking spaces required by this Chapter. The off-street parking spaces shall be located either to the rear of the main dwelling or screened from the roadway and adjacent properties by fencing or natural vegetation.

**H15 Off-Street Parking.** Off-street parking subject to the provisions and requirements of Part 5, and subject to the following provision:

(a) Parking of commercial vehicles on residential lots shall be subject to the requirements of subparagraph H2(b).

**H16 Signs.** Signs subject to the provisions and requirements of Part 9.

**H17 Sale of Agricultural Products.** The retail sale of agricultural products is permitted in any zoning district on the property where these products are produced provided that the retail operation is clearly incidental to the production and/or principal use of the property. The display, structure, or stand used for retail sales must meet with the following requirements:

(a) All displays, structures, and stands must be temporary in nature, shall not exceed 100 square feet in size, and shall be removed during the time when not in use.

(b) All displays, structures or stands shall be located at least 25 feet from the edge of the existing right-of-way and at least 50 feet from any intersection.

(c) Zoning permits are required and shall be renewed annually.

**H18 Outdoor Eating Areas.** Outdoor eating areas shall only be permitted as an accessory use to Use E-5 Eating Place, and Use E-6 Drive-Ins and Other

Eating Places. Outdoor eating areas shall be subject to the following standards and guidelines:

- (a) Outdoor eating areas shall be permitted on sidewalks and in courtyards, provided that pedestrian circulation or access to building entrances shall not be impaired.
- (b) To allow for pedestrian circulation, a minimum of 5 feet of sidewalk along the curb and leading to the entrance to the establishment shall be maintained free of tables or other encumbrances.
- (c) Outdoor eating areas shall be subject to the parking requirements of the principal use.
- (d) Extended awnings, canopies or large umbrellas shall be permitted and located to provide shade.
- (e) Outdoor eating areas shall provide additional outdoor trash receptacles.
- (f) No outdoor service shall be provided before 8 a.m. and after 10 p.m.
- (g) No amplified music or sound is permitted. All activities, including the playing of music, shall comply with the noise limitations of Township ordinances and other regulatory agencies having jurisdiction, as applicable.
- (h) Outdoor lighting shall not shine onto adjoining properties. Light standards shall not exceed a height of 15 feet, and light fixtures shall be focused downward with a shield, preventing light from shining onto adjacent properties.
- (i) No outdoor eating area shall interfere with safe pedestrian and vehicular traffic on or in the vicinity of the restaurant or lot.
- (j) All trash shall be removed from the outdoor eating area and from the area immediately surrounding on a daily basis.

**H19 Accessory Solar Energy Systems.** An energy conversion system, including appurtenances, which converts solar energy to a usable form of energy to meet all or part of the energy requirements of the on-site use. An accessory solar energy system shall not be used for the generation of energy for sale into the wholesale market, although this provision shall not prohibit the sale of excess energy generated to the local utility company. The following requirements shall apply to accessory solar energy systems:

- (a) Accessory solar energy systems shall conform to the area and dimensional requirements of the zoning district in which the solar energy system is installed.
- (b) All components of the facility shall be considered impervious and considered as such in the calculation of the maximum impervious coverage. Impervious coverage for solar panels/collectors shall be measured when oriented at the absolute maximum horizontal position.
- (c) No more than 20% of a lot may be covered by a ground mounted accessory solar energy system and shall not exceed the maximum impervious coverage for the district in which it is located.
- (d) A ground-mounted accessory solar energy system may not exceed a

height of 15 feet above the ground when oriented at maximum tilt.

(e) Ground-mounted accessory solar energy systems may be located no closer than the front setback of the house and/or principal building from the street line. In no case, however, shall a ground-mounted system be located within a front yard as defined in §27-202.

(f) Ground-mounted accessory solar energy systems shall be set back a minimum of one and one-half times the height of the accessory solar energy system from the nearest property line or street line. However, in no case shall a ground-mounted accessory solar energy system be permitted closer than 15 feet to the nearest property line or street line.

(g) Permitted roof-mounted solar panels shall not exceed a height of 3 feet from the rooftop at any point; shall not project vertically above the peak of a sloped roof or project vertically more than 5 feet above a flat roof installation; and shall not exceed the maximum height requirements for the district in which it is located.

(h) The collector surface and mounting devices for roof-mounted accessory solar energy systems shall not extend beyond the exterior perimeter of the building on which the system is mounted or built. Exterior piping for solar hot water systems shall be permitted to extend beyond the perimeter of the building on side and/or rear yard exposures only.

(i) No adjacent property owner shall be required to remove or cut any existing plant, bush, crop, or tree, nor be required to relocate any existing structure. An accessory solar energy system shall not be located so that glare is directed toward an adjoining property. Where an accessory solar energy system has been installed, it shall be the responsibility of the property owner to secure any easements or restrictive covenants necessary to protect the sky space affecting the accessory solar energy system. Such an agreement shall be negotiated between owners of affected properties, but is not a requirement for approval of a building and zoning permit.

(j) All associated accessory solar energy equipment shall be located on the same lot as the principal use.

(k) No accessory solar energy system shall be located within the control zone of any airport.

(l) All mechanical equipment associated with and necessary for the operation of the accessory solar energy system shall be screened from any adjacent property that is residentially zoned or used for residential purposes. The screen shall consist of shrubbery, trees, or other materials that provide a visual screen.

(m) All exterior electrical, wiring, cables, and plumbing lines shall be installed in conduit underground to the maximum extent practical. All wiring shall comply with the applicable version of the National Electric Code (NEC).

(n) Accessory solar energy systems shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the system. In no case shall any identification be visible from the property line.

(o) No accessory solar energy system shall be constructed until proof is submitted that Pennsylvania Power & Light (PPL) or other applicable utility provider has been informed of the applicant's intent to install an interconnected customer-owned generator, and said provider approves of such connection. The utility provider shall be contacted by the owner to determine grid interconnection and net metering policies. Off-grid systems shall be exempt from this requirement.

(p) The installation of an accessory solar energy system shall conform, to the extent applicable, to the Pennsylvania Uniform Construction Code [Chapter 5, Part 1], as amended, regulations adopted by the Pennsylvania Department of Labor and Industry, and to applicable industry standards, including those of the American National Standards Institute.

(q) No accessory solar energy system shall be constructed until a building/zoning permit has been approved and issued. The solar energy system shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of such accessory solar energy system.

(r) No homeowner's agreement, covenant, common interest community, or other contract between multiple property owners within a subdivision or land development shall restrict or limit accessory solar energy systems to a greater extent than provided for in this Chapter.

(s) All accessory solar energy system operators/owners must comply with any and all Federal, State, and local regulations pertaining to solar energy and its collection for personal use. If any of the requirements herein conflict with Federal and/or State requirements then the Federal and/or State requirements shall govern unless the requirements or this Chapter are more stringent in which case this Chapter shall govern.

(t) For all municipally owned or operated accessory solar energy systems, the requirements of this subparagraph (H19) shall be as determined appropriate by the governing body.

**H20 Accessory Wind Energy Systems.** An energy conversion system, including appurtenances, which converts wind to a usable form of energy to meet all or part of the energy requirements of the on-site use. Accessory wind energy systems shall not be used primarily for the generation of power for the sale of energy to other users, although this provision shall not prohibit the sale of excess power generated to the local utility company. The following requirements shall apply to accessory wind energy systems:

(a) There shall be a maximum of one device on a single parcel, or multiple parcels in same ownership. All associated accessory wind energy equipment shall be located on the same lot as the principal use.

(b) Accessory wind energy systems shall be set back from the nearest property line 1.1 times the overall height of the accessory wind energy facility; however, an accessory wind energy system shall be located no less than 100 feet from overhead utility lines, and no less than 300 feet from a street line. In no case shall a facility be located within or above a front yard or within or above the minimum required side and/or rear yards.

(c) Maximum height of the structure, including all moving and rotating

parts, shall be 65 feet, measured from the undisturbed ground elevation at the base of the device, to the highest point of the arc of the blade, or to the top of the tower, whichever is greater; unless a greater restriction is imposed by FAA regulations.

(d) Minimum distance between the undisturbed ground at the base of the device and any protruding blade shall be 15 feet, as measured at the lowest point of arc of the blades.

(e) Wind turbines shall not be climbable up to 10 feet above the ground surface.

(f) When a building is necessary for storage cells or related mechanical equipment, the building shall not exceed 150 square feet in area, shall not exceed 8 feet in height and must not be located in any required front, side or rear yards.

(g) An accessory wind energy system may be a freestanding pole structure or may be attached to another structure or building. Every proposed accessory wind energy system whether freestanding or attached to another structure shall be designed and engineered to provide for safe operation. Detailed engineering plans, prepared by a licensed professional engineer, for all proposed accessory wind energy systems shall be submitted with applications for approval. If the proposed system is attached to a structure, these engineering studies shall demonstrate to the satisfaction of the Township that the accessory wind system shall not compromise the structural integrity of the building to which it is attached.

(h) Accessory wind energy systems attached to existing structures shall not exceed a height of 20 feet above the height of the existing structure that it is attached to; and shall be located on the existing structure so that a minimum distance of 1.1 times the overall height of the accessory wind energy facility is maintained between the facility and any property line and/or existing street right-of-way. No accessory wind energy system shall be permitted to be attached to historic buildings or structures (as defined in §27-202, herein).

(i) No accessory wind energy system shall be constructed until/unless a building/zoning permit has been approved and issued. The accessory wind energy system shall comply with all applicable Township ordinances and codes so as to ensure the structural integrity of the accessory wind energy system.

(j) No accessory wind energy system shall interfere with the reception of any radio, television, or other communication equipment, nor inhibit solar access to adjacent properties.

(k) The applicant shall demonstrate that any noise emanating from the accessory wind energy system shall comply with the requirements of §27-531 at the property line.

(l) The system owner/operator shall make all reasonable efforts to minimize and/or eliminate shadow flicker to occupied buildings on immediately adjacent properties. The applicant is responsible for identifying problem areas where shadow flicker will interfere with existing residences and describe proposed mitigation measures including, but not limited to, a change in siting of the accessory wind energy system, a change in the operation of the accessory

wind energy system, or grading or landscaping mitigation measures.

(m) No accessory wind energy systems shall be artificially lit, except to the extent required by the Federal Aviation Administration or other applicable authority that regulates air safety.

(n) No homeowner's agreement, covenant, common interest community, or other contract between multiple property owners within a subdivision or land development shall restrict or limit accessory wind energy systems to a greater extent than provided for in this Chapter.

(o) No accessory wind energy systems shall display advertising, except for reasonable identification of the turbine manufacturer. A clearly visible warning sign concerning voltage must be placed at the base of all pad-mounted transformers and substations. In no case shall any identification be visible from the property line or street line.

(p) Caution signs shall be placed at the setback limit warning of ice and blade throws. Signs shall be placed at 100-foot intervals, no lower than 3 feet high and a minimum of 1 square foot, maximum of 2 square feet reading "CAUTION: FALLING OBJECTS." Each sign shall also contain the name and address of the property owner.

(q) All accessory wind energy systems shall be equipped with a redundant braking system. This includes both aerodynamic over-speed controls (including variable pitch, tip and other similar systems) and mechanical brakes. Mechanical brakes shall be operated in a fail-safe mode. Stall regulation shall not be considered a sufficient braking system for over-speed protection.

(r) All accessory wind energy systems shall comply with the Pennsylvania Uniform Construction Code, Act 45 of 1999, as amended [Chapter 5, Part 1], and the regulations adopted by the Department of Labor and Industry.

(s) The applicant shall demonstrate that all applicable Commonwealth of Pennsylvania and U.S. standards for the construction, operation, and maintenance of the proposed accessory wind energy system have been met, including, but not limited to, back feed prevention and lightning grounding. Accessory wind energy systems shall be built, operated, and maintained in accordance with applicable industry standards of the Institute of Electrical and Electronic Engineers (IEEE), Underwriters Laboratories (UL), the American National Standards Institute (ANSI), or other similar certifying organizations. An applicant shall furnish evidence, under the signature of a professional engineer licensed to practice in the Commonwealth of Pennsylvania that such accessory wind energy system is in compliance with such standards.

(t) On-site transmission and power lines shall, to the maximum extent practical, be placed underground. All wiring shall comply with the applicable version of the National Electric Code (NEC).

(u) No accessory wind energy system shall be constructed until proof is submitted that Pennsylvania Power & Light (PPL) or other applicable utility

provider has been informed of the applicant's intent to install an interconnected customer-owned generator, and said provider approves of such connection. The utility provider shall be contacted by the owner to determine grid interconnection and net metering policies. Off-grid systems shall be exempt from this requirement.

(v) Visible, reflective, colored objects such as flags, reflectors, or tape shall be placed on the anchor points of guy wires and along guy wires up to a height of 10 feet from the ground.

(w) Where an accessory wind energy system has been installed, it shall be the responsibility of the property owner to secure any easements or restrictive covenants necessary to protect the sky space affecting the accessory wind energy system. Such an agreement shall be negotiated between owners of affected properties, but it is not a requirement for approval of a building and zoning permit for the accessory wind energy system.

(x) Any accessory wind energy system that is defective, or has been abandoned and is deemed to be unsafe by the Township Building Code Official shall be required to be repaired by the owner to meet Federal, State, and local safety standards, or be removed by the property owner within 3 months of written notification from the Township. If the owner fails to remove or repair the defective or abandoned accessory wind energy system, the Township may pursue a legal action to have the system removed at the owner's expense.

(y) For all municipally owned or operated accessory wind energy systems, the requirements of this subparagraph (H20) shall be as determined appropriate by the governing body.

*(Ord. 251, 11/14/2011, §27-405; as amended by Ord. 255, 2/10/2014, §§1, 2; and by Ord. 268, 3/14/2016, §§4, 5 )*

**Part 5****Performance Standards****A. Compliance****§27-501. Compliance.**

All uses and activities established after March 29, 1999, shall comply with the standards of this Part.

*(Ord. 251, 11/14/2011, §27-501)*



**B. General Performance Standards**

**§27-511. Site Capacity Calculations.**

Each site is unique, containing varying amounts of environmentally constrained natural resources that should be considered as development occurs. It is the purpose of this Section to determine the appropriate intensity of use to which a site may be developed.

The following site capacity calculations shall be submitted with all applications for subdivision or land development, or for zoning/building permits where the net buildable site area for that particular lot has not been previously calculated. Through these calculations, the net buildable site area, the maximum number of dwelling units, the maximum amount of impervious surfaces, and the required open space shall be determined.

A. *Base Site Area.* Calculate the base site area. From the site area, subtract future rights-of-way of existing public or private roads; existing utility easements and/or rights-of-way; land which is not contiguous or which is separated from the parcel by a road, railroad, or major stream which acts as a major barrier to common use; and land shown on previous subdivision or land development plans as reserved for open space.

$$\begin{array}{rcl}
 \text{Site Area} & = & \underline{\hspace{2cm}} \text{ acres} \\
 & - & \underline{\hspace{2cm}} \text{ acres} \\
 \text{Base Site Area} & = & \underline{\hspace{2cm}} \text{ acres}
 \end{array}$$

B. *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.

Resource	Open Space Ratio	Acres of Land in Resources	Resource Protection Land (Acres x Open Space Ratio)
Floodway	1.00	x <u>                    </u> acres	= <u>                    </u> acres
Floodplain	0.80	x <u>                    </u> acres	= <u>                    </u> acres
Floodplain Soils*	1.00	x <u>                    </u> acres	= <u>                    </u> acres
Steep Slopes		x <u>                    </u> acres	= <u>                    </u> acres
8-15%	0.60	x <u>                    </u> acres	= <u>                    </u> acres
15-25%	0.70	x <u>                    </u> acres	= <u>                    </u> acres
25% or more	0.85	x <u>                    </u> acres	= <u>                    </u> acres
Lakes and Ponds	1.00	x <u>                    </u> acres	= <u>                    </u> acres
Watercourses	1.00	x <u>                    </u> acres	= <u>                    </u> acres

Resource	Open Space Ratio	Acres of Land in Resources	Resource Protection Land (Acres x Open Space Ratio)
Wetlands	0.95	x _____ acres	= _____ acres
<b>Land with Resource Restrictions</b>		_____ acres	
<b>Resource Protection Land</b>			_____ acres

\* Not to be used when the base flood is delineated.

C. *Recreation Land.* Calculate land for recreation. While some of the open space may be resource protection land, it is required that at least a portion of the public or common open space be usable for active recreation.

Base Site Area		_____ acres
Subtract Land with Resource Restrictions	-	_____ acres
Remainder	=	_____ acres
Multiply by 1/3 Minimum Open Space Ratio (§27-512)	x	_____ acres
Recreation Land	=	_____ acres

D. *Net Buildable Site Area.* Calculate the net buildable site area.

Base Site Area		_____ acres
Subtract Resource Protection Land	-	_____ acres
Net Buildable Site Area	=	_____ acres

E. *Required Open Space.* Determine the required open space for any subdivision or land development requiring open space. The required open space is the sum of the resource protection land and a percentage of the net buildable site area.

Net Buildable Site Area		_____ acres
Multiply by Minimum Open Space Ratio (§27-512)	x	_____ acres
Product		_____ acres
Add Resource Protection Land	+	_____ acres
Required Open Space	=	_____ acres

NOTE: Applicants shall also provide recreation land where required.

F. *Number of Dwelling Units.* Calculate the maximum number of dwelling units. The applicant shall not round up unless the number of units calculated is less than one but greater than one half, in which case, the applicant may round up

to permit one dwelling unit.

For nonresidential uses, skip to paragraph .G.

Net Buildable Site Area		_____	acres
Multiply by Maximum Density (§27-512)	x	_____	
Number of Dwelling Units (do not round up)	=	_____	unit(s)

G. *Impervious Surfaces.* Calculate the maximum area of impervious surfaces.

The maximum impervious surface ratio is found in §27-512, “Table of Performance Standards.” The applicant is to use the “total site” ratio in determining maximum impervious surfaces for the site.

Net Buildable Site Area		_____	acres
Multiply by Maximum Impervious Surface Ratio (§27-512) (Total Site)	x	_____	
Impervious Surfaces	=	_____	acres

H. *Buildable Portion of the Site.* Calculate the buildable portion of the site.

Base Site Area		_____	acres
Subtract Required Open Space	-	_____	acres
Buildable Portion of the Site	=	_____	acres

I. *Site Capacity Summary.*

Net Buildable Site Area (D)		_____	acres
Maximum Number of Dwelling Units (F)		_____	units
Maximum Impervious Surfaces (G)		_____	acres
Required Open Space (E)		_____	acres
Required Recreation Land (C)		_____	acres

(Ord. 251, 11/14/2011, §27-511; as amended by Ord. 262, 3/9/2015, §2)

**§27-512. Table of Performance Standards.**

The following table establishes the performance standards for the various zoning districts. All of the applicable standards for a zoning district shall be met. If after performing the calculations in the preceding section, one or more of the calculated standards or the standards in any other section of this Chapter are greater than on this table, the strictest standard shall govern except where greater or lesser standards are established in §27-405.

A. *Minimum Open Space Ratio.* For uses where this is applicable, the figure in the column shall be the minimum percentage of net buildable land used to determine the open space requirement in §27-511.E. Note that the minimum required open space is a percentage of net buildable site area, plus the resource

protection land.

B. *Maximum Density (DU/Acre)*. The number in this column shall be the maximum allowable density for residential uses. This number may be increased only under the provisions of §27-517.

C. *Maximum Impervious Surface Ratio*. This number shall be the maximum amount of impervious surfaces.

(1) The total site ratio is the maximum amount of impervious surfaces permitted for the entire use or development, inclusive of the impervious surfaces for individual lots, all public and private improvements, open space, recreation areas, etc. The total site ratio is to be utilized in completing the impervious surfaces portion of the site capacity calculations found in §27-511.G.

(2) The on-lot ratio is the maximum amount of impervious surface permitted on each lot in a residential subdivision (based on the net lot area defined in §27-202 and paragraph .C) except where the subdivision is classified as a minor subdivision with no site improvements, where this ratio is not applicable.

(3) For all residential uses, an individual lot owner may exceed this maximum impervious surface ratio (on-lot) by 3% to make improvements to the lot. All subsequent homeowners will be bound by this one time 3% maximum increase in lot coverage for the life of the subdivision. However, the developer shall be required to design and construct the stormwater management facilities to accommodate the total maximum impervious surfaces allowed, including the additional 3% homeowner allowance.

(4) This Section of this Chapter contains standards for maximum impervious surface ratios that should not be construed as a guarantee for any specific area of impervious surface allowed on any given lot. The total site ratio is the limiting factor and takes precedent over what may cumulatively be allowed by on-lot ratios for any given development.

D. *Minimum Site Area*. This is the minimum acreage required in order to qualify for a particular permitted use. For example, in order to qualify for a single-family detached use in the RP district, the site must be a minimum of 5 acres.

E. *Minimum Lot Area*. This column refers to the minimum required area of land on which a use can be located. The minimum lot area shall not include the area of any easement excepting those easements necessary for electrical, telephone and communications facilities, any area within a designated buffer yard as required by §27-516, any area designated as open space under the requirements of §27-511, "Site Capacity Calculations," or any area containing the following resources: floodway, floodplains, floodplain soils, lakes, ponds, watercourses, lake shore areas, pond shore areas, or wetlands.

Table of Performance Standards

District	Use	Minimum Open Space Ratio	Maximum Density DU/Acre	Maximum Impervious Surface Ratio		Minimum Site Area	Minimum Lot Area
				On-Lot <sup>3</sup>	Total Site		
RP	B1 Single-Family Detached	.75	.20	.10	.05	5 acres	1 acre
	B1A Single-Family Detached Exemption	–	.20	–	.05	5 acres	5 acres
	B4 Single-Family Detached Enhanced Density	.80	.25	.15	.05	5 acres	1 acre <sup>1</sup>
	B7 Country Property <sup>4</sup>	.10	.10	.10	.04	10 acres	1 acre
	Other Permitted Uses	–	–	–	.05	5 acres	5 acres
RA	B1 Single-Family Detached	.50	.50	.20	.10	2 acres	20,000 sf
	B1A Single-Family Detached Exemption	–	.50	–	.10	2 acres	2 acres
	B4 Single-Family Detached Enhanced Density	.60	.60	.30	.10	2 acres	24,000 sf <sup>1</sup>
	B7 Country Property <sup>4</sup>	.10	.10	.10	.04	10 acres	1 acre
	Other Permitted Uses	–	–	–	.10	2 acres	2 acres
SRC	B1 Single-Family Detached	.60	.25	.15	.05	4 acres	30,000 sf
	B1A Single-Family Detached Exemption	–	.25	–	.05	4 acres	4 acres
	B4 Single-Family Detached Enhanced Density	.70	.50	.20	.05	4 acres	34,000 sf <sup>1</sup>
	B5 Performance Standard Subdivision	.80	1.1	<sup>2</sup>	.15	10 acres	<sup>2</sup>
	B7 Country Property <sup>4</sup>	.10	.10	.10	.05	10 acres	1 acre
	Other Permitted Uses	–	–	–	.10	10 acres	10 acres

District	Use	Minimum Open Space Ratio	Maximum Density DU/Acre	Maximum Impervious Surface Ratio		Minimum Site Area	Minimum Lot Area
				On-Lot <sup>3</sup>	Total Site		
SRL	B1 Single-Family Detached	.45	2.0	.40	.20	20,000 sf	6,000 sf
	B1A Single-Family Detached Exemption	–	2.0	–	.20	20,000 sf	20,000 sf
	B4 Single-Family Detached Enhanced Density	.60	2.5	.50	.20	17,500 sf	6,000 sf <sup>1</sup>
	B5 Performance Standard Subdivision	.70	4.0	<sup>2</sup>	.25	5 acres	<sup>2</sup>
	B7 Country Property <sup>4</sup>	.10	.50	.15	.10	2 acres	20,000 sf
	Other Permitted Uses	–	–	–	.20	1 acre	1 acre
SRM	B1 Single-Family Detached	.40	2.5	.50	.20	17,500 sf	5,000 sf
	B1A Single-Family Detached Exemption	–	2.0	–	.20	20,000 sf	20,000 sf
	B4 Single-Family Detached Enhanced Density	.50	3.0	.60	.25	15,000 sf	5,500 sf <sup>1</sup>
	B5 Performance Standard Subdivision	.60	4.5	<sup>2</sup>	.30	5 acres	<sup>2</sup>
	B7 Country Property <sup>4</sup>	.10	.50	.15	.10	2 acres	20,000 sf
	Other Permitted Uses	–	–	–	.25	1 acre	1 acre
SRH	B1 Single-Family Detached	.35	2.9	.50	.25	15,000 sf	5,000 sf
	B1A Single-Family Detached Exemption	–	2.0	–	.25	20,000 sf	12,000 sf
	B4 Single-Family Detached Enhanced Density	.45	3.44	.60	.30	15,000 sf	5,500 sf <sup>1</sup>
	B5 Performance Standard Subdivision	.50	4.5	<sup>2</sup>	.35	5 acres	<sup>2</sup>
	B7 Country Property <sup>4</sup>	.10	.50	.20	.10	2 acres	20,000 sf
	Other Permitted Uses	–	–	–	.30	30,000 sf	30,000 sf

District	Use	Minimum Open Space Ratio	Maximum Density DU/Acre	Maximum Impervious Surface Ratio		Minimum Site Area	Minimum Lot Area
				On-Lot <sup>3</sup>	Total Site		
URL	B1A Single-Family Detached Exemption	–	4.84	–	.27	9,000 sf	9,000 sf
	B5 Performance Standard Subdivision	.30	6.0	<sup>2</sup>	.39	20,000 sf	<sup>2</sup>
	Other Permitted Uses	–	–	–	.35	20,000 sf	20,000 sf
AQ	B4 Single-Family Detached Enhanced Density	.50	2.2	.45	.25	50 acres	5,000 sf
	B5 Performance Standard Subdivision <sup>5</sup>	.60	2.2	.45	.30	50 acres	<sup>2</sup>
PC	All Permitted Uses	–	–	–	.85	1 acre	1 acre
PI	All Permitted Uses	–	–	–	.60	1 acre	1 acre
EXT	All Permitted Uses	–	–	–	.85	2 acres	2 acres

<sup>1</sup>For the B4 Single-Family Detached Enhanced Density Use, the minimum lot area shall be the minimum average lot area. Refer to §27-405.B4(c).

<sup>2</sup>See §27-405.B5 for regulations specific to the proposed use/dwelling type.

<sup>3</sup> In accordance with §27-512.C.

<sup>4</sup> Refer to §27-405.B7(b).

<sup>5</sup> In accordance with §27-614.1.A(2).

(Ord. 251, 11/14/2011, §27-512)

**§27-513. Area and Dimensional Requirements.**

The following table establishes the performance standards for the various zoning districts except where greater or lesser standards are established in §27-405. In order for the standards in §27-405 to apply, all requirements in that Section must be met.

District	Minimum Lot Width (ft.)	Minimum Yards*(ft.)			Maximum Floor Area Ratio	Maximum Bldg. Height (ft.)
		Front	Side (ea)	Rear		
RP	120	25	15	50		35
RA	80	25	15	50		35
SRC	110	25	15	50		35
SRL	45	25	10	40		35
SRM	40	25	10	40		35
SRI-I	40	25	10	40		35
URL	40	25	10	40		35
PC	150	50	30	50	.40	35
PI	150	50	30	50	.40	35
EXT	200	150	50	50	.10	35

\*The minimum front yard along an arterial highway shall be 100 feet and the minimum front yard along a collector highway shall be 65 feet.

(Ord. 251, 11/14/2011, §27-513)

**§27-514. Environmental Performance Standards.**

All uses and activities established after March 29, 1999, shall comply with the following standards. Site alterations, regrading, filling or clearing of any natural resources prior to the submission of applications for zoning or building permits or the submission of plans for subdivision or land development shall be a violation of this Chapter. In the event that two or more resources overlap, the resource with the greatest protection standard (the least amount of alteration, regrading, clearing or building) shall apply to the area of overlap.

This Chapter shall not prohibit land management practices which are intended to ecologically improve any wetland, woodland, stream, lake or pond, provided that all necessary permits have been obtained from the Pennsylvania Department of Environmental Protection and all other applicable governing bodies.

A. *Floodway.* Such areas shall remain undisturbed, except for minor road crossings where design approval is obtained from the municipality and the Pennsylvania Department of Environmental Protection (DEP) and where no other reasonable access is available, and as permitted in the Floodplain Management Ordinance.

B. *Floodplain Area.* Such areas shall remain undisturbed. However, disturbance, in an amount not to exceed 20%, is permitted for minor road crossings where design approval is obtained from the municipality and the Pennsylvania

Department of Environmental Protection (DEP) and where no other reasonable access is available, and as permitted in the Floodplain Management Ordinance.

C. *Floodplain Soils*. Such areas shall remain undisturbed, except for minor road crossings where design approval is obtained from the municipality and the Pennsylvania Department of Environmental Protection (DEP) and where no other reasonable access is available, and as permitted in the Floodplain Management Ordinance. Floodplain soils shall not be used where the base flood has been delineated. See the Floodplain Management Ordinance.

D. *Steep Slopes*. In areas of steep slopes, the following standards shall apply:

(1) 8% to 15%. No more than 40% of such areas shall be altered, regraded, cleared or built upon.

(2) 15% to 25%. No more than 30% of such areas shall be altered, regraded, cleared or built upon.

(3) 25% or Steeper. No more than 15% of such areas shall be altered, regraded, cleared or built upon.

(4) Areas of steep slope that are less than 3,000 square feet shall be exempt from these standards.

E. *Woodlands*. No more than 20% of such areas shall be altered, regraded, cleared or built upon, unless approved by the governing body in its sole discretion. The remaining 80% shall be maintained as permanent woodland. Any disturbance permitted by the governing body beyond 20% shall be subject to tree replacement at a ratio determined to be appropriate by the governing body in its sole discretion.

F. *Tree Protection Zone*. During construction such areas shall not be altered, regraded, compacted or built upon, or used for storage or parking of vehicles.

G. *Lakes, Ponds and Watercourses*. Such areas shall remain undisturbed and free-flowing. Such areas shall not be altered, regraded, filled, piped, diverted or built upon, except for minor road crossings where design approval is obtained from the municipality and the Pennsylvania Department of Environmental Protection (DEP) and where no other reasonable access is available.

H. *Lake Shore Area*. The shorelines of lakes, to a distance of 300 feet from the shorelines, shall contain no more than 10% impervious surfaces. At least 70% shall remain undeveloped and unaltered, unless approved by the governing body in its sole discretion.

I. *Pond Shore Area*. The shorelines of ponds, to a distance of 100 feet from the shorelines, shall contain no more than 10% impervious surfaces. At least 80% shall remain undeveloped and unaltered, unless approved by the governing body in its sole discretion.

J. *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,<sup>1</sup>

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<sup>1</sup>See §27-202 for a list of hydric soils.

or an area with a predominance of wetlands vegetation is present,<sup>2</sup> an on-site 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 on-site 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 and/or hydrologic indicators. A study shall be submitted with sufficient detail to allow a thorough review by the municipality. The study must be approved by the governing body. The governing body, in their sole discretion, may require such delineation to be verified by an independent soil scientist approved by the governing body or by the U.S. Army Corps of Engineers.

(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 clause (a), above, the Corps delineation shall govern.

(2) Wetlands of 1 acre or greater in size shall remain undeveloped. Such areas shall not be altered, regraded, filled, piped, diverted or built upon. However disturbance, in an amount not to exceed 5%, is permitted for minor road crossings where design approval is obtained from the municipality, where State and Federal permits have been obtained, and where no other reasonable access is available.

(3) Wetlands of less than 1 acre in size shall not be altered, regraded, filled, piped, diverted or built upon except where State and Federal permits have been obtained.

K. *Special Setbacks.* On lots that include lands with wetlands, lakes, ponds, watercourses, floodway, floodplain, and/or floodplain soils, the minimum building setbacks and yard requirements shall be measured from the closest resource limits rather than from the lot lines so that all required minimum yards are free from lands with these natural resources; provided, however, that the maximum required setback from the resource shall be as follows: front yard, 50 feet; side yard, 25 feet; and, rear yard, 50 feet; but said lots shall otherwise comply with all other requirements associated with setbacks.

L. *Stormwater.* All uses shall limit the rate of stormwater run-off so that the rate of run-off generated is no more than that of the site in its natural condition. Where farm field or disturbed earth is the existing condition, meadow shall be used as the starting base for such calculations instead of the actual conditions. All run-off calculations shall be based on 100-year, 24-hour storms. The method for such calculations shall be that contained in the United States Department of Agriculture, Soils Conservation "Engineering Field Manual, Notice #4," of April 30, 1971,

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<sup>2</sup>See Appendix 27-B for a plant list of common wetland species found in Bucks County. These species are reliable indicators of wetlands when found dominating a site (e.g., comprising more than 50% of the vegetation).

as amended.

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. In addition, all subdivisions and land developments shall submit a soil erosion and sedimentation plan as part of the preliminary subdivision or land development plans even where these resources 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 Municipal Sewage Facilities Plan, the Bucks County Department of Health and the Pennsylvania Department of Environmental Protection (DEP). The applicant shall demonstrate compliance with the requirements of this Section for all applications for zoning or building permits.

O. *The Permanent Removal of Topsoil.* The permanent removal of topsoil from any parcel of land shall be prohibited, except in extraction districts or as follows:

(1) During actual construction on premises, that portion of the topsoil present which covers an area to be occupied by permanent structures or permanently located materials of an impervious nature or ponds and lakes may be considered excess, and may be removed by the owner.

(2) During regrading operations conducted upon premises, whether or not carried on in conjunction with on-site construction, excess topsoil remaining after restoring a minimum compacted depth of 4-inch topsoil cover to the areas of the parcel upon which regrading operations were conducted may be removed by the owner.

(3) Any topsoil removed as a result of subparagraph (1) and/or (2) above shall be prohibited from being exported beyond the limits of Richland Township.

P. *Permanent Removal of Subsurface Solids.* The permanent removal of subsurface solids, whether soil, clay, or mineral in nature, for other than on-site construction or grading purposes shall be prohibited except in extraction districts if otherwise qualified under the provisions of this Chapter.

(Ord. 251, 11/14/2011, §27-514; as amended by Ord. 262, 3/9/2016, §§3-5)

#### **§27-515. No Guarantee of Lot Yield or Development.**

This Chapter contains standards for lot sizes, building coverage, and density that should not be construed as guarantees that a certain number of dwelling units or amount of development can be accommodated on any individual site. Site constraints and other Chapter requirements will all have an effect on the actual development potential.

(Ord. 251, 11/14/2011, §27-515)

#### **§27-516. Buffer Yards.**

1. 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 extent

of buffering required shall be determined by the type of use proposed and the adjacent uses or streets surrounding the proposed development. To determine the required buffer yard and planting schedule, a three step procedure should be followed:

A. *Step 1–Site Analysis and Determination of Buffer Yard Class.*

(1) For each property boundary, the applicant shall determine the adjacent land use. If the property boundary is a street, the applicant shall determine the land use across the street from the subject property. Land use information shall be determined by an on-site survey. Table 27-516-1 specifies the buffer yard class for each boundary.

(2) The applicant shall match his proposed land use with the corresponding adjacent land use for each property boundary. The letter indicates the buffer yard class.

B. *Step 2–Selection of the Planting Option for the Buffer Yard Class.* After determining the buffer yard class, the applicant shall select a planting option from Table 27-516-2. 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.

C. *Step 3–Selection of the Plant Materials from the Plant Materials List.*

(1) For each planting option, the plant materials outlined in Table 27-516-3 shall be utilized. Minimum plant size, given either in height or in caliper, is indicated on this table. All plant material shall meet the standards of the American Association of Nurserymen.

(2) The applicant shall not be required to provide a buffer yard should existing planting, topography, or manmade structures be deemed acceptable for screening purposes by the Board of Supervisors, Zoning Officer, or the Township Planner.

2. *General Requirements.*

A. *Location of Buffer Yard.*

(1) The buffer yard shall be measured from the property line or the near street line where a street serves as the property line.

(2) The buffer yard for residential and nonresidential lots may overlap the required front, side or rear yards and, in case of conflict, the larger yard requirements shall apply (see subsection .2.A(3) below regarding buffer yards on residential lots).

(3) Buffer yards may only be located on individual residential lots if the following requirements are met:

(a) The residential lot is part of Use B1A Single-Family Detached Exemption, B2 Residential Conversion, B3 Rooming or Boarding House, B7 Country Property or B8 Urban Dwelling.

(b) The buffer yard may be included as part of the lot area assigned to a dwelling unit; however, the portion of the lot area containing the

buffer yard must be in addition to the minimum required lot area. A deed restriction shall be placed on the lot in accordance with §27-565.4, "Deed Restrictions," of this Chapter.

(4) No more than 30% of required open space area shall be located in the



buffer yard.

B. All buffer yards shall be maintained and kept clean of all debris, rubbish, weeds and tall grass.

C. No structure, sign, manufacturing or processing activity, commercial activity, parking, or storage or display of materials shall be permitted in the buffer yard. However, fences may be installed by homeowners in buffer yards on their property but storage sheds and pools may only be installed by homeowners in buffer yards located on their property along the rear or sides of the property that are not along a road. Plant materials required for buffer yards are to be maintained and such structures, exclusive of fences, shall encroach no more than 50% into the required buffer; unless greater restrictions are specified elsewhere in Richland Township's codes and ordinances. In addition, if a fence in a buffer yard has one side that is more finished or smoother than the other side, the more finished side or smoother side shall face the outside of the buffer yard.

D. *Existing Buffer.* All existing deciduous and coniferous trees larger than 2 inches in caliper and/or 8 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 which is that size or greater equals any of the planting requirements, the equivalent reduction of required plant material may be taken. In all cases, existing 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.

E. Plant materials shall be permanently maintained and any plant material which dies shall be replaced by land owner.

F. *Planting 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. Thus, plant material shall be at least 6 to 8 feet high when planted.

G. The plant material shall be so placed that at maturity it will be no closer than 3 feet from any property or street line.

H. A clear sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets in accordance with §27-554.

I. The screen planting shall be broken only at points of vehicular or pedestrian access.

J. Prior to the issuance of any zoning permit, complete plans showing the arrangement of all buffer yards and the placement, species and size of all plant materials 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.

3. *Special Buffer Yard Requirements.* The following requirements shall supersede the buffer yard requirements of Table 27-516-1, "Determination of Buffer Yard Class."

A. *Buffer Yard Requirements along Expressway and Arterial Streets.*

(1) Where a residential use is proposed adjacent to an expressway or arterial street, a Class "C" buffer yard shall be provided.

(2) No screen planting shall be required along expressway or arterial streets which form district boundary lines provided that:

(a) The proposed use is nonresidential.

(b) No outdoor processing, manufacturing or commercial activity and no outdoor storage or display of material shall be so located as to be visible from the property across the expressway or arterial street.

(c) The front of the building faces the expressway or arterial street.

4. *Buffer Yards for Rear-Facing Dwelling Units.* On any lot, including, but not limited to, reverse frontage lots, where the rear of a dwelling unit faces any road, and is within 200 feet of the street line, buffer yards shall be provided in accordance with the following requirements:

A. If the higher classification street is a primary street as listed in Appendix 27-A of this Chapter, a 30-foot buffer yard will be required along the frontage of the higher classification street unless a larger buffer yard is required by this Chapter, in which case, both the spatial requirements of the larger buffer yard and the planting requirements listed below shall apply.

**Buffer Planting Requirements**

Plant Type	Size	Quantity
Evergreen Trees	6 to 8 feet in height	1 per 30 feet of buffer length
Canopy Trees	2½ to 3 inch caliper	1 per 30 feet of buffer length
Flowering Trees	8 to 10 feet in height; 2 to 2½ inch caliper	1 per 60 feet of buffer length
Shrubs	Minimum of 24–36 inches in height	1 per 4 feet of buffer length
Ground Covering Plants	See Table 27-516-3	150 plants per 60 linear feet of buffer

B. If the higher classification street is a collector as listed in Appendix 27-A of this Chapter, a 30-foot buffer yard will be provided along the frontage of the higher classification street unless a larger buffer yard is required by this Chapter, in which case, both the spatial requirements of the larger buffer yard and the planting requirements listed below shall apply.

**Buffer Planting Requirements**

Plant Type	Size	Quantity Required
Evergreen Trees	6 to 8 feet in height	Planted in a double, staggered row, on top of berm, at 15 feet o.c.
Canopy Trees	2½ to 3 inch caliper	1 per 20 feet of buffer length
Flowering Trees	8 to 10 feet in height; 2 to 2 ½ inch caliper	2 per 60 feet of buffer length
Shrubs	Minimum of 24–36 inches in height	1 per 4 feet of buffer length

Plant Type	Size	Quantity Required
Ground Covering Plants	See Table 27-516-3	150 plants per 60 linear feet of buffer

C. Berming shall be provided. Vertically and horizontally meandering berms suggesting a rolling landscape shall be incorporated into the grading design without adversely affecting drainage. Berms shall be a minimum of 2 feet in height and shall have a minimum top width of 10 feet. Slope to height ratio shall not be less than 3 to 1.

D. Where the dwelling unit or building has been located so as to face the street with the higher classification, the Board of Supervisors or their designated representative shall determine the need for the provision of a buffer yard on either street frontage, unless otherwise required by this Chapter.

**Table 27-516-1  
Determination of Buffer Yard Class**

		Existing/Adjacent Land Use									
		Agricultural (A3, A5, A6, and A9 Uses only)	Residential (B1, B1A, B4, and B7 Uses)	All Other Residential	Institutional and Recreational	Office	Retail and Consumer Service	Utility Service and Transportation	Industrial	Vacant Land (RP, RA, SRC, SRL, SRM, SRH & URL Districts)	Vacant Land (PC, PI & EXT Districts)
<b>P r o p o s e d  L a n d  U s e</b>	Agricultural (A3, A5, A6 & A9 Uses only)	–	B	B	A	A	A	A	A	A	A
	Forestry (A4)	B	C	C	B	B	B	B	B	B	B
	Residential (B1, B1A, B4, B7 Uses)	A	–	A	B	B	B	B	B	–	B
	All Other Residential	A	B	A	B	B	B	B	B	B	B
	Institutional and Recreational	A	B	B	A	A	A	A	B	B	A
	Office	A	B	B	A	–	A	A	A	B	A
	Retail and Consumer Service	A	C	C	B	A	A	A	A	C	A
	Utility Service and Transportation	A	B	B	B	A	A	A	A	B	A
	Industrial (Excluding G10 Use)	B	C	C	C	B	B	A	A	C	B

		Existing/Adjacent Land Use									
		Agricultural (A3, A5, A6, and A9 Uses only)	Residential (B1, B1A, B4, and B7 Uses)	All Other Residential	Institutional and Recreational	Office	Retail and Consumer Service	Utility Service and Transportation	Industrial	Vacant Land (RP, RA, SRC, SRL, SRM, SRH & URL Districts)	Vacant Land (PC, PI & EXT Districts)
Industrial (G10)		C	C	C	C	C	C	C	C	C	C

- A3–Intensive Agriculture
- A5–Riding Academy
- A6–Commercial Kennel
- A9–Farm Support Facility
- B1–Single-Family Detached
- B1A–Single-Family Detached Exemption
- B4–Single-Family Detached Enhanced Density
- B7–Country Property
- G10–Outside Storage

**Table 27-516-2  
Planting Options**

The options below indicate the amount of plant material that is required per linear foot of property line. Plantings shall be placed within the minimum required width of the buffer area. The Board of Supervisors may permit staggering or grouping of plant materials provided a satisfactory buffer is achieved.

BUFFER YARD CLASS	WIDTH OF BUFFER YARD	OPTIONS (choice of one within class category)
A	25 feet	1. One canopy tree per 40 feet; plus one evergreen tree per 60 feet 2. One flowering tree per 40 feet; plus one evergreen tree per 60 feet
B	50 feet	1. One canopy tree per 40 feet; plus one flowering tree per 60 feet; plus one evergreen tree per 60 feet 2. One canopy tree per 40 feet; plus one flowering tree per 60 feet; plus one hedge on lot line (3-foot centers except as noted in Table 27-516-3) 3. One flowering tree per 40 feet; plus one evergreen tree per 25 feet
C <sup>1</sup>	100 feet	1. One canopy tree per 40 feet; plus one evergreen tree per 20 feet; plus one shrub per 4 feet 2. One flowering tree per 40 feet; plus one evergreen tree per 20 feet; plus one hedge on lot line (3-foot centers except as noted in Table 27-516-3) 3. One flowering tree per 40 feet; plus one evergreen tree per 20 feet; plus one berm 4 feet high

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<sup>1</sup>The required buffer yard width may be reduced by the Board of Supervisors where the applicant demonstrates that the reduced buffer yard will have the same buffering effect of the required buffer yard through the use of screening and landscaping techniques in accordance with the following standards:

- a. For buffers 75 feet to 99 feet in width, the quantity of plant materials as set forth in §27-516 Table 27-516-2 shall be increased by 15%.
- b. For buffers 50 feet to 74 feet in width, the quantity of plant materials as set forth in §27-516 Table 27-516-2 shall be increased by 25%.
- c. The use of earth sculpting or berms may be required as an integral part of the buffer area whenever topography and lack of existing woodlands permit. The minimum height for such earth sculpting or berms shall be 5 feet. Such earth sculpting or berms shall not block the clear sight distance required at intersections and driveways and; however, informal grouping that reflect the natural character of the land are encouraged. In addition, the Board of Supervisors may require a specific arrangement (e.g., double-alternating row) of a specific plant material.

**Table 27-516-3  
Plant Materials List**

Other species may be substituted upon approval by the Township if they are hardy to the area, are not subject to blight or disease, are appropriate for the site conditions, and are of the same general character and growth habit as those listed below.

*Canopy Trees (2½–3 inches caliper minimum)*

Acer rubrum–Red Maple  
 Acer saccharum–Sugar Maple  
 Betula alba–European White Birch  
 Betula nigra–River Birch  
 Fagus grandifolia–American Beech  
 Gleditsia triacanthos inermis–Thornless Honey Locust  
 Liquidambar styraciflua–Sweet Gum  
 Liriodendron tulipifera–Tulip Tree  
 Nyssa sylvatica–Sourgum  
 Platanus occidentalis–Sycamore  
 Quercus alba–White Oak  
 Quercus borealis–Red Oak  
 Quercus coccinea–Scarlet Oak  
 Quercus palustris–Pin Oak<sup>1</sup>  
 Quercus phellos–Willow Oak  
 Robina psuedoacacia inermis–Thornless Black Locust  
 Sassafras albidum–Sassafrass  
 Tilia–Linden–all native species hardy to the area

*Flowering Trees (2–2½ inches caliper)*

Amelanchier canadensis–Shadblow Serviceberry  
 Cercis canadensis–Eastern Redbud  
 Chionanthus virginicus–White Fringetree  
 Cladrastis kentukea–American Yellowwood  
 Cornus florida–Flowering Dogwood  
 Crataegus phaenopyrum–Washington Hawthorn  
 Franklinia alatamaha–Franklin Tree  
 Hamamelis virginiana–Common Witchhazel  
 Magnolia soulangeana–Saucer Magnolia  
 Magnolia virginiana–Sweetbay Magnolia  
 Malus species–(Plant only native varieties with demonstrated disease resistance)  
 Oxydendrum arboreum–Sourwood  
 Pyrus calleryana–Callery Pear (Do not use ‘Bradford.’ Specify cultivar with improved branching habit.)

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<sup>1</sup>Pin Oak is not appropriate as a street tree or adjacent to pedestrian areas.

*Evergreen Trees (6–8 feet high minimum)<sup>2</sup>*

Abies concolor–White Fir  
 Chamaecyparis thyoides–Atlantic White Cedar  
 Cupressocyparis x leylandii–Leyland Cypress  
 Ilex opaca–American Holly  
 Juniperus virginiana–Eastern Red Cedar  
 Picea glauca–White Spruce  
 Picea mariana–Black Spruce  
 Picea pungens–Colorado Spruce  
 Pinus strobus–White Pine  
 Taxodium distichum–Baldcypress  
 Tsuga canadensis–Canadian Hemlock

*Hedge (4 feet high minimum)*

Chamaecyparis thyoides–Atlantic White Cedar  
 Crataegus punctata–Thicket Hawthorn  
 Forsythia intermedia–Border Forsythia  
 Juniperus virginiana–Eastern Red Cedar  
 Pinus strobus–White Pine  
 Pyracantha coccinifera–Laland Firethorn  
 Rhamnus fraxinifolia–Tallhedge Buckthorn  
 Syringa vulgaris–Common Lilac  
 Taxus cuspidata–Upright Yew  
 Taxus hicksii–Hicks Yew  
 Thuja occidentalis–American Arborvitae  
 Tsuga canadensis–Canadian Hemlock

*Shrubs (24–36 inches high minimum)*

Aronia arbutifolia–Red Chokeberry  
 Aronia melanocarpa–Black Chokeberry  
 Calycanthus floridus–Common Sweetshrub  
 Clethra alnifolia–Summersweet Clethra  
 Cornus sericea–Red-osier Dogwood  
 Euonymus americanus–Strawberry Bush  
 Hamamelis vernalis–Vernal Witch Hazel  
 Hamamelis virginiana–Common Witch Hazel  
 Ilex glabra–Inkberry  
 Ilex verticillata–Winterberry  
 Itea virginica–Virginia Sweetspire  
 Kalmia latifolia–Mountain Laurel  
 Leucothoe axillaris–Coast Leucothoe  
 Leucothoe fontanesiana–Drooping Leucothoe  
 Leucothoe racemosa–Fetterbush  
 Lindera benzoin–Spicebush

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<sup>2</sup> It is recommended that two or more species of evergreen trees be used in a buffer yard planting.

Myrica pensylvanica–Northern Bayberry  
 Rhododendron carolinianum–Carolina Rhododendron  
 Rhododendron maximum–Rosebay Rhododendron  
 Viburnum acerfolium–Mapleleaf Viburnum  
 Viburnum dentatum–Arrowwood Viburnum  
 Viburnum lentago–Nannyberry  
 Viburnum tribolum–American Cranberrybush

*Ground Covering Plants (Planting size vales see minimum size species)<sup>3</sup>*

Achillea varieties–Yarrow	Min. Size: 2¼" pot
Acorus calamus–Sweet Flag	Min. Size: 2¼" pot
Andropogon varieties–Bluestem Grass	Min. Size: quart container
Arctostaphylos uva-ursi–Bearberry	Min. Size: 1 gal. container
Asclepias tuberosa–Butterfly Weed	Min. Size: 2¼" pot
Aster varieties–Aster	Min. Size: 2¼" pot
Baptisia varieties–False Indigo	Min. Size: 2¼" pot
Bidens varieties–Beggarticks	Min. Size: 2¼" pot
Campanula varieties–Bellflower	Min. Size: 2¼" pot
Carex varieties–Sedge	Min. Size: 2¼" pot
Chelone glabra–White Turtlehead	Min. Size: 2¼" pot
Chrysanthemum leucanthemum–Ox-Eye Daisy	Min. Size: 2¼" pot
Coreopsis varieties–Coreopsis	Min. Size: 2¼" pot
Cosmos bipinnatus–Cosmos	Min. Size: 2¼" pot
Dennstaedtia punctilobula–Hay Scented Fern	Min. Size: 2¼" pot
Dryopteris erythrosora–Autumn Fern	Min. Size: 2¼" pot
Echinacea purpurpea–Purple Coneflower	Min. Size: 2¼" pot
Eupatorium varieties–Joe-Pye Weed	Min. Size: quart container
Gallardia varieties–Indian Blanketflower	Min. Size: 2¼" pot
Helenium autumnale–Sneezeweed	Min. Size: 2¼" pot
Hemerocallis fulva–Common Daylily	Min. Size: 2¼" pot
Heuchera varieties–Coral Bells	Min. Size: 2¼" pot
Hypericum varieties–St. Johnswort	Min. Size: 2¼" pot
Juniperus conferta–Shore Juniper	Min. Size: 3 gal. container
Juniperus horizontalis–Creeping Juniper	Min. Size: 3 gal. container
Liatris spicata–Gayfeather	Min. Size: 2¼" pot
Lobelia varieties–Lobelia	Min. Size: 2¼" pot
Lysimachia varieties–Loosestrife	Min. Size: quart container
Matteuccia struthiopteris–Ostirch Fern	Min. Size: 2¼" pot
Osmunda cinnamomea–Cinnamon Fern	Min. Size: 2¼" pot
Osmunda regalis–Royal Fern	Min. Size: 2¼" pot
Pachysandra procumbens–Alleghany Pachysandra	Min. Size: 2¼" pot

<sup>3</sup>It is recommended that three or more species of ground covering plants be used in a buffer yard planting.

Panicum virgatum–Switchgrass	Min. Size: 1 gal. container
Penstemon varieties–Beardtongue	Min. Size: 2¼" pot
Phlox varieties–Phlox	Min. Size: 2¼" pot
Poa varieties–Bluegrass	Min. Size: quart container
Polystichum acrostichoides–Christmas Fern	Min. Size: 2¼" pot
Rudbeckia hirta–Black-Eyed Susan	Min. Size: 2¼" pot
Solidago varieties–Goldenrod	Min. Size: 2¼" pot
Vaccinium vitis-idaea–Mountain Cranberry	Min. Size: 1 gal. container

(Ord. 251, 11/14/2011, §27-516)

**§27-517. Performance Standard Bonuses.**

An increase in the density or impervious surface ratio may be achieved by meeting the specific criteria outlined below. All other standards of this Chapter must be met in order to get the bonuses. The various bonuses are additive. For example:

Suburban Residential Low District

Base Density	2.75
Density Bonuses	
Open Space	10%
Fire Equipment	<u>5%</u>
	15%

Permitted Density  $2.75 \times 1.15 = 3.16$  (rounded to nearest hundredth)

A. *Open Space.* A density bonus of 10% shall be permitted when the open space ratio is increased by five percentage points (for example, from 35% to 40%), provided that such an increase is not the result of meeting the minimum open space requirements of §27-511, “Site Capacity Calculations.” This density bonus shall apply to Uses B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, and B6 Mobile Home Park only.

B. *School Site.* A density bonus of 10% shall be permitted for the provision of a school site. Fifty percent of the area of the school site may be counted towards meeting the minimum open space requirement for the development. The proposed site shall meet the approval of the Quakertown Community School District, governing body, Planning Commission, Bucks County Planning Commission and PA State Board of Education It shall be the option of the Quakertown Community School District to accept such dedication. This density bonus shall apply to Uses B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, and B6 Mobile Home Park only.

C. *Water Systems.* A maximum total water system density bonus of 5% shall be permitted for residential developments when a developer dedicates any of the following facilities:

- (1) Dedication of an existing water company, its facilities and service area

to the municipality.

(2) Construction and dedication of wells and/or standpipes needed to provide water pressure.

(3) Construction of a trunk service main, sized to municipal specifications to serve a segment of the development district.

All designs shall be subject to the approval of the Municipal Engineer, Planning Commission, Water Authority, and governing body. This provision specifically does not apply to the dedication of normal service mains which are required of all developments.

D. *Fire Equipment or Facilities.* A density bonus of 5% shall be permitted for residential developments where the developer provides a cash contribution per dwelling unit to the governing body for disbursement for fire equipment or facilities. An impervious surface ratio bonus of 5% or a floor area ratio bonus of 10% shall be permitted for nonresidential developments where the developer provides a cash contribution per square foot of building area to the governing body for disbursement of fire equipment or facilities. The cash contribution shall be in accordance with a fee schedule adopted by resolution of the governing body.

E. *Transportation.* A density bonus not in excess of 15% may be permitted at the sole discretion of the Board of Supervisors for any residential development where the applicant proposes to construct substantial off-site traffic improvements which have previously been identified by the Township as necessary to promote the health, safety, and welfare of the Township. The Board of Supervisors, at its sole discretion, may accept a fee-in-lieu of said improvements in an amount to be determined solely by the Board of Supervisors. The Board of Supervisors, with the advice of the Township's traffic engineer, shall be solely responsible for determining what constitutes substantial off-site traffic improvements. The Board of Supervisors shall be solely responsible for determining the percentage of the density bonus to be applied.

(Ord. 251, 11/14/2011, §27-517)

#### **§27-518. Use of Historic Structures.**

In order to encourage the continued use of historic resources and facilitate their appropriate reuse and to regulate the use of places having unique historical or patriotic interest or value, the following regulations are established.

A. *Eligibility.* The following structures are eligible to utilize the provisions included within this Chapter:

(1) All structures listed in the National Register of Historic Places.

(2) Structures certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district.

(3) All structures individually listed on the Pennsylvania Register of Historic Places.

(4) All structures listed on the Richland Township Historic Resources Survey as compiled by the Heritage Conservancy and approved by the

Township Board of Supervisors (included as Appendix 27-D of this Chapter).

**B. Additional Use Opportunities.**

(1) In addition to the uses permitted by right or conditional use in the various zoning districts as established by this Chapter, each historic resource shall be eligible for additional use opportunities as described herein. These use opportunities shall be in addition to any use currently being made of the property, subject to the standards and procedures contained in applicable sections of this Chapter and the additional requirements set forth below:

<b>Use</b>	<b>Permitted by Conditional Use in These Districts</b>
B2 Residential Conversion	PC, PI
C4 Library or Museum	RP, RA, SRC, SRL
D1 Office	RP, RA, SRC, SRL, SRM
E1 Retail Shop	RP, RA, SRC, SRI, SRM, SRH, URL
H14 Bed and Breakfast	PC, PI

(2) Uses which may be permitted as additional uses shall be subject to the following considerations:

- (a) No historic resource may be enlarged beyond what is minimally necessary to accommodate the additional use.
- (b) The granting of the conditional use shall be deemed by the Board of Supervisors to be necessary to the preservation of the historic resource.
- (c) The granting of the conditional use shall be deemed by the Board of Supervisors to have minimal detrimental effects on neighboring properties.

(3) *Design Standards.* Any proposed rehabilitation, alteration or enlargement of an historic resource shall be in substantial compliance with the United States Department of Interior’s Standards for Rehabilitation, as listed below:

- (a) Every reasonable effort shall be made to provide compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
- (b) The distinguishing original qualities or character of a building or structure and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (c) All buildings and structures shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (d) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building or structure shall be treated with sensitivity.

(e) Deteriorated architectural features should be repaired rather than replaced, wherever possible, using materials which match the original materials in design, color, texture and appearance.

(f) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood and environment.

(Ord. 251, 11/14/2011, §27-518)

**§27-519. Lighting.**

1. *Glare.*

A. The lighting plan in and around parking areas shall provide for non-glare lights focused downward. The incident light intensity provided at ground level shall be a minimum of 0.3 foot-candle anywhere in the area to be illuminated. Lighting shall be provided by fixtures with a mounting height not more than 25 feet or the height of the building; whichever is less.

B. The objective of these specifications is to minimize undesirable off-premises effects. No use shall produce glare off the premises by illumination originating on the premises. No bare or direct light source shall be visible beyond the lot lines. Only diffused or reflected lights shall be visible beyond the lot line. Illumination from light originating on the site shall not exceed 0.5 foot-candle at the lot line. No light shall shine directly into windows or onto streets and driveways in such manner as to interfere with or distract driver's vision.

C. No sodium vapor lights shall be permitted.

(Ord. 251, 11/14/2011, §27-519)



**C. [Reserved]**



## D. Nuisance Standards

### §27-531. Noise.

1. *Terminology.* All technical terminology not defined below shall be defined in accordance with applicable publications of the American National Standard Institute (Acoustical Terminology, ANSI, [S1.1-1960] (R1976) with its latest approved revisions.

A. *Ambient Sound.* The all encompassing background noise levels associated with a given environment being a composite of sound from many sources near and far, excluding the sound source.

B. *Continuous Sound.* Any sound which is steady state, fluctuating or intermittent with a recurrence greater than one time in any 5-minute interval.

C. *Impact Sound.* Sound of short duration, with an abrupt onset and rapid decay and an occurrence of not more than one time in any 1-hour interval.

D. *Land Use.* The actual real use of land and buildings regardless of the zoning or other classification attributed to such land and buildings.

E. *Normal Residential Activities.* Any sound which is generated as a result of an owner or occupier of a residence exercising his normal and usual right to enjoy, maintain, repair, or improve said residence or the real property upon which the residence is located.

F. *Sound Source.* The noise source which is being evaluated to determine its conformance with permissible sound levels.

G. *Noise Disturbance.* When a noise level produced exceeds permissible sound levels as listed in this Chapter.

2. *Standards.* For the purpose of measuring sound in accordance with the applicable provisions of these regulations, test equipment methods and procedures shall conform to the standards as published by the American National Standard Institute (ANSI, Standard Specification for Sound Level Meters, 51.4-1983 and ANSI S1.13-1971, "Standard Methods for the Measurement of Sound Pressure Levels") with its latest revisions or may be done manually as follows:

A. Observe the ambient sound on a sound level meter for 5 seconds and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.

B. Conduct the observations 10 times randomly over a continuous 15 minutes, as necessary to provide that observations be made at the beginning and at the end of a 15-minute period; and that there shall be at least as many observations as there are decibels between the lowest low indication and highest high indication. Record all observations.

C. Calculate the arithmetical average of the observed central tendency indications. This value is the ambient sound level.

D. Observe a sound level meter for 5 seconds with the sound source operating and record the best estimate of central tendency of the indicator needle, and the highest and lowest indications.

E. Repeat the observations as many times as necessary to provide that observations be made at the beginning and at the end of a 15-minute period and

that there shall be at least as many observations as there are decibels between the lowest low indication and highest high indication.

F. Calculate the arithmetical average of the observed central tendency indications. This is the sound level of the ambient sound plus the sound source (total sound level).

G. If the difference between the ambient sound and the sound source is 10dBA or greater, the measured sound level is an accurate measurement of the sound source. This value should be compared to the permitted sound levels in Table 27-531-1.

H. Due to the logarithmic nature of sound, if the difference between the ambient sound level and the total sound level is less than 10dBA, a correction factor shall be applied. The correction factors are noted in the table below:

Total Sound Level minus Ambient Sound Level	Correction Factor to Be Subtracted from Total Sound Level
10	0
9	1
8	1
7	1
6	1
5	2
4	2
3	3
2	4
1	7

I. The total sound level less the correction factor s compared to the permitted sound levels in Table 27-531-1.

3. *Sound Levels.* No person shall operate or cause to be operated within the municipality any source of continuous sound in such a manner as to create a sound level which exceeds the limits set forth for the receiving land use when measured at the property boundary of the receiving land use, during the times specified in Table 27-531-1.

**Table 27-531-1  
Continuous Sound Levels**

Receiving Land Use Category		Time	Sound Level Limit
I.	Residential, Public Space, Open Space, Agricultural, or Institutional	7 a.m.–10 p.m.	55 dBA
		10 p.m.–7 a.m., plus Sundays & legal holidays	50 dBA
II.	Office, Commercial, or Business	7 a.m.–10 p.m.	65 dBA

Receiving Land Use Category		Time	Sound Level Limit
		10 p.m.–7 a.m., plus Sun- days & legal holidays	60 dBA
III.	Industrial	At all times	70dBA

For any source of sound which emits an impact sound, the excursions of sound pressure level shall not exceed 20 dBA over the maximum sound level limits set forth in Table 27-531-1 above; provided, that in no case shall they exceed 80 dBA, or receiving land use, using the “fast” meter characteristic of a Type II meter, meeting the American National Standard Institute specifications S1.4-1983.

4. *Specific Prohibitions.* The following acts and the causes thereof are declared to be in violation of this Chapter.

A. Operating, playing, or permitting the operation or playing of any radio, television, phonograph, sound amplifier, musical instrument, or other such device between the hours of 10 p.m. and 10 a.m. in such a manner as to create a noise disturbance across a real property line.

B. Owning, possessing, or harboring any animal which frequently or for any continued duration howls, barks, or makes any other sound so as to create a noise disturbance across any real property boundary.

C. Performing any construction operation or operating or permitting the operation of any tools or equipment used in construction, drilling or demolition work between the hours of 7 p.m. and 7 a.m. or on Sundays if such operation creates a noise disturbance across a real property boundary line. This Section does not apply to domestic power tools or to vehicles which are duly licensed, registered and inspected for operation on public highways.

D. Repairing, rebuilding, modifying, testing or operating a motor vehicle, motorcycle, recreational vehicle or powered model vehicle in such a manner as to cause a noise disturbance across a real property boundary.

E. Operating or permitting the operation of any mechanically powered saw, drill, sander, grinder, lawn or garden tool, snow blower or similar device (used outdoors) between the hours of 9 p.m. and 7 a.m. so as to cause a noise disturbance across a real property boundary.

5. *Exceptions.* The maximum permissible sound levels by receiving land use established in subsection .3 shall not apply to any of the following noise sources:

A. The emission of sound for the purpose of alerting persons to the existence of an emergency.

B. Work to provide electricity, water, or other public utilities when public health or safety is involved.

C. Licensed game hunting activities on property where such activities are authorized.

D. Agriculture.

E. Motor vehicle operations on public streets.

F. Public celebrations, specifically authorized by the municipality.

(Ord. 251, 11/14/2011, §27-531)

**§27-532. Smoke, Ash, Dust, Fumes, Vapors and Gases.**

1. There shall be no emission of smoke, ash, dust, dirt, fumes, vapors or gases which violate the Pennsylvania air pollution control laws or other regulations of the Pennsylvania Department of Environmental Protection (DEP) or the U.S. Environmental Protection Agency.

2. The emission of smoke, ash, dust, dirt, 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 any point beyond the lot line of the use creating the emission, is herewith prohibited.

(Ord. 251, 11/14/2011, §27-522)

**§27-533. Heat.**

No use shall produce heat perceptible beyond its lot lines.

(Ord. 251, 11/14/2011, §27-523)

**§27-534. Odor.**

1. 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.

2. Subsection .1 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. 251, 11/14/2011, §27-524)

**§27-535. Glare.**

No use shall produce a strong, dazzling light or a reflection of a strong, dazzling light beyond its lot lines. All development is subject to the lighting requirements found in §27-519.

(Ord. 251, 11/14/2011, §27-525)

**§27-536. Vibrations.**

No vibration shall be produced which is transmitted through the ground and is discernible without the aid of instruments at or at any point beyond the lot lines, with the exception of vibration produced as a result of temporary construction activity.

(Ord. 251, 11/14/2011, §27-526)

**§27-537. Storage and Waste Disposal.**

1. No storage of flammable or combustible liquids in excess of 30 gallons shall be permitted unless written approval has been obtained from the Director of the Pennsylvania State Police, Fire Marshal Division. This requirement shall not apply to domestic fuel oil heating systems.

2. 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. No substance which can contaminate any 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 (DEP).

3. 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.

4. All construction debris resulting from any improvement due to a subdivision and/or land development shall not be buried or burned and shall be wholly contained in dumpsters that are to be periodically hauled off the property with the trash contained therein properly disposed.

(*Ord. 251, 11/14/2011, §27-527*)

**§27-538. Radioactivity and Electrical Disturbance.**

1. Any use which emits dangerous or harmful radioactivity shall be prohibited. If any use is proposed which incorporates the use of radioactive material, equipment, or supplies, such use shall be in strict conformity with Title 25, Pa.Code, of the Pennsylvania Department of Environmental Protection (DEP) rules and regulations.

2. No use shall produce an electrical disturbance which adversely affects the operation of any equipment beyond its property line. This requirement shall not apply to electronic and electrical equipment which meet the applicable standards of the Federal Communications Commission (FCC), the Underwriters Laboratories (UL), and the Electronics Industries Association (EIA).

(*Ord. 251, 11/14/2011, §27-528*)



## E. Parking Performance Standards

### §27-541. General Regulations Applicable to Off-Street Parking Facilities.

1. *Existing Parking.* Parking for existing structures and uses that were established after March 29, 1999, shall be made to comply with Part 5, "Parking Performance Standards," when the structure or use changes. Parking for existing structures and uses shall not be permitted to decline and failure to keep these parking areas in satisfactory condition (i.e., free from holes or clearly delineated) shall be considered a violation of this Chapter.

2. *Change in Requirements.* Whenever there is an alteration of a structure or an expansion of a use which increases the parking requirements according to the standards of §27-405, additional parking shall be provided for the alteration or expansion in accordance with the requirements of that Section. Whenever there is a change of use which increases the parking requirements according to the standards of §27-405, the total amount of parking required for the new use shall be provided in accordance with the requirements of that Section.

3. *Conflict with Other Uses.* No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.

4. *Continuing Character of Obligation.* 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 as a special exception and then only after proof that, by reason of diminution in floor area, seating area or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Chapter. Reasonable precautions shall be taken by the owner or sponsor of a particular 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 as to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.

5. *Joint Use.* 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.

6. *Location of Parking Spaces.* Required off-street parking spaces shall be located on the same lot or premises with the principal use served. Where a nonresidential use cannot meet this requirement, the required off-street parking may be located within 300 feet of the premises to which they are appurtenant; however, pedestrian access from the parking facility to the nonresidential use shall be provided.

7. *Fractional Measurements.* If in determining the number of required off-street parking spaces there results a fractional space, any fraction up to and including one-half shall be disregarded and any fraction over one-half shall require one space.

8. *Maintenance of Parking Areas.* 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 Municipal 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.

(Ord. 251, 11/14/2011, §27-541)

**§27-542. Reservation of Nonresidential Parking Requirements.**

In order to prevent the establishment of a greater number of parking spaces than is actually needed to serve nonresidential uses, a portion of the required parking can be held in reserve to be built at a later date, provided the following conditions are met:

A. This reservation of parking may be applied to all nonresidential uses as listed in §27-405 of this Chapter, subject to the conditions and requirements noted herein.

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. An applicant shall be permitted, as a matter of right, to reserve up to 20% of the required number of parking spaces, as specified for the specific use by this Chapter. Any additional reservation of the required number of parking spaces, in excess of 20%, shall be subject to approval by the governing body after consultation with the Planning Commission. All reserved parking shall be clearly indicated on the land development plan.

D. The land development plan shall indicate that the maximum permitted impervious surface coverage will not be exceeded if the total number of required parking spaces is provided.

E. 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.

F. The reserved parking area cannot be used to meet the parking requirements for future expansions of the facility.

G. The Zoning Officer, at any time, may determine that all or a portion of the reserved parking spaces are needed to satisfy the parking requirements for the particular use. Therefore, the developer shall agree that the reserved parking spaces shall be provided at the developer's or owner's expense at such a time as deemed necessary by the Zoning Officer, shall be included in the developer's agreement, and shall be noted on the record plan. This agreement shall apply to any future owners of the property.

(Ord. 251, 11/14/2011, §27-542)

**§27-543. Design Standards.**

1. *Parking Lots (Common Parking Lot, Private Parking Lot)*. All off-street parking

lots with a capacity of three or more vehicles shall comply with the standards for automobile parking facilities in the Richland Township Subdivision and Land Development Ordinance [Chapter 22].

2. *Parking Garages (Common Parking Garage, Private Garage or Carport, Community Garage)*. The design standards specified below shall be required for all parking garages established after March 29, 1999.

A. The minimum dimensions of stalls and aisles shall be as follows:

(1) Stall width shall be at least 10 feet. Parking stalls next to a wall or pillar shall be 1 foot wider.

(2) Stall depth shall be at least 20 feet with said dimensions measured on the angle for all angle parking, and 22 feet for parallel parking.

(3) Minimum width of aisles providing access to stalls for one-way traffic only, varying with the angle of the parking, shall be:

Angle of Parking	Minimum Aisle Width
Parallel	12 feet
30 degrees	12 feet
45 degrees	15 feet
60 degrees	18 feet
90 degrees	20 feet

(4) Minimum width of aisles providing access to stalls for two-way traffic shall be 24 feet.

B. Parking areas 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 vehicles.

(1) The width of accessways shall be:

(a) A minimum of 12 feet for one-way use only.

(b) A minimum of 24 feet for two-way use.

(c) A maximum of 35 at the street line and 54 feet at the curb line.

(2) Parking is prohibited along the length of an accessway.

C. There shall be a minimum transition of 12 feet on all ramps where they meet the parking floor.

D. Maximum grades: Parking floor–5%; ramp–10%; ramp transition–5%.

E. On circular ramp systems, the minimum outside radius on all turns shall be 34 feet.

F. *Garage Entrance*.

(1) There shall be a minimum stacking area beyond the entrance control point for 10 cars. The stacking areas shall not be in a public street, nor shall it interfere with vehicular circulation in the vicinity of the common parking garage.

(2) The grade of the ramp shall begin at least 25 feet beyond the control

point.

G. Parking garages shall be subject to all minimum building setback requirements of this Chapter.

(Ord. 251, 11/14/2011, §27-543)

**§27-544. Off-Street Loading.**

1. Off-street loading facilities shall be provided for any use hereafter established or enlarged which customarily receives or distributes goods or materials by trucks.

2. The off-street loading facilities provided shall be sufficient to accommodate the maximum number of trucks that will normally be loading, unloading or stored on the premises at any one time.

3. Off-street loading facilities shall be appropriately dimensioned and located with relation to the types of deliveries and pick-ups anticipated. Loading or unloading which takes place on a platform or dock raised to the height of a truck bed shall be designed to conform to the specifications for a loading berth. Loading or unloading which takes place at ground level shall be designed to conform to the specifications for a loading space.

A. Each loading berth shall be at least 14 feet in width and 55 feet in length and have at least 15 feet of vertical clearance.

B. Each loading space shall be at least 12 feet in width and 35 feet in length.

4. Off-street loading facilities required by this Chapter shall, in all cases, be on the same lot or parcel of land as the use they are intended to serve.

5. Off-street loading facilities shall have adequate and unobstructed access to a street, service drive or alley. Such facilities shall have adequate maneuvering space and shall be so arranged that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities, fire lanes or pedestrian ways or backing out onto a street.

6. Off-street loading facilities shall be graded, surfaced with asphalt or other suitable material, and drained to the satisfaction of the Municipal Engineer to the extent necessary to prevent dust, erosion or excessive water flow across streets or adjoining property.

7. All required facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street loading 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 such reduction is in conformity with the requirements of this Chapter. Reasonable precautions shall be taken by the owner or sponsor of a particular use to assure the availability of required facilities to the delivery and pick-up vehicles they are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard or an unreasonable impediment to traffic.

8. All off-street loading facilities shall be located to the side or rear of the building.

9. Lighting of off-street loading facilities may be required at the discretion of the governing body. All artificial lighting used to illuminate loading facilities shall be so arranged that no direct rays from such lighting fall upon any neighboring property or

streets.

(*Ord. 251*, 11/14/2011, §27-544)



**F. Dimensional Requirement**

**§27-551. 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 March 29, 1999, 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. 251, 11/14/2011, §27-551)

**§27-552. Minimum Lot Area.**

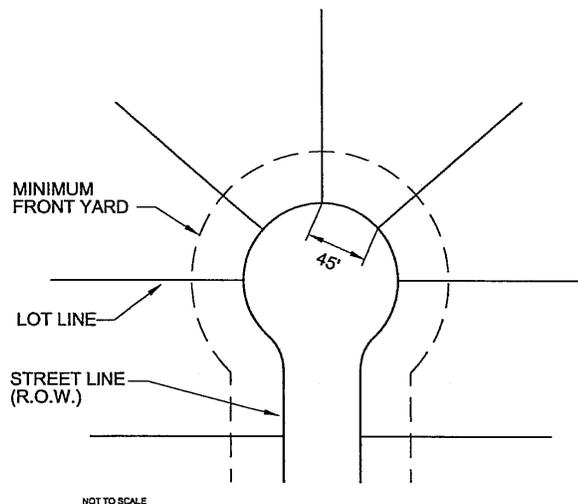
Where a minimum lot area is specified, no primary building or use shall be erected or established on any lot of lesser size than as specified in §§27-405 and 27-512, except as specified in Part 8, “Nonconformities.”

(Ord. 251, 11/14/2011, §27-552)

**§27-553. Minimum Lot Width.**

1. Where a minimum lot width is specified, no primary building shall be erected on any part of a lot which has a width less than that specified in §§27-405 and 27-513, except as specified in Part 8, “Nonconformities,” and as permitted in subsections .2 and .3 below.

2. On lots fronting on the turn-around of a permanent cul-de-sac, the governing body may permit the minimum lot width to be measured at a greater distance from the street line than the minimum front yard. The minimum front yard shall be measured parallel to the street line. However, such lots fronting on the turn-around of a permanent cul-de-sac shall have a minimum straight line distance of 45 feet between the points of intersection of the lot lines and the street line.



3. *Lane Lot.* 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. Lane lots may be permitted for tracts of land with limited frontage that would limit the number of lots with the required lot width, but with sufficient area in the rear of the tract for an additional lot or two. Lane lots are not permitted in a subdivision where a street could reasonably be developed to serve the lots with each meeting the minimum lot width requirement.

A. A lane lot shall be used for single-family detached dwellings, pump stations and package treatment plants only. However, the minimum lot size for pump stations and package treatment plants shall be  $\frac{1}{2}$  acre, regardless of underlying zoning.

B. Each lot shall have a separate lane; however, the use of common driveways shall be permitted.

C. If the proposed lane lot is not large enough to further subdivide under the zoning requirements at the time the subdivision is proposed, then the "lane" shall have a minimum width of 25 feet at the street line of a public street and shall not narrow to a lesser dimension. However, if the proposed lot is large enough to further subdivide under the zoning requirements at the time the subdivision is proposed, then the minimum lane width shall be 50 feet at the street line and shall not narrow to a lesser dimension.

D. The area of the lane shall not be included in the calculation of the minimum lot area.

E. The front yard setback for a lane lot shall be a distance equal to the front yard requirement 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.

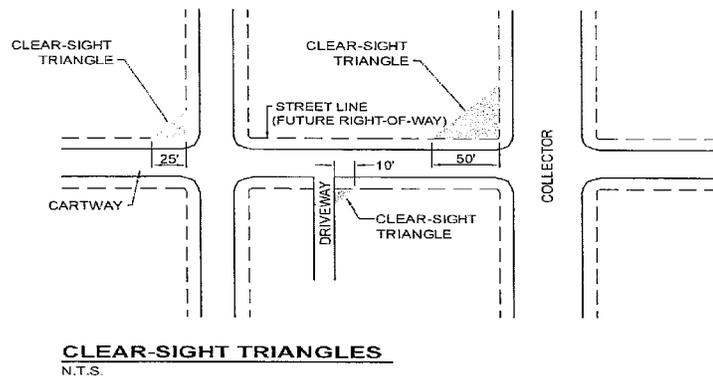
F. No more than two lane lots shall be permitted in the subdivision of a tract of land even if lots are subdivided from the tract at different times.

G. Only one tier of lane lots shall be permitted on a tract.

(Ord. 251, 11/14/2011, §27-553)

#### **§27-554. Traffic Visibility Across Corners.**

1. In all districts, no structure, fence, planting or other obstruction shall be maintained between a horizontal plane 2 feet above curb level and a horizontal plane 7 feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a horizontal clear-sight triangle bounded by the two street lines (rights-of-way) and a straight line drawn between points on each such line 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.



2. 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 2 feet above the street grade.

(Ord. 251, 11/14/2011, §27-554)

**§27-555. Future Rights-of-Way.**

1. Future right-of-way widths are established for those roads wherein the existing legal right-of-way is less than that indicated below for the particular class of road. The centerline of each future right-of-way shall be considered the same centerline as the existing right-of-way. The specific classification for each road is shown in Appendix 27-A, “Functional Classification of Streets for Richland Township Bucks County,” which accompanies and is hereby made a part of this Chapter.

2. Streets and their future rights-of-way shall be as follows:

A. *Thoroughfares.*

(1) *Expressway.* Future rights-of-way shall be as determined by the Pennsylvania Department of Transportation.

(2) *Arterial Highways.* Future rights-of-way shall be a minimum of 120 feet.

(3) *Collector Highways.* Future rights-of-way shall be 80 feet.

B. *Local Streets.*

(1) *Primary Streets.* Future rights-of-way shall be 60 feet.

(2) *Rural Roads and Secondary Streets.* Future rights-of-way shall be 60 feet.

(3) *Marginal Access Street.* The PC District is intended for development with marginal access streets. Future rights-of-way shall be 50 feet.

(Ord. 251, 11/14/2011, §27-555)

**§27-556. 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 are existing buildings which are nearer to the street than the required front yard depth 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.

(*Ord. 251, 11/14/2011, §27-556*)

**§27-557. Yard Requirements.**

No portion of a building or structure including porches, decks, patios and terraces shall be built within the required minimum front, side or rear yards, however, decks and patios may utilize up to 50% of the minimum yard, provided that the deck or patio does not have a roof enclosure, except as permitted in §§27-405, 27-558 and 27-559.

(*Ord. 251, 11/14/2011, §27-557*)

**§27-558. Projections into Yards.**

1. Chimney flues, columns, sills, cornices, gutters and similar features, excluding fire escapes, may project into the required front yard not more than 2 feet.

2. Chimney flues, fire escapes, columns, sills, cornices, gutters and similar features may project into required side or rear yards up to one-third of the width of the projection, but not more than 4 feet in any case.

(*Ord. 251, 11/14/2011, §27-558*)

**§27-559. Fences and Driveways in Yards.**

The provisions of §27-557 shall not apply to fences or hedges less than 6 feet above the natural grade. Driveways shall be permitted in front, side and rear yards. Fence facade shall face outwards to adjacent properties. Zoning permits are required.

(*Ord. 251, 11/14/2011, §27-559*)

**§27-560. Exceptions to Building 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 the maximum building heights specified in Parts 4 and 5, except church spires, belfries, rooftop screening of equipment and architectural features not occupied by person or property, silos, water facilities, antennas, television facilities, masts, aerials, flagpoles or other structures necessary for providing water, electricity, heat, cooling, radio or similar facilities provided they are not used for human occupancy and are set back one and one-half times their height (from ground level to the top of the structure) from any property lines.

(Ord. 251, 11/14/2011, §27-560)



## **G. Open Space in Residential Developments**

### **§27-561. General Requirements.**

1. B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park and B7 Country Property shall meet the open space requirements of this Chapter. The plan 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 approval of the final plan and other materials shall be construed as a contract between the landowner(s) and the municipality, and shall be noted on all applicable deeds.

2. Open space as part of B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park and B7 Country Property Uses shall not include land occupied by commercial, industrial, residential or other nonrecreational buildings or structures, roads or road rights-of-way, parking areas for nonrecreational uses, land reserved for future parking areas for nonrecreational uses, stormwater detention or retention basins required as part of nonrecreational uses, areas occupied by sewage disposal systems (including, but not limited to, community sewage treatment systems, spray fields and other sewage facilities) that are associated with nonrecreational uses, or the yards or lots of dwelling units. A portion of the open space lands dedicated to Richland Township, as part of B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park and B7 Country Property Uses, may be used and/or reserved for C16 Municipal Services as determined by the governing body; which shall not be subject to the restrictions contained in this Chapter and a portion of not less than 50% of each open space parcel dedicated to the municipality as part of B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, and B6 Mobile Home Park Uses shall remain open and freely accessible to the residents of the Township.

Additionally, Township owned open space, acquired as part of the dedication process for B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park and B7 Country Property Uses shall not include sewage treatment plants, landfills, transfer stations, dumps, hospitals, cemeteries, residential development, commercial retail or industrial uses. Such land accepted and used by the Township for open space purposes shall be of a character consistent with the goals of the Township's Comprehensive Plan and the Quakertown Area Linked Open Space Plan.

3. A portion of the open space must be set aside as recreation land in accordance with §27-511.C of this Chapter. Recreation land shall not include natural features with a 100% protection standard nor any portion of those natural features that may not be developed as specified in §27-514, "Environmental Performance Standards." Recreation land may contain impervious surfaces as part of recreational facilities proposed by the developer. Such impervious surfaces shall be included in the calculation of the impervious surface ratio. However, additional impervious surfaces associated with improvements installed by the Township shall not be subject to the impervious surface ratio.

In addition, the required recreational land shall not include any areas of open space lands dedicated as and/or reserved for C16 Municipal Services. Further, impervious

surfaces associated with C16 Municipal Services as developed by and/or for the Township shall not be subject to the calculation of the maximum permitted impervious surface ratio.

(Ord. 251, 11/14/2011, §27-561)

**§27-562. Open Space Designation.**

All land held for open space shall be so designated on the subdivision and land development plans. Such plans shall contain the following information:

A. A statement that the open space land, as part of B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, B6 Mobile Home Park and B7 Country Property Uses, shall not be separately sold or further subdivided, except for transfer to the municipality, other municipal entity, or a conservation organization approved by the municipality. And, a statement that the open space land shall not be further developed, except for recreational facilities or C16 Municipal Services, when transferred to the municipality.

B. The use(s) of the open space shall be indicated on the plans. In designating the use(s), one or more of the following classes shall be used:

(1) *Lawn*. A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to insure a neat and orderly appearance.

(2) *Natural Area*. An area of natural vegetation undisturbed during construction or replanted. Such areas may contain pathways. Meadows shall be maintained as such and not left to become weed-infested. Maintenance may be minimal, but shall prevent the proliferation of weeds and undesirable plants such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free flowing condition.

(3) *Recreation Area*. An area designated for a recreational use in accordance with §27-511.C including, but not limited to, tennis courts, basketball courts, swimming pools, playfields, tot lots, community centers, museums, as well as parking and related improvements required for such uses. Such areas shall be maintained so as to avoid creating a hazard or nuisance, and shall perpetuate the proposed use.

(4) Neighborhood open space uses, such as village greens, commons, picnic areas, community gardens, trails, and similar low-impact passive recreational uses, specifically excluding motorized off-road vehicles, rifle ranges, and other uses similar in character and potential impact as determined by the Board.

(5) Agricultural, horticultural, silvicultural and equestrian uses, including raising crops or livestock, wholesale nurseries, associated buildings, excluding residences that are specifically needed to support an active, viable agricultural or horticultural operation. Specifically excluded are commercial livestock operations involving swine, poultry, mink, and other animals likely to produce highly offensive odors.

(6) *Municipal Services (Use C-16)*. All municipal buildings, structures and

uses including, but not limited to, governmental offices, garages for the storage of tools, equipment and vehicles, municipally sponsored police and emergency services, transportation, utilities, education, emergency services, recreation, pedestrian safety, information resources and the use of land for the stockpiling of materials used by the municipality in its municipal functions

C. The type of facilities to be provided and the extent of proposed improvements shall be noted on the plans, including a planting plan and schedule.

D. The plan shall note the method by which the open space shall be owned and maintained in accordance with §27-565.

(Ord. 251, 11/14/2011, §27-562)

**§27-563. Design Standards for Open Space.**

All open space areas shall meet the following design standards:

A. *Layout of Open Space.*

(1) The open space shall be laid out in accordance with the best principles of site design, the open space plan for Richland Township, the Quakertown Area Linked Open Space Plan, and any other duly adopted open space plan. It is intended that the open space shall be as close to all residences as possible, with greenways leading to major recreation spaces. Open space areas shall be aggregated as much as possible. Major recreation areas shall be located to serve all residents. The open space is most needed in areas of highest density.

(2) In Uses B1 Single-Family Detached, B4 Single-Family Detached Enhanced Density, B5 Performance Standard Subdivision, and B6 Mobile Home Park the open space shall generally remain undivided and may be owned and maintained by the municipality, a homeowners' association, a land trust or another conservation organization recognized by the governing body. In the case of a working landscape such as a farm or orchard, the Board may allow a private individual to own the open space (typically as part of the original farmhouse). However, in no case shall less than 30% of the land comprising the net buildable area be available for common use and enjoyment. These ownership options may be combined so that different parts of the open space may be owned by different entities, but all parts of the open space shall be permanently protected through conservation easements.

Open space, when required as part of Use B7 Country Property developments may be contained within the Country Property lots when dedicated as an easement to the Township, or may be set aside as undivided open space designated for common use by the homeowners; for non-common use by an individual or organization; or for a combination of both. Refer to §§27-405.B7, 27-561.2, and 27-565 for use requirements, general requirements, and ownership of open space.

(3) Ten percent of the total tract acreage in Use B7 Country Property lots and all nonresidential land developments may be subject to the municipality's public land dedication requirement (typically to provide potential connections with the municipal open space and long-range trail networks). The decisions taken under this Section shall also be consistent with §§27-511, 27-512, 27-562

and 27-563 of this Chapter.

(4) Open space shall be designed as a continuous, interconnected system of areas, wherever possible.

(5) Open space shall be interconnected with common open space or government owned parkland on abutting tracts.

(6) Open space shall be comprised of areas not smaller than 20,000 square feet.

(7) Open space shall be comprised of areas with a minimum horizontal dimension in every direction of at least 75 feet.

(8) No more than 30% of required open space shall be located in a buffer yard.

(9) No portion of any building lot may be used for meeting the minimum required open space, except as permitted within Use B7 County Properties. However, active agricultural land with farm buildings, excluding areas used for residences, may be used to meet a portion of the minimum required open space.

B. A method of physically delineating private lots from common open space areas shall be provided. Such method may include shrubbery, trees, markers or other method acceptable to the municipality.

C. *Recreation Land.* Section 27-511.C of this Chapter requires that a portion of the open space be useable for active recreation. The following standards shall apply to the design of the recreation land:

(1) Areas set aside for active recreation purposes shall be of adequate size and configuration to accommodate the intended use. The National Recreation and Park Association Standards, standards established by a sport's governing body or standards obtained from another credible source shall be utilized to determine the exact spatial and dimensional requirements needed for a specific type of recreation area or facility.

(2) The recreation land shall not include narrow or irregular pieces of land which are remnants from lotting or the layout of streets and parking areas.

(3) The developer shall be required to improve the recreation land so that it is useable for the intended activity, including necessary facilities and equipment. The proposed improvements, including facilities and equipment, shall be acceptable to the municipality.

(4) The slope of recreation land to be used for active play areas shall not exceed 2%. Compliance with this slope requirement may be achieved through regrading, in keeping with applicable natural resource protection standards.

(5) At least one side of the recreation land shall abut a street for a minimum distance of 50 feet.

(6) Recreation land shall not be traversed by utility easements unless said utilities are placed underground and no part of them or their supportive equipment protrudes above ground level.

D. Open space, as part of B1 Single-Family Detached, B4 Single-Family

Detached Enhanced Density, B5 Performance Standard Subdivision, and B6 Mobile Home Park, shall be freely accessible to Township residents. However, the Township may, for areas of open space dedicated as and/or reserved for C16 Municipal Services, restrict public access to that specific portion of the open space parcel where such access would be detrimental to health, safety or welfare of the residents of Richland Township, at the sole discretion of the governing body.

(Ord. 251, 11/14/2011, §27-563)

**§27-564. Financial Guarantee for Open Space Maintenance.**

1. The municipality may require that the applicant establish and contribute to an open space endowment fund to cover the continuing costs of maintaining the land (involving activities such as mowing meadows, removing invasive vines, paying insurance premiums and local taxes, etc.), including costs associated with active or passive recreation facilities. Spending from this fund should be restricted to expenditure of interest so that the principal may be preserved. Assuming an annual average interest rate of 5%, the amount designated for the endowment fund shall be at least 20 times the estimated annual maintenance costs. Such estimate shall be prepared by an agency, firm, or organization acceptable to the municipality, and with experience in managing conservation land and recreational facilities, and subject to review by the Municipal Solicitor and approved by the municipality.

2. This fund shall be transferred by the developer to the designated entity with ownership and maintenance responsibilities (such as the municipality, a homeowners association, or a land trust) at the time this designated entity is created.

3. When estimating the projected maintenance costs of the open space, it is not necessary to include land that will be inaccessible by the subdivision residents for their common enjoyment. Such lands would typically include areas designated on the detailed final plan for future agricultural and horticultural, silvicultural, or equestrian uses, which may be leased or sold to another party for those express purposes, and which are protected from future development by a permanent conservation easement.

(Ord. 251, 11/14/2011, §27-564)

**§27-565. Ownership of Open Space.**

1. *General.* Open space shall be permanently restricted from future subdivision and development. Under no circumstances shall any development be permitted on such lands at any time, except for those uses listed in §§27-561 and 27-562.

2. *Ownership Options.* The following methods may be used, either individually or in combination, to own open space and common facilities. However, the municipality requires open space to be initially offered for dedication to the municipality, which shall have the right of first refusal. Common facilities shall not be transferred to another entity except for transfer to another method of ownership permitted under this Section, and then only when there is no change in the common facilities or in the open space ratio of the overall development.

Ownership methods shall conform to the following:

A. *Fee Simple Dedication to the Municipality.* The municipality may, but shall not be required to, accept any portion or portions of the open space provided the

following conditions are met:

- (1) There are no acquisition or maintenance costs to the municipality.
- (2) The municipality agrees to and has access to maintain such lands.

However, acceptance of any open space areas shall be conditioned upon the open space being in an acceptable condition to the municipality at the time of transfer with regard to size, shape, location, improvement and environmental concerns.

B. *Condominium Association.* Open space and common facilities may be controlled through the use of condominium agreements. Such agreements shall be in accordance with the Pennsylvania Uniform Condominium Act of 1980, 68 Pa.C.S.A. §3101 *et seq.*, as amended. All open land and common facilities shall be held as “common element.”

C. *Homeowners Association.* Open space and common facilities may be held in common ownership by a homeowners’ association, subject to all of the provisions for homeowners associations set forth in State regulations and statutes (such as the Uniform Planned Community Act of 1977, 68 Pa.C.S.A. §5101 *et seq.*). In addition, the following regulations shall be met:

- (1) The applicant shall provide the municipality, for its approval, a description of the organization of the proposed association, including its by-laws, and all documents governing ownership, maintenance, and use restrictions for the open space and common facilities.

- (2) The proposed association shall be established by the owner or applicant and shall be operating (with financial subsidization by the owner or applicant, if necessary) before the sale of any dwelling units in the development.

- (3) Membership in the association shall be automatic (mandatory) for all purchasers of dwelling units therein and their successors in title.

- (4) The association shall be responsible for maintenance and insurance of common facilities.

- (5) The by-laws shall confer legal authority on the association to place a lien on the real property of any member(s) falling delinquent in their dues. Such dues shall be paid with the accrued interest before the lien may be lifted.

- (6) Written notice of any proposed ownership transfer, by the association, of open space or common facilities, to another entity permitted in §27-565, or the assumption of maintenance of such lands of such common facilities must be given to all members of the association and to the municipality no less than 30 days prior to such event.

- (7) The association shall have adequate staff to administer, maintain, and operate such lands and common facilities.

D. *Private Conservation Organization or the County.* With permission of the municipality, an owner may transfer either fee simple title of the open space or easements on the open space to a private non-profit conservation organization or to the County provided that:

- (1) The conservation organization is acceptable to the municipality and

is a bona fide conservation organization intended to exist indefinitely.

(2) The conveyance contains appropriate provisions for proper reverter or retransfer in the event that the organization or Bucks County becomes unwilling or unable to continue carrying out its functions.

(3) The open space is permanently restricted from future development through a conservation easement and the municipality is given the ability to enforce these restrictions.

(4) A maintenance agreement acceptable to the municipality is established between the owner and the organization or Bucks County.

E. *Dedication of Easements to the Municipality.* The municipality may, but shall not be required to, accept easements for any portion of the open space or common facilities. In such cases, the open space or facility remains in the ownership of the condominium association, homeowners association, private conservation organization, or individual property owner (Use B7 only), while the easements are held by the municipality. In addition, the following regulations shall apply:

(1) There shall be no cost of acquisition to the municipality.

(2) Any such easements for public use shall be accessible to the residents of the municipality.

(3) A satisfactory maintenance agreement shall be reached between the owner and the municipality.

3. *Community Association Documents.*

A. A community association document, also known as a homeowner's association document or a condominium association document, shall be provided for all subdivision and land development applications which propose lands or facilities to be used or owned in common by all the residents of that subdivision or land development and not deeded to the municipality.

B. The elements of the community association document shall include, but shall not necessarily be limited to the following:

(1) A description of all lands and facilities to be owned by the community association. This description shall include a map of the proposal highlighting the precise location of those lands and facilities.

(2) Statements setting forth the powers, duties, and responsibilities of the community association, including the services to be provided.

(3) A declaration of covenants, conditions, and restrictions, giving perpetual easement to the lands and facilities owned by the community association. The declaration shall be a legal document that also provides for automatic association membership for all owners in the subdivision or land development and shall describe the mechanism by which owners participate in the association, including voting, elections, and meetings. Furthermore, it shall give power to the association to own and maintain the common property and to make and enforce rules.

(4) Statements prescribing the process by which the community association reach decisions and setting forth the authority to act.

(5) Statements requiring each owner within the subdivision or land development to become a member of the community association.

(6) Statements setting cross covenants or contractual terms binding each owner to all other owners for mutual benefit and enforcement.

(7) Requirements for all owners to provide a pro rata share of the cost of the operations of the community association.

(8) Provisions giving the association the legal right to place a lien on the real property of any member who fails to pay his/her dues. A process of collection and enforcement to obtain funds from owners who fail to comply.

(9) A process for transition of control of the community association from the developer to the unit owners.

(10) Statements describing how the lands and facilities of the community association will be insured, including limit of liability.

(11) Provisions for the dissolution of the community association, in the event the association should become unviable.

#### 4. *Deed Restrictions.*

A. Buffer yards as required by this Chapter may be held in the ownership of individual property owners of a residential development/subdivision for Use B1A Single-Family Detached Exemption, B2 Residential Conversion, B3 Rooming or Boarding House, B7 Country Property or B8 Urban Dwelling only. This form of ownership of open space shall be subject to the following requirements:

(1) Will be limited to buffer yards only.

(2) It may be used only if approved by the municipality.

(3) Restrictions meeting municipal specifications must be placed in the deed for each property that has buffer yards within its boundaries. The restrictions shall provide for the continuance of the buffer yard 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 municipality is provided.

D. For any of the above options, the municipality may accept, but is not required to accept, an easement to the open space land in the development.

5. *Maintenance.* Unless otherwise agreed to by the municipality, the cost and responsibility of maintaining facilities and open space shall be borne by the property owner, condominium association, homeowners association, or conservation organization.

A. The applicant shall, at the time of preliminary plan submission, provide

a plan for maintenance of open space and operation of common facilities in a form acceptable to the municipality.

B. In the event that the organization established to maintain the open space and the common facilities, or any successor organization thereto, fails to maintain all or any portion thereof in reasonable order and condition, the municipality may assume responsibility for maintenance, in which case any assets and general funds of the organization may be forfeited and any permits may be revoked or suspended.

C. The municipality may enter the premises and take corrective action, including extended maintenance. The costs of such corrective action may be charged to the property owner, condominium association, homeowners association, conservation organization, or individual property owners who make up a condominium or homeowners association and may include administrative costs and penalties. Such costs shall become a lien on said properties. Notice of such lien shall be filed by the municipality in the office of the Prothonotary of the County.

*(Ord. 251, 11/14/2011, §27-565)*

**§27-566. Costs.**

Unless otherwise agreed to by the municipality 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 municipality 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. 251, 11/14/2011, §27-566)*



**Part 6****Overlay Zoning Districts****A. Arterial Corridor (Overlay) District (AC)****§27-601. Applicability.**

The requirements of the Arterial Corridor (Overlay) District shall be in addition to the requirements of the underlying zoning districts. However, where no standards are mentioned herein, the provisions of the underlying zoning district shall apply. The Arterial Corridor (Overlay) District shall be an overlay to regulate the use of land along the following roadways:

A. Route 309, from the West Rockhill Township border to the Quakertown Borough southern border and Quakertown Borough northern border to the Springfield Township border.

B. Route 663, from the Quakertown Borough border to the Milford Township border.

C. Route 313, from the Quakertown Borough border to the East Rockhill Township border.

(*Ord. 251, 11/14/2011, §27-601*)

**§27-602. Limitations.**

Any use permitted in the underlying zoning district(s) by right, by special exception or as a conditional use shall be permitted within the Arterial Corridor (Overlay) District only when approved as a conditional use in accordance with the provisions of this Section and §27-1109 of this Chapter.

(*Ord. 251, 11/14/2011, §27-602*)

**§27-603. Access Management.**

No tract within the Arterial Corridor (Overlay) District shall be provided direct access to the arterial if adequate alternative access can be provided by way of a secondary, primary, collector or marginal access street or through joint access with a neighboring property already provided with an access to the arterial. Potentially negative impacts on the quality and character of surrounding properties or neighborhoods shall be satisfactorily mitigated by the landowner/developer. Where there is no adequate alternative access, direct access to the arterial shall be permitted in accordance with the following regulations:

A. No tract within the Arterial Corridor (Overlay) District shall be provided with more than one point of direct access to the arterial. Unless, and only if, one accessway is impracticable in the judgment of the governing body, two accessways [to an arterial, such as PA 309] may be permitted, provided they are separated from each other and from any accessway on any abutting property and from any intersecting street by a minimum of 500 feet, as measured along the frontage of the arterial. Where such spacing cannot be achieved, no more than one accessway shall be permitted, except that a second limited purpose (i.e., right-in and right-out only)

accessway may be permitted by the Board of Supervisors where the applicant demonstrates the need for the second access and as long as there is a minimum spacing of no less than 350 feet.

B. Within any tract to be subdivided or developed for two or more dwelling units or two or more nonresidential buildings, no individual dwelling unit or individual nonresidential building shall be provided with direct access to the arterial. All individual uses shall be accessed from an internal circulation system designed to serve the development of which they are a part.

*(Ord. 251, 11/14/2011, §27-603)*

**§27-604. Setbacks.**

All buildings and structures within the Arterial Corridor (Overlay) District shall be set back a minimum of 100 feet from the ultimate right-of-way line of the arterial or shall meet the front yard requirement of the underlying zoning district, whichever is greater.

*(Ord. 251, 11/14/2011, §27-604)*

**B. Age Qualified (Overlay) District (AQ)****§27-611. Purpose.**

The purpose of the Age Qualified (Overlay) District is to provide for a greater variety of housing and to serve the needs of older persons who prefer an independent residential environment and do not require intensive individual care. Age Qualified residential communities shall be designed and developed in accordance with §27-614 herein.

(Ord. 251, 11/14/2011, §27-611)

**§27-612. Applicability.**

The Age Qualified (Overlay) District shall be an overlay to regulate the use of land as identified by the official Zoning Map of Richland Township. The requirements of the Age Qualified (Overlay) District shall supersede the requirements of the underlying zoning districts. However, where no standards are mentioned herein, the provisions of the underlying district shall apply.

(Ord. 251, 11/14/2011, §27-612)

**§27-613. Limitations.**

Any use(s) permitted in the underlying zoning district(s) by right, special exception or as a conditional use shall be permitted as such within the Age Qualified (Overlay) District.

(Ord. 251, 11/14/2011, §27-613)

**§27-614. Development Regulations for Age Qualified Residential Communities.****1. Use Requirements.**

A. *Residential Uses.* Within the Age Qualified Overlay District the following residential and accessory uses shall be permitted by conditional use:

(1) *Dwelling Type B4 Single-Family Detached Enhanced Density.* Dimensional standards in accordance with §27-405.B4(c) for the AQ District. This shall include dwellings constructed on the lot, but exclude pre-fabricated dwellings, mobile/manufactured dwellings and modular dwellings.

(2) *Dwelling Types B5(b)3), 5), 7), and 8).* This shall include dwellings constructed on the lot, but exclude prefabricated dwellings, mobile/manufactured dwellings and modular dwellings.

(3) *Accessory Uses for an Age Qualified Residential Community.* These uses shall be specifically restricted to serve only the residents of the Age Qualified residential community and their invited guests and shall be limited to the following:

(a) Clubhouse consisting of auditorium, activity rooms, library, physical fitness and therapy center, lounge and similar facilities for members of the age qualified residential community and invited guests.

(b) Recreation facilities such as swimming pool, tennis court, chip and putt course and other activities determined appropriate by the Zoning

Officer.

(c) Guard station and/ or mechanical entrance gate.

2. *Development and Design Standards.* The following standards shall apply to any Age Qualified residential community. In the event of any conflict or contradiction between any regulation in this Chapter or the Richland Township Subdivision and Land Development Ordinance [Chapter 22], the standards set forth in this Section shall control:

A. Minimum site area: 50 contiguous acres of land.

B. Maximum impervious surface ratio, including building coverage: 25% of net buildable site area.

C. *Maximum Density.* The maximum density in an Age Qualified community shall be two and two-tenths units per acre of “net buildable site area” as calculated in §27-511.D.

D. *Setbacks from Property Lines.* No principal or accessory building shall be less than 35 feet from any tract boundary or 50 feet from the ultimate right-of-way of existing perimeter streets.

(1) A gate house/guard house may be permitted within the required setback from an existing perimeter street.

E. Individual lot requirements for an Age Qualified residential community shall be in accordance with §27-405.B4(c) or 27-405.B5(b)3), 5), 7), 8).

(1) When not specified maximum impervious coverage shall not exceed 45% per lot.

F. *Off-Street Parking Per Dwelling Unit.* Minimum of two spaces which may include one garage space. In addition, where on street parking is not authorized by Richland Township one-half space per dwelling unit shall be provided in common facilities for overflow and visitors.

G. *Open Space.* Not less than 60% of the area of the tract developed shall be retained as open space for use by the residents for recreation, leisure activities, resource protection, amenities, etc. Open space may be any combination of common open space and active open space. Open space having a dimension less than 75 feet in width or containing an individual area less than 20,000 square feet shall not be counted toward the minimum open space requirement.

H. *Future Road Rights-of-Way.* At the discretion of the Board of Supervisors, the minimum future right of way for internal roads may be reduced from the requirements of §27-555 herein.

3. *Buffer / Screening and Street Boundary Requirements.*

A. *Buffer.* Along all exterior property boundary lines there shall be a permanent Class A landscape buffer class in accordance with §27-516.

B. *Existing Features.* In cases where an edge(s) of a development occurs along natural features which function as landscape buffers including, but not limited to, mature vegetation, significant grade changes or stream valleys, which are likely to be permanently preserved, buffering as required in subsection .3.A may not be required at the sole discretion of the governing body.

C. *Street Boundaries.* Along all ultimate rights-of-way there shall be a

permanent Class B landscape buffer class in accordance with §27-516.

D. *Extensive Setbacks.* Where principal and accessory buildings are set back at least 250 feet from a property boundary line or existing perimeter street ultimate right-of-way, the landscaping requirements of subsection .3.A may not be required at the sole discretion of the governing body.

E. *Maintenance.* All buffer vegetation required by this Section shall be maintained permanently and in the event of death or other destruction shall be replaced within 6 months by the party responsible for maintenance when death or destruction occurred.

F. *Buffer Landscape Plan.* A landscaping plan shall be submitted with the final plans showing all pertinent information, including the location, size and species of individual trees and shrubs to be preserved or planted or alternatively the general characteristics of existing vegetation masses which are to be preserved.

#### 4. *General Requirements.*

A. All dwelling units and other buildings within an Age Qualified community shall be served by public sewer and public water.

B. The conditional use application shall include the following:

(1) Appropriate design plans and/or specifications of the entire site, substantially in conformance with the requirements for a preliminary land development.

(2) Proposed phasing of the entire site plan.

(3) Photographs depicting the entire site.

(4) Appropriate engineering responses to any identified or suspected site development problems.

(5) Schematic architectural plans and elevations of the proposed buildings.

(6) Other related information required to support the application.

C. *Common Areas and Facilities.* Provisions shall be made for the perpetual maintenance care and ownership of all common areas including streets, driveways, parking areas, walkways, landscaped planting areas, open space, recreation, and stormwater management systems by a private association approved by the governing body and none of these facilities shall be offered for dedication to the Township.

D. *Other Facilities.* Such other improvements including roads, curbs and stormwater collection and control facilities as required by Richland Township Subdivision and Land Development Ordinance [Chapter 22] shall be provided.

E. *Parking for Recreational Vehicles.* Provisions shall be made for outdoor storage of recreational vehicles such as boats, campers and motor homes within an age restricted community, subject to the following minimum requirements:

(1) No parking spaces or spillover parking spaces required for dwelling units pursuant to these regulations shall be utilized for outdoor parking/storage of recreational vehicles. Outdoor storage of recreational vehicles shall be limited to designated parking/storage areas.

(2) Designated parking storage areas shall be of sufficient size to

accommodate the estimated number of recreational vehicles that may be owned by the residents of the community. The developer shall provide methodology used in determining the number of spaces/size required for the parking/storage area for review and approval by the Township.

(3) Designated parking/storage areas for recreational vehicles shall provide adequate maneuvering space so that the use of these facilities will not interfere with traffic movement through the community.

(4) Access to the designated parking/storage areas for recreational vehicles shall be provided from internal streets/parking areas and not from existing public streets.

(5) Designated parking/storage areas for recreational vehicles shall be adequately screened with berms and/or landscape plantings so as not to be visible from surrounding dwellings, except at access points.

5. *Unit Occupancy.*

A. No more than four persons shall occupy a dwelling on a permanent basis, at least one of whom shall be 55 years of age or older. With the exception of full time care-givers, no persons under the age of 19 shall occupy a dwelling for more than 3 months in a calendar year.

B. Occupants, if unrelated by blood or marriage, shall be 55 years or older.

C. *Declaration of Age Restriction.* At the time of subdivision and land development, as prerequisite to recording of any final plan approved, the developer shall record a declaration against the entire tract, in a form acceptable to the Township, binding all properties and owners to the restriction which shall require the permanent residents of an age qualified community residing in individual dwelling unit within the Age Qualified (Overlay) District to be age 55 or older, and shall require that, with the exception of full time care-givers, any resident of an individual dwelling unit within the Age Qualified community under the age of 19 years of age shall not reside in that unit for more than 3 months in any calendar year.

(Ord. 251, 11/14/2011, §27-614)

**Part 7****Airport Zoning Overlay District****§27-701. General Definitions.**

The following definitions shall supplement the definitions in Part 2 of the ordinance codified in this Part and shall apply to the requirements and standards of this Part 7.

*Airport elevation* - the highest point of an airport's useable landing area measured in feet above sea level.

*Airport hazard* - any structure or object, natural or manmade, or use of land which obstructs the airspace required for flight or aircraft in landing or taking off at an airport or is otherwise hazardous as defined in 14 CFR Part 77 and 74 Pa. C.S.A. §5102.

*Airport hazard area* - any area of land or water upon which an airport hazard might be established if not prevented as provided for in this Part 7 and the Pennsylvania Aviation Code (74 Pa. C.S.A 5101 *et seq.*).

*Approach surface (zone)* - an imaginary surface longitudinally centered on the extended runway centerline and extending outward and upward from each end of the primary surface. An approach surface is applied to each end of the runway based on the planned approach. The inner edge of the approach surface is the same width as the primary surface and expands uniformly depending on the planned approach. The approach surface zone, as shown on Part 77 Surface Areas Diagram, is derived from the approach surface.

*Approach, transitional, horizontal and conical zones* - the zones established by §27-702 of this Chapter.

*BOA* - Pennsylvania Department of Transportation Bureau of Aviation.

*Conical surface (zone)* - an imaginary surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 feet horizontally to 1 foot vertically for a horizontal distance of 4,000 feet. The conical surface zone, as shown on Part 77 Surface Areas Diagram, is based on the conical surface.

*Department* - Pennsylvania Department of Transportation.

*FAA* - Federal Aviation Administration of the United States Department of Transportation.

*Hazard to air navigation* - an obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

*Height* - for the purpose of determining the height limits in all zones set forth in this Part 7 and shown on the zoning map, the datum shall be mean sea level elevation unless otherwise specified.

*Horizontal surface (zone)* - an imaginary plane 150 feet above the established airport elevation that is constructed by swinging arcs of various radii from the center of the end of the primary surface and then connecting the adjacent arc by

tangent lines. The radius of each arc is based on the planned approach. The horizontal surface zone, as shown on Part 77 Surface Areas Diagram, is derived from the horizontal surface.

*Larger than utility runway* - a runway that is constructed for and intended to be used by propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet powered aircraft.

*Nonconforming use* - any preexisting structure, object of natural growth, or use of land which is in existence at the time of the adoption of this Part 7 and is inconsistent with the provisions of this Part 7 or an amendment thereto.

*Non-precision instrument runway* - a runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

*Obstruction* - any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth by this Part 7.

*Precision instrument runway* - a runway having an existing instrument approach procedure utilizing an instrument landing system (ILS) or a precision approach radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.

*Primary surface (zone)* - an imaginary surface longitudinally centered on the runway, extending 200 feet beyond the end of paved runways or ending at each end of turf runways. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline. The primary surface zone, as shown on Part 77 Surface Areas Diagram, is derived from the primary surface.

*Runway* - a defined area of an airport prepared for landing and takeoff of aircraft along its length.

*Structure* - an object, including a mobile object, constructed or installed by man, including but without limitation buildings, towers, cranes, smokestacks, earth formations and overhead transmission lines.

*Transitional surface (zone)* - an imaginary surface that extends outward and upward from the edge of the primary surface to the horizontal surface at a slope of 7 feet horizontally to 1 foot vertically (7:1). The transitional surface zone, as shown on Part 77 Surface Areas Diagram, is derived from the transitional surface.

*Tree* - any object of natural growth.

*Utility runway* - a runway that is constructed for and intended to be used by propeller driven aircraft of 12,500 pounds maximum gross weight or less.

*Visual runway* - a runway intended solely for the operation of aircraft using visual approach procedures.

(Ord. 263, 3/9/2015, §4)

**§27-702. Establishment of Airport Zones.**

1. *Generally.* There are hereby created and established certain zones within the Airport Overlay District, as defined in §27-701 and depicted on Part 77 Surface Areas Diagram, which include:

- A. Approach surface zone;
- B. Conical surface zone;
- C. Horizontal surface zone;
- D. Primary surface zone;
- E. Transitional surface zone.

2. *Quakertown Airport.* The Quakertown Airport Surface Areas Map, March 11, 2010, is hereby adopted as part of this Part 7.

3. *Pennridge Airport.* The Pennridge Airport Surface Areas Map, March 11, 2010, is hereby adopted as part of this Part 7.

(Ord. 263, 3/9/2015, §4)

**§27-703. Airport Zone Height Limitations.**

*Generally.* Except as otherwise provided in this Part 7, no use shall be permitted and no structure shall be erected, altered or maintained and no tree shall be allowed to grow in any zone created by this Part 7 to a height in excess of the applicable height limit herein established for such zone. Such applicable height limitations are hereby established for each of the zones created by this Part 7 as follows:

A. *Utility Runway Visual Approach Zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

B. *Utility Runway Nonprecision Instrument Approach Zone.* Slopes 20 feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

C. *Transitional Zones.* Slopes 7 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 526 feet above mean sea level for the Quakertown Airport and 568 feet above mean sea level for the Pennridge Airport. In addition to the foregoing, there are established height limits sloping 7 feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface.

D. *Horizontal Zone.* Established 150 feet above the airport elevation or to a height of 676 feet above mean sea level for the Quakertown Airport and 718 feet above mean sea level for the Pennridge Airport.

E. *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.

F. *Excepted Height Limitations.* Nothing in this Part 7 shall be construed as prohibiting the construction or maintenance of any structure, or growth of any tree to a height up 35 feet above the surface of the land.

(Ord. 263, 3/9/2015, §4)

#### **§27-704. Use Restrictions.**

Notwithstanding any other provisions of this Part 7, no use may be made of land or water within any zone established by this Part 7 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 other lights, result in glare in the eyes of 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. 263, 3/9/2015, §4)

#### **§27-705 Nonconforming Uses.**

1. *Preexisting Nonconforming Uses.* The regulations prescribed by this Part 7 shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Part 7, or otherwise interfere with the continuance of a nonconforming use. No nonconforming use shall be structurally altered so as to increase the nonconformity, and a nonconforming use, once substantially abated, may only be reestablished consistent with the provisions of Part 8 of this Zoning Ordinance.

2. *Marking and Lighting.* Notwithstanding the preceding provisions of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by the Bucks County Airport Authority 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 Bucks County Airport Authority.

(Ord. 263, 3/9/2015, §4)

#### **§27-706 Permits.**

1. *Future Uses.* Except as provided in subsections A., B. and C. hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established and no tree shall be planted in any zone hereby created unless a permit therefor shall have been applied for and granted by the Township Zoning Officer. 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. The Zoning Officer shall review each application for compliance with this Part 7 and any other applicable provisions of the Zoning Ordinance. If the Zoning Officer makes such a determination in the affirmative, the permit shall be granted. No permit for a

use inconsistent with the provisions of this Part 7 shall be granted unless a variance has been approved in accordance with the applicable provisions of this Part 7 and the Township's Zoning Ordinance.

Nothing contained in any of the following 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 of the height limits established by this Part 7 or the Richland Township Zoning Ordinance.

A. In the area laying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limit prescribed for such zones.

B. In areas laying 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 would extend above the height limit prescribed for such approach zones.

C. In the areas laying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than 75 feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features, would extend above the height limit prescribed for such transition zones.

2. *Existing Uses.* No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure or tree to become a greater hazard to air navigation than it was on the effective date of this Part 7 or any amendments thereto or than it was when the application for a permit was made.

3. *Nonconforming Uses Abandoned or Destroyed.* Whenever the Board of Supervisors of Richland Township determines that a nonconforming tree or structure has been abandoned or more than 80% torn down, physically deteriorated or decayed, no permit shall be granted that would allow the structure or tree to extend above the applicable height limit or otherwise deviate from the zoning regulations.

4. *Variations.* Any person desiring to erect or increase the height of any structure or permit the growth of any tree, or use of property not in accordance with the regulations prescribed in this Part 7, may apply to the Zoning Hearing Board for a variance from such regulation(s). The application for a 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 air space. Such variations shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in an unnecessary hardship and that the relief requested will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial injustice, and will be in accordance with the spirit of this Part 7. Additionally, no application for a variance to the requirements of this Part 7 may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the Airport Manager, if any, the Chairman of the Bucks County Airport Authority, and the owner of the real estate on which the airport is located for advice as to aeronautical effects of the variance request.

If the Airport Manager, if any, the Chairman of the Bucks County Airport Authority, and the owner of the real estate on which the airport is located do not respond to the notice of the application within 15 days after receipt, the Zoning Hearing Board may act on its own to grant or deny the application based upon the standards set forth in this Part 7 and the applicable provisions of the Municipalities Planning Code.

5. *Obstruction Marking and Lighting.* Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Part 7 and is reasonable under the circumstances, be so conditioned as to require the owner of the structure or tree in question to install, operate and maintain, at the owner's expense, such markings and lights as may be necessary.

(Ord. 263, 3/9/2015, §4)

**§27-707. Enforcement.**

It shall be the duty of the Zoning Officer of Richland Township to administer and enforce the regulations prescribed herein. Applications for permits and variances shall be made to the Zoning Officer of Richland Township upon the form so established by the Township. Applications required by this Part 7 to be submitted to the Zoning Officer shall be promptly considered.

(Ord. 263, 3/9/2015, §4)

**§27-708. Notification.**

If required by the Airport Zoning Act, or other applicable statute of this Commonwealth, the Zoning Officer and the Zoning Hearing Board, after the issuance of a written decision permitting or granting a variance hereunder, shall notify the Pennsylvania Department of Transportation of its decision. Such notice shall be in writing and shall be sent so as to reach the Department at least 10 days before the date upon which the decision is issued.

(Ord. 263, 3/9/2015, §4)

**Part 8****Nonconformities****§27-801. Definitions.**

1. Nonconforming lot means a lot, the area or dimensions of which was lawful prior to the adoption or amendment of this Chapter, but which fails to conform to the requirements of the zoning district in which it is located by reason of such adoption or amendment.

2. Nonconforming structure means a structure or part of a structure, which does not comply with the applicable use or extent of use provisions of this Chapter or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

3. Nonconforming use means a use, whether of land or of structure, which does not comply with the applicable use provisions of this Chapter or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of such ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

*(Ord. 251, 11/14/2011, §27-801)*

**§27-802. Registration of Nonconforming Uses, Structures and Lots.**

The Zoning Officer may, upon adoption of this Chapter or amendment thereof, identify and register all nonconforming uses, structures and lots. Upon identifying the nonconformity, the Zoning Officer shall mail registration forms to the owner of record.

*(Ord. 251, 11/14/2011, §27-802)*

**§27-803. Continuation.**

The lawful use of a building or structure or the lawful use of any land as existing as of March 29, 1999, 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 or structure does not conform to the provisions of this Chapter or subsequent amendments.

*(Ord. 251, 11/14/2011, §27-803)*

**§27-804. Nonconforming Lots.**

1. A building or structure may be erected or altered on any lot held as of the effective date of this Chapter (July 1975) in single and separate ownership which is not of the required width or minimum area, provided that the lot is of sufficient size to assure adequate and safe facilities for the disposal of sewage and waste products and there is adequate separation between sewage and waste disposal system and all water supplies; and provided that:

A. Those lots not sewed by public water and public sewer shall meet all

requirements of the Bucks County Department of Health.

B. The maximum building coverage and impervious coverage shall meet the requirements of the proposed use in the district in which the nonconforming lot is located in.

C. For a permitted nonresidential use, the lot shall be subject to the floor area ratio established in §27-513 for the district in which the permitted use is located.

D. The aggregate of the front and rear yards shall be at least 60% of the total lot depth or meet the minimum requirements of the district in which the lot is located; but the front yard or the rear yard shall not be less than 25 feet.

E. The side yards shall aggregate at least 40% of the total lot width or meet the minimum requirements of the district in which the lot is located; the side yard shall not be less than 10 feet in any district.

2. This exception shall not apply to any two or more contiguous lots in single or common ownership as of or subsequent to the effective date of this Chapter (July 1975), in any case where a re-parceling or replatting could create one or more lots which would conform to the ordinance or which could be consolidated to minimize the nonconformity. (*Ord. 251, 11/14/2011, §27-804*)

#### **§27-805. Extension of Nonconforming Uses and Structures.**

1. A nonconforming structure may be extended along the existing building lines or existing building plane of the existing nonconformity, provided that the expansion does not create a nonconformity with any other setback requirement and does not extend further into a required yard.

2. A nonconforming use may be extended by special exception; provided, that:

A. 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 nonconforming. Permission to extend a nonconforming use as described in this Part shall not be construed to mean that a new use or uses may be established.

B. The proposed extension shall conform with the area and dimensional requirements in §27-513 for the district in which said extension is located and with the parking, sign, buffer and environmental standards and all other applicable requirements of this Chapter.

C. Any increase in floor area or land area shall not exceed an aggregate of more than 50% of the floor area or land area existing at the date the use became nonconforming.

(*Ord. 251, 11/14/2011, §27-805*)

#### **§27-806. Restoration.**

1. A nonconforming structure or any structure containing a nonconforming use wholly or partially destroyed by fire, explosion, flood or other phenomenon, legally condemned or needing to be replaced or reconstructed for any reason, may be replaced or reconstructed and used for the same nonconforming use; provided, that replacement or reconstruction shall not increase the extent of any nonconformity and that replacement or reconstruction of the structure shall commence within 1 year from the date the structure was destroyed, condemned or removed and shall be carried on

without interruption.

2. Any building(s) or structure(s) including mobile/manufactured homes and storage sheds, which are nonconforming with respect to area and/or dimensional criteria, may be replaced with another building or structure provided that the replacement building or structure does not increase the extent of any nonconformity beyond the existing nonconformity.

(Ord. 251, 11/14/2011, §27-806)

**§27-807. Ownership.**

Whenever a lot is sold to a new owner, a previously lawful nonconforming use may be continued by the new owner. A change in nonconformity is governed by §27-809.

(Ord. 251, 11/14/2011, §27-807)

**§27-808. Abandonment.**

If a nonconforming use of a structure or land is abandoned for a continuous period of 1 year, subsequent use of such structure or land shall be in conformity with the provisions of this Chapter, unless the owner can demonstrate an intent to try to continue the use, for example, providing listings which show an attempt to rent or sell the property.

(Ord. 251, 11/14/2011, §27-808)

**§27-809. Changes.**

A change in use (as defined in §27-202 of this Chapter) includes any change among the specific uses identified under each category in the §27-404, "Table of Use Regulations." 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 conforming 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, ash, dust, fumes, vapors, gases, heat, odor, glare or vibration.

(3) Storage and waste disposal.

(4) Appearance.

(Ord. 251, 11/14/2011, §27-809)



**Part 9****Signs****§27-901. Scope and Applicability.**

Any sign hereafter erected and maintained shall conform with the provisions of this Part and any other Municipal ordinances and regulations.

(Ord. 251, 11/14/2011, §27-901)

**§27-902. Definitions.**

*Animated sign*—a sign that moves or has an optical illusion of moving, such as the movement of any illumination or the flashing or varying of light intensity to depict action or create a special effect or scene, or a sign that has changing messages. For purposes of this Chapter, a sign that changes static messages not more than once every 8 seconds shall not be considered an animated sign.

*Banner*—any sign of lightweight fabric or similar material that is mounted to a pole, a building or any other structure. Flags representing governmental, educational or religious organizations shall not be considered banners.

*Beacon*—any light with one or more beams directed into the atmosphere or directed at one or more points not on the same lot as the light source; also, any light with one or more beams that rotate or move.

*Billboard*—see “outdoor advertising sign.”

*Building marker*—any sign indicating the name of a building and date and incidental information about its construction, which sign is cut into a masonry surface or made of bronze or other permanent material.

*Building sign*—any sign attached to any part of a building, as contrasted to a freestanding sign.

*Canopy sign*—any sign that is a part of an awning, canopy or other fabric, plastic or structural protective cover over a door, entrance, window or outdoor service area. A marquee is not a canopy.

*Changeable copy sign*—a sign or portion thereof which has a reader board for the display of text information in which each alphanumeric character, graphic or symbol is defined by objects, not consisting of an illumination device and may be changed or rearranged manually or mechanically with characters, letters, or illustrations that can be changed or rearranged without altering the face or the surface of the sign.

*Changeable copy sign, electronic*—a sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character, graphic, or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. A sign on which the message changes more than every 8 seconds shall be considered an animated sign and not an electronic changeable copy sign for the purposes of this Chapter.

*Commercial message*—any sign wording, logo or other representation that, directly

or indirectly, names, advertises or calls attention to a business, product, service or other commercial activity.

*Electronic graphic displays (digital billboards)*—an off-premises sign 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), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade. Electronic graphic display signs shall include computer programmable, microprocessor controlled electronic or digital displays.

*Freestanding sign*—any sign supported by an upright(s) that is anchored in the ground and that is independent from any building or other structure.

*Incidental sign*—a sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as “no parking,” “entrance,” “telephone,” “no trespassing” and other similar directives, and window signs giving store hours or the names of credit institutions. No sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

*Marquee*—any permanent roof-like structure projecting beyond a building or extending along and projecting beyond the wall of the building, generally designed and constructed for commercial use to provide protection from the weather or for advertising.

*Marquee sign*—any sign attached to, in any manner or made a part of a marquee.

*Mobile billboards*—any vehicle or trailer which has attached thereto or thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. These shall not include business logos, identification or advertising on vehicles primarily used for other business purposes.

*Multi-vision sign (tri-vision)*—any sign composed in whole or in part of a series of vertical or horizontal slats or cylinders that are capable of being rotated at intervals so that partial rotation of the group of slats or cylinders produces a different image and, when properly functioning, allows on a single sign structure the display at any given time one of two or more images.

*Off-premises sign*—a sign which directs attention to an object, product, service, place, activity, person, institution, organization or business that is primarily offered at a location other than the lot upon which the sign is located.

*On-premises sign*—a sign which directs attention to an object, product, service, place, activity, person, institution, organization or business that is offered on the lot upon which the sign is located.

*Outdoor advertising sign/billboard*—a permanent, large-scale, freestanding structure sign which meets any one or more of the following criteria:

- A. It is used as an off-premises sign.
- B. It is used for general advertising for hire.
- C. It functions as a principal or separate principal use of the land on which it is located.

The term “billboard” applies to all physical parts of the sign, including display

faces, structure, support poles, attached ladders, attached catwalks, and appurtenant lighting systems, and visual display systems.

*Pennant*—any lightweight plastic, fabric or other material which does not contain a message and is suspended from a rope, wire or string, usually in series, designed to move in the wind.

*Political signs*—a sign which displays or identifies an individual, individuals, slate of candidates, or political party standing or running for election in a primary or general election event for a Federal, State, County, or local municipal/school board office, and/or a sign supporting, opposing, or commenting upon a referendum issue placed upon the ballot for consideration by the general voting public in either a primary or general election.

*Portable sign*—any sign 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 including, but not limited to, signs converted to A- or T-frames; balloons used as signs; umbrellas used for advertising; and signs attached to or painted on vehicles parked and visible from the public right-of-way.

*Projecting sign*—any sign affixed to a building or wall in such a manner that its leading edge extends more than 14 inches beyond the surface of such building or wall. Projecting signs shall not project more than 4 feet from the wall or surface to which they are attached, shall not extend beyond the edge of any wall or other surface to which they are mounted, and the lowest edge shall be at least 8 feet above the ground level immediately below.

*Real estate signs*—a sign which is used to offer for sale, lease, or rent the premises upon which such sign is placed.

*Residential sign*—any sign located in a district zoned for residential uses that contains no commercial message except advertising for goods or services legally offered on the premises where the sign is located.

*Roof sign*—any sign erected and constructed wholly on and over the roof of a building, supported by the roof structure, and extending vertically above the highest portion of the roof.

*Roof sign, integral*—any sign erected or constructed as an integral or essentially integral part of a normal roof structure of any design, such that no part of the sign extends vertically above the highest portion of the roof and such that no part of the sign is separated from the rest of the roof by a space of more than 14 inches.

*Sign*—any device, fixture, placard or structure that uses any color, form, graphic, illumination, symbol or writing to advertise, announce or identify the purpose of a person or entity or to communicate information of any kind to the public.

*Video billboard*—an outdoor advertising 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 billboards include projected images or messages with these characteristics onto buildings or other objects.

*Wall sign*—any sign attached parallel to, but within 14 inches of a wall, painted on a wall surface or erected and confined within the limits of an outside wall of any building or structure, which is supported by such wall or building, and which displays only one sign surface.

*Window sign*—any sign, picture, symbol or combination thereof, designed to communicate information about an activity, business, commodity, event, sale or service, which is placed inside a window or upon the window panes or glass and is visible from the exterior of the window.

(Ord. 251, 11/14/2011, §27-902)

### **§27-903. Area of Signs.**

1. 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.

2. The area of a sign painted upon or applied to a building shall be considered to include all lettering, wording, and accompanying designs or symbols together with any backing associated with the sign.

3. Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall, canopy or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

4. 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 degrees, then both sides of such sign shall be considered in calculating the sign area.

5. Lots fronting on two or more streets may compute the sign area for each street frontage separately; however, signage cannot be accumulated and used on one street in excess of that allowed for lots with only one street frontage.

(Ord. 251, 11/14/2011, §27-903)

### **§27-904. Illumination of Signs.**

1. *Directly Illuminated Sign.* A sign designed to give forth artificial light directly (or through transparent or translucent material) from a source of light within such sign including, but not limited to, neon and exposed lamp signs.

2. *Indirectly Illuminated Sign.* A sign illuminated with a light so shielded that no direct rays there from are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.

3. *Non-Illuminated Sign.* A sign which is not illuminated either directly or indirectly.

(Ord. 251, 11/14/2011, §27-904)

### **§27-905. Height of Signs.**

1. The height of a freestanding sign shall be computed as the distance from the

normal grade to the top of the highest attached component of the sign. Normal grade shall be the existing grade prior to construction or the newly established grade after construction (exclusive of any filling, berming, mounding or excavating solely for the purpose of locating the sign), whichever is lower.

2. For a projecting roof or wall sign, the height shall be determined by its placement on the building.

(Ord. 251, 11/14/2011, §27-905)

**§27-906. Placement of Signs.**

1. In no case shall any sign be erected so that it:

A. Interferes with traffic through glare or through confusion with a traffic control device (by reason of color, location, shape, wording or other characteristic) or through any other means.

B. Lies within the clear sight triangle as specified in §27-554.

C. Lies within a parking space or parking aisle.

D. Blocks the movement of pedestrians traveling on public thoroughfares.

E. Blocks the entrance, exit, fire escape or fire lane to a building.

2. Signs shall not be located within, nor project into, the ultimate right-of-way of a street. In addition, the following minimum setback requirements shall be met:

A. Signs of 2 square feet or less shall be set back at least 2 feet from a sidewalk or the cartway of a street.

B. Signs of 6 square feet or less shall be set back at least 5 feet from a sidewalk or the cartway of a street.

C. Signs which are greater than 6 square feet shall be set back at least 10 feet from a sidewalk or the cartway of a street.

3. Signs shall be no closer than 15 feet to a side or rear lot line.

(Ord. 251, 11/14/2011, §27-906)

**§27-907. Exempted Signs.**

The following signs, to the extent indicated, are exempt from the requirement of obtaining a sign permit:

A. *Street Sign.* An official highway route number sign, street name sign, directional or other traffic sign. These may be erected and maintained on public roads and highways in the interest of public safety or for the regulation of traffic.

B. *Legal Notice Sign.* An on-premises, temporary sign which contains information required by an ordinance or law.

C. *Official and Governmental Signs.* Such signs include safety signs, signs indicating points of interest, historical plaques, public parks or recreation facilities, public information kiosks or directional signage erected by the Township or other Governmental entity. Signs identifying official Township or other governmental buildings or facilities. Signs identifying government buildings or facilities may be directly or indirectly illuminated.

D. *Real Estate Signs.*

(1) The area of the sign shall meet the size requirements for temporary signs in the district the sign is located.

(2) No more than one sign per street frontage with a maximum total of two signs on any one property.

(3) Signs advertising the sale or rental of the premises upon which said sign has been erected shall be permitted until there is an agreement of sale, lease, or rental for the property. The sign shall be removed within 20 days upon settlement or upon execution of the lease.

(4) Signs advertising sales within a development of more than one dwelling unit erected by a builder or developer or real estate agent may be erected; provided, that the sign is placed on the property to which it relates and that it does not exceed a size of 8 square feet. Such sign shall be removed within 20 days after the settlement or execution of a lease of the last dwelling unit.

(Ord. 251, 11/14/2011, §27-907)

#### **§27-908. Prohibited Signs.**

The following signs are unlawful and prohibited:

A. Animated signs.

B. Beacons.

C. Portable signs for permanent use.

D. Pennants.

E. Signs containing information that a property may be used for any purpose not permitted in the zoning district in which the property to which the sign relates is located.

F. Signs illuminated by a group of incandescent light bulbs hung or strung overhead or used to outline a sign or structure, with the exception of festive lighting.

G. Any sign erected on a tree or utility pole or painted or drawn on a rock or other natural feature.

H. *Flashing Signs.* Any signs that include lights which flash, blink or turn on and off intermittently, but not including time and temperature signs.

I. *Glaring Signs.* Signs with light sources or reflecting brightness which constitutes a hazard or nuisance.

J. *Video Billboards.* As such term is herein defined, shall not be permitted in Richland Township.

K. Off-premises signs, with the exception of official and governmental signs (§27-907.C), billboards (§27-911.4) and mobile billboards (§§27-911.5 and 27-912.3).

(Ord. 251, 11/14/2011, §27-908)

#### **§27-909. Signs Permitted in All Zoning Districts.**

The following signs shall be permitted in all zoning districts and do not require a permit, provided the applicable requirements have been met. In addition, such signs

shall not be counted when calculating the maximum total area of all signs on a lot.

A. Incidental signs, provided the area of any such sign shall not exceed 2 square feet.

B. Flags representing governmental, educational or religious organizations, provided that the total area of all such flags shall not exceed 60 square feet in area.

C. Identification signs displaying only the name and/or address of the occupant of a premises, provided that the area of any such sign shall not exceed 200 square inches, and provided that only one such sign shall be permitted per premises.

D. Building markers or historical signs or tablets provided that the total area of such signs shall not exceed 4 square feet per building.

E. Political signs.

(Ord. 251, 11/14/2011, §27-909)

**§27-910. Signs in Residential Districts.**

1. In the RP, RA, SRC, SRL, SRM, SRH and URL Districts, the following sign regulations shall apply to residential uses:

A. Each lot shall be permitted one residential sign in accordance with the following requirements:

- (1) The maximum area of any such sign shall be 2 square feet.
- (2) A freestanding sign or a wall sign shall be permitted.
- (3) Such sign shall be non-illuminated or indirectly illuminated.

B. Each lot shall be permitted temporary signs in accordance with the following requirements:

- (1) The maximum area of any such sign shall be 6 square feet.
- (2) Freestanding signs or window signs shall be permitted.
- (3) Such signs shall be non-illuminated.
- (4) No more than four temporary signs shall be permitted in any 1 calendar year and no more than two temporary signs shall be permitted on a lot at any one time.
- (5) Such signs shall be removed after 30 days.

C. Each residential development or complex shall be permitted an identification sign at each principal access drive subject to the following requirements:

- (1) The maximum area of any such sign shall be 12 square feet.
- (2) A freestanding sign shall be permitted.
- (3) Such sign shall be non-illuminated or indirectly illuminated.

D. The maximum height of a freestanding sign shall be 6 feet.

2. In the RP, RA, SRC, SRL, SRM, SRH and URL Districts, the following sign regulations shall apply to permitted nonresidential uses and lawful nonconforming uses:

A. Each lot shall be permitted permanent signs in accordance with the

following requirements:

- (1) One freestanding sign with a maximum area of 12 square feet.
- (2) One wall sign with a maximum area of 10 square feet.
- (3) The signs permitted by subparagraphs (1) and (2) above may be changeable copy signs provided that they are not directly illuminated.
- (4) Such signs shall be non-illuminated or indirectly illuminated.

B. Each lot shall be permitted temporary signs in accordance with the following requirements:

- (1) The maximum area of any such sign shall be 10 square feet.
- (2) Freestanding signs, banners and window signs shall be permitted.
- (3) Such signs shall be non-illuminated.
- (4) No more than four temporary signs shall be permitted in any 1 calendar year and no more than two temporary signs shall be permitted on a lot at any one time.
- (5) Such signs shall be removed after 15 days.

C. The maximum height of a freestanding sign shall be 6 feet.

(Ord. 251, 11/14/2011, §27-910)

#### **§27-911. Signs in the PC Districts.**

1. The following types of permanent signs shall be permitted in the PC Districts:

A. Each lot shall be permitted one freestanding sign in accordance with the following requirements:

- (1) The area of any such sign shall not exceed 1 square foot for each 2 feet of street frontage or 150 square feet, whichever is smaller.
- (2) The maximum height of any such sign shall be 20 feet.

B. Each lot shall be permitted building signs in accordance with the following requirements:

- (1) The total area of all building signs shall not exceed 15% of the exterior area of the front building wall (including window and door area and cornices) of the principal building.
- (2) Canopy signs, projecting signs, integral roof signs, marquee signs, wall signs and window signs shall be permitted.
- (3) Not more than one projecting sign or marquee sign shall be permitted per principal building and such sign shall not exceed 32 square feet.
- (4) Not more than two integral roof signs shall be permitted per principal building.
- (5) Window signs shall not exceed 25% of the total window area.

C. The signs permitted by paragraph .A and .B above may be changeable copy signs or electronic changeable copy signs. Electronic changeable copy signs are subject to the following standards:

- (1) *Audio or Pyrotechnics.* Audio speakers and/or any form of pyrotechnics

are prohibited.

(2) *Duration*. Any portion of the message must have a minimum duration of 8 seconds and must be a static display. Messages may change immediately or fade in and out only. No portion of the message may flash, scroll, twirl, twinkle, oscillate, rotate, blink, change color, or in any manner imitate movement.

(3) Time and temperature shall be included, as separate messages.

(4) *Brightness (Luminance)*. The illumination and/or intensity of the display shall be controlled so as to not create glare, hazards or nuisances. Such signs shall have a maximum nits level of 7,000 nits; provided the brightness of the digital sign does not exceed 0.3 foot-candles of light above the normal ambient light levels. Such signs shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

(a) The luminance specification shall be determined by a foot-candle metering device held at a height of 5 feet and aimed towards the sign from a distance of 65 feet.

(b) The metering device should be at a location perpendicular to the sign's center (as seen in plan view) as this angle has the highest luminance.

(c) This check shall include the measurement of an all white image displayed by the sign to evaluate the worst case condition.

(d) If the difference in luminance between the sign-on and the sign-off conditions is 0.3 fc or less, then the sign luminance is in compliance.

(5) *Default Mechanism*. All signs must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.

(6) Applicant shall be required to coordinate/permit message access for local, regional, State and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.

D. Such signs shall be non-illuminated, indirectly illuminated or directly illuminated.

2. Each lot shall be permitted temporary signs in accordance with the following requirements:

A. The maximum area of any such sign shall be 32 square feet.

B. Freestanding signs, banners and window signs shall be permitted, provided that no more than one temporary, freestanding sign shall be permitted on a lot at any one time.

C. The maximum height of a freestanding sign shall be 10 feet.

D. Such signs shall be non-illuminated, indirectly illuminated or directly illuminated.

E. No more than four temporary signs shall be permitted per establishment for any 1 calendar year and no more than two temporary signs shall be permitted

per establishment at any one time.

F. Such signs shall be removed after 30 days.

3. The following special provisions shall apply to multiple commercial uses which include at least one large retail store with a gross floor area of greater than 100,000 square feet at the discretion of the Board of Supervisors:

A. One freestanding sign shall be permitted (to be shared by all users of the multiple commercial use) along each street frontage abutting the property, provided that the total area of any one permitted freestanding sign along the arterial corridor shall not exceed a total of 350 square feet of any one face and a free standing sign along the arterial corridor shall have a maximum height of 40 feet. The total area of any permitted freestanding sign along additional road frontages shall not exceed a total of 200 square feet and have a maximum height of 25 feet.

4. *Billboards*. One outdoor advertising sign is permitted by conditional use approval from the Richland Township Board of Supervisors, in addition to other signs which may be permitted by this Chapter, on all commercial and industrial properties located in the PC–Planned Commercial Zoning District, which have frontage on State Route 309, provided the following provisions are met:

A. The maximum sign face size shall be 300 square feet; inclusive of any border and trim, but excluding the base or apron, supports and other structural members. Extensions, projections and/or add-ons beyond the rectangular perimeter face of the sign are prohibited.

B. Signs may be two sided and may be illuminated.

C. Signs shall not exceed a maximum overall height of 25 feet above the centerline of the adjacent roadway.

D. No portion of the sign shall be located closer than 20 feet to the ultimate right-of-way line, or a side property line; nor farther away than 60 feet from the ultimate right-of-way line. If the sign is located in a required buffer yard, the base of the sign support structure shall be landscaped.

E. Billboards shall not be located closer than 2,000 linear feet on the same side of the roadway or 1,000 linear feet on the opposite side of the roadway from another off-premise or outdoor advertising type sign, as measured along the right-of-way line.

F. Billboards shall not be located closer than 300 feet from any residential zoning district, nor 500 feet from any dwelling unit.

G. Billboards shall be located, constructed and maintained in accordance with all applicable Pennsylvania Department of Transportation regulations.

H. The sign shall be located in accordance with all other regulations of Richland Township.

I. Billboards shall not contain, include, or be illuminated by flashing, intermittent or moving light(s).

J. An engineering certificate shall accompany any application for a billboard. The certification shall indicate under seal of a professional engineer licensed in the Commonwealth of Pennsylvania that the sign has been designed in accordance with

acceptable engineering practices.

K. Wood and beam frame structures are prohibited. All sign structures shall be constructed of steel.

L. The applicant shall provide financial security, in a form acceptable to the Township, sufficient to secure to the Township the removal of any billboard upon which no advertising is located or otherwise ceases to be used for a period of 3 consecutive months. The applicant shall further provide, in a form acceptable to the Township, proof that the record owner and the licensee or other person in control of the signage consents to the removal of the sign for reasons as set forth in this subsection, which said consent shall be in such form so as to be recorded of record with the Bucks County Recorder of Deeds office.

M. *Audio or Pyrotechnics.* Audio speakers and/or any form of pyrotechnics are prohibited.

N. Electronic graphic displays (digital billboards) must also meet the following standards:

(1) *Message Duration.* Any portion of the message must have a minimum duration of 8 seconds and must be a static display. Messages may change immediately or fade in and out only. No portion of the message may flash, scroll, twirl, twinkle, oscillate, rotate, blink, change color, or in any manner imitate movement.

(2) *Default Mechanism.* All signs must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.

(3) *Brightness (Luminance).* The illumination and/or intensity of the display shall be controlled so as to not create glare, hazards or nuisances. Such signs shall have a maximum nits level of 7,000 nits; provided, the brightness of the digital billboard does not exceed 0.3 foot-candles of light above the normal ambient light levels. Such signs shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions.

(a) The billboard luminance specification shall be determined by a foot-candle metering device held at a height of 5 feet and aimed towards the billboard from a distance of 175 feet.

(b) The metering device should be at a location perpendicular to the billboard center (as seen in plan view) as this angle has the highest luminance.

(c) This check shall include the measurement of an all white image displayed by the billboard to evaluate the worst case condition.

(d) If the difference in luminance between the billboard-on and the billboard-off conditions is 0.3 fc or less, then the billboard luminance is in compliance.

(4) Applicant shall be required to coordinate/permit message access for local, regional, State and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.

O. Multi-vision signs (tri-vision) must also meet the following standards:

(1) Any image or message, or portion thereof, must have a minimum duration of 8 seconds and must be a static display. Transition time must be no longer than 2 seconds.

(2) *Default Mechanism.* All signs must be equipped with a properly functioning default mechanism that will stop the sign in one position should a malfunction occur.

5. Mobile billboards shall be permitted in accordance with the following requirements:

A. No sign shall be lawfully displayed without first obtaining a permit. The permit must be renewed every 15 days, or the sign shall be subject to impoundment and daily fine.

B. No sign shall be of such size, or designed with moving parts or flashing lights, as to obstruct or distract drivers and pose a traffic safety hazard.

C. Mobile billboards shall be limited in size as follows:

(1) The maximum size of any mobile billboard sign shall be 6 feet in height by 10 feet in length, exclusive of trailer or other vehicle support system.

(2) The ultimate height of the mobile billboard and vehicle support system shall not exceed 12 feet in height, when measured from the road surface.

D. No person may park a mobile billboard or other commercial advertising vehicle on private property without the written consent of the property owner and without a temporary sign permit or on any public street or right-of-way in the Township for the primary purpose of displaying a commercial advertising sign. "Park" or "parking" shall mean the standing of a vehicle, whether occupied or not.

E. *Exemptions.*

(1) These regulations shall not restrict business logos, identification or advertising on vehicles primarily used for business purposes.

(2) Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisements.

(3) This Chapter shall not prohibit any form of vehicular sign; such as a sign attached to a bus, taxi or lettered on a motor vehicle where the vehicle is not used for the basic purpose of providing advertisement or direction as set forth above.

(4) Vehicles parked for a primary purpose other than displaying a commercial advertising sign, including:

(a) A vehicle parked while loading or unloading passengers or goods.

(b) A vehicle parked while engaged in the delivery of services.

(c) Vehicles parked within 600 feet of the residence of the registered owner of the vehicle, provided the lot is larger than 1 acre in size.

(d) Drivers of mobile billboards shall be permitted stops of less than 30 minutes in duration for meals or other necessary personal business.

However, a maximum of four stops shall be permitted per day.  
(Ord. 251, 11/14/2011, §27-911)

**§27-912. Signs in the PI and EXT Districts.**

1. The following types of permanent signs shall be permitted in the PI and EXT Districts:

A. Each lot shall be permitted one freestanding sign in accordance with the following requirements:

(1) The area of any such sign shall not exceed 1 square foot for each 2 feet of lot frontage or 150 square feet, whichever is less.

(2) The maximum height of any such sign shall be 12 feet.

B. Each lot shall be permitted business signs in accordance with the following requirements:

(1) The total area of all building signs shall not exceed 5% of the exterior area of the front building wall (including window and door area and cornices) of the principal building.

(2) Canopy signs, projecting signs, roof signs, wall signs and window signs shall be permitted.

(3) Not more than one projecting sign shall be permitted per principal building and such sign shall not exceed 32 square feet.

(4) Not more than one roof sign shall be permitted per principal building. Such sign shall not exceed 20 square feet and extend more than 4 feet above the roof line.

C. Provided permitted by paragraphs .A and .B above may be changeable copy signs.

D. Such signs shall be non-illuminated, indirectly illuminated or directly illuminated.

2. Each lot shall be permitted temporary signs in accordance with the following requirements:

A. The maximum area of any such sign shall be 32 square feet.

B. Freestanding signs, banners and window signs shall be permitted provided that no more than one temporary, freestanding sign shall be permitted on a lot at any one time.

C. The maximum height of a freestanding sign shall be 10 feet.

D. Such signs shall be non-illuminated, indirectly illuminated or directly illuminated.

E. No more than four temporary signs shall be permitted per establishment for any 1 calendar year and no more than two temporary signs shall be permitted per establishment at any one time.

F. Such signs shall be removed after 30 days.

3. Mobile billboards shall be permitted in accordance with the following requirements:

A. No sign shall be lawfully displayed without first obtaining a permit. The permit must be renewed every 15 days, or the sign shall be subject to impoundment and daily fine.

B. No sign shall be of such size, or designed with moving parts or flashing lights, as to obstruct or distract drivers and pose a traffic safety hazard.

C. Mobile billboards shall be limited in size as follows:

(1) The maximum size of any mobile billboard sign shall be 6 feet in height by 10 feet in length, exclusive of trailer or other vehicle support system.

(2) The ultimate height of the mobile billboard and vehicle support system shall not exceed 12 feet in height, when measured from the road surface.

D. No person may park a mobile billboard or other commercial advertising vehicle on private property without the written consent of the property owner and without a temporary sign permit or on any public street or right-of-way in the Township for the primary purpose of displaying a commercial advertising sign. "Park" or "parking" shall mean the standing of a vehicle, whether occupied or not.

E. *Exemptions.*

(1) These regulations shall not restrict business logos, identification or advertising on vehicles primarily used for business purposes.

(2) Any vehicle which displays an advertisement or business identification of its owner, so long as such vehicle is engaged in the usual business or regular work of the owner, and not used merely, mainly or primarily to display advertisements.

(3) This Chapter shall not prohibit any form of vehicular sign; such as a sign attached to a bus, taxi or lettered on a motor vehicle where the vehicle is not used for the basic purpose of providing advertisement or direction as set forth above.

(4) Vehicles parked for a primary purpose other than displaying a commercial advertising sign, including:

(a) A vehicle parked while loading or unloading passengers or goods.

(b) A vehicle parked while engaged in the delivery of services.

(c) Vehicles parked within 600 feet of the residence of the registered owner of the vehicle, provided the lot is larger than 1 acre in size.

(d) Drivers of mobile billboards shall be permitted stops of less than 30 minutes in duration for meals or other necessary personal business. However, a maximum of four stops shall be permitted per day.

(Ord. 251, 11/14/2011, §27-912)

### **§27-913. Nonconforming Signs.**

1. 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.

2. Nonconforming signs may be repainted or repaired (including lighting) provided such repainted or repaired sign does not exceed the dimensions of the existing sign. Wording may also be changed. However, nonconforming signs shall either be

eliminated or made to conform with the requirements of this Part when any proposed change, repair or maintenance would constitute an expense of more than 50% of the original value or replacement value of the sign, whichever is less.

3. Nonconforming signs which are removed shall be replaced only with conforming signs.

(Ord. 251, 11/14/2011, §27-913)

#### **§27-914. Permits, Construction, Maintenance and Violations.**

##### *1. General Permit Procedures.*

A. A zoning permit must be obtained from the municipality before the erection of any sign greater than 2 square feet in area, unless specifically exempted herein. Exemptions from the necessity of securing a zoning 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.

B. *Permanent Signs.* Before any permit is granted for the erection of a permanent sign or permanent sign structure, plans and specifications shall be filed with the municipality showing:

- (1) The dimensions of the sign and, where applicable, the dimensions of the wall surface of the building to which it is to be attached.
- (2) The dimensions of the sign's supporting members.
- (3) The maximum height of the sign.
- (4) 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.
- (5) The proposed location of the sign in relation to the boundaries of the lot upon which it is to be situated.
- (6) The method and hours of illumination.
- (7) The materials, finish, and details of construction including loads, stresses, anchorage, and any other pertinent engineering data.
- (8) Existing signs on the property.

C. *Temporary Signs.* Temporary signs shall be allowed only upon the issuance of a temporary sign permit, which shall be subject to the following requirements:

- (1) A temporary sign permit shall allow the use of a temporary sign for a specified time period, as authorized by this Chapter.
- (2) The applicant for a temporary sign permit shall provide the Zoning Officer with sufficient information to demonstrate compliance with the sign regulations of this Chapter.
- (3) An escrow deposit shall be required as a guarantee that the temporary sign 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 municipality will have them removed and keep a sum necessary to reimburse the expense incurred in removal.

D. *Fees and Deposits.* Permit fees and refundable escrow deposit amounts

shall be set from time to time by resolution of the governing body.

2. *Construction Requirements.* All signs shall meet the design and construction requirements of the IBC International Building Code [Chapter 5, Part 1]. All electrical signs shall be manufactured in accordance with the Underwriters' Laboratories (UL) specifications and shall bear the laboratory label.

3. *Maintenance Requirements.* Every sign permitted by this Chapter must be constructed of durable materials and kept in good condition and repair. Any sign which is allowed to become dilapidated may be removed by the municipality at the expense of the owner or lessee of the property or premises on which it is located. Prior to such action, the Zoning Officer shall follow the notification procedures specified in subsection .5 below.

4. *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 subsection .5 below. However, any sign which is in immediate peril to persons or property may be removed summarily and without notice.

5. *Removal of Signs.* The owner or lessee of any property or premises upon which any sign is erected shall be responsible for its complete removal as required by any provision of this Chapter. If the owner or lessee 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 municipality shall arrange for its removal and shall bill the owner or lessee for the cost of such work plus 10% for administrative costs.

(Ord. 251, 11/14/2011, §27-914)

**Part 10****Administration****§27-1001. 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 governing body. 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. Issue permits or certificates only where there is compliance with the provisions of this Chapter, with other municipal ordinances, and with the laws of the Commonwealth and the Federal government. Permits for construction of uses requiring a special exception or variance shall be issued only upon order of the Zoning Hearing Board. Permits requiring approval by the governing body shall be issued only after receipt of approval from the governing body.
- C. Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans and documents shall be a public record.
- D. Receive applications for special exceptions and variances and forward these applications and all pertinent information to the Zoning Hearing Board for action thereon.
- E. Receive applications for conditional uses, curative amendments and zoning changes, forwarding requests and all pertinent information to the governing body, the Planning Commission, and other appropriate agencies.
- F. Following refusal of a permit, to receive applications for interpretation appeals and variances. These applications and all pertinent information will then be forwarded to the Zoning Hearing Board for action thereon.
- G. Conduct inspections to determine compliance or noncompliance with the terms of this Chapter.
- H. Institute civil enforcement proceedings in accordance with §§27-1303 and 27-1304 of this Chapter.
- I. With the approval of the governing body, or when directed by them, institute any appropriate action or proceedings to prevent unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation, so as to prevent the occupancy of or use of any building, structure, landscaping or land; or to prevent any illegal act, conduct, business or use in or about such premises.
- J. Revoke any order or zoning permit issued under a mistake of fact or contrary to the law or the provisions of this Chapter.
- K. Maintain a map or maps showing the current zoning classification of all land in the municipality.
- L. Process zoning permit applications for all permitted uses. For the following uses on lots greater than 3 acres and/or greater than 5,000 square feet, the Zoning Officer may receive and submit the application and plan, for a zoning review to the

Planning Commission for its review and comment. The Planning Commission may review the plans and materials and may request the Township Engineer to review such plans for compliance with the provisions of Part 5, “Design Standards,” and Part 6, “Required Improvements” of the Richland Township Subdivision and Land Development Ordinance [Chapter 22], as well as any other provisions and regulations of this Chapter or other Township ordinances and regulations. If the proposed use will generate 100 or more trips per day as determined through the use of the Institute of Transportation Engineers, Trip Generation Report, a traffic impact study shall be submitted in accordance with the Township’s Subdivision and Land Development Ordinance [Chapter 22]. Upon receipt of the Township Engineer’s comments, the Planning Commission shall make final review and submit its recommendations to the governing body.

(C1) through (C16)	Institutional and Recreational Uses
(D1) through (D4)	Office Uses
(E1) through (E30)	Retail and Consumer Service Uses
(F1) through (F5)	Utility, Service and Transportation Uses
(G1) through (G17)	Industrial Uses

(Ord. 251, 11/14/2011, §27-1001)

#### **§27-1002. Duties of the Planning Commission.**

The Planning Commission shall review applications referred to it under §27-1001.E and L. In reviewing such applications, the Planning Commission shall follow the same procedure employed in reviewing subdivision and land development plans. The Planning Commission shall submit its recommendations and findings to the governing body within 45 days of receipt of the application from the Zoning Officer. Should the Planning Commission fail to submit a report and recommendations to the governing body within 45 days from receipt of the application from the Zoning Officer, the application shall be deemed acceptable to the Planning Commission.

(Ord. 251, 11/14/2011, §27-1002)

#### **§27-1003. Zoning Permits Required.**

Hereafter, no use listed in §27-404 or 27-405, unless otherwise indicated, may be established or changed, no structure shall be erected, constructed, reconstructed, altered, razed or removed, and no building used or occupied or changed in use, until a zoning permit has been secured from the Zoning Officer. Upon completion of changes in use or construction, reconstruction, alteration or moving of structures, the applicant shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work of occupancy and use have been inspected and approved as being in conformity with the provisions of this Chapter.

(Ord. 251, 11/14/2011, §27-1003)

#### **§27-1004. Application Requirements for Zoning Permits.**

1. All applications for zoning permits shall be made in writing by the owner, tenant, vendee under contract of sale or authorized agent on a form supplied by the

municipality, and shall be filed with the Zoning Officer. The application shall include the following information:

A. A statement as to the proposed use of the building or land.

B. A site layout drawn to scale showing the location, dimensions, and height of proposed buildings, structures or uses and any existing buildings in relation to property lines 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.

C. The location, dimensions, and arrangements of all open spaces, yards and buffer yards, including methods to be employed for screening.

D. The site layout shall indicate all existing trees which are to be saved, the tree protection zone boundary, and the method by which tree protection will occur.

E. 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.

F. For signs, the information specified in §27-914.1.B of this Chapter shall be provided.

G. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.

H. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply, and stormwater management.

I. 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.

J. A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, glare, air pollution, water pollution, fire hazards, traffic congestion or other safety hazards.

K. Description of methods to be employed in controlling any excess noise, glare, pollution, smoke, fumes, water pollution, fire hazards, traffic congestion, or other safety hazards.

L. Any other data deemed necessary by the Zoning Officer, Planning Commission or governing body to enable them to determine the compliance of the proposed development with the terms of this Chapter.

2. The following regulations shall apply to all applications for zoning and building permits where demolition/razing is to occur. All applications will be accompanied by an informal sketch plan showing the location of all historic structures and resources on the site. No additional fees are required. The plan will state or contain the following:

A. Owner of record.

B. Location of all buildings, foundations, walls, ruins, historic trees and any other features on the location.

C. Approximate age of the main structure or resource.

D. Interior and exterior photographs of the buildings to be taken by the owner at the Township's expense for film and development or by the Township with the

permission of the owner after the site to be demolished is vacated. Photographs of the landscape to be taken by the owner at the Township's expense for film and development or by the Township with the permission of the owner after the site to be demolished is vacated.

E. Explanation of the reasons for demolition.

F. Future proposed uses of the site.

G. What will be done with the materials from the demolished resource.

H. Nothing in this Chapter shall be construed as an attempt to prevent any owner from demolishing any structures; rather, the Township is attempting to acquire information on impending demolition of structures that have real or potential historical significance of Township nature. The information acquired is for the sole purpose of making entreaties to said owners, acquiring grants or other voluntary means to prevent the demolition.

Richland Township will review the application, conduct an examination of the structure or resource, and make a recommendation to the Board of Supervisors within 20 working days of receipt of the application from the Zoning Officer. Richland Township may request a development site of historical significance be inspected by an archaeologist for a possible archaeological dig and/or certified engineering report regarding the structural stability of the resource.

3. No permit for any 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.

4. No permit for any new use or construction which will use public sewage facilities, and no permit for a change in use or an alteration which will result in an increased volume of sewage, shall be used until approval of the connection has been granted by the servicing authority.

(*Ord. 251, 11/14/2011, §27-1004*)

#### **§27-1005. Fees.**

All applicants for zoning permits shall, at the time of making application, pay a fee to the municipality in accordance with the fee schedule adopted by resolution of the governing body upon the enactment of this Chapter or as such schedule may be amended by resolution of the governing body.

(*Ord. 251, 11/14/2011, §27-1005*)

#### **§27-1006. Life of a Zoning Permit.**

Any erection, construction, reconstruction, alteration or moving of a building or other structure, including a sign, authorized by a zoning permit shall commence, and any change in use of a building or land authorized by a zoning permit shall be undertaken within 6 months 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 3 years, provided that the construction pursuant to said permit has commenced within the first 1-year period.

(*Ord. 251, 11/14/2011, §27-1006*)

**§27-1007. Certificate of Occupancy.**

1. 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, until the owner or authorized agent has been issued a certificate of occupancy by the Code Enforcement Officer indicating that the building or use complies with the terms of the Uniform Construction Code [Chapter 5, Part 1], as amended.

2. No certificate of occupancy shall be issued until the premises in question has been inspected and found by the Code Enforcement Officer to be in compliance with the Uniform Construction Code [Chapter 5, Part 1], as amended. 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. 251, 11/14/2011, §27-1007*)



**Part 11****Zoning Hearing Board and Other Administrative Proceedings****§27-1101. Establishment of Zoning Hearing Board.**

A Zoning Hearing Board is established in order that the objectives of this Chapter may be more fully and equitably achieved and a means for competent interpretation of this Chapter provided.

(*Ord. 251, 11/14/2011, §27-1101*)

**§27-1102. Membership, Terms of Office of Zoning Hearing Board.**

1. The Zoning Hearing Board shall consist of three residents of the municipality appointed by resolution by the governing body. The terms of office shall be 3 years and shall be so fixed that the term of office of one member shall expire each year. The Zoning Hearing Board shall promptly notify the governing body of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Zoning Hearing Board shall hold no other office in the municipality.

2. *Alternate Members.* The governing body may appoint by resolution at least one but not more than three residents of the municipality to serve as alternate members of the Zoning Hearing Board, subject to the following provisions:

A. The term of office of an alternate member shall be 3 years.

B. Alternate members shall hold no other office in the municipality.

C. Any alternate member may participate in any proceeding or discussion of the Zoning Hearing Board but shall not be entitled to vote as a member of the Zoning Hearing Board nor receive any compensation (if such compensation exists) unless designated as a voting alternate member.

D. If, by reason of absence or disqualification of a Zoning Hearing Board member, a quorum is not reached, the Chair of the Zoning Hearing Board shall designate as many alternate members of the Zoning Hearing Board to sit on the Zoning Hearing Board as may be needed to provide a quorum. Any alternate member of the Zoning Hearing Board shall continue to serve on the Zoning Hearing Board in all proceedings involving the matter or case for which the alternate member was initially appointed until the Zoning Hearing Board has made a final determination of the matter or case. Designation of an alternate member shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

(*Ord. 251, 11/14/2011, §27-1102*)

**§27-1103. Removal of Member of Zoning Hearing Board.**

Any Zoning Hearing Board member may be removed for malfeasance, misfeasance or non-feasance in office or for other just cause by a majority vote of the governing body, taken after 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. 251, 11/14/2011, §27-1103*)

**§27-1104. Organization of Zoning Hearing Board.**

1. *Officers.* The Zoning Hearing Board shall elect a chair from its membership, and shall appoint a secretary. The chair or in his absence the acting chair, may administer oaths and compel the attendance of witnesses.

2. *Procedures.* The Zoning Hearing Board may make, alter and rescind rules and forms for its procedures, consistent with ordinances of the municipality and laws of the Commonwealth.

3. *Meetings.* Meetings shall be open to the public and shall be at the call of the Chair and at such other times as the Zoning Hearing 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 Zoning Hearing Board.

4. *Records and Decisions.* The Zoning Hearing 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 the property of the municipality and shall be a public record. The Zoning Hearing Board shall submit a report of its activities to the governing body as requested by the governing body.

(Ord. 251, 11/14/2011, §27-1104)

**§27-1105. Expenditures for Services of Zoning Hearing Board.**

1. The governing body shall fix per-meeting compensation for the members of the Zoning Hearing Board according to a schedule adopted by resolution of the governing body upon enactment of this Chapter or as such schedule may be amended from time to time. Such compensation shall not exceed the rate of compensation authorized to be paid to the members of the governing body.

2. Alternate members may receive compensation for the performance of their duties when designated as voting alternate members pursuant to §27-1102.2 of this Chapter. Such compensation shall be in accordance with subsection .1 hereof.

(Ord. 251, 11/14/2011, §27-1105)

**§27-1106. Jurisdiction of Zoning Hearing Board and Governing Body.**

1. The Zoning Hearing Board shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to §27-1112.1.B of this Chapter.

B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption, which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.

C. Appeals from the determination of the Zoning Officer including, but not limited to, the granting or denial of any permit or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.

D. Appeals from a determination by a Municipal Engineer or the Zoning

Officer with reference to the administration of any floodplain provision.

E. Applications for variances pursuant to §27-1107 of this Chapter.

F. Applications for special exceptions pursuant to §27-1108 of this Chapter.

G. Appeals from the determination of the Zoning Officer or Municipal Engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to development not involving an application for a subdivision, land development or planned residential development.

2. The governing body shall have exclusive jurisdiction to hear and render final adjudications in the following matters:

A. All applications for subdivisions and land developments pursuant to the Subdivision and Land Development Ordinance [Chapter 22]. Any provision in the Subdivision and Land Development Ordinance [Chapter 22] requiring that final action concerning subdivision and land development applications be taken by the Planning Commission rather than the governing body shall vest exclusive jurisdiction in the Planning Commission in lieu of the governing body for purposes of the provisions of this subsection.

B. Applications for conditional uses pursuant to §27-1109 of this Chapter.

C. Applications for curative amendments pursuant to §27-1112 of this Chapter.

D. All petitions for amendments to land use ordinances pursuant to Part 11 of this Chapter.

E. Appeals from the determination of the Zoning Officer or the Municipal Engineer in the administration of any land use ordinance or provisions thereof with reference to sedimentation and erosion control and stormwater management insofar as the same relate to an application for a subdivision, land development or planned residential development.

(Ord. 251, 11/14/2011, §27-1106)

### **§27-1107. Zoning Hearing Board; Powers and Duties; Variances.**

1. *Applicability.* Upon appeal from a determination 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 of property, the strict application of any regulation enacted under this Chapter would result in peculiar and exceptional and undue hardship upon the owner of such property, but in no other case.

2. *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.

3. *Requirements and Standards.* No variance in the strict application of the provisions of this Chapter shall be granted by the Zoning Hearing Board unless the Zoning Hearing Board finds that the requirements and standards are satisfied. The applicant must prove that the variance will not be contrary to the public interest and

that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance is in conformance with the following requirements and standards listed below:

A. That the granting of the variance shall be in harmony with the general purpose and intent of this Chapter, and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.

B. That the granting of the variance will not permit the establishment within a district of any use which is not permitted in that district.

C. There must be proof of unique circumstances. That there are special circumstances or conditions, fully described in the findings, applying to the land or building for which the variance is sought, which circumstances or conditions are peculiar to such land or building and do not apply generally to land or buildings in the neighborhood, and that said circumstances or conditions are such that the strict application of the provisions of this Chapter would deprive the applicant of the reasonable use of such land or building.

D. There must be proof of unnecessary hardship. It is not sufficient proof of hardship to show that greater profit would result if the variance were granted. Furthermore, hardship complained of cannot be self-created; it cannot be claimed by one who purchases with or without knowledge of restrictions; it must result from the application of this Chapter; it must be suffered directly by the property in question; and evidence of a variance granted under similar circumstances shall not be considered.

E. That the granting of the variance is necessary for the reasonable use of the land or building and that the variance as granted by the Zoning Hearing Board is the minimum variance that will accomplish this purpose. The Zoning Hearing Board may impose whatever conditions and safeguards it deems necessary to insure that any proposed development or use will secure substantially the objectives of this Chapter.

4. *Administration.* The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the procedures and standards set forth in §27-1110.

(Ord. 251, 11/14/2011, §27-1107)

### **§27-1108. Zoning Hearing Board; Powers and Duties; Special Exceptions.**

1. *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.

2. *Conditions and Standards.* In granting a special exception, the Zoning Hearing Board shall make findings of fact consistent with the provisions of this Chapter. The Zoning Hearing Board shall not approve a special exception except in conformance with the conditions and standards outlined in this Chapter.

3. *General Requirements and Standards Applicable to All Special Exceptions.* The Zoning Hearing Board shall grant a special exception only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements listed herein as well as any specific requirements and standards for the proposed use. The Zoning Hearing Board shall among other things require that any

proposed use and location be:

A. In accordance with the Quakertown Area Comprehensive Plan and §27-106 of this Chapter and consistent with the spirit, purposes, and the intent of this Chapter.

B. In the best interests of the municipality, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity.

C. 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.

D. In conformance with all applicable requirements of this Chapter and all municipal ordinances.

E. Suitable in terms of effects on highway traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard.

F. In accordance with sound standards of subdivision and land development practice where applicable.

The Zoning Hearing Board may impose whatever conditions and safeguards it deems necessary to insure that any proposed development or use will substantially secure the objectives of this Chapter.

4. The Zoning Hearing Board shall request an advisory opinion from the Quakertown Area Planning Committee on any application for a special exception involving a development of more than 5 acres as required in §27-1403.C.

5. *Administration.* The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the procedures and standards set forth in §27-1110.

(*Ord. 251, 11/14/2011, §27-1108*)

**§27-1109. Governing Body; Powers and Duties; Conditional Uses.**

1. *Applicability.* The governing body shall have the power to approve conditional uses when this Chapter specifically requires the obtaining of such approval and for no other use or purpose.

2. *Conditions and Standards.* In granting a conditional use, the governing body shall make findings of fact consistent with the provisions of this Chapter. The governing body shall not approve a conditional use except in conformance with the conditions and standards outlined in this Chapter.

3. *General Requirement and Standards Applicable to All Conditional Uses.* The governing body 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 in subsection .4, for the proposed use and those contained in Part 4 and Part 5. The governing body shall among other things require that any proposed use and location be:

A. In accordance with the Quakertown Area Comprehensive Plan and §27-106 of this Chapter and consistent with the spirit, purposes and the intent of this Chapter.

B. In the best interests of the municipality, the convenience of the commu-

nity, the public welfare, and be a substantial improvement to the property in the immediate vicinity.

C. 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.

D. In conformance with all applicable requirements of this Chapter and all municipal ordinances.

E. Suitable in terms of effects on highway traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard.

F. In accordance with sound standards of subdivision and land development practice where applicable.

4. *Specific Requirements and Standards.* The governing body shall:

A. Determine that the proposal provides for adequate access to public roads without creating hazardous conditions. In making this determination, the governing body may impose conditions requiring:

(1) Access to be limited or combined with that of adjoining properties.

(2) Improvement of vertical or horizontal alignment adjoining the site or off-site if access to the site would be restricted or hazardous as a result of the alignment problem.

(3) Widen or replace a bridge if said bridge restricts access to the site or where the nature of the traffic generated by the proposed use would create a hazardous or restrictive situation.

B. Examine the use and its relationship to existing land uses to insure that the proposed use does not adversely alter the character of stable neighborhoods and to protect adjoining residents from uses which are objectionable. To this end, the governing body may impose conditions requiring:

(1) Special buffer planting, buffer yards or planted berms.

(2) Planting or walls to screen intrusive uses such as parking lots, loading docks, mechanical plants, etc.

(3) Control of location of intrusive uses so that they are sited in the least disruptive manner.

(4) Special design of lighting and signs to avoid disrupting existing developments or conflicting with the vision of motorists, particularly near intersections.

C. The natural resources listed in §27-511 shall be mapped and presented to provide evidence that the performance standards in §27-514 can be met. Drawings and calculations shall be provided to illustrate and indicate the percentage of intrusion for each natural resource so that each standard in §27-514 may be evaluated.

D. Many conditional uses are so classified because of their potential for nuisance. The following additional conditions shall apply to these uses.

(1) *Use A3 Intensive Agriculture.* The applicant shall indicate what measures will be taken to prevent surface water and groundwater contamination from fertilizers, herbicides and pesticides and from animal waste. The

applicant shall also indicate what measures will be taken to abate animal noises.

(2) *AG Commercial Kennel*. The applicant shall indicate what measures will be taken to prevent surface water and groundwater contamination from fertilizers, herbicides and pesticides and from animal waste. The applicant shall also indicate what measures will be taken to abate animal noises.

(3) *Use C13 Halfway House*. The applicant shall indicate what types of security measures will be provided to protect nearby residences from disruptive behavior.

(4) *Use C15 Recreational Camping Park*.

(a) The applicant should provide a means for the municipality to ensure that the lengths of occupants' stays do not exceed the requirements of §27-405.C15(b).

(b) The applicant shall indicate that emergency vehicles will have adequate access throughout the development.

(c) A water resources impact study shall be provided in accordance with the requirements of §27-1205.E of this Chapter.

(5) *Uses E12 Outdoor Entertainment*.

(a) The maximum impervious surface for these uses shall be 60%.

(b) The applicant shall demonstrate that the proposed use can meet the noise standards of §27-531 of this Chapter.

(6) *Use E15 Veterinary Office or Clinic*. The applicant shall indicate what measures will be taken to abate animal noises.

(7) *Use E25 Vehicular Track or Course*.

(a) The maximum impervious surface for these uses shall be 60%.

(b) The applicant shall demonstrate that the proposed use can meet the noise standards of §27-531 of this Chapter.

(8) *Use E26 Flea Market*. The governing body shall determine the hours and days of operation to prevent conflicts with surrounding land uses.

(9) *Use G2 Research*. In the PI District, research involving hazardous chemicals, gases or explosive products may be rejected as inappropriate.

5. The governing body may impose whatever conditions and safeguards it deems necessary to insure that any proposed development or use will secure substantially the objectives of this Chapter.

6. *Review by Planning Commission*. The governing body 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 governing body on an application.

7. The governing body shall request an advisory opinion from the Quakertown Area Planning Committee on any application for a conditional use involving a development of more than 5 acres as required in §27-1403.C.

8. Conditional use applications shall be governed by the following:

A. The landowner shall make a written request to the governing body that it

hold a hearing on the application. The request shall contain a statement reasonably informing the governing body of the matters that are in issue.

B. The application shall be accompanied by plans and other material describing the use or development proposed. Such plans and other materials shall provide a sufficient basis for evaluating the applicant's request. Information required by this Chapter shall accompany the application.

C. The governing body shall hold a hearing pursuant to public notice 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. In addition, the governing body shall render a written decision within 45 days after the last hearing.

9. *Administration.* The governing body shall conduct hearings and make decisions in accordance with the procedures and standards set forth in §27-1110.

10. *Fees.* The applicant for any hearing on a conditional use request before the governing body shall at the time of making application, pay a fee in accordance with a fee schedule adopted by resolution of the governing body or as such schedule may be amended from time to time. In addition, an escrow deposit may be required, as established by resolution of the governing body.

(*Ord. 251, 11/14/2011, §27-1109*)

#### **§27-1110. Zoning Hearing Board/Governing Body; Hearings.**

Hearings pursuant to this Chapter shall be held by the Zoning Hearing Board and/or the governing body in accordance with the following requirements. (As used in this Section, the term Board shall mean the Zoning Hearing Board with respect to matters within its jurisdiction and the governing body with respect to conditional use hearings.)

A. Public notice shall be given and written notice shall be given to the applicant, the Zoning Officer, such other persons as the governing body 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 Zoning Hearing Board. In addition to the written notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least 1 week prior to the hearing.

B. The governing body may prescribe reasonable fees by resolution with respect to hearings. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

C. 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.

D. The hearings shall be conducted by the Board. The decision or, where no decision is called for, the findings shall be made by the Board.

E. The parties to the hearing shall be the municipality, any person affected

by the application who has made timely appearance of record before the Zoning Hearing Board, and any other person including civic or community organizations permitted to appear by the Zoning Hearing Board. The Zoning Hearing Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Zoning Hearing Board for that purpose.

F. The Chairman or Acting Chairman of the Board shall have 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.

G. 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 cross-examine adverse witnesses on all relevant issues.

H. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

I. The Board shall keep a stenographic record of the proceedings. 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.

J. 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 opportunity to participate. The Board shall not take notice of any communication, report, staff memoranda or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so noticed, and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.

K. The Board shall render a written decision or, where no decision is called for, make written findings on the application within 45 days after the last hearing before the Board. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefore. Conclusions based on the provisions of any Act of the Commonwealth or any 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 or fails to hold the required hearing within 60 days from the date of the applicant's request for a hearing, 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. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within 10 days from the last day it could have met to render a decision in the same manner as provided in paragraph .A of this Section. If the Board shall fail to provide such notice, the

applicant may do so. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

L. 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 not later than the last day of the hearing, the Board shall provide by mail or otherwise, brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

M. Written notice shall be given to all properties within 500 feet of the property line of the applicant for zoning hearing board or conditional use hearing. Written notice of the properties within 500 feet shall only be required of the initial hearing. Failure by the Township to give such written notice of failure to give written notice as prescribed herein will not void, prejudice or affect any decisions that are made at the aforementioned hearings.

(Ord. 251, 11/14/2011, §27-1110)

#### **§27-1111. Parties Appellant Before the Zoning Hearing Board.**

Appeals under §27-1106.1.A, .B, .C, .D, and .E, of this Chapter may be filed with the Zoning Hearing Board in writing by the landowner affected, any officer or agency of the municipality or any person aggrieved. Requests for a variance under §27-1107 and for a special exception under §27-1108 of this Chapter may be filed with the Zoning Hearing Board by any landowner or any tenant with the permission of such landowner.

(Ord. 251, 11/14/2011, §27-1111)

#### **§27-1112. Validity of Ordinance; Substantive Questions.**

1. 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 under §27-1106.1 of this Chapter.

B. To the governing body under §27-1106.2.C of this Chapter, together with a request for a curative amendment.

2. Persons aggrieved by a use or development permitted on the land of another by an ordinance or map or any provision thereof, who desires to challenge its validity on substantive grounds shall first submit their challenge to the Zoning Hearing Board for a decision thereon under §27-1106.1.A of this Chapter.

3. The submissions referred to in subsections .1 and .2 above shall be governed by the following:

A. In challenges before the Zoning Hearing Board, the challenging party shall make a written request to the Zoning Hearing Board that it hold a hearing on its challenge. The request shall contain the reasons for the challenge. Where the landowner desires to challenge the validity of such ordinance and elects to proceed by curative amendment, his application to the governing body shall contain, in addition to the requirements of the written request hereof, the plans and explanatory 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 or 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 notice of the proposed use or development and a sufficient basis for evaluating the challenged ordinance or map in light thereof. Nothing herein shall preclude the landowner from first seeking a final approval before submitting his challenge.

B. If the submission is made by the landowner to the governing body under subsection .1.B hereof, the request also shall be accompanied by an amendment or amendments to the ordinance proposed by the landowner to cure the alleged defects therein.

C. If the submission is made to the governing body, the not limited to, shall represent and advise it at the hearing or hearings.

D. The governing body may retain an independent attorney to present the defense of the challenged ordinance or map on its behalf and to present their witnesses on its behalf.

E. Based upon the testimony presented at the hearing or hearings, the governing body or the Zoning Hearing Board, as the case may be, shall determine whether the challenged ordinance or map is defective, as alleged by the landowner. If a challenge heard by the governing body is found to have merit, the governing body may accept a landowner's curative amendment, with or without revision or may adopt an alternative amendment which will cure the challenged defects. If a challenge heard by the Zoning Hearing Board is found to have merit, the decision of the Zoning Hearing Board shall include recommended amendments to the challenged ordinance which will cure the defects found. In reaching its decision, the Zoning Hearing Board or the governing body, as the case may be, shall consider the amendments, plans and explanatory material submitted by the landowner and shall also consider:

(1) The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities.

(2) If the proposal is for a residential use, the impact of the proposal upon regional housing needs and effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the challenged provisions of the ordinance or map.

(3) The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features.

(4) The impact of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

F. The governing body or the Zoning Hearing Board, as the case may be, shall render its decision within 45 days after the conclusion of the last hearing.

G. If the governing body or the Zoning Hearing Board, as the case may be, fails to act on the landowners request within the time limits referred to in subsection .3.F., a denial of the request is deemed to have occurred on the forty-

sixth day after the close of the last hearing.

4. The Zoning Hearing Board or governing body, as the case may be, shall commence its hearings within 60 days after the request is filed unless the landowner requests or consents to an extension of time.

5. Public notice of the hearing 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 request, including any plans, explanatory material or proposed amendments may be examined by the public.

6. The challenge shall be deemed denied when:

A. The Zoning Hearing Board or governing body, as the case may be, fails to commence the hearing within the time limits set forth in subsection .4.

B. The governing body notifies the landowner that it will not adopt the curative amendment.

C. The governing body adopts another curative amendment which is unacceptable to the landowner.

D. The Zoning Hearing Board or governing body, as the case may be, fails to act on the request 45 days after the close of the last hearing on the request, unless the time is extended by mutual consent by the landowner and municipality.

E. Where, after March 29, 1999, a curative amendment proposal is approved by the grant of a curative amendment application by the governing body pursuant to §27-1106.2.D of this Chapter, or a validity challenge is sustained by the Zoning Hearing Board pursuant to §27-1106.2.D of this Chapter, or the court acts finally on appeal from denial of a curative amendment proposal or a validity challenge, and the proposal or challenge so approved requires a further application for subdivision or land development, the developer shall have 2 years from the date of such approval to file an application for preliminary approval pursuant to the Subdivision and Land Development Ordinance [Chapter 22]. Within the 2-year period, no subsequent change or amendment in the zoning, subdivision and land development or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. Where the proposal is appended to the curative amendment application or the validity challenge is approved but does not require further application under any subdivision or land development ordinance, the developer shall have 1 year within which to file for a building permit. Within the 1-year period, no subsequent change or amendment in the zoning, subdivision and land development or other governing ordinance or plan shall be applied in any manner which adversely affects the rights of the applicant as granted in the curative amendment or the sustained validity challenge. During these protected periods, the Court shall retain or assume jurisdiction for the purpose of awarding such supplemental relief as may be necessary.

7. If a municipality does not accept a landowner's curative amendment and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for the entire Zoning Ordinance and Map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.

(*Ord. 251, 11/14/2011, §27-1112*)

**§27-1113. Court Appeals.**

All appeals from all land use decisions rendered pursuant to this Part shall be taken to the Court of Common Pleas of the Judicial District wherein the land is located and shall be filed within 30 days after entry of the decision or in the case of a deemed decision, within 30 days after the notice of said deemed decision is given as set forth in §27-1110.K of this Chapter.

(*Ord. 251, 11/14/2011, §27-1113*)



**Part 12****Amendments****§27-1201. Power of Amendment.**

The governing body may from time to time amend, supplement, change, modify or repeal this Chapter, including the Zoning Map. When doing so, the governing body shall proceed in the manner prescribed in §27-1203 of this Part.

(*Ord. 251, 11/14/2011, §27-1201*)

**§27-1202. Who May Initiate.**

Proposals for amendment, supplement, change, modification or repeal may be initiated by the governing body on its own motion, by the Planning Commission or by petition of one or more owners of property to be affected by the proposed amendment. Each petition by one or more property owners shall be signed and acknowledged, and submitted in writing to the secretary of the governing body. Along with the petition, the applicant(s) shall submit the information required in §27-1205, "Impact Statement."

(*Ord. 251, 11/14/2011, §27-1202*)

**§27-1203. Enactment of Zoning Ordinance Amendments.**

1. Before voting on the enactment of an amendment, the governing body shall hold a 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 municipality at points deemed sufficient by the municipality along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least 1 week prior to the date of the hearings.

2. For an amendment other than that initiated by the Planning Commission, the governing body shall submit each such amendment to the Planning Commission at least 30 days prior to the hearing on such proposed amendment to provide the Planning Commission an opportunity to submit recommendations.

3. If after any public hearing held upon an amendment, the proposed amendment is changed substantially or is revised to include land previously not affected by it, the governing body shall hold another public hearing, pursuant to the public notice, before proceeding to vote on the amendment.

4. The municipality shall submit each amendment to the Bucks County Planning Commission and to the Quakertown Area Planning Committee at least 30 days prior to the public hearing for recommendations.

5. Within 30 days after enactment, a copy of the amendment to this Chapter shall be forwarded to the Bucks County Planning Commission.

6. The applicant for any hearing on an appeal or amendment before the governing body shall at the time of making application, pay a fee to the municipality in accordance with a fee schedule adopted by resolution of the governing body upon enactment of this Chapter or as such schedule may be amended from time to time.

(*Ord. 251, 11/14/2011, §27-1203*)

**§27-1204. Extension of Development Area.**

A landowner who wishes his property to be included in the development area may make a request to the governing body. The following procedures shall be observed:

A. The applicant must submit the information required in §27-1205, "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 Municipal Engineer or other qualified engineer agreed upon by both the municipality and the applicant. The study shall determine the feasibility and cost of extending the line and expanding the plant, and the amount of development which may be served.

D. *Implementation.* Prior to hearing and acting on a zoning change request which would extend the development area, the petition and impact statement shall be reviewed by the Municipal Planning Commission, the Bucks County Planning Commission and the Quakertown Area Planning Committee. The municipality may also retain, at the petitioner's expense, experts to review and comment on any or all of the issues addressed in the impact statement. Before voting on the request, the governing body shall review the petition, the impact statement, the review comments of the Municipal Planning Commission, the Bucks County Planning Commission and the Quakertown Area Planning Committee, any consultants hired by the municipality and the notes of testimony of the hearing. If the governing body determines the change creates major problems or adverse impacts, then the governing body shall reject the proposed zoning change.

E. The petitioner filing the request for an extension of the development area shall at the time of filing, pay a fee to the municipality in accordance with a fee schedule adopted by resolution of the governing body upon enactment of this Chapter or as such schedule may be amended from time to time.

(Ord. 251, 11/14/2011, §27-1204)

**§27-1205. Impact Statement.**

For any petition filed pursuant to §27-1202 or 27-1204 of this Chapter, an impact statement shall be submitted with the petition. A change of zoning generally means a deviation from the previously planned growth pattern. Such changes invariably have an impact on the community, on the environment, on taxes and on the Quakertown area. A detailed statement of these impacts shall be submitted by the applicant for any change in zoning classification or where required for a proposed use pursuant to this Chapter. Such statement shall contain the following:

A. *Richland Township Comprehensive Plan Update 2009, as Amended.* An analysis of the consistency of the proposed zoning change with the Comprehensive Plan shall be presented. The analysis shall include, but not be limited to, the compatibility with the goals and objectives, and the impact on the land use plan,

community services and facilities, population and housing projections.

B. *Quakertown Area Comprehensive Plan Update 2007, as Amended.* An analysis of the consistency of the proposed zoning change with the Comprehensive Plan shall be presented. The analysis shall include, but not be limited to, the compatibility with the community development goals and objectives, and the impact on the land use plan, community services and facilities, regional population and housing projections.

C. *Environmental Impact.* An analysis of the impact on stormwater runoff, aquifer recharge, erosion, sedimentation, wildlife habitats, scenic areas, and the general amenity of the community. The environmental or natural features listed in §27-514, “Environmental Performance Standards,” shall be identified and mapped. The ability of the proposed use to comply with the requirements of §27-514 shall be shown. The site capacity calculations of §27-511 shall be completed for the subject tract.

D. *Transportation Impact.* An analysis of the impact of the proposed zoning change on the transportation system, both highways and public transportation, shall be provided. Where a proposed zoning change, conditional use or special exception could result in traffic generation of 250 or more trips per day (see paragraph .D(3)(d) for calculation), a transportation impact study shall be prepared in accordance with the following requirements. The appropriate review body, at its discretion, may require any other zoning change, special exception or conditional use application to be accompanied by a traffic impact study; provided, however, that the appropriate review body notifies the applicant within 15 days following the reviewing body’s first meeting to consider the proposal. Such a notification shall specify the reason for the requirement, citing the proposal’s particular location or existing problems or type of use (e.g., generation of heavy truck traffic).

(1) *Definitions.*

(a) *Public Transportation.* Transportation services for the general public provided by a common carrier of passengers generally but not necessarily on a regular route basis, by the Southeastern Pennsylvania Transportation Authority or a private operator offering service to the public.

(b) *Study Area.* The study area shall be defined by two concentric circles at each access point. The first circle shall have a radius of ½ mile from each access point and shall include all intersections along all roadways on which the tract has frontage and all major intersections on all other roadways. The second circle shall have a radius of 1 mile from each access point and include all major intersections on all roadways on which the tract has frontage. In the case that no major intersections are encountered on frontage roadways within either ½-mile or 1-mile radius areas, the study area shall be extended along frontage roadways to at least the first major intersection in each direction. All intersections identified in the study area should be examined. Proposals that will generate more than 2,500 new average daily trips shall expand the first concentric circle to a 1-mile radius and the second circle to a 2-mile radius. The study shall consider all intersections meeting this criteria, even if the intersections

are located outside of the municipality. The transportation engineer shall seek guidance from the Zoning Officer prior to the initiation of the traffic impact study to insure agreement on the study area boundaries.

(c) *Major Intersection.* The intersection of any arterial or collector street with any other arterial or collector street as defined by the Highway Classification Map of the Quakertown Area Zoning Ordinance (Appendix 27-A) or the equivalent document of adjacent municipalities where appropriate. The transportation engineer shall seek guidance from the Zoning Officer prior to the initiation of the traffic impact study to insure agreement on the location of major intersections.

(d) *Level-of-Service.* Level of service (LOS), as described in the 2000 Edition of the “Highway Capacity Manual,” (Special Report 209, Transportation Research Board) or as amended, is a qualitative measure of the operational conditions within a traffic stream and their perceptions by motorists. Levels of service are defined in terms of delay for signalized intersections and reserve capacity for unsignalized intersections. Six levels of service (A through F) are defined for each type of facility with LOS “A” representing least congested operating conditions and LOS “F” representing a breakdown in operating conditions.

(e) *Capacity Analysis.* Intersection approach capacity is the maximum rate of vehicular flow that can pass through an intersection under prevailing roadway, traffic and signalization conditions. The analysis compares the actual or projected traffic volume to the intersection capacity and results in a volume/capacity (V/C) ratio.

(f) *Trip Generation Rates.* The total count of trips to and from a study site per unit of land use, as measured by parameters like dwelling units or acres. The “ITE Trip Generation Report, Eighth Edition” or as amended by the Institute of Transportation Engineers shall be referenced to determine specific rates.

(g) *Warrants for Traffic Signal Installation.* A series of tests which detail the minimum traffic or pedestrian volumes or other criteria necessary for the installation of a traffic signal. These warrants are contained in the “Manual on Uniform Traffic Control Devices for Streets and Highways,” U.S. Department of Transportation, Federal Highway Administration, 1978, as amended.

(h) *On-Site Transportation Improvements.* All improvements on or adjacent to the development site in the public right-of-way required to be constructed by the developer pursuant to any ordinance, resolution or requirement of the municipality and/or directly related to the transportation needs of the proposed use.

(i) *Off-Site Transportation Improvements.* Other transportation related improvements which are generally not contiguous with the property being developed and not required as an on-site improvement but found to be necessary, partly or wholly as a result of the proposed use.

(2) The traffic impact study shall be prepared by a qualified traffic engineer and/or transportation planner.

(3) *General Requirements and Standards.*

(a) *General Site Description.* The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed development. If the development is residential, types of dwelling units shall also be included. The general site description shall also include probable socioeconomic characteristics of potential site users to the extent that they may affect the transportation needs of the site (e.g., number of senior citizens). A brief description of other major existing and proposed land developments within the study area shall be provided.

(b) *Transportation Facilities Description.* The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations, and any traffic signals or other intersection control devices at all intersections within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, by providing adequate turning radii at all access points to allow a bus to enter the development and designating bus shelter and sign locations where appropriate. The report shall describe the entire external roadway system within the study area. Intersections in the study area shall be identified and illustrated. All existing and proposed public transportation services and facilities within a 1-mile radius of the site shall also be documented. Regional rail stations within 3 miles shall be noted. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the Pennsylvania Department of Transportation's 12-Year Highway and Bridge Program and the municipality. Any proposed roadway improvements due to proposed surrounding developments shall be recorded.

(c) *Existing Traffic Conditions.* To the extent that it analyzes the study area, the Quakertown Area Traffic Analysis, Orth-Rodgers & Associates of April, 1987, or succeeding equivalent, shall be considered the baseline for determining existing conditions. Existing traffic conditions shall be measured and documented for all roadways and intersections in the study area and shall include current average daily traffic volumes, peak highway hour(s) traffic, and peak development generated hour(s) traffic to update the Quakertown Area Traffic Analysis Manual traffic counts at all intersections in the study area shall be conducted, encompassing the peak highway and development-generated hour(s), and documentation shall be included in a technical appendix to the report. A 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 intersections in the study area. An additional volume/capacity (V/C) analysis shall be conducted for all intersections having a level of service D, E or F or which should be reasonably expected to have such a level of service after the proposed development. Vol-

ume/capacity ratios and delay levels of service shall be determined for each location according to the 1985 *Highway Capacity Manual* or as amended. The date or dates when any and all traffic counts were made shall be set forth. All changes from the baseline conditions of Quakertown Area Traffic Analysis shall be noted. This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or signalized intersections experiencing levels of service E or F, and V/C ratios greater than or equal to 1.0 shall be noted as deficient. Unsignalized or undersignalized intersections with levels of service E or F shall be noted as deficient.

(d) *Transportation Impact of Development.* Estimation of vehicular trips to result from the proposal shall be completed for the average daily peak highway hour(s) and peak development-generated hour(s). (Trip shall mean a one-way trip into or out of the premises and shall not be construed to mean what is commonly referred to as a “round trip”) Vehicular trip generation rates to be used for this calculation shall be obtained from the “Institute of Transportation Engineer’s Trip Generation Report,” Third Edition, or as amended. For land uses not listed in the Institute’s report, the transportation engineer shall seek guidance from the Zoning Officer or his/her designee. All turning movements shall be calculated. These generated volumes shall be distributed to the study area and assigned to the existing roadways and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phases shall be provided. Traffic volumes shall be assigned to individual access points. Pedestrian volumes shall also be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation or distribution problems shall be noted.

(e) *Analysis of Transportation Impact.* The total future traffic shall be calculated and shall consist of the existing traffic volume expanded to the project completion year using an annual background growth factor plus the development-generated traffic and traffic generated by other proposed developments in the study area. The annual background growth factor shall be determined using the projected rates of population and employment growth as determined by the Bucks County Planning Commission and the average annual traffic growth of the area’s roadways as determined from the Delaware Valley Regional Planning Commission’s “Highway Network Coverage Traffic Counts” and current 24-hour traffic counts. The delay analysis shall be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. The analysis shall be performed for the peak highway hour(s) and peak development-generated hour(s) for all roadways and intersections in the study area. Delay calculations shall be completed for all intersections and proposed access points to the development. A volume/capacity (V/C) analysis shall be conducted for all intersections having a future level of service D, E or F. All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic

signals. This evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation.

(f) *Conclusions and Recommended Improvements.* Levels of service (LOS) and volume/capacity (V/C) ratios shall be listed for all roadways and intersection lane groups. All roadways and intersections showing a level of service E or F, and V/C ratios equal to or greater than 1.0 shall be considered deficient. Also, the proportion of site-generated traffic to total future traffic shall be identified at each lane group that is considered deficient. Specific recommendations for the elimination of all deficiencies shall be listed and shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external roadway intersection design and improvements, traffic signal installation and operation including signal timing, and transit design improvements. All physical roadway improvements shall be illustrated. Signal timing should be evaluated for any intersection with a level of service D, E or F, but a volume/capacity (V/C) ratio less than 1.0. Warrants for signalization shall be examined for unsignalized or undersignalized intersections with levels of service E or F. Existing and/or future public transportation service shall also be addressed and any transportation management techniques which would be available to the proposed development shall be identified. A listing of all actions to be taken to encourage public transportation usage for development generated trips and/or to improve existing service, if applicable, shall be included.

E. *Water Resources Impact.* An analysis of the impact of the proposed zoning change on underlying aquifers, streams and existing nearby wells or on the public water supply system shall be provided. The following information shall be included:

- (1) Any reports, studies or plans previously prepared for the municipality shall be utilized in the analysis.
- (2) The proposed water supply system including source(s), storage and distribution shall be discussed.
- (3) Existing and proposed water resources near the site should be identified.

F. *Sewage Facilities Impact.* An analysis which evaluates the consistency of the proposed zoning change with the municipal sewage facilities plan.

G. *Community Services Impact.* The impact of the proposed zoning change on the demand for community services such as police and schools shall be defined. Where standards of use are set by other agencies such as the Department of Environmental Protection (DEP), these shall be used. All capacities of existing facilities shall be identified and compared with demands that would be generated by the proposed zoning change.

For schools, the following school children yields shall be used:

School Children per Dwelling Unit				
Dwelling Unit Type(s)	Number of Bedrooms	Grades K-6 <sup>1</sup>	Grades 7-9 (JHS) <sup>2</sup>	Grades 10-12 (HS) <sup>3</sup>
Single-Family Detached (B1, B5(b)1)), Single-Family Detached Exemption (B1A), Single-Family Detached Enhanced Density (B4), Detached Dwelling Off-Center (B5(b)2))	2 BR	0.0745	0.0447	0.0793
	3 BR	0.5539	0.1378	0.0874
	4 BR	0.6188	0.1285	0.1265
	5 BR	0.5708	0.0000	0.0737
	Blended *	0.4994	0.1161	0.0964
Twin (B5(b)3)), Duplex (B5(b)4)), Patio House (B5(b)5)), Multiplex (B5(b)7))	1 BR	0.0000	0.0000	0.0000
	2 BR	0.0000	0.0000	0.0000
	3 BR	1.1427	0.7445	0.0000
	Blended *	0.2491	0.1623	0.0000
Townhouse (B5(b)8)), Atrium House (B5(b)6))	1 BR	0.0000	0.0000	0.0000
	2 BR	0.1135	0.0000	0.0258
	3 BR	0.2754	0.0000	0.1396
	Blended *	0.1803	0.0000	0.0750
Apartments (B5(b)9))	1 BR	0.0000	0.0000	0.0000
	2 BR	0.1371	0.0000	0.1327
	3 BR	-	-	-
	Blended *	0.0855	0.0000	0.0827
Mobile/Manufactured Homes (B1A, B5(b)1), B6)	1 BR	0.0000	0.0000	0.0000
	2 BR	0.1408	0.0000	0.0946
	3 BR	0.9229	0.1046	0.1611
	Blended *	0.1997	0.0379	0.1139

<sup>1</sup> K-6: Ages 5-11

<sup>2</sup> JHS: Ages 12-14

<sup>3</sup> HS: Ages 15-17

\*Note: Blended ratios are to be used where the number of bedrooms is not known.

SOURCE: *Development Impact Assessment Handbook*, Burchell, Robert W., David Listokin, et al. Washington, D.C.: ULI—the Urban Land Institute, 1994

H. *Implementation.* Prior to hearing or acting on the zoning change request, the petition and impact statement shall be reviewed by the Municipal Planning Commission, the Bucks County Planning Commission, and the Quakertown Area Planning Committee. The municipality may also retain, at the petitioner’s expense, experts to review and comment on any or all issues addressed in the impact statement. Before voting on the zoning change request, the governing body shall review the petition, the impact statement, the review comments of the Municipal Planning Commission, the Bucks County Planning Commission and the Quakertown Area Planning Committee, any consultants hired by the municipality and the notes of testimony of the hearing. If the governing body determines the change creates major problems or adverse impacts, then the governing body shall reject the proposed zoning change.

I. The petitioner or applicant filing an impact statement shall, at the time of filing, pay to the Zoning Officer for the use of the municipality, a fee in

accordance with a fee schedule adopted by resolution of the governing body upon enactment of this Chapter or as such schedule may be amended from time to time.  
(*Ord. 251, 11/14/2011, §27-1205*)



**Part 13****Enforcement****§27-1301. Jurisdiction.**

Unless otherwise provided by law or in this Chapter, no building or structure shall be erected, constructed, reconstructed, altered, razed or removed, and no building, structure or land shall be used or occupied, except for the purposes permitted in this Chapter.

(*Ord. 251, 11/14/2011, §27-1301*)

**§27-1302. Remedies.**

1. In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted or maintained or any building, structure or land is used in violation of this Chapter, the governing body or the Zoning Officer, with the approval of the governing body, may institute in the name of the municipality any appropriate action or proceeding to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation; to prevent the occupancy of said building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.

2. When such action is instituted by a landowner or tenant, notice of that action shall be served upon the municipality at least 30 days prior to the time the action is begun by serving a copy of the complaint on the governing body. No such action may be maintained until such notice has been given.

(*Ord. 251, 11/14/2011, §27-1302*)

**§27-1303. Enforcement Notice.**

1. The Zoning Officer is hereby authorized and directed to enforce the provisions of this Chapter and to institute civil enforcement proceedings as provided for in §27-1304, when acting within the scope of his employment.

2. If it appears that a violation of this Chapter has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

3. The enforcement notice shall state the following:

A. The name of the owner of record and any other person against whom the municipality 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. That the owner of record, or other person against whom the municipality intends to take action, has 5 days to commence steps to comply with this Chapter and 30 days within which to complete such steps to be in compliance with this

Chapter, unless such times are extended in writing by the Zoning Officer.

E. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within 30 days of the date of the enforcement notice or not later than the expiration of any extension granted, in writing, by the Zoning Officer.

F. That the failure to comply with the enforcement notice within 30 days, unless extended by appeal to the Zoning Hearing Board, constitutes a conclusive determination that a violation exists with sanctions clearly described.

(*Ord. 251, 11/14/2011, §27-1303*)

**§27-1304. Enforcement Remedies.**

1. Any person, partnership, or corporation who or which has violated any of the provisions of this Chapter, upon being found liable therefore in a civil enforcement proceeding commenced by the municipality shall pay a judgment of not more than \$500 plus all court costs plus reasonable attorney fees incurred by the municipality as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. In the event that a recipient of a notice of violation, described in §27-1303 does not appeal the issuance of the same to the Zoning Hearing Board, the judgment of the district justice shall commence 30 days from the issuance of the notice of violation. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. 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 this 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 fifth day following the date of the determination of a violation by the district justice and thereafter each day that the violation continues shall constitute a separate violation.

2. The court of common pleas, upon petition of the defendant, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

3. Nothing contained herein shall be construed or interpreted to grant to any person or entity other than the municipality the right to commence any action for enforcement pursuant to this Section.

(*Ord. 251, 11/14/2011, §27-1304*)

**Part 14****Quakertown Area Planning Committee****§27-1401. Purpose.**

The Quakertown Area Planning Committee has been formed in accordance with Article XI of the Pennsylvania Municipalities Planning Code, 53 P.S. §11101 *et seq.*, in recognition of the common planning problems the member municipalities and the school district share.

(*Ord. 251, 11/14/2011, §27-1401*)

**§27-1402. Membership.**

Membership on the Quakertown Area Planning Committee is limited to designated representatives of the Boroughs of Quakertown, Richlandtown and Trumbauersville; the Townships of Haycock, Milford and Richland, and the Quakertown Community School District.

(*Ord. 251, 11/14/2011, §27-1402*)

**§27-1403. Duties.**

The duties of the Quakertown Area Planning Committee shall include but not be limited to the following:

- A. Review and recommendation concerning any amendment to the Area Subdivision and Land Development Ordinance or the Area Zoning Ordinance.
- B. Review and recommendation concerning all planned residential developments, performance standard subdivisions and cluster developments.
- C. Review and recommendation concerning all requests for conditional uses or special exceptions involving developments of more than 5 acres.
- D. Review of all sketch and preliminary subdivision or land development plans of nonresidential developments involving more than 5 acres or residential developments of 25 or more dwelling units.

All reviews and recommendations are advisory and shall be returned to the municipality within 45 days of receipt. The responsibility for submitting all required items to the Quakertown Area Planning Committee shall rest with the appropriate municipality.

(*Ord. 251, 11/14/2011, §27-1403*)



**Part 15****Repealer and Effective Date****§27-1501. Repealer.**

The existing zoning ordinance, adopted March 29, 1999, and entitled Richland Township portion of the Quakertown Area Zoning Ordinance and all supplements and amendments thereto, are hereby repealed. Provided, however, if the present ordinance is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then and in that event, the Zoning Ordinance of March 29, 1999, together with its supplements and amendments, would necessarily remain in full force and effect.

*(Ord. 251, 11/14/2011, §27-1501)*

**§27-1502. Effective Date.**

This Chapter shall become effective 5 days after adoption thereof.

*(Ord. 251, 11/14/2011, §27-1502)*

**§27-1503. Enactment.**

Enacted and ordained into an ordinance this 14<sup>th</sup> day of November, 2011.

*(Ord. 251, 11/14/2011, §27-1503)*



## Appendix 27-A

### Functional Classification of Streets for Richland Township, Bucks County

#### Arterial

Route 309  
Route 313  
Route 663

#### Collector

California Road  
East Cherry Road (East of Route 309)  
North Old Bethlehem Pike  
Paletown Road  
Portzer Road  
Pumping Station Road (Exclusive of area between Richlandtown Pike and Union Road)  
Quaker's Way  
Reservoir Road (between California Road and Route 309)  
South Old Bethlehem Pike  
South Richlandtown Pike  
Station Road  
Tollgate Road  
Trumbauersville Road  
Union Road

#### Primary

Apple Road  
Axehandle Road  
Beck Road  
Camp Rock Hill Road  
Cherry Road (west of Route 309)  
Church Road  
Dickert Road  
Erie Road  
Gross Road  
Heller Road  
Hickon Road  
Keystone Road  
Meadow Road  
Milford Square Pike  
Mill Road  
Mine Road  
Muskrat Road  
North Richlandtown Pike  
Pullen Road  
Pumping Station Road (between Richlandtown Pike and Union Road)  
Raub Road

Reservoir Road (west of Route 309)  
Rich Hill Road  
Rockhill Road  
Rocky Ridge Road  
Ronald Reagan Drive  
Scholl's School Road  
Schukraft Road  
Shelly Road  
Smoketown Road  
Thatcher Road  
Tohickon Road  
Whaland Road  
Yankee Road  
Younken Road  
Zion Hill Road

**Secondary (all other roadways)**

Marginal access streets  
Residential streets  
Cul-de-sacs  
Loop roads  
Private roads/streets

(*Ord. 251, 11/14/2011, Appendix A*)

## Appendix 27-B

### Bucks County Wetland Plant List

The following plant list represents common wetland species found in Bucks County. These species are reliable indicators of wetlands when found dominating a site (e.g., comprising more than 50% of the vegetation).

This list was derived from a larger regional list of wetland plants located in the northeastern United States compiled by the U.S. Fish and Wildlife Service. The selections for this Bucks County list were made with the assistance of several regional experts: Dr. Ann Rhoads, Director of Botany, Morris Arboretum; Dr. Ernest Schuyler, Associate Curator, Academy of Natural Sciences; Dr. David Benner, Professor of Botany, Delaware Valley College; and Edward Perry, Assistant Supervisor, U.S. Fish and Wildlife Service at State College.

	<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
1.	<i>Acer negundo</i>	Box Elder
2.	<i>Acer saccharinum</i>	Silver Maple
3.	<i>Acorus calamus</i>	Sweetflag
4.	<i>Agrostis alba</i>	Redtop
5.	<i>Alisma subcordatum</i>	American Water Plantain
6.	<i>Alnus serrulata</i>	Hazel Alder
7.	<i>Amaranthus cannabinus</i>	Tidal Marsh Waterhemp
8.	<i>Amorpha fruticosa</i>	Indigo Bush
9.	<i>Andropogon gerardii</i>	Big Bluestem
10.	<i>Andropogon glomeratus</i>	Bushybeard Bluestem
11.	<i>Andropogon virginicus</i>	Broomsedge Bluestem
12.	<i>Arisaema triphyllum</i>	Jack-in-the-Pulpit
13.	<i>Amnia arbutifolia</i>	Red Chokeberry
14.	<i>Aronia melanocarpa</i>	Black Chokeberry
15.	<i>Asclepias incarnata</i>	Swamp Milkweed
16.	<i>Aster umbellatus</i>	Flat-topped White Aster
17.	<i>Betula nigra</i>	River Birch
18.	<i>Bidens</i> (all species)	Beggarticks
19.	<i>Boehmeria cylindrica</i>	Smallspike False-Nettle
20.	<i>Calamagrostis canadensis</i>	Bluejoint

	<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
21.	<i>Calamagrostis cinnoides</i>	Nuttall's Reedgrass
22.	<i>Caltha palustris</i>	Marsh Marigold
23.	<i>Cardamine bulbosa</i>	Spring Cress
24.	<i>Cardamine pensylvanica</i>	Pennsylvania Bittercress
25.	<i>Carex</i> (all species)	Sedge
26.	<i>Cephalanthus occidentalis</i>	Common Buttonbush
27.	<i>Chelone glabra</i>	White Turtlehead
28.	<i>Chrysosplenium americanum</i>	Golden Saxifrage
29.	<i>Cicuta bulbifera</i>	Bulblet-bearing Water Hemlock
30.	<i>Cicuta maculata</i>	Spotted Water Hemlock
31.	<i>Cinna arundinacea</i>	Stout Woodreed
32.	<i>Clethra alnifolia</i>	Summersweet Clethra
33.	<i>Conium maculatum</i>	Poison Hemlock
34.	<i>Comas amomum</i>	Silky Dogwood
35.	<i>Cyperus</i> (all species)	Flatsedge
36.	<i>Decodon verticillatus</i>	Water Willow
37.	<i>Dulichium arundinaceum</i>	Three Way Sedge
38.	<i>Echinochloa walteri</i>	Walter Millet
39.	<i>Eleocharis</i> (all species)	Spikerush
40.	<i>Epilobium coloratum</i>	Purpleleaf Willowweed
41.	<i>Equisetum fluviatile</i>	Water Horsetail
42.	<i>Equisetum hyemale</i>	Scouring Rush Horsetail
43.	<i>Eragrostis hypnoides</i>	Teal Lovegrass
44.	<i>Eragrostis pectinacea</i>	Tufted Lovegrass
45.	<i>Eupatoriadelphus dubius</i>	Eastern Joe-Pye Weed
46.	<i>Eupatorium perfoliatum</i>	Common Boneset
47.	<i>Eupatorium pilosum</i>	Hairy Thoroughwort
48.	<i>Euthamia graminifolia</i>	Grass-Leaved Goldenrod
49.	<i>Fraxinus nigra</i>	Black Ash

	<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
50.	<i>Fraxinus pennsylvanica</i>	Green Ash
51.	<i>Galium obtusum</i>	Bluntleaf Bedstraw
52.	<i>Galium parisiense</i>	Wall Bedstraw
53.	<i>Galium tinctorium</i>	Stiff Marsh Bedstraw
54.	<i>Glyceria</i> (all species)	Mannagrass
55.	<i>Helenium autumnale</i>	Common Sneezeweed
56.	<i>Heteranthera reniformis</i>	Roundleaf Mudplantain
57.	<i>Hibiscus mosocheutos</i>	Rose Mallow
58.	<i>Hydrophyllum virginianum</i>	Virginia Waterleaf
59.	<i>Hypericum mutilum</i>	Dwarf St. Johnswort
60.	<i>Ilex verticillata</i>	Winterberry
61.	<i>Impatiens capensis</i>	Spotted Jewelweed
62.	<i>Impatiens pallida</i>	Pale Touch-Me-Not
63.	<i>Iris pseudacorus</i>	Yellow Iris
64.	<i>Iris versicolor</i>	Blueflag Iris
65.	<i>Juncus</i> (all species)	Rush
66.	<i>Laportea canadensis</i>	Canadian Woodnettle
67.	<i>Leersia oryzoides</i>	Rice Cutgrass
68.	<i>Leersia virginica</i>	Whitegrass
69.	<i>Leucothoe racemosa</i>	Swamp Leucothoe
70.	<i>Lindera benzoin</i>	Spicebush
71.	<i>Liquidambar styraciflua</i>	Sweetgum
72.	<i>Ludwigia</i> (all species)	Primrose
73.	<i>Lycopus</i> (all species)	Bugleweed
74.	<i>Lyonia ligustrina</i>	Male Berry
75.	<i>Lysimachia</i> (all species)	Loosestrife
76.	<i>Lythrum salicaria</i>	Purple Loosestrife
77.	<i>Magnolia virginiana</i>	Sweetbay Magnolia
78.	<i>Mentha X piperita</i>	Peppermint

	<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
79.	<i>Mertensia virginica</i>	Virginia Bluebells
80.	<i>Mimulus ringens</i>	Monkey-Flower
81.	<i>Myosotis scorpioides</i>	True Forget-Me-Not
82.	<i>Nasturtium officinale</i>	Watercress
83.	<i>Nuphar luteum</i>	Yellow Water-Lily
84.	<i>Onoclea sensibilis</i>	Sensitive Fern
85.	<i>Osmunda</i> (all species)	Fern
86.	<i>Panicum longifolium</i>	Long-Leaved Panic-Grass
87.	<i>Panicum rigidulum</i>	Redtop Panicum
88.	<i>Peltandra virginica</i>	Green Arrow Arum
89.	<i>Phalaris arundinacea</i>	Reed Reetlarygrass
90.	<i>Phragmites australis</i>	Common Reed
91.	<i>Polygonum amphibium</i>	Water Knotweed
92.	<i>Polygonum arifolium</i>	Halberdleaf Tearthumb
93.	<i>Polygonum hydropiper</i>	Marshpepper Knotweed
94.	<i>Polygonum hydropiperoides</i>	Swamp Smartweed
95.	<i>Polygonum pensylvanicum</i>	Pennsylvania Smartweed
96.	<i>Polygonum punctatum</i>	Dotted Smartweed
97.	<i>Polygonum sagittatum</i>	Arrow-Leaved Tearthumb
98.	<i>Polygonum scandens</i>	Climbing False Buckwheat
99.	<i>Pontederia cordata</i>	Pickerelweed
100.	<i>Quercus bicolor</i>	Swamp White Oak
101.	<i>Quercus palustris</i>	Pin Oak
102.	<i>Quercus phellos</i>	Willow Oak
103.	<i>Ranunculus sceleratus</i>	Celeryleaf Buttercup
104.	<i>Ranunculus septentrionalis</i>	Swamp Buttercup
105.	<i>Rhododendron viscosum</i>	Swamp Azalea
106.	<i>Rhynchospora capitellata</i>	Brownish Beaksedge
107.	<i>Rorippa palustris</i>	Marsh Yellowcress

	<b>SCIENTIFIC NAME</b>	<b>COMMON NAME</b>
108.	<i>Rorippa sylvestris</i>	Creeping Yellowcress
109.	<i>Rosa palustris</i>	Swamp Rose
110.	<i>Sagittaria</i> (all species)	Arrowhead
111.	<i>Salix</i> (all species)	Willow
112.	<i>Saururus cernuus</i>	Lizard's Tail
113.	<i>Scirpus</i> (all species)	Bulrush
114.	<i>Scutellaria integrifolia</i>	Rough Skullcap
115.	<i>Scutellaria lateriflora</i>	Blue Skullcap
116.	<i>Sium suave</i>	Common Waterparsnip
117.	<i>Smilax hispida</i>	Bristly Greenbriar
118.	<i>Sparganium</i> (all species)	Burreed
119.	<i>Spiraea latifolia</i>	Broadleaf Meadowsweet
120.	<i>Spiraea tomentosa</i>	Steeplebush
121.	<i>Symplocarpus foetidus</i>	Common Skunkcabbage
122.	<i>Thelypteris thelypteroides</i>	Marsh Fern
123.	<i>Triadenum virginicum</i>	Marsh St. Johnswort
124.	<i>Typha angustifolia</i>	Narrow-Leaved Cattail
125.	<i>Typha latifolia</i>	Common Cattail
126.	<i>Ulmus americana</i>	American Elm
127.	<i>Ulmus rubra</i>	Slippery Elm
128.	<i>Vaccinium corymbosum</i>	Highbush Blueberry
129.	<i>Vaccinium macrocarpon</i>	Large Cranberry
130.	<i>Verbena hastata</i>	Swamp Verbena
131.	<i>Viburnum dentatum</i>	Arrowwood
132.	<i>Viburnum recognitum</i>	Southern Arrowwood
133.	<i>Woodwardia areolata</i>	Netted Chain Fern
134.	<i>Zizania aquatica</i>	Annual Wildrice

(Ord. 251, 11/14/2011, Appendix B)



## Appendix 27-C

### Zoning Map Amendments

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 193	9/9/2002	The Quakertown Area Zoning Ordinance of 1999, as amended and adopted by Richland Township, is hereby further amended, and the zoning map thereof is also amended and revised by rezoning a 7.5565± acre portion of Bucks County Tax Map Parcel #36-39-1 and a 3.4315 ± acre portion of Bucks County Tax Map Parcel #36-25-28, located within Richland Township along PA309 near the intersection of Tollgate Road, from Rural Agricultural (RA) Zoning District to Planned Commercial (PC). The amendment to the zoning map of Richland Township, Bucks County, Pennsylvania shall change the zoning district designation of said portions of Tax Parcel #36-39-1 and #36-25-28.
Ord. 198	1/27/2003	The zoning map of Richland Township is hereby amended to change certain properties located within Richland Township along Tollgate Road and Old Bethlehem Pike from the Rural Agricultural (RA) Zoning District to the Suburban Residential Medium (SRM) Zoning District. The Amendment to the zoning map of Richland Township, Bucks County, Pennsylvania shall change the zoning district designation of a portion of Tax Map Parcel No. 36-39-1 consisting of approximately 23.73 acres; Tax Map Parcel No. 36-39-2 consisting of approximately 6.28 acres; Tax Map Parcel No. 36-25-28-I consisting of approximately .5079 acres; Tax Map Parcel No. 3625-27 consisting of approximately .7329 acres; and Tax Map Parcel No. 36-39-3 consisting of approximately .2799 acres to the Suburban Residential Medium (SRM) Zoning District.
Ord. 214	-/-/2004	The zoning map of Richland Township is hereby amended to change the zoning district designation for the parcel located on Heller Road at Walnut Bank Farm Road identified as Bucks County Tax Map Parcel No. 36-017-033-002 consisting of approximately 26.1 acres from the Planned Industrial (I) Zoning District to be entirely within the Suburban Residential Medium (SRM) Zoning District.
Ord. 220	8/8/2005	The zoning map of Richland Township is hereby amended to change the zoning district designation for two parcels located on Tollgate Road identified as Bucks County Tax Map Parcel Numbers 36-16-29 and 36-16-30 from the Suburban Residential Low (SRL) Zoning District to be entirely within the Planned Commercial (PC) Zoning District.

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
Ord. 225	1/3/2006	The zoning map of Richland Township is hereby amended to change certain properties located within Richland Township along Station Road from the Rural Agricultural (RA) Zoning District to the Suburban Residential Medium (SRM) Zoning District. The amendment to the zoning map of Richland Township, Bucks County, Pennsylvania shall change the zoning district designation of tax parcel, no. 36-025-028, consisting of approximately 11.6 acres, from the Rural Agricultural (RA) Zoning District to the Suburban Residential Medium (SRM) Zoning District.
Ord. 235	12/27/2007	The zoning map of Richland Township is hereby amended to change a property located within Richland Township along West Pumping Station Road and O'Neill Drive from the Planned Industrial (PI) Zoning District to the Planned Commercial (PC) Zoning District. The amendment to the zoning map of Richland Township, Bucks County, Pennsylvania shall change the zoning district designation of tax parcel no. 36-005-123, consisting of approximately 9.9 acres, from the Planned Industrial (PI) Zoning District to the Planned Commercial (PC) Zoning District.
Ord. 237	6/9/2008	The zoning map of Richland Township is hereby amended to change the zoning district designation for a portion of a parcel located at the southern end of O'Neill Drive identified as Bucks County Tax Map Parcel No. 36-5-119-2, from the Planned Industrial (PI) Zoning District to the Planned Commercial (PC) Zoning District.

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**Appendix 27-D**

**The Richland Township Historic Resources Survey**

*Submitted to:*

**Richland Township**  
1328 California Road  
Suite A  
Quakertown, PA 18951

*Submitted by:*

**Heritage Conservancy**  
85 Old Dublin Pike  
Doylestown, PA 18901



# Richland Township Historic Resources Survey

## *I. Introduction*

### **Project Overview**

Heritage Conservancy prepared a historic resources survey of Richland Township to document historic resources and identify resources of national, state and local significance. This survey was the first of its kind in the township and was completed between November 2001 and October 2002.

Preliminary research was completed in late 2001 to determine the location of historic resources and to develop historic contexts for the township. Present day tax map parcels, USGS maps, and historic maps were consulted to determine possible historic site locations. The 1891 map of Richland Township was used as the major tool in identifying historic structures. Buildings identified on this map were then labeled on a township tax parcel map for easy field reference.

Field survey work began in the winter of 2002. This work included visiting identified sites, photographing resources, completing architectural descriptions, and identifying significant properties and potential historic districts. A survey card for each identified site was completed. The survey cards include information regarding property identification, approximate date of construction, architectural style, a description of the main building and accessory structures, and historical narrative and/or historic map identification. Historic research on key properties was undertaken upon completion of fieldwork. Historic research included using historic maps and, in some cases, deed records and local histories. In most cases, the history of the resource is only briefly described.

Upon the completion of fieldwork and research, each resource was evaluated to determine its architectural and/or historical significance. The property was then ranked to determine eligibility for National Register listing and local significance. Properties that appear to be eligible for listing for the National Register have been labeled "NRE." Locally significant properties were ranked "LS1" or "LS2." Properties rated "LS1" were felt to possess greater significance due to architectural integrity and/or historical association. Resources ranked "LS2" were felt to be locally significant but represented more common forms. Properties without specific ranking are historical resources that either appear to have been altered and/or for which little historical information could be obtained.

It should be remembered that ranking resources was based on preliminary exterior inspection. Alterations to buildings and demolition of a portion or all of a building can change a ranking dramatically. Likewise, a building that appears

to hold little architectural integrity on the exterior can be rehabilitated and preserved. Often historic fabric is hidden behind modern materials. This is sometimes the case with historic resources that appear to be relatively unimportant but which may actually be very early log buildings.

Survey cards with photographs and, in some cases, supplementary material, such as biographical sketches of past owners, have been supplied as the final product of this study. In addition, survey information is available on cd-rom. Each resource is also labeled on a companion map and identified by tax map parcel.

## *II. Resources Identified by Ranking*

### **NRE Resources**

The resources survey identified several potential districts that might be eligible for listing on the National Register of Historic Places. If there is community support, the township should consider completing district nomination forms for these areas. Additional research and fieldwork will be necessary to prepare eligibility forms and national register nominations.

- California
- Rich Hill (extends into adjoining townships)
- Shelly Station

In addition, there are several collections of early 20<sup>th</sup> century resources, such as the area of homes just south of Fairview Avenue, that may warrant more in-depth study to determine their eligibility as historic districts.

Individual sites that may be eligible for National Register listing:

36-005-033	Reservoir Road
36-005-054	395 West Pumping Station Road
36-009-016	55 Hickon Road
36-009-017	86 East Cherry Road
36-009-038	160 Dickert Road
36-009-061	490 East Cherry Road
36-009-092	479 East Cherry Road
36-009-149-002	1375 California Road
36-011-002	1367 Richlandtown Pike
36-013-025-001	520 Tollgate Road
36-017-032	140 East Pumping Station Road
36-017-044-001	889 Old Bethlehem Pike
36-017-048	350 Station Road
36-029-046-001	290 Raub Road
36-029-071	225 Apple Road
36-029-091	Church Road
36-035-001	Richlandtown Pike
36-038-008	580 Scholls School Road
36-038-017-001	1175 Rich Hill Road
36-038-041	1430 Old Bethlehem Pike
36-039-106	Axe Handle Road
36-045-001	Thatcher Road

**LS1 Sites**

36-002-001	East Cherry Street
36-002-001	East Cherry Street
36-003-006-001	23 East Cherry Road
36-005-013	304 Reservoir Road
36-005-017	389 Reservoir Road
36-005-025	88 Mine Road
36-005-049	400 Reservoir Road
36-005-057	150 Reservoir Road
36-009-048	1040 California Road
36-009-049	1004 California Road
36-009-086	320 Gross Road
36-009-087	230 Gross Road
36-009-102-001	1590 California Road
36-009-110	1204 California Road
36-009-119	1602 California Road
36-009-128	1155 California Road
36-009-129	1197 California Road
36-009-134-001	800 East Cherry Road
36-009-162	1581 California Road
36-009-169	1845 California Road
36-010-005	43 East Cherry Road
36-010-014	25 Shelly Road
36-010-022	70 East Cherry Road
36-013-004	550 Trumbauersville Road
36-013-007	380 Trumbauersville Road
36-013-011	325 Trumbauersville Road
36-013-012-001	401 Tollgate Road
36-013-024	580 Tollgate Road
36-013-049	95 Scholls School Road
36-013-050-004	55 Scholls School Road
36-017-022-003	840 Old Bethlehem Pike
36-017-026	175 California Road
36-017-030	323 California Road
36-017-038	201 Cemetery Road
36-017-050	410 Station Road
36-021-095-002	115 Trumbauersville Road
36-022-012	490 Heller Road
36-027-025	258 Station Avenue
36-027-025-001	260 Station Avenue
36-029-003	680 East Pumping Station Road
36-029-020	525 Beck Road

36-029-029	1258 Richlandtown Pike
36-029-041	799 Erie Road
36-029-044	144 Raub Road
36-029-064-001	196 Union Road
36-029-068	591 Union Road
36-029-069	110 Apple Road
36-029-078	167 Meadow Road
36-029-088	375 Church Road
36-032-005	378 Richlandtown Pike
36-035-007	198 Richlandtown Pike
36-037-009-002	175 Pullen Station Road
36-038-009	55 Camp Rock Hill Road
36-038-014	565 Scholl's School Road
36-038-019-001	1115 Rich Hill Road
36-038-038	1496 Old Bethlehem Pike
36-038-060	1475 Old Bethlehem Pike
36-038-062-001	1499 Old Bethlehem Pike
36-039-001	25 Tollgate Road
36-039-015-001	120 East Paletown Road
36-039-019	30 West Paletown Road
36-039-025	360 Paletown Road
36-039-035	120 Muskrat Road
36-039-036	255 Rich Hill Road
36-039-037	275 Rich Hill Road
36-039-055	340 Rock Hill Road
36-039-064	225 Rocky Ridge Road
36-039-069	101 East Paletown Road
36-039-083-001	510 Rock Hill Road
36-039-100-001	355 Rock Hill Road
36-039-101	Doylestown Pike
36-039-104	40 West Thatcher Road
36-042-001	130 East Paletown Road
36-043-007-001	442 East Paletown Road
36-043-028	Doylestown Pike
36-045-005-003	300 West Thatcher Road

**LS2 Sites**

36-005-001-001	243 West Zion Hill Road
36-005-032	860 California Road
36-005-036	175 Reservoir Road
36-005-048	466 Reservoir Road
36-005-085-001	1883 Old Bethlehem Pike

36-005-087-001	205 Portzer Road
36-006-001	70 West Cherry Road
36-009-002	304 Mine Road
36-009-005	71 East Cherry Road
36-009-028	274 Mine Road
36-009-036	240 Dickert Road
36-009-057	360 Cherry Road
36-009-062	520 East Cherry Road
36-009-063	532 East Cherry Road
36-009-066	California Road
36-009-096-001	341 East Cherry Road
36-009-104-002	1426 California Road
36-009-111-001	525 East Cherry Road
36-009-114-001	209 Gross Road
36-009-133	760 East Cherry Road
36-009-139	957 East Cherry Road
36-009-168	1420 Richlandtown Pike
36-010-009	65 – 67 East Cherry Road
36-010-010	55 East Cherry Road
36-010-011	49 East Cherry Road
36-010-019	17 Nice Road
36-010-020	9 Nice Road
36-013-006	482 Trumbauersville Road
36-013-008	495 Trumbauersville Road
36-013-009	475 Trumbauersville Road
36-013-046	400 Yankee Road
36-013-048	221 Scholls School Road
36-017-046	204 Station Road
36-017-060	Station Road
36-017-068	141 Station Road
36-017-074-005	419 Erie Road
36-024-033	100 Richlandtown Pike
36-027-001	160 Fairview Avenue
36-027-003	186 Fairview Avenue
36-027-006	168 Hellertown Street
36-027-017	224 Fairview Avenue
36-027-020	274 Fairview Avenue
36-027-026	240 Station Avenue
36-027-027	228 Station Avenue
36-027-036	185 Perkasio Avenue
36-028-058	551 Erie Road
36-029-007	990 Cherry Road

36-029-021	11225 East Cherry Road
36-029-024	1130 Richlandtown Pike
36-029-034-003	120 Younken Road
36-029-047	380 Raub Road
36-029-060	460 Union Road
36-029-080	Meadow Road
36-029-085	141 Meadow Road
36-032-005	380 Richlandtown Pike
36-032-006	362 Richlandtown Pike
36-032-007	350 Richlandtown Pike
36-033-014	578 Richlandtown Pike
36-033-097	596 Richlandtown Pike
36-034-003	168 Church Road
36-035-022	159 Richlandtown Pike
36-035-023	165 Richlandtown Pike
36-035-031	191 Richlandtown Pike
36-035-032	193-195 Richlandtown Pike
36-035-053	355 Richlandtown Pike
36-035-053-001	351-353 Richlandtown Pike
36-037-010	85 Pullen Station Road
36-038-016	50 Whaland Road
36-038-061	1487-1489 Old Bethlehem Pike
36-039-004	1140 Old Bethlehem Pike
36-039-006-001	1175 Old Bethlehem Pike
36-039-021	100 West Paletown Road
36-039-063	115 Muskrat Road
36-039-071-002	143 East Paletown Road
36-039-079	Hickory Lane
36-039-098	185 Rock Hill Road
36-039-107-001	70 Axe Handle Road
36-041-001-002	1024 Doylestown Pike
36-043-011-001	399 East Paletown Road
36-045-003	200 West Thatcher Road
36-045-004	220 Thatcher Road
36-045-007	460 West Thatcher Road
36-045-013	173 West Thatcher Road
36-045-014	185 West Thatcher Road
36-045-016	255 Thatcher Road
36-045-028-003	95 Axe Handle Road

### *III. Survey Findings*

#### **Historical Overview**

Richland Township, located in the northwest corner of Bucks County, was formed in 1734. The name Richland is believed to have developed in the 1720s with the discovery of fertile soil in the area. Although Griffith Jones was the first to own land in the area with a grant from William Penn in 1681, there is no evidence that he actually lived in the township. The first actual settler is thought to have been Peter Lester or his son-in-law, John Ball. Both Lester and Ball were members of the Society of Friends and settled in the area around 1712. By 1716 a number of other Quaker settlers came to the region, with most settling along the southern and western sections of the township and in what is now Quakertown Borough.

Development of the area continued in the first half of the 18<sup>th</sup> century with the construction of a meetinghouse around 1721 and the building of roads in the late 1720s and 1730s. Early roads, such as present day California, Old Bethlehem and Doylestown roads, helped disperse the new settlers. German emigrants and their descendants from nearby Montgomery County began to take up land in the 1730s and by the late 18<sup>th</sup> century outnumbered their English neighbors. Tax records for 1799 indicate that Richland residents with apparent German heritage constituted approximately 55% of the population.

Richland Township remained essentially rural until quite recently; however, clusters of families could be found in several crossroad villages developed in the late 18<sup>th</sup> and early 19<sup>th</sup> centuries. As late as 1784, the township held only 860 inhabitants with 147 dwellings. Concentrations of homes were found in small villages including areas in present-day Quakertown, Richlandtown, and Rich Hill. Although two of these communities are now separate municipalities, they were important centers for the Richland community. Crossroad communities were established in the township around taverns, potteries, mills, and/or churches and all remained relatively small until the second half of the 19<sup>th</sup> century. The Federal Direct Tax record for the township indicates that in 1798 there were 184 dwellings and 141 barns. The majority of properties in Richland Township during the 18<sup>th</sup> century developed as farmsteads. Even Quakertown, for example, was described in 1820 as holding less than a dozen dwellings.

By the mid 19<sup>th</sup> century, however, the growth of Quakertown as a regional center, and the construction of the North Pennsylvania railroad through the township in 1856, brought new development and established new centers. In 1857 a rail line, called the Bethlehem branch, was completed through Bucks County via Telford and Quakertown to Bethlehem and Allentown. The main line

of the Reading Railroad ran from Philadelphia to Reading. In addition to the main line, there were a number of divisions of the company that ran on individual lines or branches, which connected back to the main trunk line. The railroad became part of the Philadelphia and Reading Railroad system in 1879.

A passenger station was constructed at the time the line first opened. A freight station soon followed. When initially constructed, the station was named Richland Center and was located approximately a mile from Quakertown Borough. By 1860, hundreds of buildings went up, and the unincorporated village, also called Richland Center, quickly eclipsed the village of Quakertown. In a stunning move, Quakertown annexed the sprawling town of Richland Center in 1874. As it grew in importance, the new enlarged Quakertown became the focus of additional transportation networks, which, in turn, fueled further growth.

Between 1856 and 1876 Quakertown more than doubled in size. The building boom in Quakertown created several residential areas outside the borough limits including an area of Victorian homes just south of Fairview Avenue. A number of industrial facilities sparked growth into the last quarter of the century including plants that manufactured cigars, tools, boots and shoes, clothing, and stoves. Other major industries included silk mills and makers of agricultural equipment.

The village of Shelly, in the northwest corner of the township, also developed due to the establishment of a railroad station with a general store and cigar manufactory.

By the early 20<sup>th</sup> century, most roads and villages in present day Richland Township were well established, and growth slowed. With the construction of major roadways, such as the nearby Northeast Extension of the Pennsylvania Turnpike and the realignment of Route 309, 20<sup>th</sup> century development has increased and in recent years has begun to change the rural character of the township.

### **Architecture**

Richland Township's earliest buildings appear to date to the 18<sup>th</sup> century. Many of these buildings have become part of larger structures, often hidden behind modern materials. Today, only a handful of readily identifiable 18<sup>th</sup> century structures are found in the township.

Records indicate that the majority of 18<sup>th</sup> century buildings in Richland Township were constructed of log. The 1798 Federal Direct Tax records show that of the 184 buildings found in the township (then including the two boroughs), 106 were one-story log dwellings. Another 31 were two-story log

buildings, and eight were log described as stone and log, which may have had stone ends or stone infill.

The same record shows that stone buildings were relatively rare. Only 26 two-story stone houses were found in the township in 1798. Another five, one-story dwellings were also constructed of stone. A number of these 31 structures were located in present-day Quakertown Borough.

A handful of frame structures and two brick buildings were also identified in the 18<sup>th</sup> century tax record. Frame or plank buildings were uncommon since most sawn lumber was reserved for other purposes. Brick buildings were also rare in upper Bucks County. Clay deposits in Richland were well known and were usually associated with the potteries in the lower portion of the township.

Likewise few 18<sup>th</sup> century agricultural buildings in Richland Township are extant. Modern materials and additions, however, may mask early barns and outbuildings. Of the 141 barns listed in the 1798 Federal Direct Tax record, 115 were constructed of log. The record indicates that only three stone barns existed prior to 1800.

### **Primary Structures**

The majority of historic buildings in the township appear to have been constructed after 1800. Federal-period stone dwellings can be found throughout the township. Most examples are two or two-and-one-half-story buildings with three- or five-bay-wide facades often topped with decorative cornices. Many of these buildings constructed between 1820 and 1840 were faced with stucco. Both single- and double-pile (two-room deep) examples of the style are apparent in the township. In the 1830s and 1840s, buildings with Greek Revival features, including gable roof returns, transoms and sidelights, and third-story frieze (often called "eyebrow") windows began to be fashionable. Frame buildings were also more common with new milling technology. By the mid-1800s, most log construction gave way to frame, stone and brick construction. These Greek Revival buildings tend to have floor plans and massing that are similar to Federal period structures.

A wide variety of styles derived from pattern books are associated with architecture of the mid to late 19<sup>th</sup> century. Most buildings in Bucks County retained their simple rectangular forms but employed a variety of elements associated with new styles. The most common form found in the area remained the simple one-room-deep, two-room-long, I-plan house. Laterally oriented floor plans, typical in the 18<sup>th</sup> and early 19<sup>th</sup> centuries, gave way to buildings added to or designed with rear wings. L-shaped buildings also became more prevalent by mid-century.

The predominant style found in the area between 1840 and 1870 was the Gothic Revival. This style was epitomized by cottages with steep cross gable roofs and pointed arched windows. Features such as decorated porches and bay windows were also introduced. Although high style versions of the Gothic Revival mode were common in cities and other areas of the region, most examples of the style in Richland held only slight references to the Gothic Revival architecture. Stone elements found on more sophisticated examples gave way to wooden components cut by power scroll saws.

By the middle of the century, Italianate features appeared, inspired by large Italian villas. Vernacular examples of the style often have tall, narrow windows, round arched attic windows, ornate cornices with brackets and front porches.

By the end of the century, Queen Anne-style houses were popular. Unlike the simple house forms of previous styles, Queen Anne-style homes had asymmetrical plans, often containing towers, turrets, wrap-around porches and bay windows.

Although this historic survey concentrated on historic resources that were found prior to 1891, several popular styles of the early 20<sup>th</sup> century are also evident in the township. Colonial Revival, Bungalow and American Four-square houses were common modes used in residential construction between 1900 and 1930. Examples of these styles retaining their architectural integrity have been included in the survey.

### **Secondary Buildings**

A large number of early barns and associated outbuildings are found scattered throughout the township. The majority of these structures are of stone and frame construction. Log barns, once the most common form found in the township, are rare today. Many log outbuildings could exist hidden behind modern materials and would not be identified in this survey.

Stone barns were common by the first quarter of the 19<sup>th</sup> century in Richland Township. These barns tend to be standard Pennsylvania forms with open or closed forebays. Many barns have stone ends with stone or framed gables. German influences, such as the use of Peilers, the piers that strengthen barn walls and help support closed forebays, are common. Most large barns are bank barns, often with stone stabling and frame upper floors. Barns tend to have extensions, often with outsheds on the bank ramp elevations. By the mid-19<sup>th</sup> century double-decker barns were found in the region. Many later barns have gable peak windows that contain elements of common modes of the period.

Other common outbuildings are outkitchens found close to the dwelling. For the most part outkitchens are one-story, frame or masonry structures with gable

roofs and end chimneys. Several log outkitchens with stone chimney end walls are also found in the township. Stone springhouse, root cellars, dairies and other small structures are found scattered on early farmsteads.

## *IV. Conclusion*

### **Use of Survey Work**

The historic resources survey was designed as a planning tool. In short, it is the list of the township's historic resources. The inventory of resources includes historic houses, agricultural buildings, commercial and industrial structures, and other man-made features such as bridges. These historic resources form an integral part of the township's character, history, physical landscape and way of life.

Ideally, township officials should use the survey as a regular, ongoing part of the township's planning, zoning and land-development review and activities. Township officials should consult it as projects are planned for an area or for a specific property with a historic resource. The survey should form the basis of the municipality's preservation planning.

The survey should also be continually updated and refined. This study should be used as a guide—not as the final word on a resource's architectural and historic significance. Detailed analysis of any building identified in this study should be undertaken if scheduled for demolition or impacted by new development.

Property owners, historical organizations and other individuals and groups interested in completing more detailed historical review can use this material as a reference point. It is suggested that the township maintain files for each property that can be supplemented with additional historical materials.

### **Future Steps**

Protection of historic resources has been shown to help maintain and enhance a community's cultural memory and, at the same time, its quality of life. By preserving historic structures, local communities can also enhance property values and spur smart growth and economic development. Today a host of historic preservation techniques are available that can enhance and rehabilitate historic structures as vital parts of communities.

It is extremely important to remember that preservation techniques do not work without community support. Building excitement and educating both local officials and the public about preservation issues is essential. Hands-on community involvement in all aspects of preservation planning is necessary for preservation policies to work.

### **National Register of Historic Places**

The National Register of Historic Places is the federal list of resources worthy of preservation. The National Register assists in preserving historic resources by encouraging the recognition of significant properties and areas and, in turn,

fostering community pride and interest in the area's history. In addition, National Register listing can provide protection from federally funded projects.

Listing on the National Register does not guarantee a resource's protection nor does it prevent a historic homeowner from changing or even demolishing their structures. However, register status does provide a degree of protection against state and federally financed projects that might have a negative effect on historic resources.

One of the benefits of listing on the National Register is the availability of substantial tax credits for owners who undertake rehabilitation. Federal tax credits for rehabilitation work are currently available for income-producing properties.

### **Federal Tax Credits and other Potential Benefits**

Since 1976, the Federal Internal Revenue Code has contained a variety of incentives to encourage capital investment in historic buildings and to spur revitalization of historic neighborhoods. These incentives include a 20% tax credit from the amount of Federal tax owed for the preservation of income-producing properties. Credits are available for owners and certain property tenants with long-term leases of commercial properties. To qualify, the building must be a certified historic structure, listed on the National Register, be income-producing, and work must be substantial—that is equal to the adjusted basis of the building.

Both the National Register program and tax credits for rehabilitation are administered through the Pennsylvania historic preservation office, part of the Pennsylvania Historical and Museum Commission (PHMC).

Unfortunately, there are currently no tax credits or funds for residential properties. There are several bills pending in Pennsylvania that are designed to provide economic incentives for the preservation of privately owned historic resources. These include the Historic Home & Neighborhood Preservation bill (HB 90) and Historic Home Local Regulation and Tax Assessment bill (HB 91).

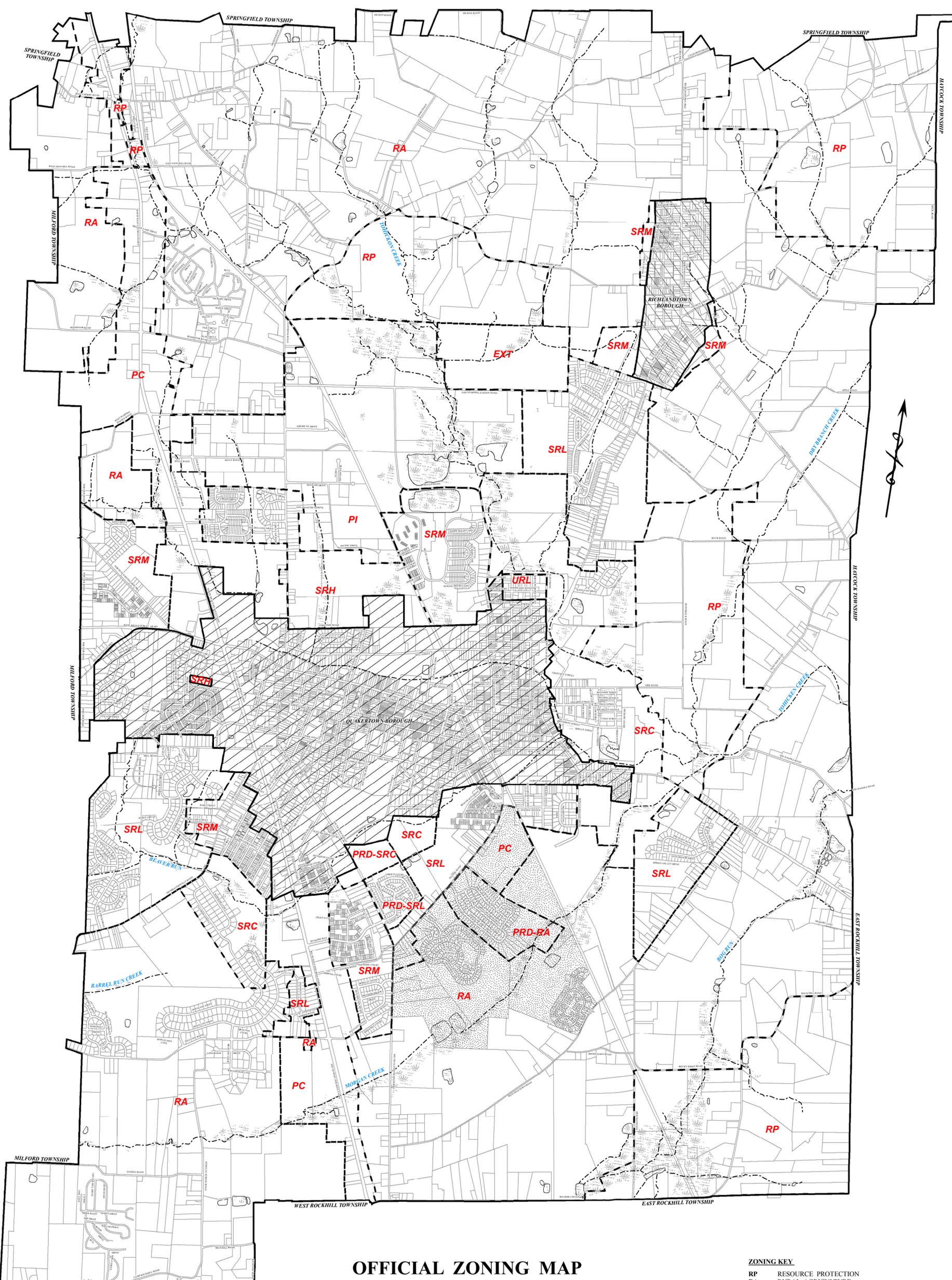
### **Local Preservation Tools**

In Pennsylvania, the National Register program also forms the basis for local preservations programs. PHMC must find a district eligible for National Register listing in order for a local government to implement historic district zoning. However, less restrictive historic overlay zoning can be implemented to protect national register eligible and locally significant buildings.

Historic district zoning is perhaps the most effective tool local municipalities can use to protect historic resources. Zoning establishes local controls for an area

with historical and/or architectural significance. It provides for orderly review of alterations and additions to historic resources and acts as a means to protect and enhance a district. Only exterior architectural features as seen from a public street are reviewed under this legislation. General design, arrangement of windows and doors, texture, material and color of buildings and the relation of such factors to similar features of the historic district are considered. Historic district zoning can be implemented only after passage of a historic district ordinance, guidelines, and establishment of an advisory review board. In Pennsylvania, the advisory review board serves under the municipality's governing board.

In Richland Township, historic overlay zoning may be considered where historic resources are not concentrated in historic districts. Protection is available under the Municipalities Planning Code's Zoning provision, Article VI sections 604-605. Historic Overlay zoning can be less restrictive, regulating demolition, massing and scale, or other exterior alterations.



# OFFICIAL ZONING MAP

(ADOPTED BY ORDINANCE No. 193 ON SEPT. 9, 2002)

PREPARED FOR  
**RICHLAND TOWNSHIP, BUCKS COUNTY, PA**



**ZONING KEY**

RP	RESOURCE PROTECTION
RA	RURAL AGRICULTURE
SRC	SUBURBAN RESIDENTIAL CONSERVATION
SRL	SUBURBAN RESIDENTIAL LOW
SRM	SUBURBAN RESIDENTIAL MEDIUM
SRH	SUBURBAN RESIDENTIAL HIGH
URL	URBAN RESIDENTIAL LOW
PC	PLANNED COMMERCIAL
PI	PLANNED INDUSTRIAL
EXT	EXTRACTION
PRD	PLANNED RESIDENTIAL DEVELOPMENT
AQ	AGE QUALIFIED OVERLAY DISTRICT

THIS MAP WAS PREPARED BY CARROLL ENGINEERING ON OCTOBER 21, 2010, AS A DIGITIZED REPRODUCTION OF THE OFFICIAL ZONING MAP OF RICHLAND TOWNSHIP.

REVISED 6-9-98 REZONE PORTION OF TMP No. 36-005-118-002 FROM PI TO PC  
 REVISED 12-27-07 REZONE TMP No. 36-001-121 FROM PI TO PC  
 REVISED 1-13-06 REZONE TMP No. 36-023-21 FROM RA TO SRM  
 REVISED 11-23-05 REZONE TMP No. 36-079-1 FROM RA TO SRM  
 REVISED 08-15-05 REZONE TMP No. 36-016-29 & 36-016-30 FROM SRL TO PC  
 REVISED 12-16-04 REZONE PORTIONS OF TMP No. 36-071-012 FROM PI TO SRM  
 REVISED 9-9-02 REZONE PORTIONS OF TMP Nos. 36-29-1 & 36-25-23 FROM RA TO PC  
 REVISED 5-8-00 ADD AD-OVERLAY AND UPDATE FOR APPROVED SUBDIVISIONS  
 REMOVE SWM OVERLAY DISTRICT & REDESIGNATE IC TO THE PC DISTRICT  
 ALONG SOUTH END OF Rt. 100. CONVERT TMP Nos. 36-21-201 & 36-21-251 FROM SRC TO PC & CONVERT A PORTION OF TMP 36-38-33 FROM RA TO PC  
 REVISED 9-15-97 REDESIGNATE SELECTED PARCELS TO PLANNED COMMERCIAL (PC) ALONG ROUTE 309, NORTH OF QUAKERTON. REDESIGNATE TMP NOS. 36-16-12, 36-4-15 & 36-4-18 TO RESOURCE PROTECTION (RP). REDESIGNATE TMP NOS. 36-25-2 & 36-25-3 FROM EXTRACTION (EXT) TO PLANNED INDUSTRIAL (PI) AND ELIMINATE THE SOLID WASTE MANAGEMENT (SWM) OVERLAY DISTRICT.  
 ADOPTED BY ORDINANCE No. 175 DATED OCTOBER 27, 1997  
 REVISED 9-15-97 ELIMINATE FORTHEBURNERS A, B, C, D, E & F  
 REDESIGNATE TMP 36-17-511 (RICHLAND COURT) TO PLANNED RESIDENTIAL DEVELOPMENT (PRD) PER FINAL PLAN RECORDED IN PLAN BOOK 284, PAGE 186  
 REVISED 9-15-97 REFERENCE RICHLAND TOWNSHIP ZONING ORDINANCE SECTION 409  
 REVISED 10-16-96 REDESIGNATE TMP 36-13-151 AS PLANNED COMMERCIAL (PC)  
 REVISED 5-6-96 ADOPTED BY ORDINANCE No. 140 DATED  
 REDESIGNATE TMP Nos. 36-5-51, 52 & 53 AS PLANNED COMMERCIAL (PC)  
 REVISED 8-13-94 ADOPTED BY ORDINANCE No. 122  
 REVISED 11-16-90 ADOPTED BY ORDINANCE No. 122  
 REVISED 7-26-90 GENERAL REVISIONS  
 REVISED 2-28-83 ADD QUAKERTON AND RICHLAND TOWNSHIP BOROUGHS MAIN THROUGH STREETS



## **Appendix**

The following ordinances and resolutions are no longer of general interest, primarily because their provisions were carried out directly after enactment. Since they are mainly of historical or administrative interest, it has not been considered necessary to include their entire text. Instead. They are arranged in groups, according to subject matter, and within each group listed by title in chronological order. The annual budget and tax ordinances have been listed only in the “Key to the Disposition of Ordinances.” Any person who desires to read the full text of any of the ordinances or resolutions may do so by consulting the original Ordinance Books of file in the Township Offices.

The enactment included in this Appendix are grouped under the following headings:

- A . . . . . Bond Issues and Loans
- B . . . . . Franchises and Services
- C . . . . . Governmental and Intergovernmental Affairs
- D . . . . . Plan Approval
- E . . . . . Public Property
- F . . . . . Sewers
- G . . . . . Streets and Sidewalks



## Appendix A

### Debt and Bond Issues

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
119	10/19/1989	Funds for municipal improvements
205	6/23/2003	Authorizing the incurrence of electoral and nonelectoral debt of Richland Township by the issuance of \$5,370,000 aggregate principal amount general obligation bonds, series of 2003, for the purpose of providing funds for and towards financing a capital improvement program and to pay the costs of issuing the series of 2003 bonds
240	2/9/2009	Authorizing and directing the issuance of a general obligation note, series of 2009, in the principal amount not to exceed \$281,400, for the purpose of providing funds to be applied for and toward designing, acquiring, constructing, renovating and improving the municipal street light system of the Township
243	2/8/2010	Authorizing the incurrence of electoral and nonelectoral debt of Richland Township by the issuance of \$6,095,000 general obligation bonds, series of 2010, for the purpose of providing funds for and towards financing a capital program and a refinancing program
264	4/13/2015	Authorizing and directing the issuance of general obligation bonds, series of 2015 in the aggregate principal amount of \$4,140,000 pursuant to the Local Government Unit Debt Act of the Commonwealth of Pennsylvania, 53 PA. C.S. CHS. 80-82; providing the proceeds of the 2015 bonds shall be applied to carry out the current refunding of the Township's general obligation bonds, series of 2010



## Appendix B

### Franchises and Services

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
19	3/18/1974	Permission to operate for B & B Cablevision, Inc.
59	4/5/1982	Permission to operate for Service Electric Cable TV Inc.
168	12/30/1996	Amends Ord. 59 - increases percentage
239	9/8/2008	Permitting the entering into of a Cable Franchise Agreement granting a nonexclusive franchise to Verizon Pennsylvania, Inc., to construct, install, maintain, extend, and operate a cable communications system in Richland Township
246	12/13/2010	Authorizing the execution of a cable franchise agreement granting a nonexclusive cable franchise to Comcast of Southeast Pennsylvania, LLC, to construct, install, maintain, extend, and operate a cable communications system in Richland Township



## Appendix C

### Governmental and Intergovernmental Affairs

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
133	8/5/1991	Agreement with Richlandtown Borough for plumbing licenses
189	2/26/2001	Agreement with Borough of Quakertown for traffic signal system
190	5/21/2001	Agreement with Richland Township to join Upper Bucks Emergency Situation Team
195	7/8/2002	A question to be placed before voters at the general election of 11/5/2002, whether they favor increase of 0.1% on Earned Income Tax rate for the next 15 years to finance the acquisition of open space (acquiring forest and agricultural conservation easements, property development rights and recreational or historical lands)
Res. 04-22	6/28/2004	Providing for the administration and enforcement of the Uniform Construction Code, establishing a Board of Appeals and establishing fees
213	9/23/2004	Authorizing an intermunicipal cooperation agreement between Richland Township and the Central Bucks Area Response Team to establish a high risk emergency response team
219	6/27/2005	Approving a mutual aid agreement and authorizing the participation of the Township Police Department in cooperation with member police departments for an emergency response team, all pursuant to the Pennsylvania Intergovernmental Cooperation Law
241	4/13/2009	Providing for the execution of an amended and restated intergovernmental cooperation agreement; appointing the Municipal Utility Alliance as the consultant of the Township of Richland for the purpose of bidding and purchasing certain utility products and services as designated in the amended and restated intergovernmental cooperation agreement
248	7/11/2011	Electing to amend its municipal pension plan administered by the Pennsylvania Municipal Retirement System pursuant to Article IV of the Pennsylvania Municipal Retirement Law; agreeing to be bound by all provisions of the Pennsylvania Municipal Retirement Law as amended and as applicable to member municipalities
258	6/9/2014	Authorizing the Township of Richland to join with other political subdivisions as a member of the Susquehanna Municipal Trust, to enter into an intergovernmental agreement for the purpose of joining the Trust and to participate as a member of the Trust



**Appendix D**

**Plan Approval**

<b>Ord./Res.</b>	<b>Date</b>	<b>Subject</b>
69	9/10/1984	Temporary regulation for Flight Festival at Quakertown Airport - restricted traffic on Milford Road
75	9/9/1985	Temporary regulation for Flight Festival at Quakertown Airport - restricted traffic on Milford Square Road
84	9/8/1986	Temporary regulation for Flight Festival at Quakertown Airport - restricted traffic on Milford Square Road
206	9/8/2003	Authorizing a mutual aid agreement between participating Bucks County municipalities for emergency services.

