

**ORDINANCE NO. 2018-\_\_**

**AN ORDINANCE OF BUCKINGHAM TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, BEING AN OMNIBUS AMENDMENT OF THE BUCKINGHAM TOWNSHIP ZONING ORDINANCE, TO CREATE AN ENTERPRISE OVERLAY DISTRICT, A MILL CREEK OVERLAY DISTRICT, COMMUNICATIONS OVERLAY DISTRICT 4, A HOTEL/MOTEL/INN USE, A PARKING GARAGE USE, ESTABLISHING MEDICAL MARIJUANA DISTRIBUTION AND MANUFACTURING USES, REVISING THE FORESTRY USE, AMENDING THE WIRELESS COMMUNICATION USE TO ACCOMMODATE WIRELESS SMALL CELL TOWERS, REVISING NOISE RESTRICTIONS, LIGHTING RESTRICTIONS AND SIGN RESTRICTIONS, IMPOSING RESTRICTIONS ON BLASTING NEAR OCCUPIED STRUCTURES, AND MAKING MISCELLANEOUS OTHER DISSEMINATED REVISIONS.**

**WHEREAS**, Section 605 of the Pennsylvania Municipalities Planning Code (“MPC”) provides for additional classification of uses to be permitted within a zoning district for places at or near the boundaries of Districts, for the purpose of regulating nonconforming uses and structures and for the regulation of uses or structures along or near major thoroughfares and their intersections; and

**WHEREAS**, the Board of Supervisors of Buckingham Township has concluded that in order to implement a consistent planning approach with neighboring municipalities on, along and near the Easton Road corridor, an Arterial Highway, and in order to recognize existing nonconforming uses and structures, additional uses with district dimensional requirements must be permitted; and

**WHEREAS**, Buckingham Township is charged by Section 604 of the MPC to prevent “danger and congestion in travel and transportation”; and

**WHEREAS**, in order to fulfill that charge the Board of Supervisors of Buckingham Township has concluded that it is necessary to require that certain intense uses have access to Arterial Highways; and

**WHEREAS**, the Buckingham Township Zoning Ordinance, as amended, includes provisions governing towers, antennae and wireless communications; and

**WHEREAS**, the Board of Supervisors has determined that technology relating to wireless and other communications has developed in ways not envisioned under the current zoning Ordinance, including non-tower based wireless communications, distributed antenna systems, macrocells and microcells, and that it is necessary and appropriate to adopt regulations governing currently available communications, modalities and appurtenances; and

**WHEREAS**, in April 2016, the Pennsylvania General Assembly enacted the Medical Marijuana Act, Act No. 16 of 2016, which provides for access to medical marijuana for patients suffering from certain medical conditions; and

**WHEREAS**, the Board of Supervisors of Buckingham Township believes it to be in the best interest of the Township and its residents to regulate the location and nature of licensed organizations growing, acquiring, possessing, manufacturing, selling, delivering, transporting, and/or distributing/dispensing medical marijuana within the Township; and

**WHEREAS**, the Medical Marijuana Act provides for two distinct land uses: a Medical Marijuana Grower/Processor and a Medical Marijuana Dispensary; and

**WHEREAS**, the Medical Marijuana Act requires that a Medical Marijuana Grower/Processor “shall meet the same municipal zoning and land use requirements as other manufacturing, processing and production facilities that are located in the same zoning district;” and

**WHEREAS**, the Medical Marijuana Act requires that a Medical Marijuana Dispensary “shall meet the same municipal zoning and land use requirements as other commercial facilities that are located in the same zoning district;” and

**WHEREAS**, the science of lighting has changed employing new lighting technologies such as LED lights, making revisions to those provisions of the Zoning Ordinance dealing with lighting appropriate; and

**WHEREAS**, the Board of Supervisors finds it appropriate to lessen the restrictions in the Zoning Ordinance on forestry activities so that buffers are flexible and only so large as appropriate to protect residential and commercial uses on adjoining properties; and

**WHEREAS**, the Board of Supervisors finds it appropriate to amplify the definition of a rooming or boarding house to clarify that such use encompasses internet temporary rental services such as “Airbnb” by which all or part of a structure is rented out on a temporary basis; and

**WHEREAS**, the Zoning Ordinance does not provide for a specific Hotel Use, which use is herein added and a district provided where the use is permitted: and

**WHEREAS**, the Board of Supervisors finds it appropriate to clarify that An Accessory In-Law Dwelling shall only be occupied by a family member of the occupants of the principal residence; and

**WHEREAS**, the Board of Supervisors finds it appropriate to add provisions protecting existing structures from blasting activities; and

**WHEREAS**, the Board of Supervisors hereby desires to update and clarify the Zoning Ordinances provisions regarding signs; and

**WHEREAS**, the changes made herein necessitate adding certain definitions and revising others; and

**WHEREAS**, it is appropriate by this omnibus Zoning Ordinance Revision to make certain corrections and other minor revisions looking to further consistency within the Zoning Ordinance;

**NOW THEREFORE, BE IT ORDAINED AND ENACTED**, by the Board of Supervisors of Buckingham Township, after public hearing duly advertised and held on the \_\_\_\_\_ day of \_\_\_\_\_, 2018, as follows:

The Buckingham Township Zoning Ordinance of 1975 as amended is hereby further amended as set forth below:

I. **Overlay Districts:**

A. Cross Keys Enterprise Zone Overlay District

1. Article 43, “Cross Keys Enterprise Zone Overlay District” is hereby added as follows:

**Section 4300 Area of The Cross Keys Enterprise Zone Overlay District**

The Cross Keys Enterprise Zone Overlay District shall constitute an area within Buckingham Township bordered by (i) Swamp Road (Route 313), (ii) the border between Buckingham Township and Plumstead Township, (iii) Stony Lane, and (iv) the boundary line of Bucks County Tax Map Parcel 06-004-010-001-001 closest to Cold Spring Creamery and running between Swamp Road and Stony Lane, all within the PC-1 Planned Commercial District and PI Planned Industrial District of Buckingham Township.

**Section 4301 Purpose of The Cross Keys Enterprise Zone Overlay District**

The Cross Keys Enterprise Zone Overlay District is intended to implement the Land Use and Transportation Plan for the Cross Keys area prepared by the Bucks County Planning Commission, reduce traffic congestion, accommodate compatible development that enhances economic vitality in the area and creates a synergistic mix of uses, facilitates and accommodates standards for landscaping, signs, pedestrian and bicycle facilities across the four municipalities within the Cross Keys area, those being Buckingham Township, Doylestown Borough, Doylestown Township and Plumstead Township.

**Section 4302 Permitted Uses**

A. In addition to other uses permitted under this ordinance within the Cross Keys Enterprise Zone Overlay District, the following additional uses shall be permitted by right:

- C4 Library or Museum
- C11 Hospital
- D2 Veterinary Office
- D6 Outpatient Surgical Facility
- E1 Retail Stores
- E5 Service Business
- E6 Financial Establishment
- E9 Accessory Drive Through Facility
- E10 Tavern
- E11 Convenience Store
- E12 Repair Shop
- E20 Parking Garage
- E21 Hotel
- E23 Motor Vehicle Gasoline Station
- E24 Motor Vehicle Sales

- E25 Motor Vehicle Service Center/Repair Shop
- E26 Car Wash
- E27 Farm Equipment Sales and Repairs
- E29 Shopping Center
- G2 Research

**Section 4303 Area and Dimensional Requirements**

A. On properties bordering both Old Easton Road and Easton Road, a full access driveway onto both roads and any street between both roads that a property borders, is permitted.

B. Properties located in the Cross Keys Enterprise Zone Overlay District shall demonstrate architectural design that may include a pitched roof, traditional or natural materials and other features reflective of traditional Buckingham Township architecture as approved by the Board of Supervisors during land development approval.

C. Parking location requirements in the Cross Keys Enterprise Zone Overlay District shall not apply to properties containing more than one front yard.

D. The minimum yards for all uses other than Use E23 in the Cross Keys Enterprise Zone Overlay District shall be:

Minimum front yard	25 ft.
Minimum side yards	25 ft.
Minimum rear yard	25 ft.

E. Setbacks in the Cross Keys Enterprise Zone Overlay District shall be measured from the property line, without regard to the limit of resource restricted lands that are 80% or more protected from disturbance in accordance with Section 3101.B.2 of this Ordinance.

F. A service station (Use E23) may contain only two of the following four types of activities: fuel pumps; convenience commercial, which is sale of convenience, food, and beverage items; service bays; and car wash. Convenience Commercial shall be limited to 6,000 square feet of floor area.

G. Self service gasoline pumps shall be permitted for any Convenience Commercial use (Use E11) in the Cross Keys Enterprise Zone Overlay District.

H. A service station (Use E23) is permitted in the Cross Keys Enterprise Zone Overlay District provided there is not a private well within 500 feet of the service station serving a property where no public water is available.

I. For Use E23, Service Station, located in the Cross Keys Enterprise Zone Overlay District, access to roads shall be at least one hundred fifty (150) feet from the intersection of any streets.

J. A service station (Use E23) shall comply with the area and dimensional requirements listed in this section:

Maximum impervious surface coverage	70%
Maximum permitted intrusion in manmade steep slopes 8%-15%	100%

Maximum permitted intrusion in manmade steep slopes 15%-25%	100%
Maximum permitted intrusion in manmade steep slopes $\geq$ 25%	100%
Maximum permitted disturbance of forested areas	100%
Maximum removal of trees greater than 36 inches at breast height	no limit
Maximum removal of vegetation taller than 5 feet within 100 feet of the tract or edge of cartway, whichever is greater	100%

K. The requirement of and location of sidewalks in the Cross Keys Enterprise Zone Overlay District shall be as provided elsewhere in this Ordinance or as otherwise varied as reasonably determined, consistent with the purposes of this Article, by the Board of Supervisors during land development review.

L. The requirement of and location of buffers, if any, in the Cross Keys Enterprise Zone Overlay District shall be as provided in Section 3104 and elsewhere in this Ordinance or as otherwise varied as reasonably determined, consistent with the purposes of this Article, by the Board of Supervisors during land development review.

**Section 4304 Multiple Use Structures**

A. A single structure within the Cross Keys Enterprise Zone Overlay District may incorporate a mix of the following permitted uses: C4, Library or Museum, C10, Day Care Center, D1, Medical Office, D2, Veterinary Office, D3, Office, D6 Outpatient Surgical Facility, E1, Retail Stores, E5, Service Business, E6, Financial Establishment, E10, Tavern, E11, Convenience Store, E29, Shopping Center, G2, Research.

B. A Multiple Use Structure shall comply with the following Dimensional Requirements:

Minimum lot area	2 acres
Minimum front yard	25 ft.
Minimum side yards	25 ft.
Minimum rear yard	25 ft.
Minimum lot width at front building line	250 ft.
Maximum height	the greater of 60 feet or five stories (exclusive of rooftop mechanical equipment).
Maximum Impervious Surface Ratio	65%
Parking:	The number of parking spaces provided shall equal the sum of the parking required for all the constituent uses in the Multiple Use Structure

### **Section 4305 Public Amenities**

A. Minimum Public Space Required. For each land development or subdivision or establishment of a use on lots of 10,000 square feet or greater in the Cross Keys Enterprise Zone Overlay District, public space shall be designed as part of the development or use. A minimum of 5% of the lot area shall be designated and designed as public space. Standards for public space as regulated by this Ordinance must be met.

B. Purpose and Requirement for Public Space. The Cross Keys Enterprise Zone Overlay District goal is to foster a lively and vibrant commercial district that can be a gathering place and center for the community. Examples of public spaces are:

1. Plazas
2. Seating areas
3. Outdoor eating areas
4. Provide landscaping, street trees, planting strips, and perimeter parking lot hedge row where possible
5. Provide bike racks, street furniture, benches, wayfinding signs, and other site amenities where feasible
6. Provide pedestrian-scaled lighting with banners
7. Incorporate gateway features at strategic locations
8. Follow the Streetscape recommendations of the “Land Use & Transportation Study of the Cross Keys Area” by the Bucks County Planning Commission dated June 7, 2017, where feasible.

Public spaces must be visible from and accessible from Easton Road, except for any public spaces not located along Easton Road, in which case they must be accessible from a public road but not necessarily visible from the road.

C. Sidewalks shall be a minimum of four feet wide as opposed to the Township ordinance requirements (as required by this Ordinance or by the Subdivision/Land Development Ordinance).

### **Section 4306 Signs**

A. Illuminated signs, whether illuminated from within or by an exterior light, shall be permitted without limitation as to color in the Cross Keys Enterprise Zone Overlay District.

B. The total sign area permitted in all signs in the Cross Keys Enterprise Zone Overlay District shall be equal to 2 square feet of sign area for each five (5) feet of lot width along the front of the lot.

C. The total permitted sign area may be divided among separate signs, such as a freestanding sign(s), building sign(s), window sign(s) and directional sign(s), in accordance with the following:

1. No more than one (1) freestanding sign per lot is permitted.
2. A freestanding sign shall not exceed fifty (50) square feet in size and eight (8) feet in height.
3. A building sign shall not exceed an area equal to 15 percent of the wall surface on which it is affixed, or a maximum size of 75 square feet, whichever is less.

4. Directional signs of three (3) square feet are permitted for traffic control purposes and to direct persons to the individual uses within the development, provided such signs do not contain advertising copy and contain only the name and location of the individual use for which directions are being provided. Two directional signs are permitted for every point of access into the lot and at entrances to parking areas.

B. “Mill Creek Overlay District”

1. Article 5 "AG-1 Agricultural-1 District" Section 502 - "Area and Dimensional Requirements," is further amended to include new subsection 6 as follows, and to re-number current subsections 6 through 8 as subsections 7 through 9:

**Section 502.A.6.** Mill Creek Overlay District - The Mill Creek Overlay District is that area which created sixty-nine (69) B-5 detached dwelling lots, three (3) utility lots, and a 16.829-acre parcel for the existing Farmstead (Lot No. 70) from Tax Parcel Numbers 6-23-1, 6-23-4, 6-23-13, 6-23-13-5, 6-23-14, and 6-23-17 located adjacent to Dark Hollow Road, Forest Grove Road and Smith Road. The existing Farmstead (Lot No. 70) is excluded from the Mill Creek Overlay District, but all other lots are included. Within the Mill Creek Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	25,000 Sq. Ft.
Minimum lot width at Building Setback Line	100 ft.
Maximum impervious surface on lot	20 % or 8,000 Sq. feet, whichever is less
Maximum impervious surface on lot after issuance of the initial occupancy permit	24 % or 8,000 Sq. feet, whichever is less
Minimum front yard	35 Ft.
Minimum side yards	10 feet minimum; 30 feet aggregate
Minimum rear yard	50 ft.

C. “Communications Overlay District 4”

1. A new Article 42 is added as follows:

## **ARTICLE 42 CO-3- COMMUNICATIONS OVERLAY DISTRICT 4.**

### **Section 4200 Purpose**

A. Communications Overlay District 4 is intended to regulate the construction erection, placement, reconstruction, enlargement or expansion of Personal Wireless Facilities comprised of Distributed Antenna Systems in areas of the Township located in the public Rights-of-Way along or near major thoroughfares, their intersections and interchanges and transportation arteries where, by the placement of such facilities, significant gaps in Personal Wireless Services will be reduced and/or eliminated.

B. To facilitate the purposes of the Telecommunications Act of 1996, balanced by its obligations to its residents under the Municipalities Planning Code, the Township has created this Communications Overlay District so that significant gaps in Personal Wireless Services can be reduced and/or eliminated by the placement of Personal Wireless Facilities in a manner which will be the least intrusive to the residents of the Township.

### **Section 4201 Area of Communication Overlay District 4**

Communication Overlay District 4 shall be comprised of the Rights-of Way in the Township.

### **Section 4202 Zoning Permit Required**

Prior to establishing a Personal Wireless Facilities, Use H-11 in Communication Overlay District 4 the Applicant shall secure a Zoning Permit pursuant to Section 3401 of this Ordinance. The application for a Zoning Permit shall comply with Section 3402 of this Ordinance, establish compliance with this Article 42 of this Ordinance and supply a site development application complying with the requirements of Section 405 H11 C. 2. a., c., d., e., g., i. and l. A Conditional Use Application shall not be required.

### **Section 4203 Permitted Uses**

A. Personal Wireless Facilities, Use H-11 are permitted in Communication Overlay District 4 subject to the following requirements:

1. Personal Wireless Facilities in the Overlay District shall be comprised solely of Distributed Antenna Systems and shall only be permitted in areas in which all utilities are located aboveground, regardless of the underlying zoning district, so long as such Antenna are located on existing poles in the ROW. Antenna shall not be located on any sign listed in the Manual on Uniform Traffic Control Devices (MUTCD) nor any traffic signal pole, mast arm device or associated equipment.
2. Antenna in the ROW shall be co-located on existing poles, such as existing utility poles or street light poles. If co-location is not technologically feasible, the Applicant shall locate its Antenna on existing poles that do not already act as Antenna Structures.
3. Any Personal Wireless Facility in a ROW shall be designed at the Minimum Functional Height and shall not exceed a maximum total height of thirty-five (35) feet, which height shall include all subsequent additions or alterations. All Applicants must submit documentation to the Township justifying the total height of the Antenna.

4. The requirements of Section 405 H11 F. 2. shall not apply.
5. Antenna installations located above the surface grade in the ROW including, but not limited to, those on streetlights and joint utility poles, shall consist of equipment components that are no more than six (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.
6. Antenna components shall be disguised to match the existing poles. Antenna components shall be painted, or otherwise coated, to be visually compatible with the poles upon which they are mounted. Antenna components shall be disguised as approved by the Township. No more than four (4) Antennas may be placed on a pole.
7. **Personal Wireless Facilities** in the Overly District that are located in an Historic District as defined by Buckingham Township Ordinance 2012-02 are prohibited unless the Applicant shall first secure a “Certificate of Appropriateness” for the proposed **Personal Wireless Facility** in accordance with Ordinance 2012-02.
8. **Equipment Location.** Antenna Structures and Accessory Equipment shall be located so as not to encroach upon the required sight distance of any intersecting roadways nor cause any physical or visual obstruction to pedestrian or vehicular traffic, or to otherwise create safety hazards to pedestrians and/or motorists or to otherwise inconvenience public use of the ROW as determined by the Township. In addition:
  - a. In no case shall ground-mounted Accessory Equipment, walls, or landscaping be located within thirty-six (36) inches of the exposed back of the curb or within an easement extending onto a privately-owned lot.
  - b. Ground-mounted Accessory Equipment that cannot be underground shall be screened, to the fullest extent possible, through the use of landscaping or other decorative features to the satisfaction of the Township. Such equipment shall be installed in a manner that maintains pedestrian safety and discourages tampering, such as being mounted 78 inches above ground level.
  - c. Required electrical meter cabinets shall be screened to blend in with the surrounding area to the satisfaction of the Township.
  - d. Any graffiti on Antenna Structures and Accessory Equipment shall be removed at the sole expense of the owner within ten (10) business days of notice of the existence of the graffiti.
  - e. Any plans for a proposed underground vault related to the Antenna Structures and Accessory Equipment shall be reviewed and approved in advance by the Township.

**Section 4204 Reimbursement for Township ROW Use Costs**

- A. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application

for approval of an Antenna and Accessory Equipment in the ROW, as well as related inspection, monitoring and related costs.

B. In addition to permit fees as described above, every Antenna in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising and other ROW management activities by the Township. The owner of each Antenna shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above. The Annual ROW management fee for Antennae shall be determined by the Township and authorized by resolution of the Board of Supervisors and shall be based on the Township's actual ROW management costs as applied to such Antenna.

#### **Section 4205 Township ROW Management**

A. The Township shall determine the time, place and manner of construction, maintenance, repair and/or removal of all Antenna and Accessory Equipment in the ROW based on public safety, traffic management, physical burden on the ROW, and related considerations. For public utilities, the time, place and manner requirements shall be consistent with the police powers of the Township and the requirements of the Public Utility Code.

B. Within sixty (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 an Antenna and/or Accessory Equipment in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change or alter the position of any Antenna and/or Accessory Equipment 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:

1. The construction, repair, maintenance or installation of any Township or other public improvement in the Right-of-Way;
2. The operations of the Township or other governmental entity in the Right-of-Way;
3. Vacation of a street or road or the release of a utility easement; or
4. An Emergency as determined by the Township.

#### **Section 4206 Removal or Abandonment**

A. In lieu of the requirements of Section 405 H11 E. 6., in the event that use of a Personal Wireless Facility 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 Personal Wireless Facilities or portions of Personal Wireless Facilities shall be removed as follows:

1. All abandoned or unused Personal Wireless Facilities and accessory facilities shall be removed within three (3) months of the cessation of operations at the site unless a time extension is approved by the Township.

2. If the Personal Wireless Facility and accessory facilities are not removed within three (3) months of the cessation of operations at a site, or within any longer period approved by the Township, each day the Personal Wireless Facility is not removed shall constitute a violation of the terms of this Ordinance, and each day's continuance of such failure shall constitute a separate violation.

## II. **Uses.**

### A. Forestry

1. Section 405, Use Regulations, Subsection A. Agricultural Uses, Section 405 A4 E. 8. is deleted and substituted with the following:

8. No forestry/timber harvesting operation is permitted within a distance from any property line adjoining property in residential or commercial use, with structures thereon devoted to that use, that is 1.25 times the height of tallest tree whose height is equal to or greater than its distance from the property line. (Nothing in this provision shall prevent the removal of a diseased or dying tree within such distance)

### B. Residential Uses

1. Section 405 B7, Rooming or Boarding House, shall have the initial paragraph deleted and a new initial paragraph as follows. Subparagraphs A. through D. shall remain unchanged.

#### **B7 Rooming or Boarding House**

A dwelling used in whole or in part, exclusively or periodically, for rental accommodations to individuals, families, roomers, boarders, or lodgers for terms of less than 60 days. The use includes all dwelling types including, detached dwellings, townhouses and twins, apartment, duplex or multifamily dwellings, mobile homes, single family dwellings, patio zero lot line dwellings, Accessory In-Law Dwellings, residential accessory buildings or structures, residential conversions, apartments, dormitories, fraternity or sorority houses, or other buildings of charitable, educational, or philanthropic use either with or without common eating facilities, providing meals or not. The use exclusively includes rentals offered or secured through web enterprises such as AirBnB, VRBO, HomeAway, FlipKey, Tripping.com and other like web enterprises offering short-term accommodation rentals. The term "Rooming or Boarding House" excludes Bed-and-Breakfast and Hotel uses.

2. Sections 405 B10 G. 2. Is deleted and replaced with the following:

2. Pools and any appurtenances thereto, including equipment pads, decking, patios, covered patios, changing rooms and lanais shall be located only in a side or rear yard and may not be closer than twelve feet to a side or rear lot line.

3. Section 405 B10 I. is deleted and present Section 405 B10 J. is renumbered 405 B10 I.

4. Sections 405 B9 B. 4. and 405 B9 C. 6 are deleted and each replaced with the following identical paragraph:

There shall be no exterior display, no exterior sign other than as provided in Section 3203 H. of this Ordinance, no exterior storage of materials and no other exterior indication of the home occupation or variation from the residential character of the principal building on the premises. There shall be no external indications that the property is used for other than residential use. There shall be no commodities sold or services rendered that require receipt or delivery of merchandise, goods, or equipment by other than passenger motor vehicle or by parcel or letter carrier mail service using vehicles typically employed in residential deliveries.

5. Section 405 B 10 E, Accessory In-Law Dwellings shall have a new subparagraph 5. added as follows after existing paragraph 4. and existing subparagraphs 5. through 10. shall be renumbered 6. through 11:

5. An Accessory In-Law Dwelling shall only be occupied by a family member of the occupants of the principal residence.

C. Personal Wireless Facilities

1. Section 405, Use Regulations, Subsection H. General Accessory Uses and Structures, Section 405 H11 G. 3. is deleted and replaced with the following:

3. Excepting the establishment of a Personal Wireless Facility in Communications Overlay District 4, the significant gap identified in the application for the establishment of a Personal Wireless Facility in Communications Overlay Districts 1, 2 or 3 must not be able to be filled by a Personal Wireless Facility in any preceding level of the hierarchy than the location for which the application seeks approval.

D. Parking Garage Use

1. Section 405, Use Regulations, Subsection E. Commercial and Consumer Services Uses is amended to add a new Use E20 as follows:

**E20 Parking Garage**

A constructed parking facility with two (2) or more vertical levels used for short-term storage of automobiles and other light vehicles. A parking structure may be built above or belowground, fully enclosed or open-air, attached to or detached from an occupied building, and may be publicly or privately owned and managed. A parking structure can be the primary structure or accessory to another use. The Parking Garage use is subject to the following additional conditions and restrictions:

- A. The use must have direct access to a Major Collector or an Arterial street.
- B. Height of Parking Structure Elements
  - 1. The maximum height from mean grade level to the upper parking level driving surface shall be thirty-three (33) feet.
  - 2. Parapet wall height measured from mean grade level to its top shall range from thirty-seven (37) feet to a maximum of forty (40) feet. Parapet wall height may extend to the height of elevator and stair shaft walls in those areas.
  - 3. The maximum roof height of elevator and stair enclosures shall be forty eight (48) feet, when measured from mean grade level to the highest point of a roof.
  - 4. Total roof area of elevator and stair enclosures shall not exceed five percent (5%) of the area of the upper parking level.

C. Dimensional Requirements:

Minimum lot area	3 acres.
Minimum front yard	75 ft.
Minimum side yards	50 ft.
Minimum rear yard	50 ft.
Minimum lot width at front building line	250 ft.
Maximum Impervious Surface Ratio	65%

D. Accessory Use: A parking structure may be an accessory use in the Cross Keys Enterprise Zone Overlay District to uses: C4, Library or Museum, C11, Hospital, E21, Hotel, E29, Shopping Center and G2, Research. When accessory to a primary use, rather than the Dimensional Requirements set forth in Subsection C. of this Use E20, the comparable dimensional requirements of the primary use shall apply.

E. Location and Access

1. Entrances and exits shall be located to minimize pedestrian/vehicle conflicts.
2. Vehicle staging areas shall accommodate the required queuing within the parking structure or within the property line, and shall not interfere with through-traffic or pedestrian circulation on the sidewalk.
3. Sidewalks shall take priority over entrance and exit driveways. Driveways shall ramp up from the curb to meet the sidewalk. The sidewalk shall not ramp down to meet a driveway.
4. A well-defined primary pedestrian entrance shall be located along the periphery of the parking structure adjacent to and oriented toward the elevators, if provided, and at least one stair.
5. ADA accessible parking spaces shall be located close to stair and elevator cores, and shall have safe access to pedestrian movement patterns within the parking structure and to its exits and entrances.
6. Pedestrian and vehicular conflicts within the parking structure at the points of intersection and interior common routes shall be minimized. Pedestrian walkways shall be clearly indicated.
7. When not accessory to another use, a Traffic Impact Study shall be required.

F. Functional and Design Requirements

1. A parking structure shall incorporate similar scale, massing, setback and height consistent with existing buildings located adjacent to or within five hundred (500) feet of the structure.
2. Building materials shall be similar to those of surrounding structures or possess other characteristics such as scale, form, color and architectural detailing to establish compatibility. These features shall be continued on all elevations visible to the public.
3. Utilitarian appearances of parking structures are not permitted. The street/ground level perimeter of a parking structure shall be pedestrian-oriented and include elements that encourage public activity and interest, such as public alcoves, streetscape amenities, public art and landscaping. Streetscapes may incorporate display windows, awnings, canopies and recessed entrance doors to enhance public use. In the Cross Keys Enterprise Zone Overlay District, Commercial and Consumer Service Uses, E1, Retail Stores, E3, Village Oriented Shop, E5, Service Business, E6 Financial Establishment, E8 Eating Place, E11 Convenience Store may be established within the Parking Garage at its perimeter at the street/ground level.
4. Parking space sizes and configurations, drive aisle widths, parking deck and ramp properties and other interior features and functions shall be in accordance with National Parking Association (NPA) design guidelines and recommendations. Any Buckingham Township land use ordinance

establishing dimensional requirements for surface lot spaces shall not apply to parking spaces within a parking garage.

5. Passive daylighting and ventilation shall be provided in above ground structures. Light and fresh-air openings in the parking structure facade shall be proportioned to reflect similar features of nearby existing buildings located adjacent to or within five hundred (500) feet of the structure.
6. Interior lighting shall meet guidelines set forth by the Illuminating Engineering Society of North America (IESNA) and be designed so that drivers and pedestrians are not startled by significant and distracting contrasts in light levels between the inside and outside of the parking structure. Parking area light fixtures located within the parking garage structure shall be fully shielded and shall not be visible from the exterior of the structure. Any illumination created within the parking structure shall meet the Lighting Standards of this Ordinance.

G. General Security Considerations.

1. All parking levels, elevators and stairs shall be illuminated by both natural light and lighting fixtures. If interior walls are provided, openings in these walls shall be maximized to reduce blind spots and increase visibility throughout the parking structure.
2. Visibility of pedestrian movement in elevator and stair enclosures shall be employed as a method of passive security and to provide pedestrians a sense of safety.
3. Lighting shall be designed as required for sufficient security. Lighting shall be uniform throughout the parking structure so that dark hiding places are not created. Light colored ceilings and walls are required to increase overall light levels.
4. Active security measures, such as sound detection equipment and/or video surveillance systems, shall be employed in planning the overall security aspects of the parking structure.

E. Hotel Use

1. Section 405, Use Regulations, Subsection E. Commercial and Consumer Services Uses is amended to add a new Use E21 as follows:

**E21 Hotel**

A building for renting or using rooms by the general public for transient lodging for compensation where rooms may have an individual entrance or a common entrance with individual rooms accessible from an interior hallway, and may include kitchenettes, and other facilities for use by guests. A hotel may include restaurants, meeting rooms, personal services, recreational facilities, and other similar accessory uses. The term "hotel" excludes Bed-and-Breakfast, Rooming and Boarding House uses. The Hotel use is subject to the following additional conditions and restrictions:

A. The use must have direct access to a Major Collector or an Arterial street.

B. Units in such facilities shall contain a minimum of 250 square feet of floor space, with a minimum of two rooms: a bedroom and a separate bathroom equipped with a flush water closet, a lavatory basin and a bathtub or shower, all properly connected to a public water and public centralized sewer system.

C. All such uses shall be served by public water and public centralized sewage disposal systems.

D. Dimensional Requirements:

Minimum lot area	4 acres for the first forty guest rooms and one (1) additional acre for each additional ten guest rooms.
Minimum front yard	75 ft.
Minimum side yards	50 ft.
Minimum rear yard	50 ft.
Minimum lot width at front building line	
Maximum height	250 ft. the greater of 60 feet or five stories (exclusive of rooftop mechanical equipment).
Maximum Impervious Surface Ratio	65%

E. One (1) off-street parking space shall be provided for each guest room, plus one (1) space for each employee.

F. Support Facilities may occupy no more than twenty-five percent (25%) of the total floor area of the facility and may include a conference rooms, banquet facilities, a swimming pool and hot tub. Retail facilities are permitted but shall be limited to the following uses: E5 Service Business, E8 eating Place, E10 Tavern, E11 Convenience Store, E14 Indoor Athletic Club, The following additional conditions shall apply to such uses:

1. The Support Facilities shall be contained within the hotel building, and any customer entrance to any place of business shall be from inside the building.
2. The Support Facilities shall be available to customers of the hotel.
3. There shall be no display of merchandise or other manifestation of commercial or retail use visible from the street or property line other than signage for the E8 eating Place and E10 Tavern uses.

G. On sites of more than five (5) acres a second structure may be built that is accessory to the hotel use and may include only the following uses: E8 eating Place, E10 Tavern, E-9 Accessory Drive Through Facility, G2 Research; and E6 Financial Establishment.

- H. Loading and Outdoor Trash Collection Station requirements.
1. There shall be at least one loading berth to serve the facility for each three trucks serving the facility on an average day or a suitable alternative solution applicable to the proposed use as long as no trucks are parked on any streets and the alternative is reviewed by the Township Planning Commission and approved by the Township Board of Supervisors.
  2. Outdoor collection stations shall be provided for garbage and trash removal
  3. No permitted or required loading berth or trash collection station shall be located within 50 feet of any property line.
  4. All loading berths and trash collection station shall be located at the rear of the hotel and shielded from view and shall not be visible from adjacent residential districts or from public streets.
  5. All loading docks, trash containment stations and outside work areas shall be constructed in such a manner as to promote sound abatement. No deliveries or trash pick-up may occur between 9:00 PM and 6:00 AM when this use abuts a residential property
- I. The facility shall meet the standards and requirements for licensing as established by the Commonwealth of Pennsylvania or other agencies with jurisdiction.

F. Medical Marijuana

1. Section 405, Use Regulations, Subsection E. Commercial and Consumer Services Uses is amended to add a new Use E4 as follows:

**E4 Medical Marijuana Dispensary**

A Medical Marijuana Dispensary is subject to the following additional conditions and restrictions:

A. A Medical Marijuana Dispensary shall provide proof of registration with the Commonwealth Department of Health or proof that registration has been sought and is pending approval, and shall at all times maintain a valid, accurate, and up to date registration with the Commonwealth Department of Health. Should registration be denied or revoked at any time, any Township approval shall immediately become void.

B. A Medical Marijuana Dispensary shall at all times operate in compliance with all Commonwealth Department of Health regulations pertaining to such facilities.

C. A Medical Marijuana Dispensary shall not be operated or maintained on a parcel within 500 feet, measured by a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a residentially used property, place of worship, public park, or community center or within 1000 feet of a parcel containing a public, private or parochial school or day-care center. Nor shall a Medical Marijuana Dispensary be located closer than 1,500 feet from another Medical Marijuana Dispensary or from a Medical Marijuana Grower/Processor. If the Commonwealth Department of Health amends the prohibition of a Medical Marijuana

Dispensary locating within 1000 feet of a parcel containing a public, private or parochial school or day-care center, then the prohibition herein shall be deemed likewise amended as to the Medical Marijuana Dispensary receiving the amendment and subject to such additional security, physical plant of a facility or other conditions necessary to protect children imposed by the Commonwealth Department of Health.

D. A Medical Marijuana Dispensary must operate entirely within an indoor, enclosed, and secure facility. No exterior sales and no sidewalk displays shall be permitted. No drive-thru services shall be permitted.

E. A Medical Marijuana Dispensary may not operate on the same site as a Medical Marijuana Grower/Processor.

F. A Medical Marijuana Dispensary shall be limited to the hours of operation not earlier than 9 AM and not later than 9 PM.

G. All medical marijuana product, byproduct, and waste shall be stored in an interior secure vault or receptacle in such a manner as to protect against improper dissemination. Medical marijuana remnants and by-products shall be disposed of according to a plan approved by the Commonwealth Department of Health, and shall not be placed within an exterior refuse container.

H. There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled, or otherwise perceived from beyond the lot line for the property where the Medical Marijuana Dispensary is located.

I. No one under the age of eighteen (18) shall be permitted in a Medical Marijuana Dispensary, unless accompanied by a caregiver as required under Section 506 of the Medical Marijuana Act.

J. No use of medical marijuana shall be permitted on the premises of a Medical Marijuana Dispensary.

K. The minimum size of a Medical Marijuana Dispensary facility shall be one thousand (1,000) gross square feet in total floor area.

L. A Medical Marijuana Dispensary shall submit a security plan to the Township. It shall demonstrate how it will maintain effective security and control. The security plan shall specify the type and manner of 24-hour security, tracking, recordkeeping, record retention, and surveillance system to be utilized in the facility as required by Section 1102 of the Medical Marijuana Act and as supplemented by regulations promulgated by the Commonwealth Department of Health pursuant to the Medical Marijuana Act.

M. Parking: one (1) off-street parking space for each two hundred (200) square feet of gross floor area used or intended to be used for servicing customers. Parking shall not be located between a building and a street or anywhere within the front yard.

2. Section 405, Use Regulations, Subsection G. Industrial Uses is amended to add a new Use G4 as follows:

**G4 Medical Marijuana Grower/Processor**

A Medical Marijuana Grower/Processor is subject to the following additional conditions and restrictions:

A. A Medical Marijuana Grower/Processor shall provide proof of registration with the Commonwealth Department of Health or proof that registration has been sought and is pending approval, and shall at all times maintain a valid, accurate, and up to date registration with the Commonwealth Department of Health. Should registration be denied or revoked at any time, any Township approval shall immediately become void.

B. A Medical Marijuana Grower/Processor shall at all times operate in compliance with all Commonwealth Department of Health regulations pertaining to such facilities.

C. A Medical Marijuana Grower/Processor shall not be operated or maintained on a parcel within 1,000 feet, measured by a straight line in all directions, without regard to intervening structures or objects, from the nearest point on the property line of a residentially zoned property or a parcel containing a public, private or parochial school, day-care center, place of worship, public park, or community center.

D. A Medical Marijuana Grower/Processor must operate entirely within an indoor, enclosed, and secure facility.

E. A Medical Marijuana Grower/Processor may not operate on the same site as a Medical Marijuana Dispensary.

F. A Medical Marijuana Grower/Processor shall dispose of all Medical Marijuana remnants and by-products according to a plan approved by the Commonwealth Department of Health, and shall not be placed within an exterior refuse container.

G. There shall be no emission of dust, fumes, vapors or odors which can be seen, smelled, or otherwise perceived from beyond the lot line for the property where the Medical Marijuana Grower/Processor is located.

H. No one under the age of eighteen (18) shall be permitted in a Medical Marijuana Grower/Processor, unless accompanied by a caregiver as required under Section 506 of the Medical Marijuana Act.

I. No use of medical marijuana shall be permitted on the premises of a Medical Marijuana Grower/Processor.

J. No retail sales of medical marijuana shall be permitted on the premises of a Medical Marijuana Grower/Processor.

K. A Medical Marijuana Grower/Processor shall submit a security plan to the Township. It shall demonstrate how it will maintain effective security and control. The security plan shall specify the type and manner of 24-hour security, tracking, recordkeeping, record retention, and surveillance system to be utilized in the facility as required by Section 1102 of the Medical Marijuana Act and as supplemented by regulations promulgated by the Commonwealth Department of Health pursuant to the Medical Marijuana Act.

L. A Medical Marijuana Grower/Processor must be located on a lot containing not less than two (2) acres.

M. Parking: one (1) off-street parking space for each five hundred (500) square feet of gross floor area plus one space for each company vehicle normally stored on the premises.

3. Section 2601 A., Uses Permitted By Right, is amended to add Use E4 Medical Marijuana Dispensary.

4. Section 2901 A., Uses Permitted By Right, is amended to add Use G4 Medical Marijuana Grower/Processor and Use E25 Motor Vehicle Service Center/Repair Shop.

5. Section 2901-A A., Uses Permitted By Right, is amended to add Use E25 Motor Vehicle Service Center/Repair

### III. **Miscellaneous Disseminated Revisions.**

#### A. Definitions

1. Section 201, Definitions is amended to add new Definitions as follows:

**Commonwealth Department of Health:** The Department of Health of the Commonwealth of Pennsylvania.

**DEP:** Pennsylvania Department of Environmental Protection.

**Deer Fence:** A fence that is between 8 to 10 feet high and constructed of an open mesh, heavy weight, plastic or similar material that allows a clear view through the fence. Mesh size ranges from 1.5 x 1.5inches to 2 x 2.75 inches. A deer fence may be constructed with wood, metal, or fiberglass posts. Deer fences shall be made of the above material only.

**Distributed Antenna Systems (DAS):** A network of spatially separated antennas connected to a common source that provides wireless service within a small geographic area or structure.

**EPA:** United States Environmental Protection Agency.

**Medical Marijuana Act:** Act 16 of 2016, 35 P.S. § 10231.101 et seq.

**Medical Marijuana Dispensary:** A person, including a natural person, corporation, partnership, association trust, or other entity, or any combination thereof, which is registered by the Commonwealth Department of Health under the Medical Marijuana Act to dispense medical marijuana. The term does not include a Health Care Medical Marijuana Organization under Chapter 19 of the Medical Marijuana Act.

**Medical Marijuana Grower/Processor:** A person, including a natural person, corporation, partnership, association, trust, or other entity, or any combination thereof, which is registered by the Commonwealth Department of Health under the Medical Marijuana Act to grow and process medical marijuana. The term does not include a Health Care Medical Marijuana Organization under Chapter 19 of the Medical Marijuana Act.

**Sports Court:** A “sports court” means any hardscape area of dimensions exceeding twenty feet by thirty feet, including, but not limited to, tennis courts, handball courts and

racquetball courts, but excluding pools and driveways used primarily for access to a garage.

**Spring:** A water resource formed when the side of a hill, a valley bottom or other excavation intersects a flowing body of groundwater at or below the local water table, below which the subsurface material is saturated with water. A spring is the result of an aquifer being filled to the point that the water overflows onto the land surface. Springs include vernal springs and vernal ponds.

2. Section 201, Definitions is amended to delete the definitions of “Boarder, Roomer or Lodger”, “Impervious Surface” and “Right-of-Way” in their entirety and replace them with the following:

**Boarder, Roomer or Lodger:** A person, or family, occupying any dwelling, room or group of rooms forming a single, habitable unit used or intended to be used for living and sleeping and containing cooking or eating facilities, or not, and paying compensation for rent, lodging, or board and lodging by prearrangement for up to sixty (60) days at a time to an owner or operator. This does not include any person or persons occupying a room in a Hotel (Use E21) or Bed and Breakfast (Use E22) who shall be classified for purposes of this Ordinance not as a roomer, boarder or lodger but as a guest of a commercial lodging establishment.

**Impervious Surface:** Those surfaces that do not absorb water. All buildings, building area, parking areas, driveways, roads, sidewalks, wood decks and any areas in concrete, asphalt, and packed stone shall be considered impervious surfaces within this definition. A swimming pool shall be considered pervious. Artificial turf shall only be deemed a pervious surface if it is shown that the rate and volume of infiltration of stormwater falling on or traversing its surface into the soils below is at least equivalent to or greater than a planted lawn on the same subsoil. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classified as impervious surfaces.

**Right-of-Way (ROW):** The surface of and space above and below any real property in the Township in which the Township has a regulatory interest, or interest as a trustee for the public, as such interests now or hereafter exist, including, but not limited to, all streets, highways, avenues, roads, alleys, sidewalks, tunnels, viaducts, bridges, skyways, or any other public place, area or property under the control of the Township, 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. The phrase "in the Right(s)of-Way" means in, on, over, along, above and/or under the Right(s)-of-Way. For the purpose of this ordinance, ROW shall include streets and roads owned by Bucks County, the Commonwealth of Pennsylvania, and any other Pennsylvania state agencies.

**Existing right-of-way:** The legal right-of-way, as established by the Township or Commonwealth or other appropriate governing authority, and currently in existence.

**Ultimate or Future right-of-way:** The right-of-way deemed necessary by Buckingham Township or by other governmental agencies with jurisdiction over roads within the Township to provide adequate width for future street improvements.

3. Section 405 H11 B. Definitions is amended to add the following definitions:

**Accessory Equipment:** Any equipment serving or being used in conjunction with a Personal Wireless Facility or Antenna Structure. The term includes utility or transmission equipment, power supplies, generators, batteries, cables, equipment buildings, cabinets and storage sheds, shelters or similar equipment.

**Emergency:** A condition that (1) constitutes a clear and immediate danger to the health, welfare, or safety of the public, or (2) has caused or is likely to cause Personal Wireless Facilities in the Rights-of-Way to be unusable and results in loss of the services provided.

**Minimum Functional Height:** Minimum height necessary for a Personal Wireless Facility to function satisfactorily.

4. Section 3016, "Lighting", Subsection B Definitions is amended to add new definitions as follows:

**Absolute Photometry** - Photometric measurements (usually of a solid-state luminaire) that directly measures the footprint of the luminaire. Reference Standard IES LM-79.

**Architectural Lighting** - beauty, shape and/or form and for which lighting for any other purpose is incidental.

**Authority** - The adopting municipality, agency or other governing body.

**Astronomic Time Switch** - An automatic lighting control device that switches outdoor lighting relative to time of solar day with time of year correction.

**Backlight** - For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the opposite direction of the intended orientation of the luminaire. For luminaires with symmetric distribution, backlight will be the same as front light.

**BUG** - A luminaire classification system that classifies backlight (B), uplight (U) and glare (G).

**Canopy** - A covered, unconditioned structure with at least one side open for pedestrian and/or vehicular access. (An unconditioned structure is one that may be open to the elements and has no heat or air conditioning.)

**Common Outdoor Areas** - One or more of the following: a parking lot, a common entrance or public space structure or covered vehicular entrance shared by all occupants of the domiciles.

**Curfew** - A time defined by the authority when outdoor lighting is reduced or extinguished.

**Emergency Conditions** - Generally, lighting that is only energized during an emergency; lighting fed from a backup power source; or lighting for illuminating the path of egress solely during a fire or other emergency situation; or, lighting for security purposes used solely during an alarm.

**Footcandle** - The unit of measure expressing the quantity of light received on a surface. One footcandle is the illuminance produced by a candle on a surface one-foot square from a distance of one foot.

**Forward Light** - For an exterior luminaire, lumens emitted in the quarter sphere below horizontal and in the direction of the intended orientation of the luminaire.

**Fully Shielded Luminaire** - A luminaire constructed and installed in such a manner that all light emitted by the luminaire, either directly from the lamp or a diffusing element, or indirectly by reflection or refraction from any part of the luminaire, is projected below the horizontal plane through the luminaire's lowest light-emitting part.

**Hardscape** - Permanent hardscape improvements to the site including parking lots, drives, entrances, curbs, ramps, stairs, steps, medians, walkways and non-vegetated landscaping that is 10 feet or less in width. Materials may include concrete, asphalt, stone, gravel, etc.

**Hardscape Area** - The area measured in square feet of all hardscape. It is used to calculate the Total Site Lumen Limit. Refer to Hardscape definition.

**Hardscape Perimeter** - The perimeter measured in linear feet is used to calculate the Total Site Lumen Limit in the Performance Method. Refer to Hardscape definition.

**IDA** - International Dark-Sky Association.

**Industry Standard Lighting Software** - Lighting software that calculates point-by-point illuminance that includes reflected light using either ray-tracing or radiosity methods.

**Lamp** - A generic term for a source of optical radiation (i.e. "light"), often called a "bulb" or "tube". Examples include incandescent, fluorescent, high-intensity discharge (HID) lamps, and low-pressure sodium (LPS) lamps, as well as light-emitting diode (LED) modules and arrays.

**Landscape Lighting** - Lighting of trees, shrubs, or other plant material as well as ponds and other landscape features.

**LED** – Light Emitting Diode.

**Lighting** - "Electric" or "Man-made" or "Artificial" lighting. See "Lighting Equipment".

**Lighting Equipment** - Equipment specifically intended to provide gas or electric illumination, including but not limited to, lamp(s), luminaire(s), ballast(s), poles, posts, lens(s), and related structures, electrical wiring, and other necessary or auxiliary components.

**Low Voltage Landscape Lighting** - Landscape lighting powered at less than 15 volts and limited to luminaires having a rated initial luminaire lumen output of 525 lumens or less.

**Luminaire Lumens** - For luminaires with relative photometry per IES, it is calculated as the sum of the initial lamp lumens for all lamps within an individual luminaire, multiplied by the luminaire efficiency. If the efficiency is not known for a residential luminaire, assume 70%. For luminaires with absolute photometry per IES LM-79, it is the total luminaire lumens. The lumen rating of a luminaire assumes the lamp or luminaire is new and has not depreciated in light output.

**Lux** - The SI unit of illuminance. One lux is one lumen per square meter. 1 Lux is a unit of incident illuminance approximately equal to 1/10 footcandle.

**Mounting Height** - The height of the photometric center of a luminaire above grade level.

**New Lighting** - Lighting for areas not previously illuminated; newly installed lighting of any type except for replacement lighting or lighting repairs.

**Object** - A permanent structure located on a site. Objects may include statues or artwork, garages or canopies, outbuildings, etc.

**Object Height** – The highest point of an entity, but shall not include antennas or similar structures.

**Ornamental Lighting** - Lighting that does not impact the function and safety of an area but is purely decorative, or used to illuminate architecture and/or landscaping, and installed for aesthetic effect.

**Outdoor Lighting** - Lighting equipment installed within the property line and outside the building envelopes, whether attached to poles, building structures, the earth, or any other location; and any associated lighting control equipment.

**Partly Shielded Luminaire** - A luminaire with opaque top and translucent or perforated sides, designed to emit most light downward.

**Pedestrian Hardscape** - Stone, brick, concrete, asphalt or other similar finished surfaces intended primarily for walking, such as sidewalks and pathways.

**Photoelectric Switch** - A control device employing a photocell or photodiode to detect daylight and automatically switch lights off when sufficient daylight is available.

**Property Line** – The edges of the legally defined extent of privately owned property.

**Relative Photometry** - Photometric measurements made of the lamp plus luminaire, and adjusted to allow for light loss due to reflection or absorption within the luminaire. Reference standard: IES LM-63.

**Repairs** - The reconstruction or renewal of any part of an existing luminaire for the purpose of its ongoing operation, other than relamping or replacement of components including capacitor, ballast or photocell. Note that retrofitting a luminaire with new lamp and/or ballast technology is not considered a repair and for the purposes of this ordinance the luminaire shall be treated as if new. “Repair” does not include normal relamping or replacement of components including capacitor, ballast or photocell.

**Replacement Lighting** - Lighting installed specifically to replace existing lighting that is sufficiently broken to be beyond repair.

**Sales Area** - Uncovered area used for sales of retail goods and materials, including but not limited to automobiles, boats, tractors and other farm equipment, building supplies, and gardening and nursery products.

**Season Lighting** – Temporary lighting installed and operated in connection with holidays or traditions.

**Shielded Directional Luminaire** - A luminaire that includes an adjustable mounting device allowing aiming in any direction and contains a shield, louver, or baffle to reduce direct view of the lamp.

**Temporary Lighting** - Lighting installed and operated for periods not to exceed 60 days, completely removed and not operated again for at least 30 days.

**Third Party** - A party contracted to provide lighting, such as a utility company.

**Time Switch** - An automatic lighting control device that switches lights according to time of day.

**Translucent** - Allowing light to pass through, diffusing it so that objects cannot be seen clearly (not transparent or clear).

**Unshielded Luminaire** – A luminaire capable of emitting light in any direction including downwards.

**Uplight** – For an exterior luminaire, flux radiated in the hemisphere at or above the horizontal plane.

**Vertical Illuminance** – Illuminance measured or calculated in a plane perpendicular to the site boundary or property line.

5. Section 3016, “Lighting”, Subsection B Definitions is amended to replace definitions of “Light Trespass”, “Lumen”, “Luminaire”, and “Sky Glow” with the following:

**Light Trespass** - Light that falls beyond the property it is intended to illuminate.

**Lumen** - The unit of measure used to quantify the amount of light produced by a lamp or emitted from a luminaire (as distinct from “watt,” a measure of power consumption).

**Luminaire** - The complete lighting unit (fixture), consisting of a lamp, or lamps and ballast(s) (when applicable), together with the parts designed to distribute the light (reflector, lens, diffuser), to position and protect the lamps, and to connect the lamps to the power supply.

**Sky Glow** - The brightening of the nighttime sky that results from scattering and reflection of artificial light by moisture and dust particles in the atmosphere. Sky glow is caused by light directed or reflected upwards or sideways and reduces one's ability to view the night sky.

6. Section 3016, “Lighting”, Subsection D. General Standards is amended to add a new subsection 23 as follows:

23. All lighting shall have a color temperature of no more than 3,000 Kelvin, except for facade and landscape lighting.

7. Section 3016, “Lighting”, Subsection I. Institutional, Private Non-Profit and Commercial Outdoor Recreation Lighting is amended to correct the first sentence of subparagraph 2 to provide as follows:

2. All institutional, private non-profit, commercial and non-municipal outdoor recreational lighting shall be by Special Exception where the applicant shall bear the burden of proving that the proposed lights do not impact or offend abutting property owners or the community....

B. Agricultural 1 District

1. Section 501 Permitted Uses is amended to delete Use C6 Private Recreational Facility.

C. I Institutional District

1. Section 1802 A. is amended to provide that the “Maximum impervious surface on lot for use C2” is 40 percent.

D. General Regulations Applicable to all Districts and Uses

1. Section 3013, Parking Area Design Requirements is amended to correct subsection A. to provide as follows:

A. Parking areas with a capacity of three (3) or more vehicles, exclusive of parking areas on lots with a detached dwelling whose principal uses are B1, Detached Dwelling, B5, Large Lot Single Family Dwelling, B8 Patio Zero Lot Line Dwelling and B13, Preservation Development with Single Family Detached Dwellings, shall meet the design standards stated in the Township Subdivision and Land Development Ordinance. Compact car parking shall be provided and shall be closest to the entrance of any structure. Parking areas shall also meet the buffer requirements of Section 3104(B).

2. Section 3016, "Lighting", a new Subsection L. is added as follows and renumber existing subsection L. as subsection M:

L. Lighting Requirements for the Cross Keys Enterprise Zone Overlay District. The provisions of this subsection shall apply to all permitted uses in the Cross Keys Enterprise Zone Overlay District and in the event of a conflict between this subsection and the remainder of Section 3016, these provisions shall control.

1. Automatic Switching Requirements - Controls shall be provided that automatically extinguish all outdoor lighting when sufficient daylight is available using a control device or system such as a photoelectric switch, astronomic time switch or equivalent functions from a programmable lighting controller, building automation system or lighting energy management system, all with battery or similar backup power or device. Automatic lighting controls are not required for the following:

- a. Lighting under canopies.
- b. Lighting for tunnels, parking garages and garage entrances.

2. Automatic Lighting Reduction shall be provided one (1) hour after normal business operating hours. The total outdoor lighting lumens shall be reduced by at least 30%, or extinguished. Lighting reductions are not required for any of the following:

- a. When the outdoor lighting consists of only one luminaire.
- b. Code required lighting for steps, stairs, walkways, and building entrances.
- c. Motion activated lighting.
- d. Lighting governed by special use permit in which times of operation are specifically identified.
- e. Businesses that operate 24 hours a day.

3. All outdoor lighting shall meet the Total Site Lumen Limit outlined as follows:

- a. The Total Installed Initial Luminaire Lumens of all lighting systems on the site shall not exceed the Allowed Total Initial Site Lumens. For sites with existing lighting, existing lighting shall be included in the calculation of Total Installed Lumens. The Total Installed Initial Luminaire Lumens of all is calculated as the

sum of the Initial Luminaire Lumens for all luminaires. The Allowed Total Initial Site Lumens shall be determined as follows:

- i. For all permitted uses in that part of the Cross Keys Enterprise Zone Overlay District in the PC-1 Zoning District, the Allowed Total Initial Site Lumens shall be 2.5 Lumens per Square Feet of Hardscape Area plus 7,000 Lumens per site.
  - ii. For all permitted uses in that part of the Cross Keys Enterprise Zone Overlay District in the PI Zoning District, the Allowed Total Initial Site Lumens shall be 1.25 Lumens per Square Feet of Hardscape Area plus 3,500 Lumens per site.
- b. In addition to the Allowed total Initial Site Lumens calculated above, the following Additional Initial Luminaire Lumen Allowances are permitted for all permitted uses in that part of the Cross Keys Enterprise Zone Overlay District in the PC-1 Zoning District:
  - i. Building Entrances or Exits. An allowance of 2,000 Lumens per publicly accessible entrance and exit doors, including emergency exits, is permitted if luminaires are within 20 feet of the door. Service doors, closet doors, and other doors not generally accessible to customers, visitors, etc. do not qualify for this allowance.
  - ii. Sales and Non-sales Canopies. An allowance of 6 Lumens per square feet of total area within the drip line of the canopy. In order to qualify for this allowance, luminaires must be located under the canopy.
  - iii. Accessory Drive Through Service Windows. An allowance of 2,000 Lumens per uncovered drive-up window. In order to use this allowance, luminaires must be within 20 feet of the center of the window.
- c. Additional Lumen Allowances for Outdoor Sales facilities. In addition to the Allowed Total Initial Site Lumens calculated above, the following Additional Initial Luminaire Lumen Allowances are permitted for the Motor Vehicle Sales Use E24. Outdoor Sale facilities shall not utilize any other additional allowances and shall employ controls that extinguish the additional lighting permitted by this section between the hours of 9:00p.m. and 7:00 a.m. or at such shorter period as may approved by the Board of Supervisors:
  - i. Outdoor Motor Vehicle Sale Lots. An allowance of 8 Lumens per square foot of uncovered sales lots (hardscape area) used exclusively for the display of vehicles or other merchandise for sale. This allowance shall not include driveways, parking or other non-sales areas and shall not exceed 25% of the total hardscape area. To use this allowance, Luminaires must be within 2 mounting heights of the sales lot area.
  - ii. Outdoor Sales Frontage. An allowance of 1,000 Lumens per lineal feet of sales frontage immediately adjacent to the principal viewing location(s) and unobstructed for its viewing length. A corner sales lot may include two adjacent sides provided that a different principal viewing location exists for each side. In order to use this allowance, luminaires must be located between the principal viewing location and the Outdoor Sales Frontage Area.
- d. Additional Lumen Allowances for Convenience Stores and Motor Vehicle Gas Sales facilities. In addition to the Allowed Total Initial Site Lumens calculated above, the following Additional Initial Luminaire Lumen Allowances are permitted

for the Convenience Stores and Motor Vehicle Gas Sales. Convenience Stores and Motor Vehicle Gas Sales facilities shall not utilize any other additional allowances:

- i. Convenience Store and Motor Vehicle Gas Station Hardscape. An allowance of 8 Lumens per square foot of total illuminated hardscape area less area of buildings, area under canopies, area off property, or areas obstructed by signs or structures. In order to use this allowance, luminaires must be illuminating the hardscape area and must not be within a building, below a canopy, beyond property lines, or obstructed by a sign or structure.
  - ii. Motor Vehicle Gas Station Canopies. An allowance of 16 Lumens per square foot of the total areas within the drip line of the canopy. In order to use this allowance, luminaires must be located under the canopy.
4. Maximum Allowable Backlight, Uplight and Glare (“BUG”) Ratings - A luminaire may be used if it is rated as listed below or lower in number for all ratings B, U and G. Luminaires equipped with adjustable mounting devices permitting alteration of luminaire aiming in the field shall not be permitted.

**Maximum Allowable Backlight Ratings**

Allowed Backlight Rating	In the Cross Keys Enterprise Zone Overlay District	In all other Zoning Districts
Greater than 2 mounting heights from property line	B3	B1
1 to less than 2 mounting heights from property line and ideally oriented**	B2	B1
0.5 to 1 mounting heights from property line and ideally oriented**	B1	B0
Less than 0.5 mounting height to property line and ideally oriented**	B0	B0

\*\* To be considered 'ideally oriented', the luminaire must be mounted with the backlight portion of the light output oriented perpendicular and towards the property line of concern.

**Maximum Allowable Uplight Ratings**

Allowed Backlight Rating	In the Cross Keys Enterprise Zone Overlay District Zoning District
Allowed Uplight Rating	U1
Allowed % light emission above 90° for Street or Area Lighting	0%

**Maximum Allowable Glare Ratings**

	In the Cross Keys Enterprise
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	Zone Overlay District Zoning District
Allowed Glare Rating	G2
Any luminaire not ideally oriented*** with 1 to less than 2 mounting heights to any property line of concern	G1
Any luminaire not ideally oriented*** with 0.5 to 1 mounting heights to any property line of concern.	G0
Any luminaire not ideally oriented*** with less than 0.5 mounting heights to any property line of concern	G0

\*\*\* Any luminaire that cannot be mounted with its backlight perpendicular to any property line within 2X the mounting heights of the luminaire location shall meet the reduced Allowed Glare Rating.

5. Average Horizontal Luminance at grade level shall not exceed 2.0 Foot-Candles, except as follows:
  - a. Outdoor Sales Frontage Area - the Average Horizontal Luminance at grade level shall not exceed 10.0 Foot-Candles.
  - b. Sales and Non-Sales Canopy – the Average Horizontal Luminance at grade level shall not exceed shall not exceed 5.0 Foot-Candles.
  - c. Motor Vehicle Gas Station Canopy – the Average Horizontal Luminance at grade level shall not exceed 20.0 Foot-Candles.
  
6. Maximum Horizontal Luminance at grade level shall not exceed 5.0 Foot-candles, except as follows:
  - a. Outdoor Sales Frontage Area - The Maximum Horizontal Luminance at grade level shall not exceed 18.0 Foot-Candles.
  - b. Sales and Non-Sales Canopy – The Maximum Horizontal Luminance at grade level shall not exceed 10.0 Foot-Candles.
  - c. Motor Vehicle Gas Station Canopy - The Maximum Horizontal Luminance at grade level shall not exceed 30.0 Foot-Candles.
  
3. A new Section 3022, “Fences” is added to provide as follows:

**Section 3022 Fences**

**A. Permits Required**

Prior to the erection of any fence on a lot where the principal use is residential (Uses B1 through B14 inclusive) or commercial and consumer service uses (Uses E1 through E33 inclusive), the lot owner shall secure a Zoning Permit in accordance with Article 34 hereof to assure that the proposed fence complies with the provisions of this Ordinance and that the proposed fence does not violate any recorded easement, or any restriction set forth on any recorded plan.

**B. Deer Fences**

On lots of 2.5 acres or more in the AG1 and AG2 zoning districts, which lots are devoted to uses A1, General Farming, A2 Nursery and/or A3, Intensive Agriculture and CAFOs, the lot owner, after first securing a Zoning Permit in accordance with Article 34 hereof, may erect a Deer Fence provided the proposed fence does not violate any recorded easement, or any restriction set forth on any recorded plan.

4. A new Section 3028, “Increase in Impervious Surface Coverage for Residential Uses” is added to provide as follows:

**Section 3028 Increase in Impervious Surface Coverage for Residential Uses**

On any lot where the principal use is residential (Uses B1 through B14 inclusive), the permissible impervious surface coverage may be increased by the lesser of four thousand square feet (4,000 ft.<sup>2</sup>) or five percent (5%) of that area of a lot determined by deducting from the net buildable site area any area within the ultimate street right-of-way, any area required as open space under this Ordinance, and the area of any existing and proposed above-ground stormwater management facilities. The increase shall be permitted only if the lot owner shall mitigate all the additional stormwater runoff generated by the increase in impervious surfaces, without exemption, in such a manner as to constitute a “structural BMP” (as defined in the Buckingham Township Stormwater Management Ordinance) or measures that consist of a physical device or practice that is installed to capture and treat stormwater runoff in accordance with the requirements of the Buckingham Township Stormwater Management Ordinance (Ordinance 2011-02), as amended.

5. A new Section 3029, “Blasting and Detonation Requirements” is added to provide as follows:

**Section 3029 Blasting and Detonation Requirements**

- A. The persons proposing the blasting activity (“Contractor”) shall provide a copy of a State of Pennsylvania Blaster's Licenses for each individual to be on the site and involved with the blasting activity to the Township for the permanent files and records. The Contractor shall also furnish the name of the blasting contractor and/or subcontractor and their qualifications including knowledge of all OSHA, Federal, Local and State regulations regarding site safety, transportation, use and handling of explosives.
- B. A “Blasting Plan” shall be provided to the Township prior to blasting. The Blasting Plan shall describe at a minimum:

1. General Outline and Description: describes general safety concerns and commits to follow all federal, local and state regulations related to use and transportation of explosives.
  2. Pre-Blast Surveys/Notifications: describes process, notification, and documentation for pre- and post- blast surveys related to nearby structures in accordance with the terms of this Ordinance.
  3. Blast Monitoring: describes process for seismic monitoring during blasting.
  4. Sequence of Blasting: discusses process to allow for minimal ground vibration and maximum protection of nearby structures.
  5. Blasting Procedures: describes times, dates and hours of blasting; regulation of access to blasting area; notification of neighbors and signal use; and measures for prevention of fly rock.
  6. Blast Security and Warning Whistles: discusses area security, communication of job site supervisors with local officials, and issuance of warning and all clear whistles.
  7. Explosives: Documents that all blasting materials will be perchlorate free and describes storage of explosives.
  8. A traffic management plan if the blasting activity will impact traffic circulation the accommodation of which requires coordination with the Pennsylvania Department of Transportation and local police
- C. All mining, excavating, and blasting activities shall maintain, at a minimum a 1,000 feet horizontal distance setback away from all residential structures and existing utility and pipeline corridors.
1. A limited exception may be granted to the 1,000-foot horizontal distance setback away from all residential structures and existing utility and pipeline corridors in cases where blasting of a limited duration is necessary for construction purposes and the following conditions are implemented:
    - a. The Contractor shall notify the Township at least thirty (30) days prior to the planned date of blasting as to when the blasting activity shall commence and prior to the commencement of any blasting, shall first deposit with the Township financial security in the amount of One Hundred Thousand Dollars (\$100,000.00) multiplied by the number of residential structures located within 1,000 foot horizontal distance of where the blasting activities are to occur. The deposit shall either be in cash; an irrevocable Letter of Credit drawn to the order of the Township upon a reputable bank licensed by the Commonwealth of Pennsylvania or a National Bank qualified to do business in Pennsylvania; a Tripartite Agreement with the Township and a National Bank or a bank or savings institution located within the Commonwealth of Pennsylvania; or such other form of security as the Township's Board of Supervisors shall approve.
    - b. Contractor shall notify all owners of residential structures located within 1,000 foot horizontal distance of where the blasting activities are to occur (“Notified Property Owners”) by certified mail of Contractor's intentions to blast and the date on which such work is planned to begin not later than fifteen (15) days prior to the date on which blasting is to initially take place

- c. Any Notified Property Owner shall have the right to avail themselves of the alternative dispute resolution procedures set forth at Section 3209 C.1.e. herein by, within five (5) days of receipt of the aforementioned notice, responding by first class mail or certified mail to the Contractor setting forth their willingness to allow evaluation of the existing condition of his or her Property prior to the blasting.
- d. If Contractor fails to provide the Notice provided for in Section 3029 C.1.b., then Contractor shall be deemed to have waived any opportunity to evaluate the pre-development condition of any Notified Property Owner's residence to whom the Notice was not sent and any:
  - i. cracks in drywall, plaster or stucco at the corners of wall penetrations (doors and windows) or with vertical displacements;
  - ii. cracks in concrete patios, driveways and slabs;
  - iii. underground plumbing failures (gas, water, waste, or irrigation piping) at the point where the house supply connects at the slab to the incoming line from the street;
  - iv. cracks in exterior rigid finishes like stucco running diagonally from wall penetrations; and
  - v. roof leaks
  - vi. structural displacements and dislocations,

to a residential structure located within a 1,000 foot horizontal distance of where the blasting activities occurred shall be rebuttably presumed to have been caused by the blasting.

- e. If Contractor fails to provide the Notice provided for in Section 3029 C.1.b., then any owner of a residential structure located within 1,000 foot horizontal distance of where the blasting activities occurred to whom notice was not sent shall have the right to avail themselves of the alternative dispute resolution procedures set forth at Section 3209 C.1.f. herein, should they so choose.
- f. If, after blasting has taken place, any Notified Property Owner who has availed themselves of the alternative dispute resolution procedures set forth herein and believes that his or her property has suffered any adverse effect as a result of said blasting shall provide written notice of the claim to the Contractor, with a copy to Buckingham Township. Contractor shall promptly undertake to evaluate the condition of the property. If there is a dispute as to whether or not the complained of condition is a result of the blasting activity, then such dispute shall be resolved through arbitration. The Notified Property Owner and the Contractor shall each select an arbitrator and then the arbitrators so selected shall appoint an additional arbitrator, or absent their agreement to do so within thirty (30) days, then such additional arbitrator shall be appointed by the Court of Common Pleas of Bucks County pursuant to 42 Pa.C.S.A. § 7305. The arbitration shall be conducted in accordance with the Pennsylvania "Uniform Arbitration Act", 42 Pa.C.S.A. § 7301 et seq. The judgment upon the award rendered by the arbitrators may be entered in any court having jurisdiction thereof. The arbitrators will have no authority to award punitive or other damages not measured by the prevailing party's actual damages but shall have the right to assess costs and attorney's fees as part of its award. The arbitration award shall be in writing and shall specify the factual and legal basis for the award. Unless otherwise awarded by the arbitrators, all fees and expenses of the arbitration shall be borne by the parties equally and each party shall bear the expense of its own counsel, experts, witnesses and the preparation and presentation

of proofs. Any and all arbitration under this section shall be conducted in Doylestown, Pennsylvania.

- g. In the event that it is finally determined through arbitration or otherwise that any adverse impact upon a Notified Property Owner's property is as a result of Contractor's blasting, the Contractor shall promptly undertake all steps necessary to remediate said impact. To the extent that there is any delay by Contractor in undertaking and/or completing any remediation, Contractor shall be liable to the Notified Property Owner for costs and damages occasioned by such delay.
  - h. In the event Contractor does not commence, and thereafter diligently pursue to completion, to remedy the adverse impact upon the property of any Notified Property Owner who has availed themselves of the alternative dispute resolution procedures set forth herein within thirty (30) days, of when it is finally determined pursuant to Section 3209 C.1.f. hereof that Contractor is responsible for the adverse impact, Buckingham Township may draw down the financial security posted pursuant to Section 3209 C.1.a. hereof and pay such security to the Property Owner or Property Owner's remediation contractor to take whatever action is necessary to cure the problem. In the event that the financial security is not sufficient to cure the problem, Contractor shall be responsible for any additional expense including legal, engineering and administrative costs, which are incurred in curing the problem.
  - i. Two hundred seventy (270) days from the date on which the last blasting activity on cause of the Development occurs, the Contractor, upon written request, shall have all financial security posted with the Township pursuant to this Agreement returned to the Contractor, except such security as may be necessary to remedy any pending claims of Notified Property Owners which have not been finally determined pursuant to the provisions hereof.
- D.** Except to the extent otherwise set forth herein, all general blasting and/or detonation operations shall conform with the regulations of Chapter 56 of the International Code Council 2015 International Fire Code and the provisions contained in Chapters 10 and 11 NFPA (National Fire Protection Association) 495, Explosive Materials Code, 2013 Ed.
- E.** Written notice of all blasting and/or detonation operations shall be given at least twenty-four (24) hours prior to the commencement of blasting and/or detonation to the Buckingham Township Zoning Officer and to the local fire department and Buckingham Township Police Department.
- F.** Blasting may occur only between the hours of 8:30 a.m. and 3:30 p.m., Monday through Friday, unless specifically authorized otherwise.
- G.** Blasting insurance shall also be required for blasting contractors and shall remain in full force and effect during the period of any blasting and if issued on a "claims made" rather than "occurrence" basis, for two (2) years thereafter. The policy of insurance shall insure against tort and all other liability for personal injury and property damage claims arising or alleged to arise from the blasting activities and will have Township its employees and its professionals (the Township Engineer, the Township Water and Sewer Engineer, the Township Solicitor, the Township Planner and the Township Landscape Consultants) named as additional named insureds in each of the following type policies, constituting the primary insurance for such named insureds and to provide the following specific coverages for blasting activities:
- (a) Bodily Injury and Property Damage Liability:

(b) Personal and Advertising Injury:

The limits of the required insurance for each of the specific coverages shall be set from annually by the Board of Supervisors by Resolution. The Blasting Contractor shall provide the Township proof of the required insurance in the form of an issued policy, including the declaration pages and properly endorsed to meet the requirements of this Section and in form acceptable to the Township Solicitor. A Certificate of Insurance shall not constitute proof of the required insurance hereunder.

E. Signs

1. Section 3201 “Definitions”, Section B. “Sign Types” is amended to:

a. Revise Section 3201 B. 4 as follows:

4. Directory Sign - A sign advertising a group of establishments occupying one property, with the name of the property and the names of the individual establishments located within the property or building.

b. Add a new 3201 B. 5 as follows:

5. Building Directory Sign - A sign advertising a group of establishments occupying one building, with the name of the building and the names of the individual establishments located within the building.

c. Existing subsections 3201 B. 5, 6 and 7 are renumbered 3201 B. 6, 7 and 8.

d. Add a new 3201 B. 9 as follows:

9. Temporary Off Premises Advertising Sign - A temporary sign that directs attention to a commercial event, new product, new business, sale or other temporary commercial promotion, activity or entertainment, conducted, sold or offered only elsewhere than upon the premises where the sign is displayed, which sign is displayed for a period not exceeding fourteen (14) days.

2. Section 3202, “Sign Regulations Applicable to All Districts” is amended to add new subsections K. and L. as follows:

**K.** A sign may be repaired, refinished, resurfaced, repainted and restored provided once complete the sign is identical in appearance, size, color(s), message, shape and in all other respects with the sign as originally permitted. If any change or alteration is to be made to the sign, then the owner shall secure a new zoning permit therefor.

L. Temporary Off Premises Advertising Signs may, with the prior permission of the property owner, be placed along Arterial and Major Collector Roads provided that:

1. Maximum size six (6) square feet per side;
2. No Temporary Off Premises Advertising Sign may be placed with a Residential Zoning District (R-1 through R-9).
3. No more than ten (10) such signs shall be permitted within the Township for any single event, new product, new business, sale or other temporary promotion, activity or entertainment;
4. No single business may place such signs more than two (2) times per each calendar year;
5. The erector of such signs or those responsible for or benefiting by the erection shall first apply for and obtain a permit from the Township Zoning Officer, and make a deposit with the Township at the time of application of a sum to be set at a certain amount from time to time by resolution of the Board of Supervisors to insure that all such signs shall be removed promptly within fourteen (14) days after first placed. If such signs are not removed at the end of the fourteen (14) day period, the Township will then have them removed and forfeit the sum deposited to reimburse the Township expenses incurred in removal. The deposit shall be returned upon the satisfactory removal of such signs within the fourteen (14) day period. No such Temporary Off Premises Advertising Sign may be displayed for a period or periods exceeding a total of twenty-eight (28) days in any one calendar year. The deposit amounts required to be paid herein are in addition to the permit fee.

3. Section 3203, “Signs in the Agricultural, Residential, Village Residential, Planned Business & Residential, and MHP Districts” is amended to delete subsection H. and add a new subsection H. as follows:

H. Except for Home Occupations, Class I for which no signs related to the home occupation are permitted, professional, home occupation, or name signs indicating the profession and/or activity and/or the name of the occupant of the dwelling, provided that the following regulations are met:

1. Maximum sign size: three (3) square feet per side;
2. No more than one (1) sign shall be erected for each permitted use or dwelling unit.

4. Section 3206, “Signs in the VC-2, VC-3, and LC Districts” is amended to:

a. Add a new 3206 D.3. between existing D.2. and D.3 as follows:

3. Building Directory Sign – Each individual building may have two Building Directory Signs, one on the front of the building and one at the rear. Each Building Directory Sign shall not exceed 12 square feet in size and shall not exceed four feet in height.

b. Existing subsections 3206 D. 3. through 9 are renumbered 3206 D. 4. through 10.

5. Section 3207, “Signs in the PC-1, PC-2, PI and PI-2 Districts” is amended to:

a. Add a new 3207 D.2. between existing D.1. and D.2 as follows:

2. Building Directory Sign – Each individual building may have two Building Directory Signs, one on the front of the building and one at the rear. Each Building Directory Sign shall not exceed 12 square feet in size and shall not exceed four feet in height.

b. Existing subsections 3207 D. 2. through 4. are renumbered 3207 D. 3. through 5.

6. Section 3208, “Signs in the NVO Neighborhood Village Office Districts” is amended to:

a. Add a new 3208 C. and D. between existing B. and C. as follows:

C. Building Directory Sign – Each individual building may have two Building Directory Signs, one on the front of the building and one at the rear. Each Building Directory Sign shall not exceed 12 square feet in size and shall not exceed four feet in height.

D. Directional Signs. Directional signs of three (3) square feet are permitted for traffic control purposes and to direct persons to the individual uses within the development, provided such signs do not contain advertising copy and contain only the name and location of the individual use for which directions are being provided. One directional sign is permitted for every point of access into the lot and at entrances to parking areas.

b. Existing subsection 3208 C. is renumbered 3208 E.

ENACTED AND ORDAINED THIS

DAY OF January, 2018.

BUCKINGHAM TOWNSHIP  
BOARD OF SUPERVISORS

\_\_\_\_\_  
Maggie Rash, Chairperson

ATTEST:

\_\_\_\_\_  
Paul Calderaio

\_\_\_\_\_  
Dana Cozza,  
Township Manager

\_\_\_\_\_  
Jon Forest