Buckingham Township

Bucks County, Pennsylvania

Zoning Ordinance

Incorporating Amendments Enacted To
April 14, 2010

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ARTICLE 1 TITLE, PURPOSE, JURISDICTION, DISTRICTS, AND ZONING MAP

Section 100 Title

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

Section 101 Short Title

This Ordinance shall be known as and may be cited as the "Buckingham Township Zoning Ordinance of 1975" as amended.

Section 102 Purposes and Community Development Objectives

A. Statement of Community Development Objectives

1. To guide the form, location, and timing of growth in order to achieve a sustainable level and rate of growth and to protect the natural environment, maintain visual quality, enhance the man-made environment and provide services and facilities necessary for the community's citizens and workers.
2. To protect clean air, pure water, and the other natural resources of our environment and to guarantee a quality environment for present and future residents.
3. To protect agricultural areas in the Township, to encourage continuation of farming activities, the availability of fresh produce and the beneficial effect on the natural and human environment provided by agricultural practices; to preserve prime agricultural land in accordance with the mandate of the Pennsylvania Municipalities Planning Code.
4. To promote safe, sound housing and stable neighborhoods for present and future residents of the Township.
5. To accommodate nonresidential developments that are compatible with the character of the Township and that do not degrade the highway network and community services.
6. To provide active and passive recreation facilities for Township residents of all ages.
7. To coordinate land use policies with policies for providing water supply and wastewater disposal in an environmentally sound manner that protects the quality and quantity of groundwater.
8. To protect and maintain the capacity of the Township's roadways by taking into account the transportation impacts of land use changes and by accommodating public transportation and pedestrian/bicycle travel.

B. The purposes of this Ordinance are:

1. To promote, protect, and facilitate the public health, safety, and general welfare; coordinated and practical community development and proper density of population; emergency management preparedness and operations; the provisions of adequate light and air, police protection, vehicle parking and loading space, transportation, water, sewerage, schools, recreational facilities, public grounds; the provision of a safe, reliable and adequate water supply for domestic, commercial, agricultural or industrial use; as well as preservation of the natural, scenic and historic values of the environment and preservation of forests, wetlands, aquifers and floodplains.
2. To prevent overcrowding of land, blight, danger and congestion in travel and transportation, loss of health, life or property from fire, flood, panic or other dangers in accordance with an overall program, and with consideration for the character of the municipality, its various parts and the suitability of the various parts for particular uses and structures.

3. To provide standards to control the amount of open space and impervious surfaces within a development; to control the intensity of development in areas of sensitive natural resources or natural features in order to reduce or eliminate adverse environmental impacts.
4. To provide methods to implement Article I, Section 27 of the Constitution of the Commonwealth of Pennsylvania, which decrees that the people have a right to clean air, pure water, and to the preservation of the natural, scenic, historic, and aesthetic values of the environment and to protect natural resources which are a part of the ecological system to which we are all bound, and therefore are the common property of all the people, including generations yet to come, and must be protected to insure the health, safety and welfare of all the people.
5. To provide for the use of land for commerce, industry, institutions, and residential housing of various dwelling types and reasonable overall community growth.
6. To regulate the growth of the Township, concentrating development in areas where adequate sewage facilities, roads, and schools can be provided, and limiting development in areas where these facilities are not provided.
7. To lessen the danger and congestion of traffic on the roads and highways and to reduce excessive numbers of roads.
8. To protect the Township's historic buildings, historic villages, historic areas, and historic resources.

Section 103 Interpretation

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

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

B. Whenever the provisions of any other statute require a greater width or size of yards, courts or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by any regulations made under authority of this Ordinance, the provisions of such statute shall govern.

C. Whenever any regulations pertaining to a specific use or activity under authority of this Ordinance require a greater width or size of yards, courts or other open spaces, or require a lower height of buildings or smaller number of stories or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required for the zoning district or generally required under this Ordinance, the greater or higher standards shall govern.

D. This Ordinance does not repeal, abrogate, annul, or in any way impair or interfere with: existing provisions of other laws or ordinances (except those specifically or impliedly repealed by this Ordinance), or any private restrictions placed upon property by covenant, deed or other private agreement.

Section 104 Separability

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

A. If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. It is hereby declared as the intent of the Buckingham Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section, or part thereof not been included herein.

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

Section 105 Establishment of Districts

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

Section 106 Zoning Districts Map

Districts are bounded and defined as shown in the map entitled "Zoning Map of Buckingham Township" which accompanies and which, with all explanatory matters thereon, is hereby made a part of this Ordinance.

Section 107 Interpretation of District Boundaries

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

A. Where district boundaries are indicated as approximately coinciding with the centerlines of streets, highways, railroad lines, or streams, such centerlines shall be construed to be such boundaries.

B. Where district boundaries are so indicated that they approximately coincide with lot lines, such lot lines shall be construed to be said boundaries; or where district boundaries are extensions of lot lines or connect the intersections of lot lines, such lines shall be said district boundaries.

C. Where district boundaries are so indicated that they are approximately parallel to centerlines of streets or highways, such district boundaries shall be construed as being parallel thereto and at such distance therefrom as indicated on the zoning map.

D. If land within the Township of Buckingham has been determined to be without a zoning classification for any reason, that land shall be developed only in accordance with the standards and requirements of the AG-1 District.

Section 108 Limitations

Whenever this Ordinance permits, prohibits, regulates, restricts and determines:

1. The uses of land, watercourses and other bodies of water;

2. The size, height, bulk, location, erection, construction, repair, maintenance, alteration, razing, removal and use of structures;

3. The areas and dimensions of land and bodies of water to be occupied by uses and structures, as well as areas, court yards, and other open spaces and distances to be left unoccupied by uses and structures;

4. The density of population and intensity of use; and

5. The protection and preservation of natural and historic resources and prime agricultural land and activities

Such Ordinance provisions shall be limited only to the extent that regulations of mineral extraction have heretofore been superseded and preempted by the act of May 31, 1945 (P.L. 1198, No. 418), known as the "Surface Mining Conservation and Reclamation Act," the act of December 19, 1984 (P.L. 1093, No. 219), known as the "Noncoal Surface Mining Conservation and Reclamation Act," and the act of December 19, 1984 (P.L. 1140, No. 223), known as the Oil and Gas Act," and to the extent that the subsidence impacts of coal extraction action are regulated by the act of April 27, 1966 (1st Sp. Sess., P.L. 31, No. 1), known as 'The Bituminous Mine Subsidence and Land Conservation Act," and that regulation of activities related to commercial agricultural production would exceed the requirements imposed under the act of May 20, 1993 (P.L. 12, No. 6), known as the "Nutrient Management Act," regardless of whether any agricultural operation within the area to be affected by the Ordinance would be a concentrated animal operation as defined by the "Nutrient Management Act," the act of June 30, 1981 (P.L. 128 No. 43), known as the "Agricultural Area Security Law," or the act of June 10, 1982 (P.L. 454, No. 133), entitled "An act protecting agricultural operations from nuisance suits and ordinances under certain circumstances," or that regulation of other activities are preempted, but only to the extent preempted, by other Federal or State laws.

ARTICLE 2 DEFINITIONS

Section 200 General

A. Unless a contrary intention clearly appears, the following words and phrases shall have for the purposes of this Ordinance the meanings given in the following clauses.

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

1. Words used in the present tense include the future.
2. The singular includes the plural.
3. The word "**person**" includes an individual, firm, partnership, corporation, company, association, association, or government entity; including a trustee, a receiver, an assignee or a similar representative.
4. The word "**lot**" includes the word "plot" or "parcel."
5. The term "**shall**" is mandatory.
6. The words "**used**" or "**occupied**" as applied to any land or building shall be construed to include the words "intended, arranged, or designed to be occupied."
7. The word "**Supervisors**" and the words "**Board of Supervisors**" and "**Governing Body**" always mean the Buckingham Township Board of Supervisors.
8. The word "**Commission**" and the words "**Planning Commission**" always mean the Buckingham Township Planning Commission.
9. The word "**Board**" or the words "**Zoning Hearing Board**" always mean the Buckingham Township Zoning Hearing Board.
10. The words "**Zoning Officer**" always mean the Buckingham Township Zoning Officer.

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

Section 201 Definitions

Accessory Building: A subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted, or intended to be devoted, to an accessory use is not an accessory building.

Accessory UseA use located on the same lot with a principal use, and clearly incidental or subordinate to, and in connection with, the principal use.

AEU: An acronym for "Animal Equivalent Unit." One AEU is defined as one thousand pounds (1,000 lbs) of animal live weight. Weights can be based on actual recorded weight or taken from standardized charts developed for Pennsylvania.

Agricultural Products: Crops, livestock and livestock products including, but not limited to field crops, including corn, wheat, oats, rye, barley, hay, potatoes and soybeans; fruits, including apples, peaches, grapes, cherries, and berries; vegetables, including tomatoes, snap beans, cabbage, carrots, beets, onions, and mushrooms; horticultural specialties, including nursery stock, ornamental trees, ornamental shrubs, and flowers; livestock and livestock products, including cattle, sheep, hogs, goats, horses, poultry, fur-bearing animals, milk, eggs, and furs; timber, wood, and other wood products derived from trees; and aquatic plants and animals and their by-products.

Agricultural Soils, Prime: Soils classified in the "Soil Survey of Bucks Counties, Pennsylvania," U.S. Department of Agriculture, Natural Resources Conservation Service, 2002, or the latest version. The term, unless otherwise specified, refers to land capability units I, II, III and IV.

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

location or position to another. As applied to land, a change in topography as a result of the moving of soil and rock from one location or position to another, also the changing of surface conditions by causing the surface to be more or less impervious; land disturbance.

Antenna: Any structure or device used for the purpose of collecting or transmitting electromagnetic waves, including but not limited to directional antennas, such as panels, microwave dishes, satellite dishes, and omni-directional antennas, such as whip antennas.

Antenna Structure: The term "Antenna Structure" includes the radiating and/or receiving system, its antenna, its supporting structures including towers and poles and any appurtenances mounted thereon and used in Personal Wireless Services.

Antenna Structure, Disguised: A freestanding Antenna Structure that shall be camouflaged in an effort to conceal it from public view. Concealment may be in the form of building antennas into lighting fixtures, blending antennas into hidden rooftop mounts, locating antennas inside wall-mounted signage, mounting antennas inside self-containing monopoles, and flush-mounting antennas or monopoles. Examples include flagpoles, church steeples, silos, monopoles disguised as clock and/or bell towers, trees, signs, public art and/or other camouflaged structures available to the industry.

Area:

Floor Area: Floor area is the sum of the areas of the floors of a building or structure under roof and enclosed by walls, including areas used for human occupancy, parking, or required for the conduct of the business or use, and basements, attics, and utility areas for heating and ventilating equipment, as measured from the exterior faces of the walls. It does not include any space with a ceiling height of less than six feet.

Lot Area: The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Ordinance, excluding any area within the ultimate street right-of-way, and excluding any area required as open space under this Ordinance, and excluding the area of above-ground stormwater management facilities and any other areas as may be specifically excluded by the terms of this Ordinance. For purposes of this Ordinance, "Lot Area" may or may not coincide with a "Lot" as hereafter defined.

Basement or Cellar: A basement or cellar is a space having part or all of its floor-to-ceiling height below the average level of the adjoining ground. A basement or cellar shall be counted for the purpose of determining floor area if the vertical distance between the ceiling and the average level of adjoining ground is more than six (6) feet or if the basement or cellar is used for business or dwelling purposes.

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

Buffer: Land area planted with trees, shrubs, groundcover, or a combination of landscape materials, used to separate a street from another land use or to separate one land use from another land use; or to shield or block lights, noise, or other nuisances. A buffer need not be adjacent to a street or to a property line but may be necessary anywhere on the land area if the provisions of this Ordinance so require.

Building:

A structure under roof, used for the shelter or enclosure of persons, animals, or property. The word "building" shall include any part thereof.

Building, Principal: A building in which is conducted, or is intended to be conducted the principal use of the lot on which it is located and not an accessory building.

Building Area: The total of the areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings measured from the exterior of outside walls and exclusive of uncovered porches, terraces, and steps.

Building Coverage Ratio: The percentage of the lot area covered by building area, measured as building area per base site area, as defined herein.

Building Envelope: The building envelope is that area of a lot that has no building restrictions. The building envelope shall not include the area of any required setbacks, (except for driveways which may cross yards),

buffer yards, natural features with one hundred (100) percent protection standard, and the portion of those natural features that may not be developed or intruded upon as specified in Article 31, Natural Resource Protection Standards.

Building Height: A vertical distance measured from the elevation of the average grade to the highest point of the roof. The average grade is calculated as the arithmetic average of the elevations taken from the four principle corners of the building, ten 10 feet away from those corners along a line that bisects the corner at its center.

Building Setback Line:

Front, : The rear line of the minimum front yard, as herein designated for each use and each district, measured at a distance equal to and no greater than the minimum front yard from the street line.

Side, : A line parallel to the side lot line at a distance therefrom equal to the depth of the minimum side yard required.

Rear : A line parallel to the rear lot line at a distance from the rear lot line equal to the depth of the minimum rear yard required.

Building Spacing: The minimum distance between buildings measured from the outermost wall or projection to the nearest outermost wall or projection on another building.

CAFO: An acronym for "Concentrated Animal Feed Operation." A farm or operation where livestock or poultry are housed either inside buildings or in confined feedlots involving: more than 1000 AEUs; a CAO with 301 to 1000 AEUs, or any animal operation with discharge to surface waters.

CAO: An acronym for "Concentrated Animal Operation." It is any agricultural operation where the animal density exceeds two (2) AEUs per acre on an annualized basis.

Compostable Material: Compostable material shall mean organic waste and natural materials that are capable of undergoing composting.

Composting: Composting shall mean the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions.

Cold Water Streams: The following streams/classifications identified by the Pennsylvania Department of Environmental Protection in 25 Pa. Code § 93.9e Drainage List "E" - Delaware River Basin, Lehigh River to Schuylkill River: Paunnacussing Creek - HQ-CWF (High Quality-Cold Water Fishes); Pidcock Creek - WWF (Warm Water Fishes); North Branch Neshaminy Creek, Basin Course to tail waters of Lake Galena - WWF; Mill Creek - TSF, MF (Trout Stocking, Migratory Fishes); Watson Creek - CWF, MF; Mill Creek, Source to Watson Creek - CWF, MF; Mill Creek Watson Creek to Mouth - WWF, MF. For purposes of this Ordinance, the definition of Cold Water Streams shall include all tributaries of the streams listed.

Conditional Use: A use permitted by the Board of Supervisors in accordance with specific standards set forth in this ordinance and pursuant to the provisions of Article VI of the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended.

Density: The number of dwelling units per unit of area.

Development: Any man-made change to improved or unimproved real estate, including, but not limited to buildings or other structures, the placement of mobile homes, streets, utilities, mining, dredging, filling, grading, paving, excavation, or drilling operations.

Development Rights: One of a series of rights inherent in fee simple ownership of land.

Development Rights, Transferable: The attaching of development rights to specified lands which are desired to be kept undeveloped but permitting those rights to be transferred from those lands so that the development potential which they represent may occur on other lands within the Township.

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

Employee: A person who conducts his work on the lot where the business, institutional, commercial, industrial, home occupation, or other activity is located, whether or not as an employee subject to withholding of taxes or as an independent contractor.

FAA: Federal Aviation Administration

Family: One person, or two or more persons related by blood, foster relationship, marriage or adoption, and in addition, any domestic servants or gratuitous guests thereof; or a group who need not be so related who are

living together in a single, non-profit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder, or lodger shall not be considered a member of the family.

FCC: Federal Communications Commission

Fireworks: "Consumer fireworks," as that term is defined in the Pennsylvania Fireworks Law, 35 P.S. §1271.

Floodplain: Areas adjoining streams or other watercourses subject to the 100-year-recurrence-interval flood. The areas considered to be Floodplain within Buckingham Township shall include those areas identified as being subject to the 100-year flood in the Flood Insurance Study prepared for Buckingham Township by the Federal Emergency Management Agency (FEMA) dated September 1978 and the accompanying maps dated March 15, 1979 (or most recent versions). See Section 3102. For "critical facilities" the relevant flood plain is the 500 year flood plain; see Section 3102.Q.3.

Floodplain Soils: Areas subject to periodic flooding and listed in the Soil Survey of Bucks County, Pennsylvania. U.S. Department of Agriculture, most recent edition, as being "in the flood plain" or subject to "flooding."

Floor Area: See "Area"

Floor Area Ratio (FAR): The ratio of the total floor area on all floors of a principal building to the base site area, as determined by dividing the total floor area by the base site area.

Forest or Woodlands: Areas of naturally occurring vegetation characterized by trees whose crowns form a canopy, which occupies an area of not less than one-half acre, and contains some trees which are at least 20 feet in height or 3 inches diameter 14 inches above the ground. A forest or woodlands includes all the natural layers of vegetation beneath the canopy, all the diversity of organisms that inhabit it, both plant and animal, and the soil layers that develop beneath it. Forest areas smaller than one-half acre on a parcel shall also be considered to be forest if the forest area is part of a larger contiguous forest area that extends onto other parcels. The following are not forests or woodlands: a field of nursery stock, plantations of non-native trees or of native species planted for commercial purposes. Both nurseries and plantations may become successional forests or woodlands in time, provided they meet the definition of forest or woodlands set forth herein.

Group Home: A single Dwelling Unit occupied by a group of persons not related by blood, foster relationship, marriage or adoption and who are living together and maintaining a common household with single cooking facilities.

Highway: See definition of "Street".

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. In addition, other areas determined by the Township Engineer to be impervious within the meaning of this definition will also be classified as impervious surfaces.

Impervious Surface Ratio: The total area of all impervious surfaces within the site or lot divided by that area 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 above-ground stormwater management facilities.

Invasive Species An invasive species is a species that does not naturally occur in a specific area and whose introduction does or is likely to cause economic or environmental harm or harm to human health.

Lakes and Ponds: Natural or artificial bodies of water which at high water are one-quarter acre or larger. Artificial ponds may be created by damming or excavation. The shoreline of such shall be measured from the spillway crest elevation rather than permanent pool if there is any difference.

Lot: A parcel of land, used or set aside and available for use as the site of one or more buildings and any buildings accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the ultimate right-of-way of a public or private street upon which said lot abuts, even if the ownership to such right-of-way is in the owner of the lot. For the purpose of this Ordinance, a lot may or may not coincide with a lot of record.

Corner Lot: A lot that has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than one hundred and thirty-five (135) degrees. A

corner lot shall have two front yards, one on each of the two streets which it abuts, and shall have one rear yard and one side yard.

Lane Lot: A lot that does not have the required minimum lot width at the minimum front yard line but has direct access to a street through a strip of land which is part of the same lot.

Through Lot: A lot having frontage on two parallel or approximately parallel streets.

Lot Depth: The mean distance from the street line of the lot to its opposite rear line, measured in the general direction of the side-lines of the lot.

Lot Width: The distance measured between the side lot lines at the required front building setback line. In a case where there is only one side lot line, lot width shall be measured between such side lot line and the opposite rear lot line or street line.

Lot Line: Any boundary line of a lot.

Rear: Any lot line that is parallel to or within forty-five (45) degrees of being parallel to a street line and is not a front lot line.

Side: Any lot line that is not a street line or a rear lot line.

Front: The dividing line between the street and the lot. The front lot line shall be the same as the ultimate right-of way line and is the same as the "street line." In the case of a lot having no street frontage, every boundary line of such lot shall be considered a front lot line for the purposes of setback requirements.

Massage Parlor: An establishment that meets all of the following criteria: A. Manipulative exercises are performed using the hands and/or a mechanical or bathing device on a person's skin other than the face or neck by another person that is related to certain monetary compensation. B. The person conducting the massage is NOT: licensed as a health care professional or a massage therapist licensed by the State or by the National Certification Board for Therapeutic Massage and Bodywork or related to the person receiving the massage by blood, adoption, marriage or official guardianship. C. The massages are not conducted within a licensed hospital, nursing home, or an office of a medical doctor or chiropractor. D. The massages are conducted within private or semi-private rooms. E. The use is not clearly a customary and incidental accessory use to a permitted exercise club or to a high school or college athletic program.

Minerals: Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone, dolomite, sand and gravel, rock and stone, earth, slag, iron ore, zinc ore, vermiculite and clay, coal, peat, crude oil, and natural gas.

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

Mobile or Manufactured Home Lot: A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Open Space: Land used for recreation, farmland preservation, resource protection, or scenic area and is protected by the provisions of this Ordinance and the Subdivision and Land Development Ordinance to ensure that it remains protected from future development.

Open Space Ratio: The total amount of open space within a site divided by the base site area.

Overlay District: An area within a zoning district where different zoning provisions apply than are in general effect for that zoning district. Overlay districts may be for any of those purposes set forth in Section 605 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10606.

Pedestrian Circulation Study: See Section 3025E hereof.

Principal Building: See "Building, Principal"

Principal Use: See "Use, Principal"

Public Hearing: A formal meeting held pursuant to public notice by the Board of Supervisors or the Planning Commission intended to inform and obtain public comment prior to taking action in accordance with this Ordinance.

Public Meeting: A forum held pursuant to notice under the act of July 3, 1986 (P.L. 388, No. 84), as amended, known as the "Sunshine Act."

Public Notice: The term "Public Notice" as used in this Ordinance shall have the meaning assigned to such term in the Pennsylvania Municipalities Planning Code, 53 P.S. § 10107.

Recreational Vehicle: A vehicular type unit primarily designed as temporary living quarters for recreational camping or travel use, which either has its own power or is mounted on or drawn by another vehicle, including a travel trailer, camping trailer, truck camper and motor home.

Right-of-Way: Land set aside for use as a street, other means of travel or for use by a utility.

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.

Right-of-way line: The dividing line between a lot and the ultimate right-of-way of a street or road or utility.

Riparian Area: Vegetative areas located adjacent to rivers, creeks, lakes, springs, wetlands, or coulees that are a transition zone between the upland and aquatic ecosystems.

SALDO: The then current Buckingham Township Subdivision and Land Development Ordinance, as amended.

Saturated Area: An area having Saturated Soil Conditions, as referenced and incorporated in 25 Pa. Code § 105.451, and contained in the 1987 Corps of Engineers Wetland Delineation Manual (Technical Report Y-87-1), Appendix "A" - Glossary: a condition in which all easily drained voids (pores) between soil particles in the root zone are temporarily or permanently filled with water to the soil surface at pressures greater than atmospheric.

Sewer

Public Sewer: Any municipally or privately owned sewer system in which sewage is collected from buildings from more than one lot and/or dwelling unit and piped to an approved sewage disposal system. It may also be referred to as "off-lot" or "off-site" sewer. This shall include capped sewers when installed to Township Specifications.

Private Sewer: An "on-lot" approved disposal system providing for disposal of effluent for only one building or a group of buildings on a single lot.

Site: An area having specific boundaries and encompassing an existing or proposed land development, subdivision, building, or structure.

Site Area: All land area within the site as defined in the deed and as determined by an actual site survey.

Site Area, Base: The site area minus existing roads, rights-of-way and easements, and land shown on previous subdivisions or land development plans as restricted from development. See Article 31 for the specific calculations.

Site Area, Net Buildable: That portion of the base site area unaffected by those resource restrictions requiring 100 percent protection under the terms of this Ordinance. See Article 31 for the specific calculations.

Site Capacity: The maximum number of lots, dwelling units, the maximum impervious surfaces, the net buildable site area and the minimum required open space as calculated under the provisions of Article 31, Site Capacity Calculations.

Special Exception: A use permitted in a particular zoning district only when granted by the Township Zoning Hearing Board in accordance with the standards contained in this Ordinance and Article IX of the Pennsylvania Municipalities Planning Code, as amended.

Steep Slopes: Areas where the average slope is equal to or exceeds eight (8) percent which, because of this slope, are subject to high rates of stormwater run-off, erosion, and flooding.

Story: That portion of a building included between the surface of any floor and the surface of the floor next above it, or if there be no floor above it, then the space between the floor and the ceiling next above it and including those basements where the vertical distance between the basement ceiling and the average level of adjoining ground is more than six (6) feet or if the basement or cellar is used for business or dwelling purposes.

Story, Ground: That story with its floor level immediately above the average finished grade level of the adjoining ground at any particular point or side of the building.

Street: A public or private way used, or intended to be used, for passage or travel by motor vehicles, or to provide access to abutting properties:

a. Arterial highways, major collectors, minor collectors, and streets are as designated on the Highway Classification Map attached hereto.

b. Alley - Designed to provide access to the rear of residential units as a secondary means of access.

c. Scenic Road - Such roads as shall be so designated by the Township Historic Commission and approved by resolution of the Governing Body.

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

Structure: A combination of materials assembled, constructed, or erected at a fixed location, including a building or a manufactured home, the use of which requires location on the ground or attachment to something having location on the ground. Any manmade object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Transferable Development Right (TDR): See "Development right, transferable."

Tree Protection Area: An area that is radial to the trunk of a tree. The tree protection area shall be that circular region defined by a radius of fifteen (15) feet from the trunk of the tree to be protected, or the region extending from the trunk to the drip line or farthest extent of the root structure, whichever is greater. Where there is a group of trees, the tree protection area shall be the aggregate of the protection areas for individual trees.

Traffic Impact Study: See Section 3025A hereof.

Use: Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or a tract of land.

Use, Accessory: See "Accessory Use."

Use, Permitted: A use allowed subject to the provisions of this ordinance, exclusive of any nonconforming or illegal use.

Use, Principal: The main use on a lot.

Wetlands: *Wetlands*—Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas. A wetland is an ecosystem that depends on constant or recurrent, shallow inundation or saturation at or near the surface of the substrate. The minimum essential characteristics of a wetland are recurrent, sustained inundation or saturation at or near the surface and the presence of physical, chemical, and biological features reflective of recurrent, sustained inundation or saturation. Common diagnostic features of wetlands are hydrology, hydric soils and hydrophytic vegetation. Any area containing all three elements shall be defined as wetlands as shall any area that meets the definition of a wetland in either 1) The United States Army Corps of Engineers Technical Report Y87-1, Corps of Engineers Wetlands Delineation Manual; or 2) The United States Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology, as most recently updated or modified; or 3) The Pennsylvania Department of Environmental Protection Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations, as most recently updated or modified. Where a difference between the foregoing criteria exists, the most restrictive criteria will be used in any particular case. For the purposes of this definition and for its application to this Ordinance most restrictive criteria shall mean the criteria which effects preservation of the most extensive area of Wetlands.

Wetland functions—Include, but are not limited to, the following:

(i) Serving natural biological functions, including food chain production; general habitat; and nesting, spawning, rearing and resting sites for aquatic or land species.

(ii) Providing areas for study of the environment or as sanctuaries or refuges.

(iii) Maintaining natural drainage characteristics, sedimentation patterns, salinity distribution, flushing characteristics, natural water filtration processes, current patterns, or other environmental

characteristics.

(iv) Shielding other areas from wave action, erosion or storm damage.

(v) Serving as a storage area for storm and floodwaters.

(vi) Providing a groundwater discharge area that maintains minimum base flows.

(vii) Serving as a prime natural recharge area where surface water and groundwater are directly interconnected.

(viii) Preventing pollution.

(ix) Providing recreation.

Wooded Lands: Wooded land other than forests as defined herein, includes nurseries, orchards, and abandoned fields where successional tree growth is occurring.

Yard: A space open to the sky on the same lot with a building, use or structure which is unoccupied except for accessory structures or uses to the extent specifically permitted by this ordinance. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.

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

Rear Yard: A yard between the rear building line and a rear lot line and extending the entire length of the rear lot line.

Side Yard: A yard between the side building line and a side lot line extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

Certain definitions applicable to certain uses may be found in individual sections, and such definitions shall have the same force and effect as if contained in this Section 201. In the event of any conflict between a definition contained in other sections and a definition contained in Section 201, the definition in Section 201 shall control.

ARTICLE 3 AIRPORT AREA PROTECTION STANDARDS

Section 300 Purpose

This Article is adopted pursuant to the authority conferred by the Airport Zoning Act of 1945, P.L. 237, 2 P.S. 1550 et seq., as amended and the Municipalities Planning Code of 1968, P.L. 805, 53 P.S. 10101, et seq., as amended. It is hereby found that an obstruction has the potential for endangering the lives and property of users of the Doylestown Airport, located in Buckingham Township, and property or occupants of land in its vicinity; that an obstruction may affect existing and future instrument approach minimums of Doylestown Airport; and that an obstruction may reduce the size of areas available for the landing, takeoff, and maneuvering of aircraft, thus tending to destroy or impair the utility of Doylestown Airport and the public investment therein. Accordingly, it is declared:

A. That the creation or establishment of an obstruction has the potential of being a public nuisance and may injure the region served by Doylestown Airport;

B. That it is necessary in the interest of the public health, public safety, and general welfare that the creation or establishment of obstructions that are a hazard to air navigation be prevented; and

C. That the prevention of these obstructions should be accomplished, to the extent legally possible, by the exercise of the police power without compensation.

It is further declared that the prevention of the creation or establishment of hazards to air navigations, the elimination, removal, alteration or mitigation of hazards to air navigation, or marking and lighting of obstructions are public purposes for which a political subdivision may raise and expend public funds and acquire land or interests in land.

Section 301 Definitions

Airport: Means Doylestown Airport.

Airport Elevation: 394 feet above mean sea level.

Approach Surface: A surface longitudinally centered on the extended runway centerline extending outward and upward from the end of the primary surface and at the same slope as the approach height limitation slope set forth in Section 303. In plan, the perimeter of the approach surface coincides with the perimeter of the approach zone.

Approach, Transitional, Horizontal, and Conical Zones: These zones are set forth in Section 302.

Conical Surface: A surface extending outward and upward from the periphery of the horizontal surface at a slope of 20 to 1 for a horizontal distance of 4,000 feet.

Hazard to Air Navigation: An obstruction determined to have a substantial adverse effect on the safe and efficient utilization of the navigable airspace.

Horizontal Surface: A horizontal plane 150 feet above the established airport elevation, the perimeter of which in plan coincides with the perimeter of the horizontal zone.

Larger Than Utility Runway: A runway that is constructed for, and intended to be used by, propeller driven aircraft of greater than 12,500 pounds maximum gross weight and jet-powered aircraft.

Non-precision Instrument Runway: A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.

Obstruction: Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section 303.

Precision Instrument Runway: A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a

precision approach system is planned and is so indicated on an approach airport layout plan or any other planning document.

Primary Surface: A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends 200 feet beyond each end of that runway; for military runways or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section 302. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.

Runway: A defined area on an airport prepared for landing and takeoff of aircraft along its length.

Structure: For the purposes of this Article, a structure shall be any object including a mobile object constructed or installed by man, including, but not limited to, buildings, towers, cranes, smokestacks, earth formations, and overhead transmission lines in addition to those objects defined in Section 252.

Transitional Surfaces: These surfaces extend outward at right angles (90 degrees) to the runway centerline and the runway centerline extended at a slope of seven (7) feet horizontally for each foot vertically from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces that project through and beyond the limits of the conical surface extend a distance of 5,000 feet measured horizontally from the edge of the approach surface and at 90 degree angles to the extended runway centerline.

Tree: Any vegetative object of natural growth.

Utility Runway: A runway that is constructed for, and intended to be used by, propeller drive aircraft of 12,500 pounds maximum gross weight and less.

Visual Runway: A runway intended solely for the operation of aircraft using visual approach procedures.

Section 302 Airport Zones

In order to carry out the provisions of this Article, there are hereby created and established certain airport zones which include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces, as they apply to Doylestown Airport. Such airport zones are shown on the Doylestown Airport Zoning Map that is attached to this Ordinance and made a part hereof. An area located in more than one of the following airport zones is considered to be only in the airport zone with the more restrictive height limitation. The Doylestown airport zone is hereby established and defined as follows:

A. **Utility Runway Non-precision Instrument Approach Zone** - The inner edge of this approach zone coincides with the width of the primary surface and is 500 feet wide. The approach zone expands outward uniformly to a width of 2,000 feet at a horizontal distance of 5,000 feet from the primary surface. Its centerline is the continuation of the centerline of the runway.

B. **Transitional Zones** - The transitional zones are the areas beneath the transitional surfaces.

C. **Horizontal Zone** - The horizontal zone is established by swinging arcs of 5,000 feet radii for all runways designated utility or visual and 10,000 feet for all others from the center of each end of the primary surface of each runway and connecting the adjacent arcs by drawing lines tangent to those arcs. The horizontal zone does not include the approach and transitional zones.

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

Section 303 Airport Zone Height Limitations

Except as otherwise provided in this Ordinance, no structure shall be erected, altered, or maintained and no tree shall be allowed to grow in any airport zone created by this Ordinance to a height in excess of the applicable height herein established for such zone. Such applicable height limitations are hereby established for each of the zones in question as follows:

A. Utility Runway Non-precision Instrument Approach Zone - Slopes twenty (20) feet outward for each foot upward beginning at the end of and at the same elevation as the primary surface and extending to a horizontal distance of 5,000 feet along the extended runway centerline.

B. Transitional Zones - Slopes seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the primary surface and the approach surface and extending to a height of 150 feet above the airport elevation, which is 394 feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and at the same elevation as the approach surface, and extending to where they intersect the conical surface. Where the precision instrument runway approach zone projects beyond the conical zone, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of and the same elevation as the approach surface, and extending a horizontal distance of 5,000 feet measured at 90 degree angles to the extended runway centerline.

C. Horizontal Zone - Established at 150 feet above the airport elevation or at a height of 394 feet above mean sea level.

D. Conical Zone - Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal zone and at 150 feet above the airport elevation and extending to a height of 350 feet above the airport elevation.

E. Excepted Height Limitations - Nothing in this Ordinance shall be construed as prohibiting the construction or maintenance of any structure or growth of any tree to a height up to twenty (20) feet above the surface of the land.

Section 304 Use Restrictions

Notwithstanding any other provisions of this Ordinance, no use may be made of land or water within any airport zone established by this Ordinance in such a manner as to create electrical interference with navigational signals or radio communication between the airport and aircraft, make it difficult for pilots to distinguish between airport lights and others, result in glare in the eyes of pilots using the airport, impair visibility in the vicinity of the airport, create bird strike hazards, or otherwise in any way endanger or interfere with the landing, takeoff, or maneuvering of aircraft intending to use the airport.

Section 305 Nonconforming Structures or Uses

A. Regulations Not Retroactive - The regulations prescribed in this Article shall not be construed to require the removal, lowering, or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of a nonconforming structure or use. Nothing contained herein shall require any change in the construction, alteration, or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently pursued.

B. Marking and Lighting - Notwithstanding the preceding provision of this Section, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation, and maintenance thereon of such markers and lights as shall be deemed necessary to indicate to the operators of aircraft in the vicinity of the airport the presence of such airport obstruction. Such markers and lights shall be installed, operated, and maintained at the expense of the Bucks County Airport Authority.

Section 306 Permits

A. Future Uses - Except as specifically provided in subparagraphs 1, 2, and 3 hereunder, no material change shall be made in the use of land, no structure shall be erected or otherwise established, and no tree shall be planted in any zone hereby created unless a permit therefore shall have been applied for and granted. Each application for a permit shall indicate the purpose for which the permit is desired, with sufficient particularity to permit it to be determined whether the resulting use, structure, or tree would conform to the regulations herein prescribed. If such determination is in the affirmative, the permit shall be granted. No permit for a use inconsistent with the provisions of this Ordinance shall be granted unless a variance has been approved in accordance with Section 306.d.

1. In the area lying within the limits of the horizontal zone and conical zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when, because of terrain, land contour, or topographic features, such tree or structure would extend above the height limits prescribed for such zones.
2. In areas lying within the limits of the approach zones but at a horizontal distance of not less than 4,200 feet from each end of the runway, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure would extend above the height limit prescribed for such approach zones.
3. In the areas laying within the limits of the transition zones beyond the perimeter of the horizontal zone, no permit shall be required for any tree or structure less than seventy-five (75) feet of vertical height above the ground, except when such tree or structure, because of terrain, land contour, or topographic features would extend above the height limit prescribed for such transition zones.

Nothing contained in any of the foregoing exceptions shall be construed as permitting or intending to permit any construction, alteration of any structure, or growth of any tree in excess of any height limits established by this Article except as set forth in Section 303.

B. Existing Uses - No permit shall be granted that would allow the establishment or creation of an obstruction or permit a nonconforming use, structure, or tree to become a greater hazard to air navigation, than it was on the effective date of this Ordinance, or any amendments thereto or than it is when the application for a permit is made. Except as indicated, all applications for such a permit shall be granted.

C. Nonconforming Uses Abandoned or Destroyed - Whenever the Board of Supervisors of Buckingham Township determines that a nonconforming tree or structure has been abandoned or more than 80 percent torn down, physically deteriorated, or decayed, no permit shall be granted that would allow such structure or tree to exceed the applicable height limit or otherwise deviate from the zoning regulations.

D. Variances - Any person desiring to erect, increase the height of any structure, or permit the growth of any tree, or use of property, not in accordance with the regulations prescribed in this Ordinance, may apply to the Zoning Hearing Board for a variance from such regulations. The application for variance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Such variances shall be allowed where it is duly found that a literal application or enforcement of the regulations will result in unnecessary hardship and relief granted will not be contrary to the public interest, will not create a hazard to air navigation, will do substantial justice, and will be in accordance with the spirit of this Article. Additionally, no application for variance to the requirements of this Article may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the Airport Manager, and to the Chairman of the Board of the Bucks County Airport Authority, or other registered owner of the real estate upon which the airport is located, for advice as to the aeronautical effects of the variance. If the Airport Manager, the Chairman of the Board of the Bucks County Airport Authority, or the other owner of the real estate upon which the airport is located does not respond to the application within fifteen (15) days after receipt, the Zoning Hearing Board may act on its own to grant or deny said application.

E. Obstruction Marking and Lighting - Any permit or variance granted may, if such action is deemed advisable to effectuate the purpose of this Ordinance and is reasonable in the circumstances, be so conditioned as to require

the owner of the structure or tree in question to install, operate, and maintain, at the owner's expense, such markings and lights as may be necessary. If deemed proper by the Zoning Hearing Board, this condition may be modified to require the owner to permit the Bucks County Airport Authority, at its own expense, to install, operate, and maintain the necessary markings and lights.

ARTICLE 4 USE REGULATIONS

Section 400 Applicability of Regulations

A. Except as provided by law or in this Ordinance, in each district no building, structure, or land shall be used or occupied except for the purposes permitted in Section 405 and for the zoning districts so indicated in this Ordinance.

B. On any property, lot, tax parcel or tract of land, only one (1) principal use shall be permitted.

Section 401 Uses by Right, Special Exception, Conditional Use, and Uses Not Permitted

A. A use listed as a use permitted by right is permitted subject to such requirements as may be specified in Section 405, after approval has been granted subject to the requirements of the Township Subdivision/Land Development Ordinance if applicable, and after a zoning permit has been issued in accordance with Article 34.

B. A use listed as a use permitted by Special Exception may be permitted as a Special Exception provided the Zoning Hearing Board authorizes the issuance of a zoning permit by the zoning officer, subject to the requirements of Sections 405 and Article 36 and after approval has been granted subject to the requirements of the Township Subdivision/Land Development Ordinance if applicable, and such further restrictions as said Board may establish.

C. A use listed as a use permitted by Conditional Use may be permitted as a Conditional Use provided the Board of Supervisors, having received positive recommendations from the Planning Commission, grants the conditional use subject to the expressed standards set forth in Sections 405 and Article 35, and after approval has been granted subject to the requirements of the Township Subdivision/Land Development Ordinance if applicable, and such further conditions that the Board of Supervisors may impose to insure the protection of adjacent uses, and the health, safety, or general welfare.

D. A use not listed as being permitted by right, special exception, or conditional use in a particular zoning district is not permitted in that zoning district.

Section 402 Uses Subject to Other Regulations

A. Uses permitted by right, by conditional use or by special exception shall be subject, in addition to use regulations, to such regulations of yard, lot size, lot width, building area, easements, provisions for off-street parking and loading, buffers, and to such other provisions as are specified in other Articles of this Ordinance.

B. All uses permitted in the Township shall be subject in addition to these ordinance regulations to all other applicable Township, County, State, or Federal requirements and licensing regulations and to the requirements of any other agency with jurisdiction. These include but are not limited to regulations for licensing of human service activities, requirements for accessibility of the disabled, sewage disposal requirements, water supply regulations, soil erosion and sedimentation control requirements, floodplain regulations, state road regulations, fire protection requirements.

C. No final or preliminary plan of subdivision or land development shall be approved and no zoning permit shall be issued until approval is obtained for wastewater disposal from the township and from the Bucks County Department of Health, unless the premises are served by public sewage facilities, in which case the agency providing sewage disposal services shall be required to provide evidence that the property will be served by public sewerage. Documentation certifying that treatment capacity from the authority providing treatment is available shall be required prior to plan approval or zoning permit issuance.

D. Any plan that proposes the subdivision of a lot, tract or parcel of land for which a plan of subdivision has been recorded within sixty (60) months prior to submission of the new plan shall be deemed to include the prior

subdivision for the purpose of determining whether such subdivision is considered a Major Subdivision or Minor Subdivision in accordance with Section 2.2.A.143 of the SALDO. All subdivision plans shall include a note specifying that plans for the subject lot, tract or parcel of land submitted within sixty (60) months of the recording of such plan shall be considered to be inclusive as though the plans were submitted as one plan. Such note shall be acceptable to the Township Solicitor and the Township Engineer. All tract size requirements applicable to a particular use prior to any subdivision of a lot, tract or parcel of land recorded within sixty (60) months prior to submission of a new plan shall be applicable to any such new plan.

Section 403 Home Owners' Associations and Unilateral Declarations

A. A Home Owners' Association may be established to own property, protect community interests and do all those other things traditionally done by such associations and legally permitted of such associations.

B. A landowner may record of record unilateral declarations of restrictions and covenants restricting future owners of the landowner's property in ways that are legally and traditionally accomplished by such declarations.

C. No Home Owners' Association or unilateral declaration of restrictions and covenants may in any way infringe upon or restrict the full exercise of any landowner's religion; abridge the freedom of speech; or the right of people to peaceably assemble, all as protected by the First Amendment to the United States Constitution.

Section 404 (Reserved for Future Use)

Section 405 Use Regulations

A. Agricultural Uses

A1 General Farming

The production of agricultural, horticultural, arboricultural, viticultural, and dairy products; the keeping of livestock, poultry, and the products thereof; the raising of fur-bearing animals and the products thereof; the products of poultry and bee-raising and all buildings (barns, sheds, silos, etc.) associated with this use. All facilities shall meet the requirements of the Act of May 20, 1993 (P.L. 12, No. 6) known as the Nutrient Management Act. Any agricultural operation meeting the definition of CAFO shall be an A3 (hereinafter defined) use.

A. Minimum lot area: 1.8 acres.

B. Any building or structure used for the keeping or raising of bees, livestock, horses, or poultry shall be situated not less than one hundred (100) feet from any street line or property line.

C. Silos shall not be located less than 1.25 times the height of the silo from any street line or property line.

D. Any building or structure, including a single family detached dwelling, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.

E. Maximum impervious surface: 3 percent for greenhouses on prime agricultural soils.

F. Riding stables, livery, or boarding stables and commercial dog kennels are not included under this use.

G. Retail sales shall meet the requirements of Use A7 Agricultural Retail.

H. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling

I. This use does not include the making of compost and/or mulch using materials from off site but does include the making of compost or mulch from materials that are the on site byproduct of the General Farming use.

J. This use does not include any separately defined use.

K. No "Game" or "Wildlife" (as defined in 34 Pa. C.S.A. Section 102, "The Game and Wildlife Code") or "Exotic Wildlife" (as defined in 34 Pa. C.S.A. Section 2961), "The Game and Wildlife Code") may be kept except in accordance with the provisions of the Game and Wildlife Code of Pennsylvania 43 Pa. C.S.A. Section 101, et. seq. and the regulations adopted pursuant thereto.

L. Livestock, poultry, and fur-bearing animals kept as pets without the intent of pecuniary gain through the boarding, sale or breeding of such livestock, poultry, fur-bearing animals or the products thereof, shall not be subject to the dimensional requirements of paragraphs A1.A and A1.B hereof.

A2 Nursery

The outdoor raising of plants, shrubs and trees for sale and transplantation.

A. Minimum lot area: 1.8 acres.

B. Any building or structure, shall meet the yard, lot width, and setback requirements for the applicable zoning district for Use B1 Detached Dwelling.

C. Retail sales shall meet the requirements of Use A7 Agricultural Retail.

D. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling.

E. In the VC-2 District, parking for this Use shall be limited to four (4) parking spaces and retail sales shall be limited to 1,000 square feet.

A3 Intensive Agriculture and CAFOs

Commercial greenhouses; mushroom houses; feedlots; confinement livestock or poultry operations taking place in structures or closed pens; animal "finishing" facilities; slaughterhouses. All facilities shall meet the requirements of the Act of May 20, 1993 (P.L. 12, No. 6) known as the Nutrient Management Act.

A. Minimum lot area: 50 acres for feedlot, livestock or poultry operations, animal finishing facilities and slaughterhouses, or any other animal operation; 10 acres for all other permitted operations

B. Any building or structure used for the keeping, servicing or raising of livestock, horses or poultry shall be situated not less than two hundred (200) feet from any street line or property line.

C. Any building or structure, other than noted in (B) above, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.

D. Maximum impervious surface: 10 percent

E. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling

F. Retail sales shall meet the requirements of Use A7 Agricultural Retail.

G. Feedlots, pens and confinement areas shall not be situated less than one hundred feet from any stream or swale.

H. Priority should be given to keeping the best quality soils open and free of structures. Structures and impervious areas must be placed on the lowest quality soils on the site.

A4 Forestry

The management of forests and timberlands when practice in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes which does not involve any land development.

A. Purpose.

In order to preserve forests and the environmental and economic benefits they provide, it is the policy of the Township of Buckingham to encourage the owners of forest land to continue to use their land for forestry purposes, including the long-tem production of timber, recreation, wildlife and amenity values. The timber harvesting regulations are intended to further this policy by (1) promoting good forest stewardship; (2) protecting the rights of adjoining property owners; (3) minimizing the potential for adverse environmental impacts; and (4) avoiding unreasonable and unnecessary restrictions on the right to practice forestry.

B. Definitions:

Felling: the act of cutting a standing tree so that it falls to the ground.

Landing: a place where logs, pulpwood or firewood are assembled for transportation to processing facilities.

Litter: discarded items not naturally occurring on the site such as tires, oil-cans, equipment parts, and other rubbish.

Lop: to cut tops and slash into smaller pieces to allow the material to settle close to the ground.

Operator: an individual, partnership, company, firm, association, or corporation engaged in timber harvesting including the agents, subcontractors, and employees thereof.

Landowner: an individual, corporation, company, firm, association, or partnership that is in actual control of forest land where such control is based on legal or equitable title or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner and any agents thereof acting on their behalf, such as forestry consultants, who set up and administer timber harvesting.

Pre-commercial timber stand improvement: a forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small, or otherwise of limited marketability or value.

Skidding: dragging trees on the ground from the stump to the landing by any means.

Slash: woody debris left in the woods after logging, including lots, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

Stand: any area of forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit.

Timber harvesting, tree harvesting or logging: The process of cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products. Clear cutting or selective cutting of forest lands for a land use change is excluded from this definition.

Top: the upper portion of a felled tree that is unmarketable because of small size, taper, or defect.

C. Preparation of Forestry/Logging Plan:

1. Notification of commencement or completion. For all forestry and timber harvesting operations that are expected to exceed one acre, the landowner shall notify the Township at least ten (10) business days before the operation commences and within five business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date.

2. Logging plan - A logging plan shall be prepared for every property where timber harvesting is to occur. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Township upon request.
3. Responsibility for compliance. The landowners and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

D. Forestry/logging Plan:

1. Minimum requirements. As a minimum, the logging plan shall include the following:
   a. Design, construction, maintenance, and retirement of the access system including haul roads, skid roads, skid trails, and landing;
   b. Design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars;
   c. Design, construction, and maintenance of stream and wetland crossings;
   d. The general location of proposed operation in relation to municipal and state highways including any access to those highways;
   e. Copies of all required permits shall be submitted as an appendix to the plan;
   f. Proof of current general liability and/or workers compensation insurance;
   g. Proof of PennDOT highway occupancy permit or Township driveway permit for temporary access, as applicable; and
   h. Copy of Bucks County Conservation District "Letter of Adequacy" for the proposed erosion control facilities, including associated plans, reports and other permits as required.
2. Map - Each forestry/logging plan shall include a site map containing the following information:
   a. Site location and boundaries, including both the boundaries of the property on which the timber harvesting will take place and the boundaries of the proposed forest area within that property;
   b. Significant topographic features related to potential environmental problems;
   c. Location of all earth disturbance activities such as roads, landings, and water control measures and structures;
   d. Location of all crossings of waters of the Commonwealth; and
   e. The general location of the proposed operation to municipal and state highways including any access to those highways.
3. Compliance with state law - The forestry/logging plan shall address and comply with the requirements of all applicable state laws and regulations including but not limited to the following:
   a. Erosion and sedimentation control regulations contained in 25 Pennsylvania Code Chapter 102, promulgated pursuant to the Clean Streams Law (35 P.S. §§ 691.1, et. seq.);
   b. Stream crossing and wetlands protection regulations contained in 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. §§ 693.1, et. seq.)
   c. Stormwater management plans and regulations.
4. Compliance with Federal Laws and Regulations - The forestry/logging plan shall address and comply with the requirements of all applicable federal laws and regulations including but not limited to the Best Management Practices as set forth in 33 CFR 323.4[a][6][i-xv].
5. Compliance with Township ordinances - The forestry/logging plan shall verify compliance with the stormwater management ordinances of the Township.

E. Forest Practices - The following requirements shall apply to all forestry/timber harvesting operations in the Township:

1. Felling or skidding in or across any public thoroughfare is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for the maintenance of the road.
2. No tops or slash shall be left within 25 feet of any public road or private road or on any property adjoining the site where forestry is occurring.

3. Litter resulting from timber harvesting shall be removed from the site prior to operator vacating the site.
4. Any soil, stones, or debris carried onto public or private roadways must be removed immediately.
5. No forestry or logging shall occur on areas with slopes of 16 percent or greater.
6. When the harvest is complete, dirt roads used by trucks and skid roads used to drag logs from the woods to the loading area must be graded approximately to original contours and must be seeded and mulched to establish stable groundcover.
7. Riparian buffers - No logging or timber harvesting may take place within 50 feet of the bank of any stream, named or unnamed, that appears on the USGS maps.
8. Logging/timber harvesting is not permitted within 100 feet of any property line or street line to protect adjoining property owners.

F. Financial security shall be established in a manner acceptable to the Township to guarantee repair of all damage that may occur to public streets due to forestry/logging operations (67 Pennsylvania Code, Chapter 189) and to guarantee compliance with erosion and sedimentation control plans, compliance with stormwater management plans and restoration of the site upon completion of logging operations.

A5 Riding Academy

Riding stable, livery or, boarding stable for horses:

A. Minimum lot area: ten (10) acres.

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

C. Any building or structure, other than noted in B. above, shall meet the lot width, yard, and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.

D. Maximum impervious surface: 10 percent.

E. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling.

F. Parking: One (1) off-street parking space for every three (3) persons present at the facility when it is filled to capacity.

A6 Kennel

The keeping or boarding of animals for a fee shall constitute a kennel. In addition to the principal use, the kennel may include as accessory uses training, grooming, or breeding. The following requirements shall be met:

A. Minimum lot area: 10 acres.

B. No building or structure used for the keeping, servicing, or raising of animals shall be located closer than two hundred (200) feet to any lot line.

C. All animals shall be maintained in enclosed buildings and runs enclosed by fences designed and constructed so as to prohibit the animals from escaping from the fenced area. As used herein, the term "run" shall mean any outside area where animals are permitted to exercise without being under the physical control of a handler. No run shall be closer than 150 feet to any lot line.

D. All areas used for exercising and training of animals shall be enclosed by a fence not less than 6 feet in height or of such height as to prevent dogs from escaping from the fenced area. The fence shall be no closer than 20 feet from any lot line. This area shall **not** be used as a run as described in subsection (C) above.

E. All training shall be under direct control of the owner or handler.

F. The kennel use, including all runs, shall be screened along the exterior perimeter from adjoining residential uses by a double row of evergreen plantings that serve to screen noise and create a visual and physical barrier. Evergreens shall be a minimum of 6 feet in height.

G. All dogs unaccompanied by a handler must be kept indoors between 10:00 PM and 7:00 AM.

H. Maximum impervious surface ratio: four (4) percent.

I. One B1 single family detached dwelling unit is permitted on the lot with the A6 Kennel use and shall meet the following requirements:

1. Minimum lot width at building setback line:		150 feet
2. Minimum yards:	Front	50 feet
	Side (each)	30 feet
	Rear	50 feet

J. All kennels shall be licensed under the Dog Law Act of 1982, P.L. 784 - 255.

K. Parking: one (1) off-street parking space for each employee plus one (1) space for each ten (10) animals in capacity, except if the kennel is also used for animal training in which case one (1) space shall be provided for each three (3) animals.

A7 Agricultural Retail

The retail sales of agricultural products to the public at roadside stands or other structures:

A. Agricultural retail is an accessory use that shall be clearly subordinate to primary uses A1, A2, or A3 and on those properties within an Agricultural Security District.

B. Fifty percent (50%) or more of the products sold must have been raised or grown by the owner of the farm on which the retail stand is located.

C. The maximum floor area shall be limited to two thousand (2,000) square feet for agricultural retail uses related to agricultural uses A1, A2 and A3.

D. Agricultural retail uses related to uses A1, A2 and/or A3, which are located in permanent buildings, or structures shall meet the following yard and setback requirements:

1. Minimum lot area – 1.8 acres.
2. Any building or structure, including a single family detached dwelling, shall meet the lot width, yard and setback requirements of Use B1 Detached Dwelling for the applicable zoning district.

E. Temporary farm stands or buildings of 150 square feet or less for the seasonable sale of farm produce may be located within the required front yard.

F. Parking: one (1) off-street parking space for each one hundred (100) square feet of sales area.

A8 Accessory Farm Dwelling

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

A. An Accessory Farm Dwelling is an accessory dwelling unit use that shall be clearly subordinate to primary uses A1, A2, A3, A5 or A6.

B. Minimum lot area per dwelling unit: 1.8 acres in addition to the minimum lot area required for the primary agricultural use.

C. Maximum density: 1 unit per 25 acres.

D. Accessory farm dwelling shall meet the minimum yard and setback requirements of Use B1 Detached Dwelling, from any street line or property line and between other farm units on the property. Applications for zoning permits or for subdivision shall show the location of the proposed dwelling units.

E. Parking: two (2) off-street parking spaces per dwelling unit.

A9 Farm Support Facility

A commercial grain or commercial feed mill; facility for the warehousing, sale or service of agricultural equipment, vehicles, feed or supplies:

A. Minimum lot area: two (2) acres.

B. Maximum impervious surface ratio: forty (40) percent.

C. The lot shall have frontage on and take access from an arterial or a major collector highway as designated in the Buckingham Township Zoning Ordinance.

D. No area for the storage or processing of manure shall be situated less than two hundred (200) feet from any street or property line.

E. Parking: One (1) off-street parking space for every five hundred (500) square feet of gross floor area plus one (1) space for each vehicle normally used in the farm support facility operations.

A10 Accessory Farm Business

An accessory farm business is a revenue-generating venture sympathetic to, the principal agricultural or nursery use that is conducted on the land in addition to, but as an accessory to, the principal agricultural or nursery use. The use of the farm for educational tours, seasonal festivals related to products grown on the farm, craft fairs, hayrides, and horse shows shall constitute accessory farm businesses.

A. The following requirements apply to Accessory Farm Businesses:

1. The purpose of these regulations is to encourage the continuation of farming and the preservation of farmland in Buckingham Township by allowing working farmers to market their products and services directly to the public as an accessory use and in a manner that is compatible with the rural/residential character of the Township and by limiting commercial activities and uses to commercial districts;
2. This Ordinance section does not prevent or regulate the sale of farm produce grown on properties within the Township's Agricultural Security District where such retail sale is permitted under Pennsylvania Act 43 which requires that a minimum of fifty percent of the products sold shall be grown on the farm on which the retail sale occurs;

3. The owner of the property on which a farm business use is proposed must operate any farm business activity directly and may not subcontract to any person or entity to operate a business on the farm. In the case of joint, partnership, or corporate ownership, one of the parties who shall hold at least 51 percent interest in the ownership of the farm business must operate the farm business and may not subcontract to any person or entity to operate a business on the farm;
4. All farm businesses shall meet the requirements for water supply, sewage disposal, and rest room facilities of the Bucks County Health Department and any other agency with jurisdiction; and
5. The Accessory Farm Business is permitted as an accessory use only. If any of the conditions to which the use is subject cease to be met, then the accessory Farm Business Use shall also cease.

B. In addition to complying with subsections A.1 through A.6 above, an accessory Farm Business is subject to the following additional requirements:

1. Minimum lot area required – 25 contiguous owned acres.
2. The accessory farm uses permitted are limited to: educational tours, seasonal festivals related to products grown on the farm, craft fairs, hayrides, and horse shows.
3. No activity or event or structure used for an activity or event shall be located within 150 feet of a right-of-way line or property line, except for parking areas that may be located within 50 feet of a right-of-way line or property line.
4. No activity or event shall continue past 9:00 p.m. Sunday through Thursday and past 11:00 pm Friday and Saturday.
5. The following types of activities shall not be permitted:
   a. Outdoor concerts or amplified sounds which exceed or would exceed the decibel (dBA) limits for residential districts as set forth in Section 3017 of this Ordinance;
   b. Mechanical rides or amusements; and
   c. Flea markets;
6. Uses are subject to the following regulations on frequency and duration:
   a. Educational Tours – An annual permit is necessary to operate education tours. This permit shall specify the number of days per year that educational tours will take place on the farm;
   b. Halloween hayrides – A permit shall be required. Halloween hayrides may operate from the first Saturday in October through October 31;
   c. Seasonal Festivals, Craft Fairs, or Horse Shows – A permit shall be required. A total of no more than nine (9) such events shall be permitted per farm per calendar year. A single festival shall not exceed four (4) days in duration;
7. Parking for Farm Businesses: Off-street parking areas shall be provided in designated areas to accommodate all attendees at any special event, seasonal festival, craft fair, hayride, or other permitted event. Driveways from public roads to parking areas shall have a paved apron at the entrance which is a minimum of one hundred (100) feet in length from the edge of paving and as well as a gravel tire-cleaning area fifty (50) feet in length. Parking areas shall be adequately screened [See Section 3104(B)].
8. A traffic control plan and a parking control plan must be submitted to and approved by the Township Police Department prior to receiving a permit for events other than educational tours. Two road connections are required to allow for emergencies.
9. Access to the farm to be used for Halloween hayrides, Seasonal Festivals, or Craft Fairs must be from an arterial or collector road.
10. Lighting – No permanent outdoor lighting shall be installed or illuminated for special events; temporary lighting may be used for special events for the duration of the event only and may not shine or produce glare, as defined and regulated by Section 3016 and 3022 of this ordinance, on adjacent properties. All event-related lighting is to be turned out 30 minutes after the event has concluded.
11. Signs – A total of 32 square feet of sign area shall be permitted. The sign area may be divided into no more than two signs. The signs may be put in place no more than two weeks prior to the event and must be removed within five days of the conclusion of the event. No more than 32 square feet of sign area for the farm entertainment use shall be permitted at any time on any one property. No internally lighted

signs or portable signs on wheels shall be permitted. The signs must have a sign permit and shall be subject to all applicable requirements of Article 32, Signs. No off-premises signs are permitted.

B. Residential Uses

B1 Detached Dwelling

A single detached dwelling unit on an individual lot with private yards on all sides of the house. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings, and mobile homes.

A. If the dwelling is a mobile or manufactured home, the dwelling shall be placed on concrete or masonry footings and shall be secured as required by the most current applicable Building Code(s).

B. Parking: two (2) off-street parking spaces in addition to any spaces within a garage.

C. Parking-Group Home: two (2) off-street parking spaces for each resident.

B2 Townhouse and Twins

A dwelling unit, attached to another from ground to roof, having individual outside access. A row of attached townhouses shall not exceed eight (8) dwelling units and the number of units in a row or group of attached townhouses shall average no more than six (6) in any townhouse development.

A. Dimensional Standards:

Minimum lot area per dwelling unit	2000 sq. ft.
Minimum lot width at building setback line	24 ft.
Maximum building coverage on lot	30 percent
Maximum impervious surface on lot	50 percent
Minimum building setback	
from street	20 ft. if driveway and parking are located on lot in front yard; 10 ft. if no driveway or parking in front yard.
from common parking area	10 ft
Minimum garage setback	25 ft. from street line
Minimum rear yard	30 ft.
Minimum building spacing	30 ft

B. Minimum setback of all buildings and structures from the perimeter of the site: 75 feet.

C. Off-Street Parking Requirements:

1. Minimum number of spaces: Two (2) off-street spaces for each dwelling unit, in addition to any spaces contained within a structure.
2. An additional one-third (0.33) space per dwelling unit of overflow off-street parking shall be required.

B3 Apartment, Duplex or Multi-family

A dwelling designed and occupied exclusively as a residence and containing two or more dwelling units that may have individual outside entrances or unit entrances from a common entryway.

A. Dimensional Standards:

Minimum lot area per dwelling unit	2000 sq. ft
Minimum building setback	
from street line (public or private)	25 ft
from common parking area	20 ft
Maximum number of units per building	12
Minimum building spacing	30 ft
Minimum street frontage	100 ft
Minimum distance between building and open space	30 ft. (shall not be included in open space)
Maximum building coverage	25 percent
Maximum impervious surface coverage	40 percent

B. Minimum setback of all buildings and structures from the perimeter of the site: 75 feet.

C. Off-Street Parking Requirements:

1. Minimum number of spaces: Two (2) off-street spaces for each dwelling unit, in addition to any spaces contained within a structure.
2. An additional one-third (0.33) space per dwelling unit of overflow off-street parking shall be required

B4 Mobile Home Park (Foundation or Piers)

A parcel or contiguous parcels of land which have been so designated and improved that they contain two or more mobile home lots for the placement thereon of mobile homes. "Mobile home lot" is defined in Section 201 of the Zoning Ordinance. Mobile home lots need not be separately owned or subdivided.

A. Dimensional Requirements:

Minimum lot area	5,320 square feet
Minimum lot width at building setback	56 feet
Maximum Building Coverage excluding garage	35 percent
Minimum Yards	
Front	20 feet
Side	5 feet
Rear	10 feet
Minimum distance between units	10 feet

B. Performance Standards:

Minimum site area:	10 acres
Maximum density:	5 units per acre
Minimum open space ratio	25%
Maximum impervious surface ratio	50%
Parking:	2 spaces per unit + 1 visitor space for every 10 units

C. Each mobile home shall be placed on and secured to a foundation or piers (resting upon undisturbed soil below the frost line) in accordance with the manufacturer's instructions.

D. The area between the ground and the perimeter of the mobile home shall be enclosed by means of a masonry wall.

E. Every mobile home shall have access to an improved street.

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

G. Sewer and water services shall be provided in accordance with the Township Subdivision and Land Development Ordinance and consistent with the Buckingham Township Act 537 Plan.

H. One canopy tree per lot shall be required. The trees shall be at least 3 inches caliper.

I. Completely detached accessory buildings may occupy the required side or rear yards, but shall not be located closer than five (5) feet from any property line adjacent to a street, or to the outside perimeter boundary of the tract.

J. Decks, patios, and room enclosures are allowed to extend a maximum of four (4) feet beyond the building envelope (defined as the area of a lot which does not include any required yard areas) for no more than twenty-five (25) feet in length. This extension shall be allowed on only one side of each dwelling unit. If a dwelling unit has an attached garage, this extension shall be allowed only on the side of the dwelling with the attached garage.

B5 Large Lot Single Family Dwelling

A Large Lot Single Family Dwelling is a freestanding detached dwelling on an individual lot.
It is designed to provide for those dwellings needing extra lot area to accommodate an accessory in-law dwelling, accessory buildings or structures such as tennis courts, swimming pools, storage sheds, bath houses, barns, etc.

A. Open Space Standards

Within a Large Lot Single Family Dwelling Development, a total of 50 percent of the tract must be preserved as open space. The location, character, and use of open space will depend upon the individual tract of land being developed. The Site Analysis and Resource Conservation Plan, which is a requirement of the Township Subdivision and Land Development Ordinance, will delineate, in accordance with the requirements hereof, the areas most suitable for development and the areas most suitable for preservation. The following requirements addressing the open space, and stormwater areas shall apply:

1. The area that is not contained in the individual lots but in the required 50% open space ("Open Space") shall be owned, managed and maintained by a Home Owners' Association ("HOA") unless the Open Space is attached to an existing dwelling in accordance with paragraph A. 5 hereof, or has been offered, in whole or part, to and accepted by the Township, in either case the HOA shall neither own nor be responsible for that area conveyed to the Township. All Open Space owned, managed and maintained by a Home Owners' Association shall be subject to a deed restriction protecting the Open Space from further residential or commercial development in the form of the Open Space Easement attached to the Township's SALDO as an appendix.
2. If the Township takes ownership of the Open Space it shall retain the right to utilize the Open Space for any municipal or civic purpose inclusive of any physical facilities that the Township deems appropriate.
3. The required Open Space shall not be used for stormwater, waste disposal, water supplies, recreation, or similar infrastructure needs. No stream discharge of any treated or untreated sewage is permitted.
4. A fence of not less than four (4) feet in height shall demarcate all newly created residential property boundaries that abut Open Space.
5. When a property that is subdivided utilizing this option contains an existing dwelling unit, the lot for the existing dwelling unit shall constitute part of the subdivision and may be so configured as to contain the Open Space. The Open Space shall be deed restricted against further development and be entered into one or more preservation programs to preserve the integrity of the restriction as determined by the Township. The existing dwelling unit and its associated lot shall be exempt from the fencing provisions. Open Space may not constitute part of a lot on which a new dwelling unit is placed.
6. A minimum of 60 percent of the required Open Space shall be contiguous and shall be adjacent to a public road existing prior to any proposed subdivision or land development. The requirement that Open Space be contiguous may not be met by connecting two areas with a thin strip of land. No part of the required 60 percent contiguous Open Space area shall be less than 150 feet wide or long at any point.

7. Within the constraints of the preceding subparagraph when this use is proposed in the AG-1 and AG-2 districts, the Open Space shall be placed and configured to take advantage of the agriculturally most productive soils on the site.
8. Areas of proposed Open Space isolated from the required contiguous Open Space which are less than 5 acres in contiguous area and which: (i) are not located on Prime Agricultural Soils; or (ii) do not otherwise have an existing agricultural use; or (iii) do not have a bona fide plan and financial security to assure an agricultural use; or (iv) which do not provide a significant visual buffer from a pre-existing roadway; or (v) which do not provide for an effective green belt for wildlife movement and habitat, or (vi) which do not contain required resource protection areas in accordance with Section 3101 B. 2. of this Ordinance shall not be counted towards the required 50 percent Open Space.
9. The Open Space shall be specifically identified by a sealed survey marked and protected by means deemed adequate by the Township prior to the start of any construction activity of any type, including grading, to ensure that the Open Space is undamaged by such activity.
10. The stormwater system shall be designed to handle the maximum impervious surface allowed added to the additional impervious surface permitted per lot after the issuance of the initial occupancy permit
11. Subdivisions including five (5) or fewer new dwellings that meet the preservation goals of this use shall be considered as preliminary/final subdivision applications.

B. Dimensional Standards:

Minimum tract size before Subdivision	15 acres
Minimum lot area per dwelling unit	2.5 acres
Minimum open space ratio	50% of base site area
Minimum lot width at building setback line	200 ft.
Maximum building coverage on lot	20 percent
Maximum impervious surface on lot	28 percent
Minimum building setback from Street	100 ft.
Minimum garage setback	120 ft. from street line
Minimum rear yard	50 ft.
Minimum side yard	50 ft.

C. Buffers from existing roads and site perimeter:

1. All structures shall be located a minimum of 200 feet from any public road existing at the time of the subdivision application.
2. A Type 1 buffer (as defined in the Buckingham Township Subdivision and Land Development Ordinance, as amended) is required from any public road existing at the time of the subdivision application and the site perimeter.

D. Off-Street Parking Requirements:

1. Minimum number of spaces: Three (3) off-street spaces for each dwelling unit, in addition to any spaces contained within a structure.

E. Interior Roadway Provisions:

1. Private interior roads having only one point of access to a public road existing at the time of the subdivision application shall be permitted provided the private interior road serves no more than 15 residences.
2. The Township will not accept dedication of such private interior roads and provisions shall be made for a Home Owners' Association to own and maintain such roads.

F. Water and Sewer:

1. All lots shall be served by an on-lot well and on-lot sewer.
2. In addition to the primary sewage disposal area, each lot shall have a reserve sewage disposal area fully approved by the Bucks County Department of Health. Should the Department of Health have a policy

against approving such reserve sewage disposal areas, then the applicant shall demonstrate that such reserve area would otherwise meet all the requirements of the Department of Health for a primary sewage disposal area.

3. All primary and secondary sewage disposal areas must be fully protected by approved fencing prior to the commencement of earthmoving on the site. No building and/or occupancy permits shall be issued for a lot whose primary and/or secondary sewage disposal area is disturbed or compacted, other than for purposes of construction of the sewage disposal system. In the event that such disturbance occurs after the issuance of a building permit, then the township is authorized to direct that all work pursuant to the building, or any other township permits cease. In that event, no further permits shall be issued or inspections made until both a primary and secondary wastewater treatment area on the lot is qualified as provided in the preceding paragraph.

B6 Life Care or Full Care Facility

A life care facility is a form of residential use designed and operated exclusively for mature adults, of 55 years of age or over, containing congregate eating facilities (making available at a minimum one meal a day), house keeping services, nursing facilities, assisted living facilities, common recreation and social facilities, and providing for the furnishing to an individual, other than by an individual related by blood, marriage, or adoption, of nursing services, medical services, personal care services, or other health related services pursuant to an agreement effective for the life of the individual or for a period in excess of one year. The facility may include independent living units, assisted living units, personal care boarding facilities, and nursing care beds. This use is subject to the following restrictions:

A. Dimensional Requirements:

Minimum lot area	10 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

B. Maximum Density: 20 beds per acre of net buildable site area. The number of beds shall be determined by counting the total capacity in all living units, assisted living units, personal care rooms, and nursing care rooms.

C. Maximum Impervious Surface Ratio: 20 percent.

D. Support Facilities.
Retail Support Facilities shall be internal facilities for use and convenience of facility residents and their guests only. No outside advertising or signs are permitted. The Retail Facilities may occupy no more than three-fourths (3/4%) percent of the total floor area of the facility. Retail facilities shall be limited to the following uses:

Barbershop	Gift shop
Beauty parlor	Snack bar/coffee shop
Newsstand	Handicraft shop

Pharmacy (as an adjunct to the life-care nursing facility)

E. Open Space and Passive Recreational Area. At least fifty (50) percent of the site area must be maintained as open space that shall not include detention basins, parking lots, accessory buildings or any impervious surfaces except those used for recreational purposes. At least twenty (20) percent of the site, which may be considered part of the open space, shall be developed for passive recreation. This area shall include outdoor sitting areas and pedestrian walks. No outdoor sitting areas shall be located on land subject to flooding or on slopes in excess of five (5) percent.

F. The facility shall meet the standards and requirements for licensing as established by the Commonwealth of Pennsylvania or other agencies with jurisdiction.

G. Off-street Parking. One off-street parking space for every one independent living unit, plus one off-street parking space for every two beds in assisted living or in personal care facilities; plus one off-street parking space for every three beds in a nursing facility.

B7 Rooming or Boarding House

A dwelling used for the housing of roomers, boarders, or lodgers with or without common eating facilities, including dormitories, fraternity or sorority houses, or other buildings of charitable, educational, or philanthropic use.

A. Dimensional Requirements:

Minimum lot area	2 acres
Minimum front yard	50 feet
Minimum side yards	50 feet
Minimum rear yard	50 feet
Minimum lot width at front building line	150 feet

B. Maximum Density: three bedrooms per acre.

C. Each sleeping room shall be limited to one (l) bed.

D. Parking: one (1) off-street space per bedroom.

B8 Patio Zero Lot Line Dwelling

A patio zero lot line dwelling is a freestanding detached dwelling on an individual lot or within a lot held in common ownership, serving one family with an individual outside access. One wall of the building can be located on a side property line; side, rear, or front yards may be enclosed by walls to form visually private outdoor spaces or yards that may be designed as open courts. An easement for the maintenance of the adjoining lot is one of the requirements for this type of construction. Windows on the lot line side of a dwelling are prohibited. At least two major living spaces, e.g. living rooms, dens, and bedrooms, of an individual dwelling shall open onto a major private outdoor space or court.

A. Off-Street Parking Requirements:

1. Minimum number of spaces: Two (2) off-street spaces for each dwelling unit, in addition to any spaces contained within a structure.
2. An additional one-third (0.33) space per dwelling unit of overflow off-street parking shall be required

B9 Accessory Home Occupations

The number of home occupations permitted on a single lot shall be limited as follows:

1. Class I - no limit to the number of Class I occupations as long as all the requirements of Class I can be met for each home occupation.
2. No more than one of any of the following home occupations shall be permitted on a single lot: Class II, Class III, Class IV, or Class V.

A. Home Occupation, Class I - Home Office:

Class I home occupation is defined as a business of a resident who may work for another employer, or contract or consult with another company or individual and which does not involve any visiting by clients or patients and which does not employ more than one outside employee on the premises and which does not involve any

display of merchandise on the property. It may include the office of a contractor whose employees, equipment, and materials storage are located in a zoning district that permits contractors. It is permitted on the same lot with and clearly incidental to a permitted dwelling in which the operator of the home occupation resides and is permitted where in conformance with the following regulations:

1. The area devoted to the permitted home office shall be located within either the operator's dwelling or a building accessory thereto and such area, together with any area devoted to any other home occupation permitted under this section, shall be equivalent to not more than twenty-five percent (25%) of the total floor area contained in the operator's dwelling, excluding the floor area covered by an attached garage or such other similar building.
2. Persons engaged in a permitted home occupation shall be limited to the members of the household of the operator residing on the premises plus not more than one (1) employee or contractor who need not reside on the premises.
3. A home occupation shall not in any way alter the character of the neighborhood.
4. There shall be no exterior display, no exterior sign, no exterior storage of materials and no other exterior indication of the home office 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. Parking: One off-street space in addition to the spaces required for the dwelling.

B. Home Occupation, Class II - Traditional Home Business:

Class II home occupation is defined as a traditional home business of a resident who provides (1) instruction to individual students in music or art or other academic subjects or (2) dress making or millinery services, artists, or craftsmen, or (3) clergymen, and which does not use any employees on the premises and which does not involve any display of merchandise on the property. It is permitted on the same lot with and clearly incidental to a permitted dwelling in which the operator of the home occupation resides and may be permitted in conformance with the following regulations:

1. The area devoted to the permitted home occupation shall be located within either the operator's dwelling or a building accessory thereto and such area, together with any area devoted to any other home occupation permitted under this section, shall be equivalent to not more than twenty-five percent (25%) of the total floor area contained in the operator's dwelling, excluding the floor area covered by an attached garage or such other similar building.
2. Persons engaged in a permitted home occupation shall be limited to the members of the household of the operator residing on the premises.
3. A home occupation shall not in any way alter the residential character of the neighborhood.
4. There shall be no exterior display, no exterior sign, 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.

C. Home Occupation, Class III - Family Day Care:

A “family day care use” is a facility operated for remuneration in which child day care is provided at any one time to up to six children, including relatives of the care-giver and non-relatives, and where the child care areas are part of a family residence wherein the caregiver resides, subject to conformance with the following additional regulations:

1. A “family day care use” shall only be permitted as an accessory use in a single family detached dwelling.
2. The owner and operator of a “family day care use” must obtain a registration certificate from or be licensed by the Pennsylvania Department of Public Welfare. Failure to maintain the registration or license as required shall result in a termination of the special exception approving same and it shall be the affirmative

obligation of the owner and operator of a family day care use to provide, annually, proof to the Township that the Registration certificate or license is valid for each year.

3. A "family day care use" must be located in a residence that has frontage on a public street and the operation of the "family day care use" must be conducted in a manner so as not to obstruct the normal flow of traffic. Where necessary to provide for safe transfer of children to and from the facility, the Zoning Officer may require additional off-street parking and driveway area as a condition of the grant of any zoning permit.
4. Persons engaged in a family day care use shall be limited to the members of the household of the operator residing on the premises.
5. A Class III home occupation shall not in any way alter the character of the neighborhood.
6. There shall be no exterior display, no exterior sign, 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 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.
7. Parking: One off-street space in addition to the spaces required for the dwelling.

D. Home Occupation, Class IV - Accessory Office:

Accessory office which allows the visiting by clients or patients and which may employ more than one outside employee on the premises but which does not involve any display of merchandise on the property. It is permitted on the same lot with and clearly incidental to a permitted dwelling in which the operator of the home occupation resides and is permitted where in conformance with the following regulations:

1. Minimum lot area - 2 acres in all districts where permitted, except the VC-1 and VC-2 districts where 10,000 square feet is required.
2. The floor area devoted to the Accessory Office shall be located within either the operator's dwelling or a building accessory thereto and such area, together with any area devoted to any other home occupation permitted under this section, shall be equivalent to not more than twenty-five percent (25%) of the total floor area covered by the operator's dwelling, excluding the floor area covered by an attached garage or such other similar building.
3. Persons engaged in a permitted Class IV home occupation shall be limited to members of the household of the practitioner(s) residing on the premises and no more than two (2) additional employees.
4. An accessory office shall not in any way alter the character of the neighborhood.
5. There shall be no exterior display, exterior storage of materials, nor any other exterior indication of the accessory office or variation from the residential character of the principal building on the premises. A single sign shall be permitted which shall not exceed 3 square feet and bearing only the name, occupation, and office hours of the practitioner.
6. To be eligible for a Class IV Home Occupation, the residence in which it is to be located must have frontage on an arterial road.
7. Off-street parking spaces in addition to spaces otherwise required shall be provided in accordance with the decision of the Zoning Hearing Board. Parking spaces must be located to the side or to the rear of the principal residence and must be separated from adjoining properties by a planted buffer 10 feet in width.
8. 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.
9. A Class IV home occupations shall not be interpreted to include any of the following:

Animal hospital	Clinic or nursing home	Hospital
Antique shop	Commercial stable or kennel	Real estate office
Barbershop or beauty parlor	Day care facility	Restaurant or cocktail lounge
Bed and Breakfast	Funeral home	

10. Parking: Three (3) off-street spaces in addition to the spaces required for the dwelling.

E. Home Occupation, Class V - Lawn Care Service:

Use of residential property by a resident as a base of operations for a lawn and yard care service, but not including the conduct of any phase of the business except for record-keeping. This does not include excavation, grading, or construction businesses or construction contracting. The following requirements shall be met:

1. Minimum lot size: 3 acres
2. Vehicles parked on the property shall be limited to vehicles and equipment typically used for lawn care and landscaping business but shall not include large construction equipment typically used in grading, earthmoving, and construction, as opposed to lawn care work. All commercial vehicles used in the conduct of the lawn care service business shall be parked within an enclosed structure or screened from abutting properties with an evergreen buffer. Within the R-1 district only, the number of commercial vehicles shall be limited to one.
3. Employees of the business - No more than one employee, other than the resident of the property, shall be employed on site. Within the AG-1 and AG-2 districts only, up to three additional employees may use the site as a base from which to go to other work sites and may leave their vehicles during the workday. Parking for each employee shall be provided on site. Within the R-1 district, only one employee, other than the resident of the property, shall be permitted. Within the R-1 district, the area for vehicles and employee parking shall be paved.
4. Yard waste and debris - No yard waste or debris may be brought to or stored on the site of the lawn care service.
5. Use is permitted as an accessory use to Agriculture (Use A1), Nursery (Use A2), Intensive Agriculture (A3), and Single Family Detached Residence (Use B1) in the AG-1, AG-2, PBR, and R-1 districts only.

B10 Residential Accessory Building, Structure, or Use

A residential accessory building, structure or use that is incidental and clearly subordinate to the principal use as a dwelling. Accessory buildings or structures for the following activities are permitted where they are in accordance with the following regulations:

A. Attached or Detached Garages for the parking of passenger automobiles or noncommercial trucks and vans with loading capacities not exceeding three-quarter (0.75) ton. All garages (attached or detached) shall be set back a minimum of 25 feet from the front lot line.

1. Detached garages of 200 square feet in floor area or less: All garages shall be set back a minimum of 5 feet from any side or rear lot line. Where located on a lot of more than one acre, the side and rear setbacks shall be increased to a minimum of 12 feet from the side and rear lot lines.
2. All attached garages, regardless of floor area, and detached garages of more than 200 square feet in floor area shall be set back a minimum of 25 feet from the front lot line and shall be located within the required building setback lines for principal structures.
3. No more than one (1) commercial vehicle shall be parked on a residential property and said vehicle shall be parked in a garage.
4. Maximum height: 30 feet.

B. Accessory Buildings or Structures

This designation includes such structures as storage sheds, bathhouses, and private greenhouses.

1. These accessory buildings or structures shall not be permitted in a required front yard and shall be set back from the street line a distance no less than the actual front yard setback of the principal building from the street line.
2. Accessory buildings or structures of 200 square feet or less in floor area:
   a. On lots of one acre or less - No accessory building or structure shall be located closer than five (5) feet to any side or rear property.

b. On lots of more than one acre - No accessory building or structure shall be located closer than twelve (12) feet to any side or rear property.

3. Accessory buildings or structures over 200 square feet in floor area shall meet the required yards (front, side, and rear) for the principal structures and buildings.

4. Maximum height: 20 feet.

C. Fences and Walls

1. Fences and walls shall not exceed six (6) feet in height above the natural grade unless otherwise permitted for specific applications by this Ordinance. Fences and walls may be located in required yard areas but are not permitted to be located within the ultimate right-of-way or within the clear sight triangle at an intersection.

2. Fences or walls surrounding tennis courts or sports courts may be no more than 12 feet in height but may not be located in any portion of the required front yard.

3. Tennis Courts or Sports Courts - Tennis courts or sports courts and any accessory construction associated with tennis courts including fencing and paving shall be no closer than twelve (12) feet to any side or rear property line.

D. Uncovered, Unenclosed Patios or Decks

Unless otherwise specifically permitted by the terms of this ordinance such structures may extend not more than ten (10) feet into a required rear yard but shall not extend closer than 12 feet to the rear or any side property line.

E. Accessory In-Law Dwellings

1. Accessory In-law dwellings are permitted as accessory uses only for use B-1, Single Family Detached Dwelling, use B-5, Large Lot Single Family Dwelling and use B-14 Living Community.

2. The minimum lot area for the use B-1, or B-5 (whichever is applicable) in the district in which the dwelling is located is required for the principal dwelling in order to be eligible to add an accessory in-law dwelling.

3. A permit from the Bucks County Department of Health or other governmental agency with jurisdiction shall be required. Such permit shall indicate that the property can be served by either public sewers or by an adequate on lot septic system, prior to the issuance of a zoning permit.

4. Only one accessory in-law dwelling shall be allowed per lot.

5. Accessory dwellings shall be part of the principal residence or may be contained in an existing accessory structure such as a garage provided that the garage or other structure meets all the yard setback requirements for accessory structures for the district. No new separate structures on the same lot with the principal residence shall be permitted to be constructed for this use unless the principal use B-1 is located on a lot which has a lot size which is 1.5 times the minimum lot size required for that use in the district within which the principal residence is located. Yard requirements for the accessory in-law dwelling shall be those that are applicable to other accessory buildings as set forth in Section B10.A.

6. Accessory dwellings shall not be located in cellar or basement areas (area having one-half or more of its floor-to-ceiling height below the average level of the adjoining ground) except where at least one wall of the accessory dwelling is at grade level with direct access to the outside from the accessory in-law dwelling.

7. There shall be no changes to the exterior of the residence which suggest that the dwelling unit is other than a single-family detached dwelling or which otherwise detract from the single-family character of the neighborhood.

8. Maximum floor area of an accessory dwelling shall not exceed 33 percent of the total floor area of the principal dwelling.

9. The height of the accessory building to be used for the in-law dwelling shall not exceed the height of the principal dwelling.

10. Parking: two (2) additional parking spaces per dwelling unit in addition to the off-street parking for the single-family detached dwelling.

F. Recreational Vehicle Parking

A vehicle or piece of equipment, whether self-powered or designed to be pulled or carried, intended primarily for leisure time or recreational use. Recreation vehicles or units include, but are not limited to, the following: travel trailers, truck-mounted campers, motor homes, folding tent campers, buses or trucks adapted for recreational use, snowmobiles, mini-bikes, all-terrain vehicles, go-carts, boats, boat trailers, and utility trailers. Recreational vehicles or units shall be stored either to the rear or side of the dwelling, or in a garage, or in a roofed structure.

G. Non-Commercial Swimming Pool

A non-commercial swimming pool, either above ground or in-ground, is a recreation facility designed to contain a water depth of twenty-four (24) inches or more for use of the residents and their guests, subject to the following:

1. A zoning permit shall be required to locate, construct, or maintain a non-commercial swimming pool.
2. Pools 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. A fence shall be required for all outdoor pools. The minimum height shall conform to all current applicable building code(s).
4. If the water for such pool is supplied from a private well, there shall be no cross-connection with a public sewerage system.
5. If the water for a pool is supplied from a public water supply system the inlet shall be above the overflow level of the pool.
6. At the time of application for a zoning permit it shall be demonstrated that the drainage of a pool is adequate and will not interfere with the water supply system, with existing sewage facilities, with public streets, and shall not drain onto a neighboring property.
7. No spotlight shall be permitted to shine directly upon an adjacent property.
8. This use shall be permitted as an accessory to agricultural uses and single-family detached dwellings only.

H. Spas or Hot Tubs

Spas or hot tubs are permitted as accessory uses to residences where the residence has private yard area. If the spa or hot tub is freestanding, it shall meet the requirements of this section for noncommercial swimming pools.

1. The spa shall be located either entirely within the house or if located outside, shall be located on a deck or patio which is enclosed or fenced.
2. The deck or patio shall be fully enclosed by the rear wall of the housing unit and the common walls of adjoining units or a wall or fence along the rear and side of the deck or patio. The height of the walls or fences shall not be less than 4 feet or as dictated by the Township's adopted building code.
3. The spa or hot tub shall be required to have a cover capable of being locked, for the purposes of safety and to cover the water surfaces during the off-season or such other periods of non-use. The pool cover shall be required to be locked when not in use.
4. The spa or hot tub shall be no closer to a lot line than 12 feet.

I. Accessory Boarding Accommodations.

The letting of rooms for roomers, boarders or lodgers, accessory to a primary use:

1. No more than two (2) roomers, boarders or lodgers shall be accommodated.
2. Such use shall be permitted only in single-family detached dwellings.
3. The minimum lot size is one (1) acre, unless the district in which the use is located requires a larger lot size for use B1, in which case the larger lot size shall be required.
4. The roomers, boarders or lodgers shall live within the principal residential building.
5. No separate cooking facilities or dwelling unit may be created.

6. One (1) off-street parking space shall be provided for each roomer.

J. Keeping of Dogs for Commercial Purposes

The use of a lot for the keeping of dogs for commercial purposes for a fee shall be subject to the following requirements:

1. Minimum lot area required: 5 acres
2. Any building or structure used for the keeping, servicing or raising of animals shall be located a minimum of 200 feet from all lot lines.
3. All animals shall be maintained in enclosed buildings and runs enclosed by fences designed and constructed so as to prohibit the animals from escaping from the fenced area. As used herein, the term "run" shall have that meaning set forth in Section 405 A.6. c. above. No run shall be closer than 150 feet to any lot line.
4. No runs (as hereinbefore defined) or shelters may be located in a front yard.
5. All areas used for exercising and training of animals shall be enclosed by a fence not less than 6 feet in height or of such height as to prevent dogs from escaping from the fenced area and no closer than 20 feet from any lot line. The shelters, runs, and exercise areas shall be screened along the exterior perimeter from adjoining residential uses by a double row of evergreen plantings that serve to screen noise and create a visual and physical barrier. Evergreens shall be a minimum of 6 feet in height.
6. All training shall be under direct control of the owner or handler.
7. All dogs must be kept indoors between 10:00 PM and 7:00 AM.
8. The use of a lot or structure for boarding or training of dogs for a fee shall constitute a Use A6 Kennel, as defined and regulated by this Ordinance, and shall be required to meet all the requirements for that use.
9. No more than 10 adult dogs (i.e. over six months of age) or more than 15 dogs of any age may be kept on the property at any one time.

B11 Garage or Yard Sales

The temporary display and sale of goods and craft items on a residentially used property:

A. Such temporary uses shall be limited to sales of not more than three (3) days. Sales shall be limited to not more than four (4) in a calendar year. There shall be at least a thirty (30) day period between sales.

B. Signs advertising garage or yard sales shall be limited to twelve (12) square feet in size. Such signs shall be posted no more than two (2) days prior to the first day of the sale and shall be removed on the final day of the sale. No more than three (3) off-premises signs shall be placed. The location of off-premises signs must be approved by the property owners of the properties upon which they are to be fixed.

B12 Residential Conversion

The conversion of an existing single family dwelling into two or more dwelling units:

A. Detached dwellings that are converted must maintain the appearance of a detached dwelling with a single front entrance. Additional entrances may be placed on the side or rear of the structure, or the dwelling units may share the single front entrance. Exterior stairways and fires escapes shall be located on the rear wall in preference to either side-wall and in no case on a front or side-wall facing a street.

B. Except as may be necessary for purposes of safety in accordance with the preceding paragraph, there shall be no major structural change in the exterior of the building in connection with the conversion. After conversion, the building shall retain substantially the same structural appearance it had before such conversion.

C. All septic systems must be approved by the Bucks County Department of Health prior to the issuance of a zoning permit.

D. Separate cooking and sanitary facilities shall be provided for each dwelling unit.

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

F. Off-street parking lots with three (3) or more spaces shall be buffered from abutting residences with a planted buffer at least 10 feet in width.

G. The minimum lot width and minimum yard requirements for Use B1 Detached Dwelling shall be met for the applicable zoning district.

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

I. To allow for a conversion, the minimum lot area for use B1 shall be met for each dwelling unit proposed to be created.

J. Parking: Two off-street spaces per dwelling unit.

B13 Preservation Development with Single Family Detached Dwellings

A residential development comprised of single-family detached dwellings including open space designed to protect important site features including prime agricultural soils, natural areas, environmentally sensitive areas, and community open space, in accordance with specific district requirements. The Preservation Development is designed to fulfill the mandates of the Pennsylvania Municipalities Planning Code, Sections 603 and 604.

A. Preservation and Open Space Standards

Within a Preservation Development, a total of 80 percent of the tract must be preserved as open space. The location, character, and use of open space will depend upon the individual tract of land being developed. The Site Analysis and Resource Conservation Plan, which is a requirement of the Township Subdivision and Land Development Ordinance, will delineate, in accordance with the requirements hereof, the areas most suitable for development and the areas most suitable for preservation. The following requirements addressing the open space, common areas, and stormwater areas shall apply:

1. The area that is not contained in the individual lots or in the required 80% open space ("Open Space") shall be referred to as the "Common Area" and shall, together with the Open Space, be owned, managed and maintained by a Home Owners' Association ("HOA") unless the Common Area or Open Space has been offered, in whole or part, to and accepted by the Township, in which case the HOA shall neither own nor be responsible for that area conveyed to the Township.
2. The Common Area shall be available for buffers, stormwater, waste disposal, water supplies, recreation and similar infrastructure needs. The Township shall be under no obligation to accept such infrastructure as public improvements and, if undedicated, the HOA shall be responsible for the maintenance, repairs and management of and all costs associated with shared facilities such as, but not limited to, roads, sewage disposal and stormwater systems.
3. A fence of not less than four (4) feet in height shall demarcate all newly created residential property boundaries that abut Common Areas or Open Space.
4. When a property that is subdivided utilizing this option contains an existing dwelling unit, the lot for the existing dwelling unit shall constitute part of the subdivision but may exceed 8,500 square feet in lot area provided it is deed restricted so as not to be further subdivided and may be so configured as to contain the Open Space. The Open Space shall be deed restricted against further development and be entered into one or more preservation programs to preserve the integrity of the restriction as determined by the Township. The existing dwelling unit and its associated lot shall be exempt from the fencing provisions.

5. If no dwelling units exist at the time of subdivision, or if the Open Space shall not comprise part of the lot with the existing dwelling, the Open Space, unless conveyed to the Township, shall be owned by the HOA subject to a deed restriction protecting the Open Space from further residential or commercial development in the form of the Open Space Easement attached to the Township's SALDO as an appendix.
6. If the Township takes ownership of the Open Space it shall retain the right to utilize the Open Space for any municipal or civic purpose inclusive of any physical facilities that the Township deems appropriate.
7. The Open Space shall be specifically identified by a sealed survey marked and protected by means deemed adequate by the Township prior to the start of any construction activity of any type, including grading, to ensure that the Open Space is undamaged by such activity.
8. All new development on the site including access roads, dwellings, and shared facilities shall be laid out in a manner so as to promote the preservation of farmland and/or natural resources in accordance to the ideals and standards established by use B13.
9. No component of the sewage disposal system may be located in the Open Space. No stream discharge of any treated or untreated sewage is permitted.
10. No stormwater detention basins are permitted in the Open Space. Stormwater conveyance is permitted in the Open Space only if it does not negatively impact the viability of the Open Space to be farmed and meets the minimum BMP standards established by the Pennsylvania Department of Environmental Protection or the Township, whichever is more restrictive.
11. The stormwater system shall be designed to control the maximum impervious surface allowed added to the additional impervious surface permitted per lot after the issuance of the initial occupancy permit. In the event that development occurs at less than 50% of the maximum permitted density, the per lot impervious surface of the units that are not constructed may be subtracted from the total requirements provided that those properties are deed restricted from further development.
12. No public or private wells are permitted in the Open Space.
13. No lot shall contain any 100% protected resource nor shall any lot contain a conservation easement made necessary to meet resource protection standards. Easements for stormwater shall be the minimum necessary and all efforts shall be made to place stormwater structures and/or conveyance systems in the common area.
14. Subdivisions including five (5) or fewer new dwellings that meet the preservation goals of this use shall be considered as preliminary/final subdivision applications.

B. Relaxation of Resource Protection Standards

Where possible, the Natural Resource Protection Standards set forth in Article 31 Section 3100 of this Ordinance shall be complied with. However, where the maximum permitted density for the site cannot be realized by virtue of the application of the Natural Resource Protection Standards set forth in Article 31 Section 3100, then to realize the maximum density, the requirements of Natural Resource Protection Standards set forth in Article 31 Section 3100 may be departed from as hereafter provided in the following hierarchy:

1. The following areas shall be restricted from any development or disturbance in their entirety:

   Floodplains;

   Wetlands;

   Streams, Watercourses, Lakes, Ponds and Waters of Commonwealth/US;

   Riparian corridor – 75 feet in width on both sides of any watercourse measured from the top of the bank outward; and
2. Vegetation at the perimeter of the tract – All vegetation within 100 feet of the perimeter of the tract or edge of cart way, whichever is greater, shall be preserved except where necessary to provide driveways, walkways, bike paths or roads into the tract. Invasive plants, however, may be removed.
3. Agricultural Soils (Class I, II, and III) - Sixty percent (60%) of Class I, II, and III soils in aggregate may be disturbed. Eighty percent (80%) of Class IV soils in aggregate may be disturbed. Undisturbed soils shall be in a farmable location and configuration. Class I, II, III and IV soils shall be preserved in areas where they abut Class I, II, and III soils on an adjacent property.

4. Forests, Wooded land other than Forest Mature Trees outside of Forest Area –
   a. Up to a maximum of 30% of "Forest" may be disturbed.
   b. Up to 60 % of the total caliper-inches of mature trees (over 2 inches in diameter measured 54 inches above ground level) in "Wooded Land other than Forest" may be removed.
   c. Up to 40 % of "Mature Trees outside of Forest Areas" may be removed.
   d. Up to 20% of Trees greater than 32 inches in diameter measured 54 inches above the ground may be removed.
   e. Trees greater than 50 inches in diameter measured 14 inches above the ground may be removed, but only if the density is reduced by one (1) dwelling Unit for each tree so removed.
5. Steep Slopes – Slopes of 8% to 24% may be modified or disturbed where necessary.

C. Central Community space – For tracts of 40 acres or more, a community Open Space central to the development shall be provided. The community space must be connected by walkways or paths and must be freely accessible to residents. The space must be a minimum of 20,000 sq. ft.

D. Dimensional Requirements:

Maximum Density per tract	.25 dwelling units per acre
Minimum tract size	10 acres
Minimum open space ratio	80% of base site area
Maximum size of any individual lot	8,500 square feet
Maximum impervious surface per lot	100% per new dwelling
Maximum impervious surface per lot containing existing dwelling	13,500 square feet
Minimum yards	
Front	10 feet
Side (both)	10 feet
Rear	30 feet

B14 Living Community

A living community ("LC") is a development that allows for residential housing of various dwelling types encouraging all basic forms of housing including single-family and two-family dwellings, and a range of multifamily dwellings in various arrangements, mobile homes, and mobile home parks, in accordance with the specific district requirements.

A. Development Options – The options for and the lot layout of an LC use shall be based on Design Blocks ("DBs"). Design Blocks are granted at the ratio of 3 DB per allowable Dwelling Unit ("DU").

1. Design Blocks - A Design Block ("DB") is a variable unit of measurement that defines residential lot sizes and placement for various housing types. They are a design tool and have no bearing or impact on the allowable density of a site. Site density is determined by the requirements of the district in which the Living Community is permitted.
   a. Design Block Size – Each DB shall be 25' x 110', maximum.
   b. Design Block Types – Four Design Block Types shall be established and be used to perform certain necessary calculations as described within this ordinance. The letters DB followed by a numerical value, which represents the number of individual DBs required to create that DB type, shall designate the four Design Blocks Types. The various DB Types shall be designated as follows:

Type	Resultant Lot Size (Width x Depth)	# of DBs Utilized
DB1	25' x 110' maximum lot size	1
DB2	50' x 110' maximum lot size	2
DB3	75' x 110' maximum lot size	3
DB4	100' x 110' maximum lot size	4

c. DB Designation – The DB designation shall be based on the width of the lot. Lots may be smaller than the maximum allowed but the DB designation shall not be changed unless the width is less than the maximum width of the next smaller DB designation. For example, a lot that is 60 x 100 feet will be considered to be a DB3. Frontage and other requirements may apply.

d. DB Numerical value - The numerical value assigned to each DB type shall act as a multiplier and be used to calculate the number of DBs utilized. To perform the calculation, multiply the number of DUs utilizing each DB type individually and then add the total for each DB type to yield the project total.

e. Developer Discretion in Use of DBs - At the discretion of the developer, fewer than the number of DBs granted may be used. However, in no case, may the number of DBs utilized exceed the number of DBs granted nor are any remaining DBs transferable in any manner.

2. The Relationship of Dwelling Units to Design Blocks - Each detached single-family home, individual living unit within a multi-family structure, townhouse or twin dwelling shall be considered as a separate Dwelling Unit. The maximum number of Dwelling Units to be allowed within an LC is determined by the base site density calculations for the applicable zoning district

a. The number of Design Blocks allocated to an LC is established by multiplying the base site density (Dwelling Units) x 3. For example, an LC with a base site density of 50 Dwelling Units would have 150 Design Blocks available. The number of Design Blocks used in an LC is dependent on the choice of housing types and lot sizes.

b. The Design Block concept is designed to allow for an extremely flexible mix of housing types and lot sizes within a project. Below are examples of the relationship between Dwelling Units and Design Blocks. The purpose of the chart is to be illustrative only and does not include all potential dwelling types or possible combinations:

Type of Dwelling	# of Units	DB Type	Lot Size	# of DUs	# of DB Used
Single Family	1	DB2	50 x 110	1	2
Single Family	1	DB3	75 x 110	1	3
Single Family	1	DB4	100 x 110	1	4
Townhouse	1	DB1	25 x 110	1	1
Townhouse	1	DB2	50 x 110	1	2
Twin[1]	2	DB2	50 x 110	2	2
Twin[1]	2	DB3	75 x 110	2	3
4 Unit Apartment Building	4	DB2	50 x 110	4	2
Duplex	2	DB2	50 x 110	2	2

[1] When utilizing the LC Use, patio homes shall be considered as twins.

3. Design Block Requirements per Dwelling Type -

	Minimum DBs Required	Maximum DBs Allowed
Single Family Detached Dwellings	2	4
Twins (per two unit structure)	2	3
Duplex (per two unit structure)	2	3
Townhouse, Row House (per living unit)	1	2
Accessory In-Law Dwellings*	0	0
Apartment Building**	2	4

* Garage based (as a second story or as a replacement) Accessory In-Law Dwellings do not require a Dwelling Block but do count as a Dwelling Unit.

** An Apartment Building while only requiring 2 DBs per building, still requires a DU for each apartment.

B. Preservation and Open Space Standards - An LC shall comply with the following requirements:

1. The area that is not contained in the individual lots or in the required open space ("Open Space") shall be referred to as the "Common Area" and shall, together with the Open Space, be owned, managed and maintained in perpetuity by a Home Owners' Association ("HOA") unless the Common Area or Open Space has been offered, in whole or part, to and accepted by the Township, in which case the HOA shall neither own nor be responsible for that area conveyed to the Township.

2. The Common Area shall be available for buffers, stormwater, waste disposal, water supplies, recreation and similar infrastructure needs. The Township shall be under no obligation to accept such infrastructure as public improvements and, if undedicated, the HOA shall be responsible for the maintenance, repairs and management of and all costs associated with shared facilities such as, but not limited to, roads, sewage disposal and stormwater systems.

3. The Open Space shall be specifically identified by a sealed survey, marked and protected by means deemed adequate by the Township prior to the start of any construction activity of any type, including grading, to ensure that the open space is undamaged by such activity.

4. The Open Space, unless conveyed to the Township, shall be subject to a deed restriction protecting the Open Space from further residential or commercial development in the form of the Open Space Easement attached to the Township's SALDO as an appendix.

5. If the township takes ownership of the Open Space it shall retain the right to utilize the open space for any municipal or civic purpose inclusive of any physical facilities that the Township deems appropriate.

6. All newly created residential property boundaries that abut Common Areas or Open Space shall be demarcated the entire length of the boundary by a fence of not less than four (4) feet in height. The boundaries between the Common Areas and the Open Space Areas shall be clearly demarcated and fencing of a height and design appropriate for the site shall be required by the Board of Supervisors.

7. All new development on the site including access roads, dwellings and shared facilities shall be laid out in a manner so as to promote the preservation of farmland and/or natural resources.

8. No component of the sewage disposal system may be located in the Open Space. No stream discharge of any treated or untreated sewage is permitted.

9. No stormwater detention basins are permitted in the Open Space. Stormwater conveyance is permitted in the open space only if it does not negatively impact the viability of the open space to be farmed and meets the minimum BMP standards established by the Pennsylvania Department of Environmental Protection or the Township, whichever is more restrictive.

10. The storm water system shall be designed to address the maximum impervious surface allowed.

11. No public or private wells are permitted in the Open Space.

12. No lot shall contain any 100% protected resource nor shall any lot contain a conservation easement made necessary to meet resource protection standards. Easements for stormwater shall be the minimum necessary and all efforts shall be made to place stormwater structures and/or conveyance systems in the common area.

C. Dimensional Requirements:

Minimum tract size	10 acres
Maximum Density	Base site area divided by 1.8 = maximum number of permitted dwelling units in LC development, without the use of TDRs
Impervious surface	30% of tract 100% of individual lots
Open Space Required	50% of base site area
Housing Types permitted	Single family detached, Twin, Townhouse, Apartment, Duplex or Multi-Family, Patio, Accessory In-Law Dwellings
Minimum yards – B1	
Front	10 feet
Side (both)	10 feet
Rear	30 feet
Minimum yards – Multi-family	
Front	10 feet
Side (both)	0 feet
Rear	0 feet
Minimum yards – Patio	
Front	10 feet
Side (one side 0 feet)	10 feet
Rear	30 feet
Parking spaces required	2 spaces per dwelling unit plus 0.25 spaces per unit for overflow parking.

D. Tract Size Options:

1. Tract Size of 10 - 30 acres: DB1, DB2, DB3, DB4:
   a. Dwelling types may, but are not required to be, combined.
   b. If all units are to be detached single-family dwellings 50% of the units shall utilize DB types DB2 or DB3. The remainder shall be a balanced mix of the unused DB Type (DB2 or DB3) and DB4.
   c. To promote variety in lot sizes, DB types shall be interspersed as opposed to having substantial sections of all one DB type.
   d. A centralized community amenity shall be provided that will provide common green space centrally located within the Living Community. Said space shall be at least 15,000 square feet and contain amenities that encourage social interaction. Adequate seating and pedestrian pathways shall be provided. These items shall not be considered as being in lieu of meeting other recreational requirements as prescribed by ordinance. Additional secondary common green spaces are encouraged.
   e. If five or fewer lots are proposed all lots may be of a single DB type (DB size) and there shall be no requirement for a centralized community amenity as specified above provided that the remaining property be deed restricted from further development.
2. Tract Size of greater than 30 acres: DB1, DB2, DB3, DB4
   a. Dwelling unit types must be mixed if the total number of dwelling units is equal to or greater than 20. No less than three dwelling unit types comprised of those specified by the Pennsylvania Municipalities Planning Code in Section 604 (4) and single-family units shall be used. No single dwelling unit type shall comprise more than 50% nor less than 20% of the total number of units.
   b. 50% of the single-family units shall utilize types DB2 or DB3. The remainder shall be a balanced mix of the other two DB types.
   c. To promote variety in lot sizes, DB types shall be interspersed as opposed to having substantial sections of the development limited to one DB type.
   d. To promote diversity, housing types may not be segregated and shall be interspersed.
   e. A centralized community amenity shall be provided that will provide common green space centrally located within the Living Community. A primary community area in excess of 20,000 square feet shall be provided and have a focal point feature such as a gazebo, pond, tot lot or other amenity. Walking paths and

benches shall be provided. These items shall not be considered as being in lieu of meeting other recreational requirements as prescribed by ordinance. Additional secondary common green spaces are required for each 25 units and must be at least 7,500 square feet in size and located in a manner that encourages social interaction.

f. In LCs of over 100 dwelling units, 2,000 square feet of commercial or internal civic space shall be provided for every 50 dwelling units or part thereof. The commercial or internal civic space shall be owned and operated by a home owners' association or their designated agent(s) except in those cases where the entirety of the property remains under single ownership in which case the owner shall retain ownership. The location of all commercial space shall be internal to the project and centrally located within the LC adjacent to a community open area and have adequate parking to support the intended use. If commercial space is created it shall be limited to uses E3, E5 and E8. The inclusion of this amenity is intended for the primary benefit of the residents of the LC and shall be designed so as not to produce significant traffic impacts from non-LC resident users.

E. Use B14 with TDRs:

1. The density of an LC (B14) may be increased by a maximum of 50%. If TDRs are utilized, one TDR shall be transferred for every dwelling unit above that which would be permitted without the use of TDRs. A minimum density increase of 1.25 is required for TDR usage to occur.
2. All other standards applicable to use B14 shall continue to apply without alteration.

F. Relaxation of Resource Protection Standards - Where possible, the Natural Resource Protection Standards set forth in Article 31 Section 3100 of this Ordinance shall be complied with for use B-14. However, in order to permit the land owner the design flexibility to realize the maximum site density allowed by a district in which use B-14 is permitted, where the application of the Natural Resource Protection Standards set forth in Article 31 Section 3100 and as applied by Section 3101 result in a site density less than the maximum allowed by a district, then for use B-14 the requirements of Natural Resource Protection Standards set forth in Article 31 Section 3100 may be departed from as hereafter provided in the following hierarchy:

1. The following areas shall be preserved as open space in their entirety:

   Floodplains;
   Wetlands;
   Streams, Watercourses, Lakes, Ponds and Waters of Commonwealth/US;
   Riparian corridor – 75 feet in width on both sides of any watercourse measured from the top of the bank outward; and

2. Vegetation at the perimeter of the tract – All vegetation within 100 feet of the perimeter of the tract or edge of cart way, whichever is greater, shall be preserved except where necessary to provide driveways, walkways, bike paths or roads into the tract. Invasive plants, however, may be removed.
3. Agricultural Soils (Class I, II, and III) - Sixty percent (60%) of Class I, II, and III soils in aggregate may be disturbed. Eighty percent (80%) of Class IV soils in aggregate may be disturbed. Undisturbed soils shall be in a farmable location and configuration. Class I, II, III and IV soils shall be preserved in areas where they abut Class I, II, and III soils on an adjacent property.
4. Forests, Wooded land other than Forest Mature Trees outside of Forest Area –

   a. Up to a maximum of 30% of "Forest" may be disturbed.

   b. Up to 60 % of the total caliper-inches of mature trees (over 3 inches in diameter measured 14 inches above ground level) in "Wooded Land other than Forest" may be removed.

   c. Up to 40 % of "Mature Trees outside of Forest Areas" may be removed.

   d. Up to 20% of Trees greater than 36 inches in diameter measured 14 inches above the ground may be removed.

   e. Trees greater than 50 inches in diameter measured 14 inches above the ground may be removed, but only if the density is reduced by one (1) dwelling Unit for each tree so removed.

5. Steep Slopes – Slopes of 8% to 24% may be modified or disturbed where necessary.

G. Pedestrian access shall be provided across adjoining streets.

C. Institutional Uses

C1 Place of Worship

Any structure or structures used for worship or religious instruction, including social and administrative rooms accessory thereto.

A. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

B. Dimensional Requirements:

Minimum lot area	5 acres
Minimum lot width	200 feet
Minimum yards:	
Front yard	65 feet
Side yards (each)	50 feet
Rear yard	100 feet

If abutting a residential zoning district or a lot in residential use, setbacks shall be 100 feet on the abutting property line.

C. Day care and nursery school/kindergarten are permitted as accessory uses to a place of worship.

D. Parking: one (1) off-street parking space for each four (4) seats provided for patron use, or at least one (1) off-street parking space for each forty (40) square feet of gross floor area used or intended to be used for service to patrons, guests or members, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each full-time employee. Parking areas shall be adequately screened (See Section 3104(B)).

E. A Traffic Impact Study shall be required.

F. A Pedestrian Circulation Study shall be required. Pedestrian circulation shall be provided by pedestrian walkways or paths across adjacent streets and connecting to adjoining residential developments and shall be designed to permit safe passage of pedestrians without interference from vehicular traffic. Such walkways or paths shall be clearly demarcated and shall be constructed in accordance with the most current Pennsylvania Uniform Construction Code and Americans With Disabilities Act standards.

G. No school shall be permitted except for purposes of religious education.

C2 School

Religious, sectarian or non-sectarian, denominational private school, or public school that is not conducted as a for profit business:

A. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

B. Dimensional Requirements:

Minimum lot area	5 acres Nursery School, 25 acres, Kindergarten or elementary school; 50 acres all others
Minimum lot width	200 feet
Minimum front yard	75 feet
Minimum side yards	100 feet
Minimum rear yard	100 feet

C. Outdoor play areas shall be fifty (50) feet from side and rear property lines. Outdoor play areas shall be screened with a planted buffer.

D. Parking:

Parking areas shall be adequately screened (See Section 3104(B)). The following requirements represent the acceptable minimum:

1. Nursery School or Kindergarten: one (1) off-street parking space for each faculty member and employee plus two (2) additional spaces per classroom.
2. Elementary School: one (1) off-street parking space for each faculty member and employee plus one-half (1/2) space per classroom or office.
3. Junior High School: one (1) off-street parking space for each faculty member and employee plus one-sixth (1/6) space per grade per student of design capacity.
4. Senior High School: one (1) off-street parking space per faculty member or employee plus one-half (1/2) space per student aged 16 or older of projected building capacity.

E. A Pedestrian Circulation Study shall be required. Pedestrian circulation shall be provided by pedestrian walkways or paths across adjacent streets and connecting to adjoining residential developments and shall be designed to permit safe passage of pedestrians without interference from vehicular traffic. Such walkways or paths shall be clearly demarcated and shall be constructed in accordance with the most current Pennsylvania Uniform Construction Code and Americans With Disabilities Act standards.

F. Standards for accessory stadium - Stadium is a use accessory to a school and is a structure where athletic events are staged having seats for at least 1000 spectators.

1. Parking - one space to be provided for every 3 seats. Parking need not be paved but shall be stable and usable under most normal conditions. Pedestrian circulation to the stadium shall be provided by pedestrian walkways or paths and shall be clearly demarcated. Pedestrian circulation shall not intermix with vehicular circulation.
2. No stadium shall be permitted on parcels adjoining or within 500 feet of the nearest boundary of any property having an historic structure or resources as defined by Section 3026 of this ordinance.
3. A stadium must be setback at least 200 feet from any residential property line or property zoned for residential use. Additional lot area or setbacks may be required in order to meet the Township standards for light and noise (Article 30).
4. A trash management plan shall be submitted. Failure to comply with this plan shall be subject to enforcement under Section 3801.
5. Uses permitted as part of a stadium include press box, concession stand, locker rooms, and rest rooms. No alcoholic beverages are permitted.
6. Provision shall be made for field access and parking for fire, ambulance, and other emergency services vehicles. A traffic plan for emergency vehicles shall be provided to ensure that emergency personnel will have clear access to the field and facilities.

C3 Commercial or Trade School

A trade or professional school providing instruction in a trade, in the arts, or other activities, and not including uses C2 or C10. Other schools not included in Uses C2 or C10 shall be considered a Commercial or Trade School:

A. Minimum lot area: 5 acres

B. Parking: one (1) off-street parking space per faculty member and employee, plus one (1) space per three (3) students. Parking areas shall be adequately screened (See Section 3104(B)).

C. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

C4 Library or Museum

Library or Museum, open to the public or connected with a permitted educational use, and not conducted as a private gainful business:

A. Minimum lot area: 2 acres.

B. Parking: one (1) space per five (5) seats or one (1) space per two hundred and fifty (250) square feet of gross floor area where no seats are provided. Parking areas shall be adequately screened (See Section 3104(B)).

C. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

C5 Municipal Recreational Facility

Municipal recreational facility, playground, nature center or park, or indoor facility, owned or operated by the Township or other governmental agency:

A. No outdoor active recreation area shall be located nearer to any lot line than fifty (50) feet.

B. Parking: Parking areas shall be adequately screened when situated within fifty (50) feet of land zoned for or in residential use.

C6 Private Recreational Facility

An indoor or outdoor recreational facility operated as a commercial venture, which may include games, courts, fields, camps, driving range, chip and putt golf, or miniature golf:

A. Minimum lot area: 5 acres.

B. No outdoor active recreation area for any recreational use shall be located nearer to any lot line than one hundred (100) feet.

C. Outdoor play areas shall be screened with a planted buffer meeting ordinance requirements.

D. Specific requirements for Miniature Golf Courses, Chip and Putt Course, Batting Cages, or Skate Parks:

1. Use shall have its lot frontage on and take access from an arterial highway, as defined in the Township Ordinances.
2. Minimum lot frontage: 200 feet
3. Height limit of 35 feet shall apply to all structures, buildings, and facilities.
4. Hours of operation shall be limited to daylight hours.

E. Specific requirements for Golf Driving Range:

1. A golf driving range shall have its lot frontage on and take access from an arterial highway, as defined in the Township Ordinances.
2. Minimum lot area: 25 acres.
3. Minimum lot frontage: 200 feet
4. Height limit of 35 feet shall apply to all structures, buildings, and facilities.
5. Hours of operation shall be limited to daylight hours.

F. Model airplane clubs, trap, skeet, outdoor firearm, rifle or archery ranges, and similar uses shall observe the following standards:

1. Minimum lot area: ten (10) acres. Lot area shall be sufficient to accommodate the proposed activities so that no airplanes, bullets, arrows, etc. will go off site.
2. No area used for such purposes shall be located closer than two hundred (200) feet to any lot line.
3. Any facility that allows the discharge of a firearm of any type shall comply with all applicable NRA (National Rifle Association) safety guidelines and shall provide certification from a qualified professional that all applicable safety standards have been met in the facility design.

G. Parking: one (1) off-street parking space for each five (5) persons of total capacity, or at least one (1) off-street parking space for each fifty (50) square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests, or members, whichever requires the greater number of off-street parking spaces. Parking areas shall be adequately screened (See Section 3104(B)).

C7 Golf Course

Golf course (not including miniature golf course), including clubhouse, restaurant, and other accessory uses, provided these are clearly accessory to the golf course:

A. Minimum Lot Area:

Regulation - 18 hole	100 acres
Executive - 18 hole	60 acres
Nine hole	50 acres
Par 3, 18 hole	45 acres
Par 3, 9 hole	25 acres

B. No building shall be closer than one hundred (100) feet to any lot line.

C. Parking- one (1) off-street parking space for every five (5) members of total capacity plus one (1) additional space for each employee. Parking areas shall be adequately screened (See Section 3104(B)).

D. A Traffic Impact Study shall be required. In no event shall this use be permitted if the required Traffic Impact Study shows that for an intersection within 1300 feet of the access to such use the Level of Service will decrease by one or more letter, as determined by standard engineering practice.

E. Containment structures (such as appropriate netting) shall be required if necessary to prevent stray golf balls from interfering with adjacent private property or public rights-of-way.

F. Storage of pesticides and chemicals shall comply with all applicable federal, state and local regulations.

G. A gray water recycling system shall be required for irrigating the golf course.

C8 Private Club

Private club, lodge, or facility for a condominium association or homeowners' association. Such facility may include recreational amenities intended to serve the homeowners or condominium owners such as a swimming pool, sport courts, and other outdoor active recreation areas. The use is subject to the following additional requirements:

A. The use shall not be conducted as a for profit business.

B. The use shall be for homeowner association or condominium association members and their authorized guests only.

C. Parking: one (1) off-street parking space for each ten (10) member households, or at least one (1) off-street parking space for each two-hundred (200) square feet of gross floor area used or intended to be used for service to, association members or guests, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each employee. Parking areas shall be adequately screened (See Section 3104(B)).

D. Use C8 may be an accessory use to uses B1, B2, B3, B4, B6, B13, and B14 in any Subdivision or Land Development where a homeowner's association or condominium association is proposed. If use B1, B2, B3, B4, B6, B13, or B14 is permitted in a zoning district and use C8 is proposed in conjunction with that use, then use C8 shall be a permitted use in the zoning district accessory to and within the confines of the proposed subdivision or land development.

C9 Community Center

Community center is an educational, social, or recreational center operated by an educational, philanthropic, or religious institution which is not conducted as a commercial enterprise and which is not a use which is customarily carried on as a for profit business and which does not include residential facilities for chronically ill or other persons who need institutional care due to illness, disability, or who are part of a criminal justice program and excluding any use which is defined as a private, commercial recreational use.

A. Minimum lot area: 5 acres.

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

C. Parking: one (1) off-street parking space for each four (4) seats provided for patron use; or, at least one (1) off-street parking space for each fifty (50) square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces. Parking areas shall be adequately screened (See Section 3104(B)).

C10 Day Care Center

Day nursery, nursery school, kindergarten, or other agency giving day care to below-school-age children or to adults in need of day care. This use is not a home occupation or an accessory use to a residence:

A. Minimum lot area shall be the greater of either (a) two (2) acres or (b) the minimum lot area for Other Permitted Uses in the applicable zoning district.

B. Maximum number of persons receiving care: twenty-five (25) per acre. In the AG-2, R-1 and VR-1 Districts, the maximum number of persons receiving care shall be five (5) per acre.

C. The minimum yard, setback and lot width requirements for Other Permitted Uses in the applicable zoning district shall be met and all area and dimensional requirements of the licensing agency shall be met.

D. An outdoor play area shall be provided. This area shall be located to the side or rear of the lot. The minimum required areas of such an outdoor recreational facility shall be two hundred (200) square feet for each child in the facility.

E. Prior to the granting of a certificate of occupancy, the applicant must obtain a license from the Department of Public Welfare, Bureau of Child Development Programs. Licensure is certification of compliance with Chapter II, Section 8A of the Department of Public Welfare's Social Services manual by this Department to the applicant, subject to licensure under Article X of the Public Welfare Code.

F. An existing residential building may be used and occupied as a single-family residence for the owner or an employee of the owner of the Day Care Center.

G. In the AG-1, AG-2 Districts and the R-1 Residential District, such use shall be situated only on a lot or lots having frontage on U.S. Route 202, PA Route 263 or PA Route 413, and Rt. 313 or on other major collector roads.

H. A drop-off area and automobile stacking lane shall be provided.

I. Parking: at least one (1) off-street parking space for each teacher, administrator, and maintenance employee plus one space for every five persons receiving care which can be accommodated at the center. Parking areas shall be adequately screened (See Section 3104(B)).

C11 Hospital

An establishment, licensed by the American Hospital Association, which provides health services primarily for in-patient medical or surgical care of the sick or injured, including related facilities, such as laboratories, out-patient departments, training facilities, central service facilities, and staff offices as an integral part of the establishment. A hospital is subject to the following additional provisions:

A. Dimensional Requirements:

Minimum lot area	40 acres
Minimum front yard	100 ft
Minimum side yards	100 ft
Minimum rear yard	100 ft
Minimum lot width at front building line	200 ft.

B. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing

driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

C. Parking: One space for every three (3) patient beds plus one space for each doctor and employee. Parking areas shall be adequately screened (See Section 3104(B)).

C12 Nursing Home or Personal Care Facility

Licensed nursing or convalescent home, or a facility providing skilled or intermediate care or providing therapy or medical services for patients in residence at the facility, subject to the following additional provisions:

A. Dimensional Requirements:

Minimum lot area	5 acres
Minimum front yard	75 ft
Minimum side yards	50 ft
Minimum rear yard	50 ft
Minimum lot width at front building line	200 ft

B. Parking: one (1) off-street parking space for every three (3) patient. Parking areas shall be adequately screened (See Section 3104(B)).

C. The façade or side of any structure facing an abutting residential use shall:

1. Not contain any loading docks, trash containment areas, and outside work areas;
2. Be consistent with the size, height and bulk of the abutting residential use.
3. Employ the same materials and architectural details of the abutting residential use.

D. Primary access shall be taken from an Arterial Highway. In the event the use will generate more than 50 vehicles accessing the use during any one hour, then secondary access to a Major Collector, Minor Collector, Local Road, or Private Road is prohibited and a second access to an Arterial Highway 800 feet distant from the first access must be established. An access shall neither be located closer than 150 feet to any existing driveway nor across from any existing structure such that headlight glare will illuminate the existing structure.

C13 Cemetery

A burial place or graveyard including mausoleum or columbarium:

A. Dimensional Requirements:

Minimum lot area	5 acres
Minimum yards (front, side and rear)	100 feet

B. Lot Coverage for Accessory Buildings and Parking Facilities: No more than ten (10) percent to a maximum of five (5) acres, may be devoted to aboveground buildings or impervious surfaces not serving as burial markers or memorials.

C. A cemetery may be accessory to a Place of Worship.

D. Parking: one (1) off-street parking space for each employee-and one (1) off-street space for each four (4) visitors in total capacity for an on-site chapel. Parking areas shall be adequately screened (See Section 3104(B)).

C14 Municipal Building

Buckingham Township municipal buildings including administration buildings, police barracks, recreation buildings, libraries, or road maintenance facilities:

Parking: one (1) off-street parking space for every employee, plus one (1) space for every five (5) seats in meeting areas. Parking areas must be adequately screened when situated within fifty (50) feet of land zoned for or in residential use.

D. Office Uses

General requirements for all offices:

A. All office buildings and office parks shall be designed to reflect the architectural style and community character of Buckingham Township. Architectural styles of all office buildings shall be reflective of the historic and cultural landscape by including features such as: pitched roofs, natural or traditional materials, and scale.

B. All office proposals shall include proposed architectural designs for buildings for Township approval. No single office structure shall exceed 25,000 square feet of floor area.

C. Parking areas shall be adequately screened [See Section 3104(B)].

D1 Medical Office

Office or clinic for medical or dental examination or treatment of persons as outpatients, including laboratories incidental thereto: This use includes facilities providing therapeutic massage services performed by or under the supervision of a licensed health care professional such as a physician, a physical therapist or a chiropractor.

Parking: One off-street parking space per 150 square feet of gross floor area.

D2 Veterinary Office

A Veterinary Office is a place where animals are given medical or surgical treatment. Use as a kennel is prohibited except that animals or pets undergoing medical or surgical treatment may be housed if kept inside; use of the facility for boarding is prohibited (except for those undergoing medical treatment) unless the boarding facility meets all the requirements for the use A6, Kennel. Where a Veterinary Office is adjacent to a residential use, implementation of soundproofing controls shall be required.

Parking: four (4) off-street parking spaces for each doctor plus one (1) space for each employee. A Grass area 10 feet wide between the parking lot and the entrance shall be provided.

D3 Office

Business, professional, or governmental office other than Uses D1, D2 and D6:

Parking: one (1) off-street parking space for each two hundred (200) square feet of gross floor area.

D4 Office Park

An office park is a planned development of office and related uses that includes improvements for internal streets, coordinated utilities, landscaping and buffering:

A. Individual uses may be located in detached and attached structures but the site shall not be subdivided into individual lots.

B. Dimensional Requirements:

Minimum lot area	10 acres
Minimum setbacks from side and rear lot lines	75 feet
Minimum setbacks from street lines	100 feet
Minimum frontage at street lines	150 feet
Minimum building spacing	70 feet
Maximum height	35 feet - not to exceed 3 stories
Minimum setbacks from internal streets	50 feet
Maximum impervious surface ratio	50 percent
Maximum floor area ratio	0.20

C. Permitted Uses: C10 (Day Care), Dl (Medical Office), D3 (Office), E6 (Financial Establishment), G2 (Research).

D. At least seventy (70) percent of the total floor space of the park shall be utilized for office uses.

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

F. Lighting facilities shall be provided and arranged in a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind and shall meet the standards for Lighting contained in Article 30 of this Ordinance.

G. All uses within the office park shall take access from an interior roadway. Access for the park shall be from an arterial or collector highway.

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

I. Interior roadways shall have street trees meeting the requirements of the Township Subdivision/Land Development Ordinance set on forty (40) foot centers.

J. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act.

K. Parking: one (1) off-street parking space for each two hundred (200) square feet of gross floor area devoted to office space. One off-street parking space for each 500 square feet of gross floor area devoted to manufacturing or assembly or warehousing.

D5 Village Office

A village office is a planned development of low-density office use that shall be compatible with residential uses. The exterior of the buildings which can be seen from a public street or way shall be designed and constructed so as to reflect the general design, arrangement, texture, material, scale, mass, color, and residential character of the community. Township must review and approve the architectural style of the buildings. The neighborhood village office development shall be planned as a whole and include improvements for internal streets, driveways, coordinated utilities, landscaping, and buffering.

A. Individual uses may be located in detached and attached structures.

B. Dimensional Requirements:

Minimum site area	2 acres
Minimum building setback from street line	50 feet
Minimum building setback from other lot lines	100 feet
Minimum lot width at street line	200 feet
Minimum spacing between buildings	35 feet

Maximum building height	35 feet not to exceed 3 stories
Maximum floor area ratio	0.15

C. Permitted Uses within D5: Dl Medical Office, D2 Veterinary Office, and D3 Office.

D. Accessory outside storage or display of materials, goods or refuse is not permitted.

E. Trash container enclosures shall be screened from all adjoining properties by providing buffering as required by the Township. All trash container areas shall be located a minimum of fifty (50) feet from any property line and shall not be located within any required buffer. Trash containers shall not be located between the street and the front of any building.

F. Lighting facilities shall be provided and arranged in a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind and shall meet the standards for Lighting contained in Article 30 of this Ordinance.

G. A Type 2 buffer, twenty-five (25) feet wide shall be provided against any nonresidential use. A Type 3 buffer, twenty-five (25) feet wide shall be provided against any residential use or residential district. These buffers shall be planted in accordance with the requirements of Article IX of the Buckingham Township SALDO.

H. All uses within the village office use shall take access from an interior roadway or driveway and shall provide pedestrian access across adjoining streets. Access to the village office development shall be from an arterial or major collector highway only. The Applicant shall demonstrate that the proposed use will not cause a decline in the level of service for traffic in the surrounding area.

I. Interior driveways or streets shall have street trees meeting the requirements of the Township Subdivision/Land Development Ordinance set on forty (40) foot centers.

J. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act, if applicable.

K. The applicant shall be required to submit a plan for the overall design of the improvements for the neighborhood village office.

L. Parking: one (1) off-street parking space shall be provided for each two hundred (200) square feet of gross floor area.

M. There shall be a green area for lawn or buffer plantings between any building and parking area or driveway. The green area shall be a minimum of fifteen (15) feet in width inclusive of sidewalks. Concrete sidewalks shall be six (6) feet wide.

N. Parking areas shall be located only to the side and rear of the building and shall be set back a minimum of fifty (50) feet from the side and rear lot lines.

O. Use D2 Veterinary Office shall not include overnight boarding of animals except in connection with medical treatment.

D6 Outpatient Surgical Facility

Any facility where medical procedures are performed involving general anesthesia or the use of other anesthetics and controlled substances such that the patient is impaired from vacating the premises under his own volition.

A. Parking: One off-street parking space per 125 square feet of gross floor area.

B. A fire sprinkler system shall be provided.

E. Commercial and Consumer Service Uses

E1 Retail Stores

Shops and stores selling commodities and goods to consumers: Not included under this use are the over-the-counter sale of alcoholic beverages in taverns and bars, and stores with greater than fifteen (15) square feet of floor area devoted to the display of pornographic materials described under use E2. For the purposes of this Ordinance, any retail store that provides for gasoline or fuel sales for motor vehicles directly to retail customers shall be considered to be a Motor Vehicle Gasoline Station, use E23. No drive-through is permitted.

A. No single structure shall contain more than 35,000 square feet.

B. Parking: one (1) off-street parking space for each two hundred (200) square feet of gross area used or intended to be used for servicing customers. Parking areas shall be adequately screened [See Section 3104(B)].

C. Retail Stores with a floor area of more than 7,500 square feet shall meet the following additional requirements:

1. This use shall be located on an arterial road.
2. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped in accordance with Township Subdivision/Land Development ordinance requirements.
3. Building Design - Buildings shall be designed to provide that new development reflects and enhances the visual, historic and cultural character of Buckingham Township. Exterior building materials shall be brick, wood, stone, tile, or other high quality materials. No concrete block or tilt-up concrete walls shall be permitted. All exterior colors shall be neutral or earth tone and have a low reflectance level. There shall be no uninterrupted lengths of blank wall longer than fifty (50) feet. Recesses and/or projections are required along a minimum of 20% of any wall. Walls shall be differentiated with recesses, windows, facade details, changes in color, or materials. Windows and/or arcades, not including awnings or overhangs, must comprise a minimum of 60% of any facade facing a public street. All sides of a building shall be architecturally consistent with the front facade and all building faces visible from the street or abutting properties shall have the same architectural features and style as the front facade. Rooflines may not be visually flat when viewed from any public street or abutting residential property and must conceal all HVAC or other roof-mounted equipment. Each principal building shall have design features to clearly identify the entrance, which shall serve as the anchor to pedestrian circulation. Weather protection features such as an awning or overhang shall be provided immediately adjacent to all public entrances.
4. The use shall be designed to accommodate safely pedestrian and vehicular traffic. Continuous pedestrian circulation shall be provided throughout the site, inclusive of pad sites, and pedestrian connections shall be provided to adjacent sidewalks. No pedestrian connection may cross the vehicular path of a drive-up window. Sidewalks are required along any facade of the building that has a public entrance, abuts a parking area and/or abuts a public street. Minimum sidewalk width shall be 8 feet and all sidewalks shall be placed a minimum of 6 feet from the building facade and that area shall be utilized for foundation landscaping over at least 70% of its length. All primary pedestrian walkways shall be required to provide landscaping for not less than 50% of the length of such walkways. Benches and trash containers shall be provided at a minimum of one per every 100 feet along the walkway.
5. The plan shall provide for shopping cart corrals if shopping carts are to be used. Cart corrals shall be provided in addition to the required parking spaces.
6. The applicant must submit as part of the preliminary land development or subdivision plan an economic impact study based upon a ten (10) year horizon and indicating the market for the proposed facility and the area from which patrons will be attracted. The economic impact study shall evaluate the projected costs and benefits to the community resulting from the project including:

a. Projected costs to the Township arising from the demand for and required improvements to public services and infrastructure, including roads;

b. Value of improvements to public services and infrastructure to be provided by the project;

c. Projected tax revenues to be generated by the project;

d. Projected impact of the project on surrounding land values and the potential loss or increase in municipal tax revenues resulting from such increase or decrease. (The project shall be designed to minimize any negative impacts to adjoining property values);

e. Short-term and long-term projection of increased Township revenues and costs resulting from the proposed project.

f. The estimated net impacts to local employment, wages and salaries, retained profits, and the local income tax. The change in the estimated number of employees, employment types, and estimated wages generated by the project For purposes of determining this impact, the applicant must identify the number of jobs displaced or created, the quality of the jobs, whether the jobs are temporary or permanent, and the employment sector in which the lost or gained jobs are located;

g. Estimate of how much revenue generated by the project will be retained and re-directed back into the economy of Buckingham;

h. The impacts (including displacement of existing retailers) on business within the Township;

i. Any measures available that will mitigate any materially adverse economic impacts, if any, identified by the applicant, if necessary;

j. Establishing the market and financial feasibility of the project, including any market studies prepared for the project and any plans for phased construction;

k. Demonstration of the applicant's financial ability to complete the project and to achieve long-term financial stability;

l. Whether prior efforts to establish a retail store larger than 20,000 square feet within the identified impact area have been unsuccessful or whether the proposed use will have an adverse impact or economic benefit on grocery or retail shopping centers in the identified impact area;

m. Whether any restrictions exist on the subsequent use of the property on which the retail store is proposed to be located, including the provisions of a lease if applicable, which, in the event the owner or operator of the retail store vacates the premises, would require the premises to remain vacant for a significant amount of time; and

n. A proposal addressing plans for the reuse of the site in the case that the applicant abandons the large-scale building. The plan shall include design features that demonstrate availability of flexible features such as partitions and multiple or multiple entryways to facilitate reuse by multiple tenants if the building is abandoned. The plan for reuse shall be reviewed and adopted by the Board of Supervisors.

7. The use shall include a public amenity, such as an outdoor plaza, patio seating area, water feature, clock tower, or other amenity that will enhance the character of the area. The scale of the public amenities shall be in proportion to the size of the proposed store.

8. As part of the land development agreement for the establishment of a retail store of 7,500 square feet or greater, in accordance with E1 C. 6. l. above, provisions shall be made for the removal or adaptive reuse of the structure by the applicant should the facility not be used for a period of 12 consecutive months. The Township shall require financial security to assure the plan of removal or adaptive reuse can be implemented.

9. Parking: five and one-half (5.5) parking spaces per one thousand (1,000) square feet of gross floor space. Only 50 percent of required parking spaces may be located between the front facade and the main road frontage. The remainder of the parking shall be distributed on other sides of the building or separated by means of intervening buildings, amenities, or other site features. All sides of the building that abut parking areas must have a customer entrance.

10. Loading docks shall be in the rear of the building and shielded from view and shall not be visible from adjacent residential districts or from public streets.

11. All loading docks, trash containment areas 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.

D. Tractor trailers, cargo boxes, or other vehicles or structures meant to be transportable shall not be used as accessory buildings or structures for storage. These shall be loaded or unloaded within 48 hours and shall not remain on a lot beyond this period of time.

E. The façade or side of any structure facing an abutting residential use shall:

1. Not contain any loading docks, trash containment areas, and outside work areas;
2. Be consistent with the size, height and bulk of the abutting residential use.
3. Employ the same materials and architectural details of the abutting residential use.

E2 Adult Commercial

Adult commercial facilities consist of: (i) Massage Parlors; (ii) Adult Commercial Stores; (iii) Adult Entertainment Cabaret; (iv) Adult Movie House; and (v) Other Adult Oriented Uses as defined below:

Massage Parlor – See definition under Section 201 hereof.

Adult Commercial Stores - Stores and shops with more than fifteen (15) square feet of floor area devoted to the display and selling of pornographic materials which are pictures, drawings, video recordings, movies, photographs or other depictions or printed or electronic matter and paraphernalia, which, if sold knowingly to a child under eighteen (18) years of age, would violate the criminal laws of the Commonwealth of Pennsylvania in effect at the time of the sale.

Adult Entertainment Cabaret - A public or private establishment which is licensed to serve food and/or alcoholic beverages, which features live sex, topless or scantily clad dancers, strippers, male or female impersonators, or similar entertainers appealing primarily to sexual interests, or similar establishment to which access is limited to persons eighteen (18) years of age or older.

Adult Movie House - An enclosed building used regularly and routinely for presenting, displaying or exhibiting obscene matter for observation by patrons therein, or similar establishment to which access is limited to persons eighteen (18) years of age or older.

Other Adult Oriented Uses – Any business activity or use, intended primarily for sexual titillation of its patrons or customers.

The following provisions shall apply:

A. The building or structure of such use shall be located no less than five hundred (500) feet from any residential use or district, public or private school, church, recreation facility or any other religious, institutional, or educational use.

B. No such use shall be located within one thousand (1,000) feet of another Adult Commercial Use.

C. No materials sold within or performances within shall be visible from any window, door, or exterior of the building.

D. No person under the age of eighteen (18) years of age shall be permitted within an Adult Commercial Store or sold any pornographic material.

E. Parking: one (1) off-street parking space for each one hundred (100) square feet of gross floor area used or intended to be used for servicing customers.

F. Other than in a Massage Parlor, there shall be no physical contact between any performer and patron.

G. Only lawful massages as defined by State court decisions shall be performed in a Massage Parlor.

H. An Adult Commercial Use shall only be permitted by Conditional Use.

1. In any conditional use hearing the Applicant shall establish in addition to any other requirements, compliance with other statutes that regulate activities associated with the proposed Adult Commercial Use including, but not limited to the following:

   a. 18 Pa. C.S.A. §5903 regulating obscene and other sexual materials and performances.

   b. 68 Pa. C.S.A. §5501 et. seq. regulating adult oriented establishments.

   c. 68 Pa. C.S.A. §5503(b) requires that all rooms where adult entertainment is provided shall be clearly visible from common areas of the premises and shall not be blocked, or obscured by doors, curtains, partitions, drapes or other obstruction.

   d. 18 Pa. C.S.A. §7328 et seq. regulating "bottle clubs" as defined therein and permitting the operator, servants, agents or employees to knowingly permit in any place within the bottle club any lewd, immoral or improper entertainment as defined in that statute.

   e. 47 Pa. C.S.A. §§4-492 et seq. regulating the operation of establishments licensed to sell alcoholic beverages under the Pennsylvania Liquor Code to the extent that an Adult Commercial Use secures a liquor license.

2. In any conditional use hearing the Applicant shall establish in addition to any other requirements, that the proposed Adult Commercial Use will provide the following:

   a. At any Adult Commercial Use where alcohol is consumed, at least one person shall be on the premises at all times when it is open for business, who has been duly certified pursuant to the Responsible Alcohol Management Program ("RAMP") operated by the Pennsylvania Liquor Control Board. At least one owner/manager shall also be certified under the "RAMP" program.

   b. Any person who sells or dispenses alcohol on the premises shall have obtained a certificate under the RAMP program.

   c. No patrons under the age of 21 years shall be permitted on the Property during regular hours of operation.

   d. No dancers or performers under 18 years of age shall be permitted to dance or otherwise entertain at an Adult Entertainment Cabaret.

   e. At any Adult Entertainment Cabaret the managers and supervisory personnel shall not knowingly employ or secure as independent contractors or employees any persons to work as servers, dancers, entertainers, or security personnel on the premises who have been convicted of prostitution, solicitation of prostitution, or a crime under 35 Pa. C. S. A §780-113 (except clauses 16, 31, 32 and 33); and 18 Ps. C.S.A. §6106 related to carrying a firearm without a license or §6105 related to persons convicted of serious offenses not to possess a firearm. Specifically, all dancers, entertainers, and security personnel shall be required to sign a form, approved by the Board of Supervisors, containing questions concerning prior convictions or charges for prostitution, solicitation of prostitution and offenses enumerated above. Such persons shall be required to consent to a "background check" utilizing the Pennsylvania State Police Request for Criminal Record Check form (as revised) and shall be required to provide to the management of the Adult Entertainment Cabaret their date of birth and Social Security number. The background check described above shall be conducted with respect to each entertainer, employee, security personnel or other person participating in the operation of the Adult Entertainment Cabaret to assure that said persons have not been convicted of prostitution, solicitation of prostitution or violations of 35 Pa. C.S.A. §780-113 (except clauses 31, 32 and 33) and 18 Pa. C.S.A. §§6105 and 6106. Copies of the results of the background check shall be maintained on the premises for a period of one year. Copies of the results with the date of birth and Social security number blocked out shall be available for inspection by the Township Code official no more than once in any 90 day period.

E3 Village Oriented Shop

A corner grocery (as distinct from a supermarket), drug store, stationery store, coffee shop, luncheonette, barbershop, beauty parlor, or any other use meeting the definition of Retail Store or Service Business. This use shall not include stores in excess of two thousand (2,000) square feet of floor area.

A. Lighting on pole fixtures shall not exceed ten (10) feet in height. The source of illumination shall be recessed and shielded within the fixture itself and shall not exceed one half (.5) foot-candle at the property line.

B. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.

C. 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.

E4 (Reserved for Future Use)

E5 Service Business

Establishments engaged in providing services involving the care of a person or his apparel, such as barber, beautician, laundry and dry cleaning, shoe repair, tailor, photographer, travel agency:

A. Parking: one (1) off-street parking space for each two hundred (200) square feet of gross area used or intended to be used for servicing customers.

B. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.

C. This use may include therapeutic massage services provided that such services constitute no more than twenty (20) percent of the revenue of the service business based on gross receipts.

E6 Financial Establishment

A bank, savings and loan, or credit union for consumer use without drive-through service:

A. Parking: one (1) off-street parking space for each two hundred (200) square feet of gross area used or intended to be used for servicing customers.

E7 Funeral Home

A building used for the preparation of the deceased and burial and the display and ceremonies connected therewith before burial or cremation, including an auditorium and temporary storage facilities, but not including crematoria, cemeteries, columbarium, mausoleums, or other permanent storage facility.

A. Dimensional Requirements:

Minimum lot area	2 acres
Minimum lot width	200 feet
Minimum yards:	
Front	75 feet
Sides	30 feet
Rear	75 feet

B. Use must be served by public sewer facility.

C. Parking: one (1) off-street parking space for each two (2) seats provided for patron use plus one (1) additional space for each full-time employee.

E8 Eating Place

A facility for the sale and consumption of food and beverages without drive-through service:

A. No outdoor entertainment or music is permitted in association with outdoor eating.

B. Parking: one (1) off-street parking space for every two (2) seats including any outdoor seating, or one (1) off-street parking space for every fifty (50) square feet of gross floor area, whichever requires the greater number of off-street parking spaces. If the Eating Place use is contained within a Shopping Center, the parking requirements for the Eating Place use as set forth in this subsection shall be met separately and shall not be calculated on the basis of the Shopping Center use parking requirements.

C. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.

E9 Accessory Drive-Through Facility

An accessory use defined as any facility through which a service is provided, or goods, food or beverage are sold to the operator of, or passengers in, a motor vehicle without the necessity of the operator or passengers disembarking from the vehicle. Drive-through facilities are permitted as accessory uses only for use E8 Eating Place and use E6 Financial Establishments and no others. All drive-through facilities shall meet the following requirements. A drive-through facility shall require conditional use approval.

A. The following definitions shall apply:

1. **Drive-through canopy** - Overhead structures intended to protect patrons from the weather while stationed at the drive-through service area/facility.
2. **Drive-through lane** - Vehicular lane allowing the stationing and stacking of vehicles while ordering and waiting for goods and services.
3. **Bypass lane/escape lane** - Vehicular lane allowing traffic to pass the drive-through lane or allowing vehicles, because of emergencies or mistakenly entering the drive-through lane, to exit the drive-through lane.

B. Requirements. A drive-through facility is subject to the following standards:

1. The drive-through facility shall be designed so there will be no pedestrian/vehicular conflicts. This may require the drive-through lane to be located at the external edge of the proposed building.
2. Hours of operation shall be set as a condition of the conditional use approval and shall be set to minimize the impacts of drive-through facilities located near residential uses.
3. Drive-through facilities are not permitted on sites abutting schools, parks, playgrounds, libraries, churches and other uses that have substantial pedestrian traffic.
4. Minimum lot frontage on at least one street shall be 150 feet for all principal uses with accessory drive-through facilities to ensure adequate room for access drives.
5. Drive-through facilities shall abut only arterial streets, as defined in the Township ordinances, and access shall not be taken from local or collector streets.
6. The driveway entrance and exit lane of a drive-through facility must be setback at least 100 feet from any intersection.
7. A bypass lane/escape lane shall be provided.

8. The design of a drive-through lane and bypass lane/escape lane shall minimize the blocking, crossing or passing through of off-street parking areas and minimize crossing of or the need to be crossed by pedestrian access ways for patrons.
9. The drive-through lane shall not be the sole ingress and egress to the site.
10. Signage shall clearly mark drive-through lanes indicating the entrance and exit for the drive-through lane. The direction of traffic flow for the drive-through lane and bypass lane/escape lane shall be marked clearly.
11. Drive-through lanes are to be separated from the bypass lane/escape lane and parking aisles by painted lines.
12. Lane separation-An on-site circulation pattern is to be provided for drive-through facility traffic that separates such traffic from pedestrians.
13. A stacking area is to be provided for vehicles waiting for service in the drive-through lane that is separated from other traffic circulation on the site. Stacking shall not be provided in parking aisles or in driveways provided for on-site circulation. Stacking distance for each lane shall be at least 120 feet in length. A stacking area must be provided for each drive-through window, all of which must be 120 feet in length. If a required traffic impact study requires a greater stacking area, the stacking area shall comply with the recommendations of the traffic impact study.
14. The total height for any overhead drive-through canopy shall not exceed 15 feet.

C. Application Requirements - A traffic impact study shall be submitted to provide information to determine the necessary stacking area and the impact the proposal will have upon local traffic circulation. The traffic impact study shall address the following issues:

1. Nature of the product or service being offered;
2. Method by which product or service is being offered (e.g. window service, pneumonic tube, or brought to vehicle by employee);
3. Arrival rate for patrons;
4. Peak demand hours;
5. Anticipated vehicular stacking required;
6. Anticipated traffic generation; and
7. Diagram of traffic flow, stacking and pedestrian crossings.

E10 Tavern

An establishment serving alcoholic beverages for on-premises consumption and licensed by the Pennsylvania Liquor Control Board:

A. Parking: one (1) off-street parking space for every two (2) seats, including any outdoor seats, or one (1) off-street parking space for each fifty (50) square feet of total floor area.

B. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.

E11 Convenience Store

A retail store offering primarily groceries, prepared food items, and other small consumer items intended for quick carryout trade. Where sale of gasoline or fuel is proposed, the use shall be located only in a district where the use E23 Motor Vehicle Gasoline Station is permitted and only where the requirements for the Motor Vehicle Gasoline Station use are met.

A. Minimum lot area: 1 acre.

B. The use must have direct access to an arterial street. Access to a non-arterial is not permitted.

C. There shall be only one point of ingress and only one point of egress per arterial street.

D. No drive-through windows are permitted.

E. Trash receptacles shall be provided outside. Outdoor collection stations shall be provided for garbage and trash removal. These stations shall be located to the rear of the structure and shall be screened from view and landscaped.

F. Architectural design shall include: pitched roof; use of traditional or natural materials; reflective of traditional Buckingham Township architecture.

G. Parking: one (1) off-street parking space for each one-hundred (100) square feet of gross area used or intended to be used for servicing customers and one parking space for each employee. At least 50 percent of the required parking shall be located to the side or rear of the principal building and not in the front of the building.

E12 Repair Shop

Repair shop for items including but not limited to appliances, lawn mowers, watches, guns, bicycles, locks, small business machines, but not including automobiles, motorcycles, trucks, trailers, and other heavy equipment.

A. The minimum lot area for engine or lawn mower repair shall be two (2) acres.

B. Parking: one (1) off-street parking space for each three hundred (300) square feet of gross floor area.

E13 Theater

A building in which films are shown or stage shows are performed indoors regardless of the type of film or program presented.

A. This use shall be located no closer than one thousand and five hundred (1,500) feet, measured in all directions, to a school or church.

B. The exterior display of any pornographic material that would violate the criminal laws of the Commonwealth of Pennsylvania in effect shall be prohibited.

C. Parking: one (1) off-street parking space for each three (3) seats provided for patron use, or a least one (1) off-street parking space for each forty (40) square feet of gross floor area used or intended to-be used for service to customers, patrons, clients, guests or members, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each employee. If the theater use is contained within a Shopping Center, the parking requirements for the theater use as set forth in this subsection shall be met separately and shall not be calculated on the basis of the Shopping Center use parking requirements.

E14 Indoor Athletic Club

An indoor facility providing facilities such as gyms, exercise equipment, and rooms for exercise, fitness, or dance classes or buildings for indoor court games played with a ball such as racquetball, handball, squash, tennis, basketball, and volleyball. This use may include therapeutic massage services provided that such services constitute no more than twenty (20) percent of the revenue of the indoor athletic club based on gross receipts.

Parking: One off-street space for every three (3) persons of permitted maximum occupancy for indoor facilities.

E15 Amusement Halls and Arcades

An entertainment facility operated as a gainful business within a building or structure providing automatic amusement devices or games, including pool or billiard rooms or similar facilities.

A. An automatic amusement device or game is defined to be each coin-operated machine, mechanical machine, or electronic machine that operates or may be operated as a game or contest of skill or amusement of any kind or description. Such devices shall be governed by this use in any location where more than four (4) such devices are located.

B. This use shall be located no closer than one thousand and five hundred (1,500) feet, measured in all directions, to a school or church.

C. Such use shall only be operated between the hours of 10:00 a.m. and 10:00 p.m.

D. No audio speakers or equipment shall be installed inside or outside the location of such use that would cause sounds to emanate to the exterior of the premises.

E. Parking: one (1) off-street parking space for each fifty (50) square feet of total floor area, plus one (1) additional off-street parking space for each employee. If this use is contained within a Shopping Center, the parking requirements for this use as set forth in this subsection shall be met separately and shall not be calculated on the basis of the Shopping Center use parking requirements.

E16 (Reserved for Future Use)

E17 (Reserved for Future Use)

E18 Cottage Development or Private Camp

A tract of land and buildings or structures planned as a whole for seasonal use, comprising two or more cottages and other related buildings; also includes privately operated camps using two or more cottages for shelter or sleeping purposes, provided that:

A. The main use of the proposed development shall be seasonal, that is, for periodic use over a limited number of months during particular seasons of the year, and no occupant other than a resident caretaker shall be permitted to remain for a total period exceeding one hundred and twenty (120) days during any one calendar year.

B. Sewage disposal methods shall conform to the requirements of the Bucks County Department of Health and the Buckingham Township Sewage Facilities Plan.

C. The maximum overall density shall not exceed one (1) cottage for every two (2) acres.

D. Completely detached buildings or structures on the same lot shall not be less than twenty (20) feet from one another.

E. Adequate measures to prevent noise and other noxious influences from disturbing nearby residential properties shall be taken.

F. No mobile homes as defined in Article 2 and no Recreational Vehicles as defined in Section 201 shall be permitted as part of a cottage development or private camp as defined herein.

G. Minimum lot area: 10 acres.

H. Parking: one and one-quarter (1.25) parking spaces for each cottage.

E19 (Reserved for Future Use)

E20 (Reserved for Future Use)

E21 (Reserved for Future Use)

E22 Bed and Breakfast

The use and occupancy of a detached dwelling shall be permitted for accommodating transient guests for rent which does not include residential facilities for chronically ill or other persons who need institutional care due to illness, disability, or who are part of a criminal justice program, subject to the following additional conditions and restrictions:

A. No more than Fifteen (15) guest rooms may be provided. No more than two (2) adults and two (2) children may occupy one guest room.

B. The minimum lot size for the guesthouse use shall be three (3) acres for the first two guest rooms and one (1) additional acre for each additional guest room up to six (6) guest rooms. For seven (7) guest rooms a minimum lot size of fifteen 15 acres is required and two (2) additional acres for each additional guest room more than seven (7), up to a maximum of fifteen (15) guest rooms.

C. One (1) off-street parking space shall be provided for each guest room, plus one (1) space for each employee and two (2) spaces for the owners of the property. The off-street parking spaces shall be located either to the rear of the main dwelling or screened from the roadway by a five (5) foot fence or plant material.

D. There shall be no use of show windows or display or advertising visible outside the premises to attract guests other than a single, non-illuminated sign that may not exceed eight (8) square feet.

E. No external alterations, additions, or changes to the exterior structure shall be permitted except as required by the Pennsylvania Department of Labor and Industry or for safety reasons as required by any other governmental agency.

F. The use shall be carried on primarily by members of the immediate family residing on the premises.

G. There shall be no separate kitchen or cooking facilities in any guest room. Food served on the premises shall be limited to breakfast and afternoon tea only and shall be served only to guests of the establishment.

H. The maximum, uninterrupted length of stay at a guesthouse shall be fourteen (14) days.

I. The use of any amenities provided by the guesthouse such as swimming pool or tennis courts shall be restricted in use to the guests of the establishment.

J. The use may not be established until there is compliance with the Housing Property Maintenance Code as well as other Township rules and regulations. In addition to original compliance the guesthouse will be periodically inspected by the fire marshal for compliance with all Township safety standards.

K. Sewage disposal methods shall conform to the requirements of the Bucks County Department of Health and the Buckingham Township Sewage Facilities Plan.

L. Weddings, Receptions, and Special Events - A Bed and Breakfast may be used for weddings, receptions, meetings, and other special events that attract people who are not guests at the Bed and Breakfast only where the following additional requirements are met:

1. The Bed and Breakfast must have frontage on and access to an arterial road.

2. Parking: One off-street parking space for every two (2) guests or visitors who could attend any single event, in addition to the parking required for the Bed and Breakfast.
3. Parking areas shall be separated from abutting lots by a landscaped buffer, meeting the requirements of Type C buffer, as defined by the Township Subdivision/Land Development Ordinance.
4. Weddings, receptions, and special events may be held no more than four times per year and each event shall last no more than one day.
5. A parking attendant shall be employed for each special event.

E23 Motor Vehicle Gasoline Station

Motor Vehicle gasoline station is a facility whose function is the sale of gasoline and fuels for motor vehicles. Minor automobile accessories and food and beverage items may also be sold, subject to the limitations of this Ordinance. Routine automobile service and inspections may be performed and may include lubricating, repairing or otherwise servicing motor vehicles but shall not include painting, body and fender repairs, or vehicular sales. This use is distinguished from and does not include a Motor Vehicle Service Center/Repair Shop (use E25) where automobile parts and accessories are sold and installed within the facility but where there is no fuel sale. Any facility which provides for gasoline or fuel sales directly to retail customers shall be considered to be a Motor Vehicle Gasoline Station and shall meet the requirements of this use and shall only be permitted as a conditional use in the zoning districts where this use is permitted.

A. Dimensional Requirements:

Minimum lot area	2 acres
Minimum lot width along all streets	250 feet
Minimum distance between all buildings and structures and any residential district or use	100 feet

B. This use shall be permitted only where there is frontage on an arterial road. Access to roads shall be at least two hundred (200) feet from the intersection of any streets.

C. All activities except those to be performed at the fuel pumps shall be performed within a completely enclosed building.

D. Fuel pumps and canopies shall be at least twenty-five (25) feet from any ultimate street right-of-way.

E. All automobile parts and similar articles shall be stored within a building.

F. All refuse shall be stored within a building or enclosed area.

G. Paint spraying or body and fender work shall not be permitted.

H. Lubrication, oil changes, tire changes, and minor repairs are permitted if entirely within a building.

I. Vehicles shall not be stored outdoors while awaiting repairs for more than five (5) days.

J. Junk vehicles or unlicensed vehicles may not be stored in the open at any time.

K. Approval shall be secured from the State Police Fire Marshal for the storage of fuel.

L. A service station 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 2,000 square feet of floor area.

M. No drive-through windows are permitted for sale of convenience items.

N. No self-service gasoline pumps are permitted.

O. This use shall not be permitted within 1000 feet of any pre-existing public or private drinking water supply system or well.

P. Parking: one (1) off-street parking space for every one hundred (100) square feet of gross floor area devoted to convenience commercial, plus four (4) off-street parking spaces for each service bay, plus one (1) space for each employee. Off-street parking spaces shall not be part of, nor interfere with, the access ways to the pumps.

Q. Applicant shall present a plan to demonstrate the methods by which any spills of liquids will be contained and shall also demonstrate that the stormwater management system is designed to capture volatile organic compounds, oils, and solids. Applicant shall also provide to the Township a copy of a maintenance agreement setting forth the terms for the management of the facilities. Such maintenance agreement shall be subject to approval by the Township Solicitor and the Township Engineer and shall provide for monitoring points accessible to Township personnel for inspection purposes as well as an easement in favor of the Township for access to such monitoring points. The maintenance agreement shall also include the applicant's spill containment protocol as well as Township review of Water Quality (MS-4) test reports. In addition, applicant shall enter into an agreement with the Township to permit access to monitoring and sampling of stormwater runoff areas.

R. If this use includes a car wash, the requirements of Use E26 shall be met.

E24 Motor Vehicle Sales

Sale of motor vehicles by a new or used motor vehicle dealership:

A. All preparation, lubrication, repair or similar activities shall be accessory to the principal use and shall be conducted within a building.

B. All automobile parts and similar articles shall be stored within a building.

C. Storage or display of vehicles for sale shall be placed no closer to the ultimate street right-of-way line than 25 feet.

D. There shall be no more than one (1) access point into the facility from each street on which the facility has frontage, unless more than one is specifically permitted by the Board of Supervisors.

E. An auto body shop may be included as an accessory use, incidental and subordinate to the automotive sales, provided that it meets the regulations of use E25 Motor Vehicle Service Center/Repair Shop, and provided that it is located at the rear or side of the building containing the principal use.

F. Parking areas for auto sales customers and for auto service must be clearly delineated so as to separate them from auto display and storage areas.

G. Parking: one (1) off-street parking space for each one hundred square feet of interior sales area plus six spaces for each service bay, plus one (1) additional space for each employee.

E25 Motor Vehicle Service Center/Repair Shop

An establishment where motor vehicle parts and accessories are sold and facilities where parts may be installed; an automobile repair garage, including paint spraying and body and fender work. The following requirements shall be met:

A. All repair, installation of parts, and paint work shall be performed within an enclosed building.

B. All automobile parts, refuse, and similar articles shall be stored within a building or enclosed area screened from view from the street or surrounding properties;

C. No vehicle shall be stored in the open awaiting repairs for a period exceeding fourteen (14) consecutive days. All vehicle storage areas shall be screened from all adjacent roads and properties by a solid fence or compact hedge at least eight (8) feet in height.

D. Dimensional Requirements:

Minimum lot area	1 acre
Minimum lot width along all street	200 feet
Minimum distance between all buildings and structures and any residential district or use	100 feet

E No sale of fuel to retail customers is permitted. There shall be no fuel pumps.

F. Junk vehicles or unlicensed vehicles may not be stored in the open at any time.

G. This use is permitted only on lots with frontage on an arterial road.

H. Parking: one (1) off-street parking space for every two hundred (200) square feet of gross floor area devoted to retail activities, plus four (4) off-street parking spaces for each service bay, plus one (1) space for each employee. Spaces within service bays shall not be used to meet off-street parking requirements.

I. Applicant shall present a plan to demonstrate the methods by which any spills of liquids will be contained and shall also demonstrate that the stormwater management system is designed to capture volatile organic compounds, oils, and solids. Applicant shall also provide to the Township a copy of a maintenance agreement setting forth the terms for the management of the facilities. . Such maintenance agreement shall be subject to approval by the Township Solicitor and the Township Engineer and shall provide for monitoring points accessible to Township personnel for inspection purposes as well as an easement in favor of the Township for access to such monitoring points. The maintenance agreement shall also include the Applicant's spill containment protocol as well as Township review of Water Quality (MS-4) test reports.

E26 Car Wash

An automated or self-serve facility for washing motor vehicles:

A. A car wash shall include a water recycling facility.

B. Car washes shall be designed with a stacking area adequate for a minimum of six cars and in no event shall waiting cars interfere with traffic flow.

E27 Farm Equipment Sales and Repair

Farm equipment repair and sales:

Parking: one off-street parking space for each 300 square feet of interior gross floor area.

E28 Specialty Cultural Shopping Center

A highly specialized center with stores dealing in handicraft, art, flowers, household goods, boutiques, antiques. Major chain stores servicing the general public, supermarkets, department stores, variety stores, discount stores, or service stations are not permitted under this use.

A. Dimensional Requirements:

Maximum site area	15 acres
Minimum site area	5 acres
Minimum front yard setback	50 feet

B. Uses permitted:

1. Uses E1 (Retail Stores), E5 (Service Business), E6 (Financial Establishment), and E8 (Eating Place) may be permitted as long as they are in keeping with the spirit of this section.
2. Snack stands and food vendors, operating outside of an enclosed building are permitted.
3. Vending machines located outside of a completely enclosed building shall not be permitted.

C. Shop sizes shall be no larger than four thousand (4,000) square feet and shall average one thousand five hundred (1,500) square feet.

D. The center shall be planned and designed as a single complex.

E. Special events and outdoor sales - Special events and outdoor sales are permitted no more than six times per year and only in accordance with the following regulations:

1. The outdoor area devoted to temporary outdoor sales shall not exceed twenty (20) percent of the total lot area.
2. Snack stands and food vendors operating outside an enclosed building are permitted. Vending machines located outside an enclosed building are prohibited.
3. Each special event shall last no longer than five (5) days.

F. Parking: five and one-half (5.5) off-street parking spaces per one thousand (1,000) square feet of commercial floor space. Parking for uses E8 and E31 shall be provided as specified for those uses.

G. A Pedestrian Circulation Study shall be required. Pedestrian circulation shall be provided by pedestrian walkways or paths across adjacent streets and connecting to adjoining residential developments and shall be designed to permit safe passage of pedestrians without interference from vehicular traffic. Such walkways or paths shall be clearly demarcated and shall be constructed in accordance with the most current Pennsylvania Uniform Construction Code and Americans With Disabilities Act standards.

H. Existing historic structures identified in the survey made by the Heritage Conservancy and maintained by the Buckingham Township Historic Commission shall be retained, rehabilitated and incorporated into the Specialty Cultural Shopping Center use.

E29 Shopping Center

A neighborhood shopping center that is planned and designed as a complex of related structures and circulation patterns.

A. Dimensional Requirements:

Minimum lot area	10 acres, unless otherwise specified by the district requirements
Maximum building coverage	15 percent
Maximum impervious surface	45 percent

B. Uses permitted in Shopping Center:

D1	Medical Office
D3	Office
C14	Municipal Building
E1	Retail Store

E5	Service Business
E6	Financial Establishment
E8	Eating Place
E10	Tavern
E11	Convenience Store
E12	Repair Shop
E13	Theater
E14	Indoor Athletic Club
F3	Public Transportation Terminal

C. Building placement. No building or permanent structure, other than a permitted sign, shall be erected within one hundred (100) feet of a street line, or any property line.

D. No parking, loading, or service area shall be located less than one hundred (100) feet from any property line, including the street line. Parking shall be arranged so that at least 50 percent of the required parking is located to the side or rear of the shopping center buildings.

E. Parking, loading or service areas shall not be permitted within the required buffer yards.

F. The proposed development shall be constructed in accordance with an overall plan and shall be designed as a single architectural style, inclusive of appropriate landscaping, that is compatible to the historical and architectural style of the community Where building pads are proposed that are not connected to the main structure of the shopping center, these shall be shown on the overall plan and shall be integrated with the shopping center so that pedestrians can walk safely to individual buildings without being endangered by vehicular traffic, in accordance with subsection L of this Section.

G. There shall be NO outdoor storage or display.

H. Lighting facilities shall be provided and arranged in a manner that will protect the highway and neighboring properties from any direct glare or hazardous interference of any kind and shall meet the Lighting Requirements of this Ordinance.

I. Buffer Requirements
Buffer width along all lot lines, including the street line: 50 ft. planted in accordance with Type 1 buffer requirements of Article IX of the Buckingham Township Subdivision and Land Development Ordinance

J. Within a tract to be used for a shopping center, subdivision of the tract into individual lots is not permitted.

K. All structures in a shopping center shall be connected either as part of one large structure or by means of pedestrian ways or walkways on which pedestrians can move from one building to another without unsafe interference from vehicular traffic.

L. Parking: five and one-half (5.5) off-street parking spaces shall be provided and maintained for each one thousand (1,000) square feet, or portion thereof, of gross leasable area. Gross Leasable Area is the total floor area designed for tenant occupancy and use, including basements, mezzanines, storage areas, and upper floors, if any, expressed in square feet and measured from the center line of common partitions and from outside wall faces. Uses E8, E10, E13, and E14 shall provide parking in accordance with the requirements for those uses, unless the requirements for Reduction of Required Parking Spaces, in Article 30 hereof, are met.

M. All requirements, limits, and design criteria specified under use E1 shall apply equally to Use E29. Any conflict between this use and E1 shall be resolved in favor of the more restrictive requirement.

E30 (Reserved for Future Use)

E31 Accessory Dwelling in Combination

An accessory dwelling unit that is clearly subordinate to a commercial, consumer service, office, or industrial use.

A. Where permitted, a dwelling in combination may be used as an accessory use with an institutional, commercial, consumer service, offices or industrial use that are permitted within the applicable districts.

B. All sewage facilities must be approved by the Bucks County Health Department prior to issuance of a zoning permit.

C. Separate cooking and sanitary facilities shall be provided for each unit.

D. The maximum density in all districts where this use is permitted shall be 2.0 dwelling units per acre

E. Parking: one (1) off-street space for the dwelling that shall be in addition to the parking requirements of the principal use.

E32 Fireworks Sales

A retail establishment licensed by the Pennsylvania Department of Agriculture pursuant to the Fireworks Law, 35 P.S. §§ 1271 - 1278, and authorized thereby to engage in the sale of "consumer fireworks", as defined therein, to out-of-State residents whose status is verified to the licensee and which sales are in accordance with the regulations promulgated by the Department of Agriculture.

E33 Limited Personal Service

A retail facility offering body piercing, branding or tattooing of persons. The following requirements shall be met:

A. The service must be performed in sanitary conditions and in compliance with all federal, state and local regulations, rules and laws regulating such practices.

B. The place of service shall be a minimum of 1000 feet from the nearest public or private school.

C. The Limited Personal Service provider shall display notices as required by Pennsylvania law regarding the necessity of parental consent before any procedure is performed on a minor.

F. Utility, Service, and Transportation Uses

F1 Utilities

Facilities that provide services rendered by a public utility, corporation, municipality, or municipal authority, that is regulated in whole or in part by the Public Utility Commission; such services shall include but shall not be limited to, electricity, gas, telephone, water, sewerage, and bulk pipelines. A utility use shall include appurtenances used in connection with the supplying of such services, including but not limited to, buildings, pedestals, cables, wires, pipes, poles, and the like, but shall not include incinerators, telecommunications facilities, or public or private landfills. The following requirements shall be met.

A. In residential districts a utility shall be essential to serve such residential district.

B. Except in commercial and industrial zoning districts, no public business office or any storage yard or storage building shall be operated in connection with it.

C. A buffer yard shall be provided along all property lines.

D. Parking: two (2) off-street spaces, or one (1) space per employee, whichever requires the greatest number of spaces. No parking shall be permitted within the required setbacks.

E. Minimum lot sizes shall be adequate to accommodate the required setbacks, parking requirements, and other building requirements.

F. The following minimum setbacks from all property lines shall be provided unless the Township or the Public Utility Commission requires a greater dimension:

Use	Setback
Water tower	in accordance with Township requirements
Electrical substation	50 feet
Well facility	100 feet
Sewer pumping station	40 feet
Water treatment facility	100 feet
Water pump station	20 feet
Sewage treatment plant	100 feet
All other uses	50 feet

F2 Emergency Services

Fire, ambulance, rescue, and other emergency services of a municipal or volunteer nature; a community meeting room is permitted as accessory to the Emergency Services center:

A. Minimum lot area: 1 acre

B. Parking: three (3) off-street parking spaces for every four (4) employees on the two major shifts at maximum employment, or four (4) off-street parking spaces for each fire truck where no community room is a part of the building, whichever requires the greater number of parking spaces. Where a community room is provided, two (2) off-street parking spaces for each fire truck plus one (1) off-street parking space for each one hundred (100) square feet of gross floor area.

C. In the R-1, VR-1 VC-1 and VC-2 Districts, the following requirements shall be met:

1. Silent alarms only shall be permitted.
2. No community hall shall be permitted, nor shall group functions be permitted.
3. Any building or structure erected for this use shall be residential in scale, materials, and appearance.
4. The use of exterior lighting shall be limited during the hours when the facility is not in use.

F3 Public Transportation Passenger Terminal

A terminal shall be limited to a railway station or bus station providing passenger transportation services to the general public.

Parking: off-street parking spaces as the Board of Supervisors shall determine adequate to serve customers, patrons, visitors, employees, and vehicles normally parked on the premises.

F4 Public Airport or Public Heliport

An area of land which is used or intended to be used for the landing and takeoff of aircraft and appurtenant areas which are used or intended to be used for airport buildings or air navigation facilities or rights-of-way, together with airport buildings and facilities thereon. The following regulations shall apply:

A. The minimum lot area - 100 acres.

B. The outside limits of any landing area shall be located 400 feet from any property line and from any public road. A landing area is defined as an area used or intended to be used for the landing, taking off, or surface maneuvering of aircraft.

C. All buildings and structures shall comply with the requirements of Article 3 of this Ordinance.

D. The facility shall meet all the regulations of the Pennsylvania Department of Transportation, Bureau of Aviation, and shall have the approval of this agency and of any other licensing agencies of the federal and state government.

E. No activities shall be permitted which will violate the regulations of this Ordinance or any other Township ordinance controlling noise, dust, dirt, electrical disturbance, hazards, or other nuisances.

F. No airport shall be established if its flight pattern will overlap with the flight pattern of any existing air landing field or heliport.

G. All buildings associated with the airstrip, including hangers, landing pads, warm-up pads, refueling facilities, lights, etc. shall be placed at least 100 feet from the property line of the lot.

H. The area, dimensional, coverage, buffering, impervious surface limitations, and parking requirements for the specific use and the Planned Industrial District shall be met.

I. A noise abatement program shall be approved by the Township and shall be in effect.

J. Parking: off-street parking spaces for the principal public airport or public heliport facility as the Board of Supervisors shall determine adequate to serve customers, patrons, visitors, employees and vehicles normally parked on the premises.

G. Industrial Uses

G1 Manufacturing

Manufacturing, including the production, processing, cleaning, testing, publishing plants, and distribution of materials, goods, foodstuffs, and other products; processing on farms is not considered manufacturing where the raw material is produced on the farm.

Parking: one (1) off-street space for every 500 square feet of gross floor areas, plus one (1) space for each company vehicle normally stored on the premises.

G2 Research

Research, testing, or experimental laboratory; an establishment for carrying on investigation in the natural, physical, social sciences, or engineering and development as an extension of research:

Parking: one (1) off-street parking space for every two hundred and fifty (250) square feet of gross floor area, plus one space for each company vehicle normally stored on the premises.

G3 Warehousing and Distribution

A commercial building for storage of goods or merchandise used by manufacturers, importers, exporters, wholesalers, transport businesses, customs, etc. They may provide loading docks to load and unload trucks; or be loaded directly from railways or airports. They also may employ cranes and forklifts for moving goods.

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

G4 (Reserved for Future Use)

G5 Contracting

Contractor offices and shops such as building, cement, electrical, heating, masonry, painting, roofing, plumbing, and carpentry:

Parking: three (3) off-street parking spaces for each four (4) employees on the largest shift or one (1) off-street parking space for every five hundred (500) square feet of gross floor area, whichever requires the greater number of spaces, plus one (1) space for each company vehicle normally stored on the premises.

G6 Truck Terminal

A use of land or structures for the storage of trucks or the transfer of freight from one truck to another, excluding the transfer or storage of solid waste:

A. Short term warehousing may be permitted under this use.

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

C. The use shall be located no closer than five hundred (500) feet to a residential or agricultural district.

D. Trucks with compressors running twenty-four hours a day shall be located within a quadrangle of buildings or walls.

E. Parking: no less than nine (9) off-street parking spaces for every ten (10) employees, or one (1) space for every five hundred (500) square feet of gross floor area, whichever requires the greater number of spaces, plus one (1) space for each company vehicle normally stored on the premises.

F. If fuel is dispensed, fuel pumps and canopies shall be at least twenty-five (25) feet from any ultimate street right-of-way.

G. All truck parts and similar articles shall be stored within a building.

H. All refuse shall be stored within a building or enclosed area.

I. Paint spraying or body and fender work shall not be permitted.

J. Lubrication, oil changes, tire changes, and minor repairs are permitted if entirely within a building.

K. Junk vehicles or unlicensed vehicles may not be stored in the open at any time.

L. Approval shall be secured from the State Police Fire Marshal for the storage of fuel.

M. This use shall not be permitted within 1000 feet of any pre-existing public or private drinking water supply system or well.

N. Applicant shall present a plan to demonstrate the methods by which any spills of liquids will be contained and shall also demonstrate that the stormwater management system is designed to capture volatile organic compounds, oils, and solids. Applicant shall also provide to the Township a copy of a maintenance agreement setting forth the terms for the management of the facilities. Such maintenance agreement shall be subject to approval by the Township Solicitor and the Township Engineer and shall provide for monitoring points accessible to Township personnel for inspection purposes as well as an easement in favor of the Township for access to such monitoring points. The maintenance agreement shall also include the applicant's spill containment protocol as well as Township review of Water Quality (MS-4) test reports. In addition, applicant shall enter into an agreement with the Township to permit access to monitoring and sampling of stormwater runoff areas.

G7 Crafts

Upholstery, cabinet making, furniture-making and similar crafts:

A. Retail sales of items produced on the premises are permitted.

B. Parking: three (3) off-street parking spaces for each four (4) employees on the largest shift, or one (1) off-street parking space for every five hundred (500) square feet of gross floor area, whichever requires the greater number of spaces, plus one (1) space for each company vehicle normally stored on the premises.

G8 Planing Mill and Lumber Yard

Planing mill where wood products are sold or processed to finished items such as molding, trim, etc. This use does not include a home improvement center where other types of products and goods are sold. This use is limited to the sale of wood and lumber and ancillary woodworking products but does not include consumer, household, or electronic goods.

Parking: three (3) off-street parking spaces for each four (4) employees on the largest shift, or one (1) off-street parking space for every five hundred (500) square feet of gross floor area, whichever requires the greater number of spaces, plus one (1) space for each company vehicle normally stored on the premises.

G9 (Reserved for Future Use)

G10 (Reserved for Future Use)

G11 Fuel Storage and Distribution

Storage and distribution of fuel oil, coal, or other petroleum products. This use does not include a Motor Vehicle Gasoline Station as defined by this ordinance.

A. Minimum lot area: 5 acres.

B. Approval shall be secured from the Pennsylvania State Police Fire Marshal for the storage of fuel.

C. Parking: One off-street space for each employee plus one for each company vehicle normally stored on the lot.

D. The fueling area shall be constructed to be impervious to the petroleum product dispensed and shall be of such dimension to completely contain the largest possible spill or the volume of the largest tank, whichever is greater.

E. An Environmental Impact Assessment is required. No permit application requesting permission to use a property for the establishment of a fuel storage and distribution facility shall be approved without the preparation and filing of an Environmental Impact Assessment in accordance with the guidelines in the Appendix of this Ordinance.

F. Applicant shall present a plan to demonstrate the methods by which any spills of liquids will be contained and shall also demonstrate that the stormwater management system is designed to capture volatile organic compounds, oils, and solids. Applicant shall also provide to the Township a copy of a maintenance agreement setting forth the terms for the management of the facilities. Such maintenance agreement shall be subject to approval by the Township Solicitor and the Township Engineer and shall provide for monitoring points accessible to Township personnel for inspection purposes as well as an easement in favor of the Township for access to such monitoring points. The maintenance agreement shall also include the applicant's spill containment protocol as well as Township review of Water Quality (MS-4) test reports. In addition, applicant shall enter into an agreement with the Township to permit access to monitoring and sampling of stormwater runoff areas.

G. Approval shall be secured from the State Police Fire Marshal for the storage of fuel.

H. This use shall not be permitted within 1000 feet of any pre-existing public or private drinking water supply system or well.

G12 Junkyard or Auto Salvage Yard

An area of land, with or without buildings, used for the storage, outside of a completely enclosed building, of used or discarded materials, including but not limited to rags, metal, building materials, house furnishings, machinery, vehicles or parts thereof, with or without the dismantling, processing, salvage, sale or other use or disposition of the same. The deposit or storage of two (2) or more motor vehicles not having valid inspection stickers issued by the Pennsylvania Department of Transportation, excluding farm vehicles, or of two (2) or more wrecked or broken vehicles, or the major parts of two (2) or more such vehicles, shall be deemed to make the lot a junk yard.

A. Minimum lot area: 10 acres.

B. The facility must be operated in accordance with the Commonwealth of Pennsylvania regulations for salvage yards and must have a junkyard permit.

C. Dumping of trash, landfill operations, and burning of any materials is prohibited.

D. Paving and sealing of storage areas to protect against groundwater contamination is required.

E. No material shall be placed in any junkyard in such a manner that it is capable of being transferred out of the yard by wind, water or other natural causes.

F. The boundaries of any yard shall at all times be clearly delineated.

G. All rags, cloth and other fibers, and activities involving the same, other than loading and unloading, shall be within fully enclosed buildings.

H. The land area used for junkyard purposes shall not be exposed to public view from any public street or road by virtue of its location on a hillside or location on a plateau below street level.

I. The junk yard shall be entirely enclosed by a solid fence or wall, at least eight (8) feet but no more than ten (10) feet high constructed of plank boards, brick, cinder block or concrete, with access only through solid gates. Such fence or wall shall be kept in good repair and neatly painted in a uniform earth-tone color. No storage outside of the fenced area is permitted.

J. The contents of a junkyard shall not be placed or deposited to a height greater than two (2) feet less than the height of the fence or wall herein prescribed.

K. The fence or wall shall be situated no closer to any street or property line than one-hundred (100) feet. Between the fence or wall and the street or property line, buffer planting shall be placed that are either:

1. One (1) deciduous tree (three and one-half inch caliper minimum) at an average of one tree per forty (40) lineal feet of buffer plus one (1) evergreen tree (eight-foot minimum height) at an average of one tree per twenty (20) lineal feet of buffer; or
2. One (1) deciduous tree (three and one-half inch caliper minimum) at an average of one tree per forty (40) lineal feet of buffer plus one (1) deciduous shrub (three (3) foot minimum height) per four (4) lineal feet of buffer.

L. All materials shall be stored in such a manner as to prevent the breeding or harboring of rats, insects, or other vermin. When necessary, this shall be accomplished by enclosure in containers, rising of materials above the ground, separation of types of material, preventing the collection of stagnant water, extermination procedures, or other means. The facility shall have a contract with a pest and rodent control company for the regular elimination and control of rats, flies, vermin and other rodents, insects and pests that might become vectors for carrying disease.

M. No burning shall be carried on in any junkyard. Fire shall be prevented and hazards avoided by organization and segregation of stored materials, with particular attention to the separation of combustibles from other materials and enclosure of combustibles where necessary (gas tanks shall be drained), by the provision of aisles at least fifteen (15) feet in width for escape and fire fighting, and by other necessary measures.

N. Parking: one (1) off-street parking space for each employee in the largest shift.

O. Stormwater design for this use shall include areas to permit ready sampling of stormwater effluent. The applicant shall enter into a monitoring/sampling agreement with the Township for access to sampling areas.

P. An Environmental Impact Assessment is required. No permit application requesting permission to use a property for the establishment of a junkyard or auto salvage yard shall be approved without the preparation and filing of an Environmental Impact Assessment in accordance with the guidelines in the Appendix of this Ordinance.

Q. Applicant shall present a plan to demonstrate the methods by which any spills of liquids will be contained and shall also demonstrate that the stormwater management system is designed to capture volatile organic compounds, oils, and solids. Applicant shall also provide to the Township a copy of a maintenance agreement setting forth the terms for the management of the facilities. Such maintenance agreement shall be subject to approval by the Township Solicitor and the Township Engineer and shall provide for monitoring points accessible to Township personnel for inspection purposes as well as an easement in favor of the Township for access to such monitoring points. The maintenance agreement shall also include the applicant's spill containment protocol as well as Township review of Water Quality (MS-4) test reports. In addition, applicant shall enter into an agreement with the Township to permit access to monitoring and sampling of stormwater runoff areas.

G13 Extractive Operation

Extraction of minerals, coal, oil, and gas, subject to these regulations and the requirements of the Surface Mining Conservation and Reclamation act (P.L. 1093, No. 219), the Non-coal Surface Mining Conservation and Reclamation act (P.L. 1140, No. 223, the Oil and Gas Act, the Bituminous Mine Subsidence and Land

Conservation Act. No mining or extraction of limestone is permitted in resource-protected areas; any limestone extraction in other areas shall be permitted only if the applicant can demonstrate that there will be no harm to the aquifer.

A. When applying for a zoning permit, the applicant shall provide the following plans and information:

1. Plan of general area (within a one (1) mile radius of site) at a scale of two hundred fifty (250) feet or less to the inch with a twenty (20) foot or less contour interval to show:
   a. Existing Data

      Location of proposed site.

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

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

   b. Proposed Uses or Facilities within 100 feet of the site proposed for the use

      Subdivisions.

      Parks, schools, and churches.

      Highways (new and reconstructed).

      Other uses potentially affecting or affected by the proposed extractive operation.
2. Plan of Proposed Site at a scale of one hundred (100) feet or less to the inch with a five (5) foot or less contour interval to show:
   a. Basic Data

      Soils and geology.

      Groundwater data and watercourses.

      Vegetation with dominant species.

      Wind data directions and percentage of time.

   b. Proposed Usage

      Final grading by contours.

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

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

      Ultimate use and ownership of site after completion of operation.

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

      Plan of operation showing proposed tree screen locations.

      Soil embankments for noise, dust, and visual barriers and heights of spoil mounds.

      Method of disposition of excess water during operation.

      Location and typical schedule of blasting.

      Machinery - type and noise levels.

      Safety measures - monitoring of complaints.

B. Minimum lot area: 15 acres.

C. Minimum lot width at building setback line: 300 feet.

D. Performance Standards

1. Operations. Extractive operations shall meet all other standards of this Ordinance.
2. Setbacks. No excavation, quarry wall, storage or area in which processing is conducted shall be located within two hundred (200) feet of any lot line, two hundred (200) feet of any street right-of-way, or within two hundred (200) feet of any residential or agricultural district boundary line.

3. Grading. All excavations, except stone quarries over twenty-five (25) feet in depth, shall be graded in such a way as to provide an area which is harmonious with the surrounding terrain and not dangerous to human or animal life.
    a. Excavations shall be graded and backfield to the grades indicated by the site plan. Grading and backfilling shall be accomplished continually and as soon as practicable after excavation. Grading and backfilling may be accomplished by use of waste products of the manufacturing operation or other clean fill materials, providing such materials are composed of non-noxious, noncombustible solids.
    b. Grading and backfilling shall be accomplished in such a manner that the slope of the fill or its cover shall not exceed normal angle of slippage of such materials, or forty-five (45) degrees in angle, whichever is less. During grading and backfilling, the setback requirements in paragraph (b) above may be reduced by one-half, so that the toe of the graded slope shall not be closer than one hundred (100) feet of any agricultural or residential district boundary line, any lot line or any street right-of-way. Stockpiles shall not exceed one hundred (100) feet in height.
    c. When excavations which provide for a body of water are part of the final use of the tract, the banks of the excavation shall be sloped to a minimum ratio of seven (7) feet horizontal to one (1) foot vertical, beginning at least fifty (50) feet from the edge of the water and maintained into the water to a depth of five (5) feet.
    d. Drainage, either natural or artificial, shall be provided so that disturbed areas shall not collect water or permit stagnant water to remain.
4. Access. Truck access to any excavation shall be so arranged as to minimize danger to traffic and avoid nuisance to surrounding properties. Rip rap shall be installed at all truck accesses to the excavation at such length and in such amounts as to assure that the tires of any trucks exiting the extractive operation on to a public road are clean and free of debris.
5. Planting. When planting is the final use to which the tract is put, all that is not covered by water shall be covered with a sufficient amount of arable soils to support vegetation. A planting plan shall be prepared for the entire finished tract using various types of plant material for the prevention of soil erosion and to provide vegetative cover. When buildings are proposed as part of the final use to which the tract is put, planting in areas adjacent to proposed buildings shall be planted with a vegetative cover in keeping with the requirements of the ultimate building purposes.
6. Stone Quarry. Stone quarries whose ultimate depth shall be more than twenty-five (25) feet shall provide the following:
    a. A screen planting within the setback area as specified in paragraph (b) above shall be required. Such a screen shall be no less than twenty-five (25) feet in width and setback from the excavation so as to keep the area next to the excavation planted in grass or ground cover and clear of any obstruction.
    b. A chain link (or equal) fence at least ten (10) feet high and with an extra slanted section an top strung with barbed wire shall be placed at either the inner or outer edge of planting completely surrounding the area.
    c. Warning signs shall be placed on the fence at intervals of no more than thirty-five (35) feet.
7. No ground vibration caused by blasting or machinery shall exceed the limits established by the Act of July 10, 1957, P.L. 685, as amended, 73 P.S., Sections 164-168, and the rules and regulations adopted thereunder, with the exception that no blasting shall cause a peak particle velocity greater than one (1.0) inch per second, measured at any property line. Blasting shall not occur between the hours of 6:00 p.m. and 7:00 a.m.
8. Applicants for this use shall submit a water impact study in accordance with the requirements of this Ordinance.
9. Blasting. No blasting or use of explosives shall be permitted upon said quarry except in accordance with the laws of the Commonwealth of Pennsylvania and in accordance with the regulations that may be promulgated by the Secretary of Labor and Industry of the Commonwealth of Pennsylvania, and, prior to the firing of a blast or the setting off of explosives in any quarry in the Township, said owner/operator shall advise, at least twenty-four hours prior to the time of said detonation, one adult occupant of each dwelling located on a property adjoining the property line of said quarry as to the date and time that said blast will be detonated.

10. Conformity to Federal, State, and Local Laws. All permitted quarrying and related uses and operations shall conform to any applicable federal, state and local statutes, ordinances, regulations and standards relative to water or air pollution, particle emission, noise, waste disposal, vibration, land rehabilitation and reclamation, and performance bond requirements. The applicable laws shall include, but not be limited to, the Cleans Streams Act and the Surface Mining Conservation and Reclamation Act, as amended.
11. The applicant shall submit a reclamation plan that shall designate how the land will be returned to productive use after the completion of quarrying on the site.

E. Parking: one (1) off-street parking space for each employee in the largest shift.

F. An Environmental Impact Assessment is required. No permit application requesting permission to use a property for the establishment of an extractive operation shall be approved without the preparation and filing of an Environmental Impact Assessment in accordance with the guidelines in the Appendix of this Ordinance.

G14 Industrial Park

An industrial park is a planned development of industrial and related uses that includes improvements for internal streets, coordinated utilities, landscaping and buffering.

A. Industrial uses may be located in detached or attached structures.

B. Dimensional Requirements:

Minimum lot area	10 acres
Minimum setbacks from street and property lines	100 feet
Minimum frontage at street lines	150 feet
Maximum height	35 feet
Minimum setbacks from internal streets	50 feet

C. Permitted Uses: D3 (Office), E6 (Financial Establishment), E8 (Eating Place), E14 (Indoor Athletic Club), G1 (Manufacturing), G2 (Research), G3 (Wholesale, Storage), G5 (Contracting), G6 (Truck Terminal), G7 (Crafts), H1 (Nonresidential Accessory Building) and H2 (Outside Storage).

D. Accessory outside storage of materials, goods, or trash storage and disposal areas must be buffered either by a six (6) foot solid wood fence or a hedge-at least six (6) feet in height with appropriate material and planted on three (3) foot centers.

E. Lighting facilities shall be provided and arranged in a manner that will protect the highway and neighboring properties from direct glare or hazardous interference of any kind and shall comply with the requirements for Lighting in this Ordinance.

F. All uses within the industrial park shall take access from an interior roadway. Access for the park shall be from an arterial highway.

G. All parking, loading facilities and outside storage areas shall be located to the rear or side of buildings.

H. Interior roadways shall have street trees in accordance with the Subdivision and Land Development Ordinance.

I. All commonly owned elements shall be owned and maintained in accordance with the Pennsylvania Uniform Condominium Act.

J. Parking: one (1) off-street parking space for each employee on the largest shift or one (1) space for every five hundred (500) square feet of gross floor area whichever is greater, plus one (1) space for each company vehicle normally stored on the premises.

G15 Solid Waste Facility

A. Solid waste facility shall mean one or more of the following:

Commercial Composting or Mulching Plant or Operation - A facility at which composting is done. Composting shall mean the process by which organic solid waste is biologically decomposed under controlled anaerobic or aerobic conditions to yield a humus-like product. Compostable material shall mean organic waste that is capable of undergoing composting. Composting activities associated with Section 405 A-1 General Farming as described in that Section shall not be considered a Solid Waste Facility.

Landfill or Municipal Landfill or Sanitary Landfill - A Pennsylvania Department of Environmental Protection-approved facility for disposing of solid waste on land without creating nuisances or hazards to the public health or safety.

Recycling Center - A facility established to receive, process, store, handle, and ship recyclable materials.

Resource Recovery Facility - A plant, establishment, set of equipment or operation that recovers useful materials or products, including heat, electricity, or recyclable materials from waste materials. A resource recovery facility shall not include a landfill.

Transfer Station - A facility which receives and temporarily stores solid waste at a location other than the generation site, and which facilities the bulk transfer of accumulated solid waste to a facility for further processing or disposal.

Incinerator - A facility used for the incineration of solid waste and the production of steam and electricity or other useful forms of energy.

B. Dimensional Requirements:

Minimum Net Lot Area	25 acres
Maximum Building Coverage	10%
Minimum Lot Width	450 feet
Minimum Front Yard	200 ft. (400 ft. if adjacent to residences or a residential district)
Minimum Side Yard	100 ft. (200 ft. if adjacent to residences or a residential district)
Minimum Rear Yard	100 ft. (200 ft. if adjacent to residences or a residential district)

C. Landscaping shall be provided to buffer and screen the use from surrounding properties, to compliment buildings and other structures on the site, and to enhance the overall character of the facility. A buffer zone of 50 feet in width shall be established from the property line that shall be planted around the perimeter of the site in accordance with the buffer standards of the Township Subdivision/Land Development Ordinance.

D. The facility shall be screened by fencing, walls, berms and other site improvement features to compliment the proposed landscaping buffer, and shall be surrounded by adequate fencing to prevent unauthorized entry.

E. The facility shall provide adequate exterior lighting for the safe and efficient operation and security of the facility but as minimal and subdued as possible using light posts and fixtures complimentary to the proposed architecture and the character of the surrounding neighborhood. All lighting shall comply with Article 30 of this Ordinance.

F. The facility shall provide for adequate environmental controls to minimize noise, vibration, glare, heat, odor, smoke, dust, fumes, vapors, gases, air emissions, and water effluents, as required under appropriate and relevant Federal and State environmental laws and Township Ordinances.

G. The facility shall include efficient mitigation of potential adverse environmental impacts as described in the environmental impact assessment requirements of this section.

H. The facility shall not include any building or structure with a height in excess of 35 feet.

I. The facility shall provide adequate storage, loading and unloading facilities and sufficient paved turning areas to permit unobstructed maneuvering room for trash, transfer and ash trucks; and shall provide adequate automobile parking as required by this ordinance.

J. The facility shall have a contract with a pest and rodent control company for the regular elimination and control of rat, flies, vermin and other rodents, insects, and pests that might become vectors for carrying disease.

K. No use shall emit odorous gasses or other odorous matter in such quantities as to be humanly perceptible at or beyond any point at its lot lines.

L. All solid waste facilities shall at all times be in full compliance with the statutes of the Commonwealth of Pennsylvania and the rules and regulations of the Department of Environmental Protection.

M. For a Commercial Composting or Mulching Plant or Operation the following additional requirements shall be complied with:

1. Odor Control: The mulch is to be made from ligneous organic materials. The feedstock shall not include grass clippings, animals or animal products, municipal sewage solid waste, paper products, plastic, glass, beverage containers, household or other hazardous waste (i.e. paints, batteries, pesticides and used oil) and/or metal. If necessary, the mulching operator shall perform sorting on incoming materials to assure the feedstock does not contain these prohibited materials and to remove materials that are difficult or impossible to compost. All materials so removed from the mulch feedstock may not be stored on the Farm and shall be removed from the Farm on at least a weekly basis. Any materials with high nitrogen content shall be balanced with sufficient carbonaceous material and managed properly so as to minimize odor problems during the composting process. The Carbon-to-Nitrogen (C:N) Ratio of the composting material shall be not less than 25:1 and not greater than such a ratio as would create odors. The mulching operator shall manage the mulching operation employing best management practices so as to prevent odor problems due to anaerobic conditions, accelerated decomposition and release of ammonia, organic acids, mercaptans, alcohols, amines, hydrogen sulfide gas, and other odorous sulfur compounds. The pH of the mulch piles shall be maintained at an optimum level to minimize odor.
2. Noise Control: The mulching operation may operate Monday through Saturday. There will be no mulching operations on Sunday or Holidays, (i.e., New Year's Day, Easter Sunday, Mother's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day and Christmas Day.) There will be no sales to customers before 7:00 A.M. or after 6:00 P.M. No truck or other commercial traffic may enter the operation before 7:00 A.M. or after 6:00 P.M. No grinders, shredders, hammermills or other mechanical devices used to cut, shred, chip or size the ligneous organic materials shall be operated before 7:00 A.M. nor after 6:00 P.M. The mulching operator shall employ mufflers, noise hoods and other noise reducing design features.
3. The mulching operator will take all steps permitted by State and Federal regulations to minimize the noise made by trucks frequenting the operation and equipment used in the mulching operation. For example, if the regulations permit beepers or other noise making or warning devices to be disconnected or permit an alternate form of warning device that is less objectionable than beepers, the mulching operator will promptly institute use of the alternate warning device.
4. The mulching operator will post prominent signs advising all trucks using his facility that the use of engine brake retarder systems commonly known as "Jake Brakes," is discouraged in day to day driving. Jake Brakes shall only be used if needed for the safe operation of the trucks in emergent circumstances. Jake Brakes must be used in accordance with the manufacturer's recommendations. Any driver using these devices on these roads contrary to the provisions of this paragraph will not be permitted to purchase mulch or deliver raw materials at operator's facility. The operator will also notify his drivers that any driver using these devices contrary to this Ordinance on Township roads shall be dismissed.

5. Fire Suppression: The mulching operator will maintain his perimeter fire suppression system fully operational at all times. The moisture content of the mulch piles shall be kept within a 40 to 60 percent range at all times to minimize the possibility of fire. Temperature and oxygen levels shall be controlled by forming mulch piles of appropriate sizes. In no event shall mulch piles exceed thirty (30) feet in height. The temperatures of all composting materials shall be monitored to prevent overheating. The temperatures of the composting mass shall not be permitted to exceed 60° C (140° F), as above that temperature composting materials can spontaneously combust. Compost piles shall be turned if this temperature is exceeded. The operation shall be maintained and designed to provide clear access for fire fighting equipment.
6. Groundwater and Watercourse Protection: The mulching operator will take all necessary steps to prevent particulate, solid matter or leachate (liquid that has percolated through the compost pile and that contains extracted, dissolved, or suspended material from the pile) from the mulching operation escaping from the "mulching area" or escaping into any watercourse or the groundwater. The mulching operator shall include provisions for isolating, collecting, treating and/or safely disposing of water that has come in contact with the composting feedstock. Additionally, the mulching operator shall comply with all other applicable governmental regulations as they may exist from time to time including, without limitation, those regulations enforced by the United States Environmental Protection Agency, the Pennsylvania Department of Environmental Protection and the Bucks County Soil Conservation District.
7. Dust Suppression: A variety of biological aerosols (bioaerosols) can be generated during composting. (Bioaerosols are suspensions of particles in the air consisting partially or wholly of microorganisms and spores, both microbial and fungal.) Because bioaerosols are carried as dust, dust control measures shall be incorporated into the design and operation of the facility. These measures shall include: (i) keeping compost and feedstock moist; (ii) moistening compost during the final pile tear-down and before being loaded onto vehicles (taking care not to over wet the material, which can produce leachate runoff into the ground water or a watercourse); (iii) constructing driving surfaces from asphalt or concrete (or water can be applied to roadways to minimize dust).
8. No Chemicals: No chemicals (other than coloring) are used in the production of the mulch.

N. An Environmental Impact Assessment is required. No permit application requesting permission to use a property for the establishment of a solid waste facility shall be approved without the preparation and filing of an Environmental Impact Assessment in accordance with the guidelines in the Appendix of this Ordinance.

H. General Accessory Uses and Structures

H1 Nonresidential Accessory Building

Accessory building or structure customarily incidental to the uses permitted within the zoning district, except outside storage. This use does not include any use that is separately defined in this Ordinance and that must comply with the specific requirements for such use. Any building or structure accessory to a use permitted only as a special exception shall be established only and as provided in such exception.

A. Nonresidential accessory buildings shall meet the minimum setbacks for the principal nonresidential use.

B. Parking: Additional parking shall conform to the requirements of the most closely related use.

H2 Outside Storage or Display

A. Outside storage or display, other than storage as a principal use of the land, necessary but incidental to the normal operation of a principal use, subject to the following additional provisions:

1. Outside storage or display shall not occupy:
   a. Any part of the street right-of-way;
   b. Any sidewalks or other areas intended or designed for pedestrian use;
   c. Any required parking areas, and;
   d. Any part of the required front yard.
2. Outside storage and display areas shall occupy an area of less than one-half (.5) the existing building coverage
3. Outside storage areas shall be shielded from view from the public streets.
4. Outside storage and display area shall not display any goods or material the average person, applying contemporary community standards would find, taken as a whole, appeals to the prurient.

B. Tractor trailers, cargo boxes, or other vehicles or structures meant to be transportable shall not be used as accessory buildings or structures for storage for any use or in any zoning district. These shall be loaded or unloaded within 48 hours and shall not remain on a lot beyond this period of time. This restriction shall not apply to construction trailers permitted by use H3.

C. No signs, banners or other advertising that are not part of the permanent markings and/or paint scheme may be displayed on any tractor trailers, cargo boxes, or other vehicles or structures meant to be transportable during the duration of their unloading.

H3 Temporary Structure or Use

A temporary permit may be issued for structures or uses necessary during construction or other special circumstances of a non-recurring nature, subject to the following additional provisions:

A. The time period of the initial permit shall be six (6) months. This permit may be renewed for three (3) month time periods up to a maximum of one year or until the special circumstances have ceased to exist.

B. Such structure or use shall be removed completely within thirty (30) days of the expiration of the permit without cost to the Township.

C. No more than one trailer for construction and one trailer for sales purposes shall be permitted. A permit shall be required for each trailer and the applicant shall specify on the permit application the location of the proposed temporary trailer.

H4 (Reserved for Future Use)

H5 Wind Energy Conversion System (WECS)

A wind energy conversion system is a device that converts wind energy to mechanical or electrical energy and which is permitted as an accessory use and structure in conjunction with an Agricultural Use.

A. Siting:

A WECS shall be set back from any property line, aboveground utility line, or other WECS a distance greater than either:

1. Its overall height, including blades, plus 50%; or
2. The minimum yard requirement, whichever is greater.

B. Size

1. Maximum blade diameter: eighty (80) feet
2. Maximum height: 140 feet, including blades

C. Access control: minimum access height of twelve (12) feet or minimum fence height of six (6) feet with locking portal.

D. A minimum of one sign per side shall be posted near ground level or on the tower structure warning of high voltage.

E. Other:

1. The electric and utility lines to and from a WECS shall be underground.
2. The ground level equipment and structures shall be adequately buffered from adjacent properties and street rights-of-way with landscaping or fencing.

H6 Air Landing Strip

A private airport landing strip, for fixed wing aircraft only, may be permitted as an accessory use to a single-family residence (Use B-1) or to use A-1 in the AG-1 and AG-2 districts provided that the following regulations are met:

A. The minimum lot size on which an air landing strip is permitted shall be 30 acres.

B. The outside limits of the air landing strip shall be located 300 feet from any property line and from any public road.

C. No commercial flight activities shall be permitted.

D. The private air landing strip shall meet all the regulations of the Pennsylvania Department of Transportation, Bureau of Aviation, and shall have the approval of this agency and of any other airstrip licensing agencies of the federal or state government.

E. No activities shall be permitted which will violate the regulations of this Ordinance or any other Township ordinance controlling noise, dust, dirt, electrical disturbance, hazards, or other nuisances.

F. No airstrip shall be established if its flight pattern will overlap with the flight pattern of any existing air landing field or heliport.

G. All buildings associated with the airstrip, including hangers, landing pads, warm-up pads, refueling facilities, lights, etc. shall be placed at least 100 feet from the property line of the lot.

H7 Helistop

A helistop is a private facility for landing and take-off of helicopters and is subject to the following conditions:

A. No fuel service, maintenance or overhaul facilities shall be included.

B. A minimum landing area of 100 feet by 100 feet shall be provided, except for rooftop landing areas that shall have a minimum landing area of 40 feet by 40 feet.

C. A fence at least four (4) feet in height shall surround all landing areas.

D. The proposed helistop will not adversely affect adjoining land uses, the safety of nearby residents or employees or the future growth and development of the area in which it is to be located.

E. The proposed helistop shall be permitted only as an accessory use to a Hospital, use C11.

H8 Telecommunications Facility

A structure or structures intended for transmitting or receiving radio, television, microwave, infrared, or telephone communication; any telecommunications facility, including a tower, antenna or associated buildings.
For cellular and personal wireless communications used to transmit or receive cellular and personal wireless telecommunications signals refer to use H11.

A. Maximum height: 150 feet.

B. The tower and all of its supporting guys or structural supports shall be a minimum of 150 feet or 1.5 times its height, whichever is greater, from any property line.

C. The tower must be licensed by the Federal Communications Commission, and must be reviewed and approved by the Federal Aviation Administration, and any other regulatory authority with jurisdiction.

D. All buildings, structures, towers, and guy wires and anchor points shall be located so that none of these are located within the required front, side, or rear yard setbacks for the district in which it is located. The minimum lot area for the telecommunications facility shall be adequate to accommodate all necessary setbacks from property lines, in accordance with these regulations, and shall be located no less than 200 feet from any occupied building.

E. Applicants seeking to construct a telecommunications facility in Buckingham Township must first apply to the Township to put the facility on Township-owned land to determine if a suitable site is available, irrespective of zoning district requirements.

F. The use shall be permitted by Conditional Use only.

G. Standards for Use:

1. The applicant shall present documentation that the tower is designed in accordance with the standards cited in this ordinance for telecommunications facilities and with all applicable safety standards for all facilities and towers. The applicant shall demonstrate that the proposed telecommunications facility and tower are constructed in a manner consistent with all applicable industry standards; and the surrounding area will not be adversely affected by support structure failure. Towers and antennas shall be designed according to the standards of the American National Standards Institute and the Telecommunications Industry Association.

   All guy wires shall be marked so that they are visible.
2. Where the proposed lot for the facility abuts a residential zoning district, towers shall be permitted only where they are disguised by attaching them to an existing tall structure provided that the proposed tower does not increase the height of the existing structure, or by disguising the tower so that it resembles a tree or silo so that it will fit in with the residential character of the community.
3. The applicant shall present a site plan showing the following items:
   a. Locations of all existing uses and proposed telecommunications facilities.
   b. Elevations and drawings of any existing uses and proposed telecommunications facilities, showing proposed width, depth, height, architectural style, and structural data for any towers proposed.
   c. Vehicular access, fencing, landscaping, and any easements for access and utilities.
4. The applicant shall demonstrate that the height of the tower for the telecommunications facility is the minimum height necessary for the service area.
5. In order to reduce the number of telecommunications towers in the Township, all towers and support structures shall be designed to permit other future users, including other telecommunications companies, and police, fire, and emergency services. As part of the application procedure, the applicant shall demonstrate that other telecommunications licensees have been contacted with the objective of encouraging co-location of licensed antennas on existing towers rather than on a new tower.

6. No telecommunications facilities (buildings or towers) shall be located on any lot or building registered on the Buckingham Township List of Historic Places and all telecommunications facilities shall be set back a minimum of 1000 feet from all such Historic Places.
7. The telecommunications facility shall be fully automated and unattended on a daily basis and shall be visited only for periodic maintenance or emergency repair;
8. As part of the land development agreement for the construction or installation of any telecommunications facility, provisions shall be made for the removal of the structure by the applicant should the facility not be used for a period of 12 consecutive months.
9. When the proposed telecommunications facility is to be located in part or in whole within a Township right-of-way or on Township land or a Township facility, the applicant shall enter into a lease agreement and pay applicable lease fees. Fees shall apply to every user on the lot or tower.
10. An eight-foot high security fence shall completely surround the tower (and guy wires, if used) and equipment building. Buffer plantings shall be planted around the perimeter of the security fence, consisting of a mix of shrubs, trees, and evergreens that is acceptable to the Township.
11. Telecommunications facility applicants/operators shall submit to the Township copies of all radio frequency emission inspection reports required by the Federal Communications Commission or any other regulatory agency.

H. Standards for telecommunications facilities combined with another use on a lot - A telecommunications facility is permitted on a property with an another use subject to all the other requirements and standards for this use and to the following additional requirements:

1. If the telecommunications facility consists of a separate building, the building and tower shall not be located within the minimum front, side, and rear yard setbacks for the zoning district. The lot area for the use shall be the area needed to accommodate the buildings, towers, guy wires, buffer planting, and security fencing.
2. Vehicular access to the building and tower shall not interfere with the parking or circulation on the site for the principal use;
3. Documentation from the owner of the principal use indicating the owner's willingness to grant an easement, lease, or other interest in real estate, shall be provided to the Township.
4. A telecommunications facility is permitted, subject to all conditions, to be located on Township facilities or Township land, regardless of zoning district, where permission is granted by the Township.
5. Where a telecommunications facility is located on Township property, the applicant shall assure the Township by providing adequate safeguards in the land development agreement that Township employees will be protected from radio-frequency emissions in the event that Township employees need to provide service to the Township facility on which the telecommunications facility is located, in particular where employees will be above ground level.

H9 Microwave or Satellite Dish Antenna greater than two (2) feet in diameter

A dish antenna or any other type of antenna used to receive radio, television, or electromagnetic waves from an overhead satellite or transmission tower where permitted shall be subject to the following regulations. This use shall not be construed to permit as a permissible accessory use a microwave antenna for satellite communication used or intended to be used for the propagation or transmission of radio or electromagnetic waves; such uses being permitted only as Telecommunications Facilities.

A. A microwave or satellite dish antenna shall be a permitted accessory use subject to the following:

1. No antenna shall be located within a required front, side, or rear yard.
2. No antenna shall be permitted in the required front yard area or in front of the principal structure.
3. The diameter of the antenna shall not exceed nine (9) feet.
4. When separately supported the total height of the antenna shall not exceed ten (10) feet.

5. Roof mounting is not recommended. If roof mounted, the antenna shall be located on a portion of the roof sloping away from the front of the lot and shall not project above the ridgeline of the roof. No roof-mounted antenna shall exceed three (3) feet in diameter.
6. No more than one dish antenna shall be permitted on any lot.
7. When not roof mounted, the antenna shall be screened by staggered plantings of evergreens that present a solid visual barrier to adjoining properties.
8. Historic District Requirements: In addition to the requirements one (1) through seven (7), all proposals for dish antennas within a Historic District shall demonstrate to the satisfaction of the Township Board of Supervisors, upon recommendation by the Historic and Architectural Review Board, that the antenna will not be visible from any public street in the historic district and that its size, location, and type of screening will not be designed or located in such as way as to impinge on or diminish the historic values of the District, homes, businesses, or other historic structures within the Historic District.

H10 Vending Machines

Vending and service machines are permitted as accessory uses in the nonresidential zoning districts only and shall be permitted without securing a zoning permit. No vending or service machine shall be permitted outside a completely enclosed building, except newspaper and news/sales material vending machines provided the following conditions are met:

A. A permit shall be required for all such machines to be located outside a building;

B. The machine shall be secured to a concrete pad or other suitable permanent and secure base. Chaining the machine to a post is not acceptable and does not meet this condition.

C. The machine shall be located a minimum of 25 feet from the edge of the cartway of any road and shall not be located within the right-of-way of any roadway.

D. The machine shall be located so that it does not interfere with clear sight distance and shall be located at least 200 feet from any intersection.

E. The machine shall not be located within any parking area that is needed to meet parking requirements.

F. The machine shall not interfere with safe pedestrian flow or access.

G. The machine must be properly maintained so that it is secured to its pad, operating properly, and free of debris, graffiti, and vandalism.

H. Newspaper and news/sales material vending machines are permitted outside an enclosed building only in the following zoning districts: PC-1, PC-2, and LC.

I. Bank service machines for the conduct of bank business shall be permitted to be on the outside of a building whose use is E6, Financial Establishment.

H11 Personal Wireless Facilities

A. Purposes. This section establishes general and specific guidelines for siting Personal Wireless Facilities within the Township. This section:

1. Encourages the location of Personal Wireless Facilities within the Communications Overlay Districts and collocation throughout various zoning districts in the Township;
2. Establishes conditions under which Personal Wireless Facilities may be located in various zoning districts in the Township;

3. Assures that the Township acts in compliance with the Telecommunications Act of 1996, as the same may be amended from time to time.

B. Definitions. The following definitions shall be applicable to this use:

Act: The Telecommunications Act of 1996.

Applicant: An individual or entity vested with ownership, equitable ownership, dominion, or title to the Personal Wireless Facility.

Collocation: The use by more than one Personal Wireless Service provider of the same Personal Wireless Facility.

Commercial Mobile Services: Any Mobile Service that is provided for profit and makes interconnected service available (a) to the public or (b) to such classes of eligible users as to be effectively available to a substantial portion of the public, as specified by regulation by the FCC.

Height: With reference to a freestanding Antenna Structure the distance measured from the finished grade of the lot to the highest point on the Antenna Structure. With reference to a Personal Wireless Facility that will be attached to an existing structure, the distance measured from the top of the existing structure to the highest point on the Antenna Structure.

Personal Wireless Facility: A facility for the provision of Personal Wireless Service including, but not limited to, a freestanding or attached Antenna Structure and/or associated buildings intended for transmitting or receiving Personal Wireless Service signals.

Personal Wireless Service: Commercial mobile services, unlicensed wireless services, and common carrier wireless exchange access service.

Significant Gap: A gap in service, which is more than *de minimis*, to a remote user of Personal Wireless Facilities, which prevents the user from either connecting to a land-based national telephone network and/or maintaining a connection capable of supporting reasonably uninterrupted communication.

Unlicensed Wireless Services: The term "Unlicensed Wireless Service" means the offering of telecommunications services using duly authorized devices that do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

C. Site Development Plan Requirements:

1. No Personal Wireless Facility may be constructed, erected, placed, reconstructed, enlarged or expanded except in accordance with an approved site development application. The purpose of this requirement is to assure that all aspects of a proposed Personal Wireless Facility will be properly considered.
2. Procedures. Any Applicant wishing to construct, erect, place, reconstruct, enlarge or expand a Personal Wireless Facility within the Township shall submit a site development application on the form supplied by the Township, signed by the provider of proposed Personal Wireless Services and, if different, the owner of the real property and/or structure on which the proposed facilities will be located. For all applications relative to Personal Wireless Facilities, the application shall contain the following information as part of the application. In addition, the Township may request other appropriate information.
   a. The site development application must demonstrate compliance with all applicable design standards contained in the Buckingham Township Subdivision and Land Development Ordinance as amended from time to time.
   b. The Applicant shall provide notice of the filing of the application to all property owners located within 1,000 feet of the lot on which the proposed facility will be located (unless a larger area is otherwise required in this or other Township ordinances) and to any registered neighborhood organizations, containing contact information of both Applicant and the Township.
   c. Proof that all licenses and authorizations required by law for operation of a Personal Wireless Facility in the Township have been obtained, and copies of all of the same, or proof of application for the same if zoning approval is a required precondition of the license(s) and/or authorization.

d. If the Applicant and owner of the property or structure where the proposed Personal Wireless Facility will be located are different, a copy of all agreements between the Applicant and the owner related to the location of and the right of the Applicant to use the property or structure.

e. A detailed statement by the Applicant of the extent to and manner by which the proposed Personal Wireless Facility may be used for Collocation of additional Personal Wireless Facilities for future users.

f. An inventory and map of all existing Personal Wireless Facilities, both within the Township and outside the Township if signals from such facilities reach within the Township. The inventory shall include the location, height, design and operator of each such facility, and the separation distance between the proposed facility and all other facilities contained in the inventory.

g. Proof of compliance with all regulations and standards of the FAA with respect to the proposed Personal Wireless Facility, or proof of the lack of jurisdiction of the FAA over the proposed Personal Wireless Facility. If approval has not yet been received at the time of application, any approval shall be subject to receipt of such approval.

h. Proof of the following:

i) The existence of a Significant Gap in the provision of Personal Wireless Services;

ii) That existing Personal Wireless Facilities operated either by the Applicant or by other providers of Personal Wireless Services and located either within the Township or outside the Township are not already filling the Significant Gap; and

iii) That the proposed facility is the least intrusive means of filling the Significant Gap.

i. A scaled site plan clearly indicating the location of the proposed facility, other onsite land uses, land uses on all adjacent properties, zoning of the proposed property and all adjacent properties, the location of all easements and licenses affecting the proposed property, all adjacent roadways, the means of access to the proposed facility, setbacks from property lines and from the nearest residential structure, elevation drawings of the proposed facilities and any other structures on the proposed property and all adjacent properties, topography of the proposed property, parking, and any other information deemed necessary by the Township to assess compliance with this Section and all other items contained in this Ordinance at Section 3402.

j. For proposed freestanding Personal Wireless Facilities, information demonstrating why the services to be provided by the proposed facility cannot be provided by attachment to an existing structure. Such information may include:

iv) The absence of any existing structures located within the geographic area which meet the Applicant's engineering requirements;

v) That existing structures are not of sufficient height to meet Applicant's engineering requirements;

vi) That existing structures do not have sufficient structural strength to support Applicant's proposed Personal Wireless Facility and related equipment;

vii) That Applicant's proposed Personal Wireless Facility would cause electromagnetic interference with antenna(s) on existing structure, or that the antenna(s) on the existing structure would cause interference with Applicant's proposed Personal Wireless Facility;

viii) That the fees, costs, or contractual provisions required by the owner in order to attach to an existing structure or collocate or the costs to adapt the existing structure are unreasonable. Construction costs for the attached facility which exceed the construction costs for a freestanding Personal Wireless Facility will be presumed to be unreasonable;

ix) That other limiting factors exist which render existing structures unsuitable.

k. For attached Personal Wireless Facilities, the scaled site plan shall also include a description of all other uses at that site.

l. A color, computer-generated rendering of the proposed Personal Wireless Facility, superimposed onto the existing site, complete with all proposed landscaping and fencing.

D. Conditional Use Application Requirements:

1. The application shall be submitted in accordance with the provisions of Article 35 of this Ordinance.

2. The applicant for any hearing on a conditional use request before the governing body shall at the time of making the application pay to the zoning officer, for the use of the Township, a fee in accordance with the fee schedule adopted by resolution of the Board of Supervisors upon enactment of this Ordinance or as such schedule may be amended from time to time.
3. The Planning Commission shall submit its recommendation to the Board of Supervisors and shall identify all relevant information presented to the Planning Commission in support of or in opposition to the application.
4. The decision of the Board of Supervisors shall be in writing, and shall be supported by substantial evidence. In addition to all other factors to be considered by the Board of Supervisors, the Board shall consider the provisions of the Telecommunications Act of 1996, as the same may be amended from time to time.

E. General Conditions:

1. The construction, erection, placement, reconstruction, enlargement or expansion of the Personal Wireless Facility must be completed within one (1) year of approval unless the Buckingham Township Board of Supervisors, for good cause shown, grants an extension.
2. If the proposed Personal Wireless Facility will be located on land and/or structure(s) owned and/or controlled by the Township, the Applicant must enter into a written agreement on terms and conditions satisfactory to the Township that will govern such use. The agreement may, but is not required to, be in the form of a lease, easement, or license.
3. Adjacent property will not be physically or otherwise damaged if there is support structure failure at the proposed Personal Wireless Facility.
4. The height of the Personal Wireless Facility shall be the minimum height necessary to fill the Significant Gap that is the basis for the proposed facility and to accommodate collocation of other Personal Wireless Service providers if appropriate.
5. The proposed Personal Wireless Facility shall be designed in accordance with applicable standards of the American National Standards Institute and the Telecommunications Industry Association.
6. The owner of the land or structure on which the proposed Personal Wireless Facility is located and the Applicant, if the owner and Applicant are not the same person, shall enter into an agreement with the Township whereby each agrees that, upon abandonment of the proposed Personal Wireless Facility for a period of twelve (12) consecutive months, the facility will be removed and the land and/or structure returned to the condition that existed before placement of the Personal Wireless Facility thereon, ordinary wear and tear excepted within a reasonable time not to exceed six (6) months. The agreement shall be in recordable form, may be recorded by the Township, and shall be binding on all successors and assigns of each signatory.
7. The owner of the land or structure on which the proposed Personal Wireless Facility is located and/or the Applicant, if the owner and Applicant are not the same person, shall provide an acceptable form of security in an amount sufficient to cover the cost of removing an abandoned Personal Wireless Facility and restoring the property to its original condition.
8. The exterior of the proposed Personal Wireless Facility will not be artificially illuminated unless required by FAA or other governmental regulations, no interior light may be visible on the exterior of the building, and any ground level security lighting may not emit a glare off-site.
9. The proposed freestanding Personal Wireless Facility shall not extend into the existing front, rear and side yard setbacks of the lot.
10. The proposed freestanding Personal Wireless Facility shall be constructed as a Disguised Antenna Structure.
11. All conditions contained in Article 35 herein.

F. Specific Conditions. The following shall apply to all Personal Wireless Facilities by category:

1. Specific conditions for Personal Wireless Facilities that Will Be Collocated:

a. The existing Personal Wireless Facility where the proposed facility will be collocated must be in compliance with all applicable Township ordinances;
b. The existing Personal Wireless Facility must not be a non-conforming use in the Township.

2. Specific conditions for Personal Wireless Facilities to Be Attached to Existing Structures:
   a. The existing structure must be in compliance with all Township ordinances;
   b. The existing structure must not be a non-conforming use in the Township;
   c. The existing structure is not a residence or school.
3. Specific conditions for Freestanding Personal Wireless Facilities:
   a. The proposed Personal Wireless Facility shall be setback a minimum of one hundred and ten percent (110%) of its height from any off-site occupied structures;
   b. All portions of the proposed Personal Wireless Facility, including, without limitation, any buildings, structures, towers, poles and guy wires and anchor points, shall be located within the buildable envelope of the lot on which the facility is located;
   c. The proposed Personal Wireless Facility shall be designed and constructed to permit future Collocation of other Personal Wireless Facilities and facilities for providers of other types of telecommunication, including, without limitation, police, fire, and emergency services;
   d. The proposed Personal Wireless Facility may not be located within 500' of any historic locations listed on the National Register of Historic Places;
   e. The proposed Personal Wireless Facility must be fully automated, and require service visits only for periodic maintenance and/or emergency repair;
   f. All portions of the proposed Personal Wireless Facility, including, without limitation, any buildings, structures, towers, poles and guy wires and anchor points, shall be surrounded by an eight-foot high security fence. Buffer plantings shall be planted around the perimeter of the security fence, including but not limited to a mix of shrubs, trees, and evergreens that is acceptable to the Township.

G. Personal Wireless Facilities Hierarchy – Procedures:

1. General Conditions shall apply to all Personal Wireless Facilities.
2. Specific Conditions shall apply by category of Personal Wireless Facility.
3. The significant gap identified in the application 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.
4. For purposes of the hierarchy, "construction" of a Freestanding Personal Wireless Facility includes construction, erection, placement, reconstruction, enlargement, or expansion of a Freestanding Personal Wireless Facility.

H. Personal Wireless Facilities Hierarchy – List:

("COD" stands for "Communications Overlay District" and PWF means "Personal Wireless Facility")

1. Collocation on a Freestanding PWF in COD 1
2. Collocation on a Freestanding PWF in COD 2
3. Collocation on a Freestanding PWF in COD 3
4. Attachment of a PWF to an existing structure in COD 1
5. Attachment of a PWF to an existing structure in COD 2
6. Attachment of a PWF to an existing structure in COD 3
7. Construction of a Freestanding PWF in COD 1
8. Construction of a Freestanding PWF in COD 2
9. Construction of a Freestanding PWF in COD 3
10. Collocation on a Freestanding PWF in PC-1, PC-2, LC, I, PI or PI-2 zoning districts
11. Attachment of a PWF to an existing structure in the PC-1, PC-2, LC, I, PI or PI-2 zoning districts
12. Construction of a Freestanding PWF in the PC-1, PC-2, LC, I, PI or PI-2 zoning districts

Section 406 Lawful Use Not Otherwise Provided

Lawful use not otherwise permitted - Any lawful use which is required to be permitted by the Pennsylvania Municipalities Planning Code and which is not otherwise permitted in other use categories of this Ordinance may be permitted as a conditional use, provided that the applicant for such conditional use establishes that the proposed use meets the following criteria as well as the requirements set forth in all other applicable sections of this ordinance:

A. The use must comply with the lot, area, dimensional, and design criteria of the district in which it is permitted.

1. Residential Uses shall be permitted in the Village Residential-1 District.
2. Institutional, Office, Commercial, Consumer Service Uses shall be permitted in the Planned Commercial-1 District.
3. Industrial Uses and Recreation Uses shall be permitted in the Planned Industrial Districts, PI and PI-2.

B. Where applicable, the applicant must demonstrate that the use proposed will comply with all permit requirements of the Bucks County Department of Health, Pennsylvania Department of Environmental Protection and other Commonwealth or Federal governmental agencies that regulate such use.

C. A buffer area shall be established in accordance with the conditions imposed upon the granting of the conditional use approval that is sufficient to adequately screen the lawful permitted use from other uses in the vicinity. The buffer shall be of sufficient width to protect the surrounding area from objectionable effects of the proposed use including, but not limited to, noise, dust, vibration, odor, illumination, visual effects, and the like.

ARTICLE 5 AG-1 AGRICULTURAL -1 DISTRICT

Section 500 Purpose

A. The AG-1 Agricultural District is intended to promote the preservation of agriculture as the primary use of land. Limited residential uses are permitted as well as agricultural uses. The standards and densities are intended to provide a positive incentive for the preservation of farmland and large amounts of open space through the use of development types that preserve open space and through the use of TDRs that may be sold from parcels in this district and transferred to other parcels in the Township.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 501 Permitted Uses

A. Uses Permitted By Right - Any of the following uses shall be permitted, provided that the regulations of this Ordinance have been met:

A1 General Farming
A2 Nursery
A4 Forestry
A5 Riding Academy
A6 Kennel
A7 Agricultural Retail
A8 Accessory Farm Dwelling
A9 Farm Support Facility
B1 Detached Dwelling
B5 Large Lot Single Family Dwelling
B6 Life Care/Full Care Facility
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
Class V - Lawn Care Service
B10 Residential Accessory Building
B11 Garage or Yard Sales
B13 Preservation Subdivision
B14 Living Community
C1 Place of Worship
C2 School
C5 Municipal Recreational Facility
C6 Private Recreational Facility
C7 Golf Course
C13 Cemetery
C14 Municipal Building
D2 Veterinary Office
E18 Cottage Development or Private Camp
E22 Bed and Breakfast
E27 Farm Equipment Sales and Repair
F2 Emergency Services
H1 Nonresidential Accessory Building
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

A3	Intensive Agriculture
A10	Accessory Farm Business
F1	Utilities
H5	Wind Energy Conversion System
H6	Air Landing Strip
H11	Personal Wireless Facilities

Section 502 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply. For uses B13 and B14, the dimensional requirements are stated in Section 405, Use Regulations, shall apply except that Use B14 shall provide pedestrian access across adjoining streets.

1. Use B1 - Single Family Detached Dwelling, applicable for B1 uses in AG-1 districts except for overlay districts subject to the provisions of subsections 2, 3, 4, or 5 below**:**

Maximum tract size	10 acres
Minimum lot area	1.8 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	15 percent
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	20 percent
Maximum impervious surface per tract	20 percent
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

a. The B-1 single family detached dwelling use is also permitted on tracts of any size greater than 10 acres, however, the minimum lot area shall be 5 acres. All other dimensional requirements remain unchanged.

b. For land subject to a permanent preservation easement, whether for agricultural, open space or other purposes, where an additional B-1 single family detached dwelling use is permitted by the preservation easement, the minimum lot area of 1.8 acres shall apply, regardless of the size of the tract.

2. Windsor Square Overlay District – The area of the Windsor Square Overlay District is the Windsor Square Major Subdivision which created 51 residential lots from Tax Parcel Number 6-18-1-2 located at the intersection of Forest Grove Road and Upper Mountain Road as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Windsor Square Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	10,000 sq feet
Maximum impervious surface on lot	45 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	50 percent
Minimum yards	
Front	25 feet * **
Side (each)	5 feet

Rear	25 feet
Garage (Front)	25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** Lots in the Windsor Square Overlay District with front yard setbacks of 15 feet as of the date of enactment of this ordinance amendment shall be required to have a 15 feet front yard setback.

3. Devonshire One Overlay District - The Devonshire One Overlay District is that area constituting Phases 1, 2, 3, and 4 of the Devonshire Estates Major Subdivision which created 215 residential lots from Tax Parcel Numbers 6-16-24 and 6-17-86 adjacent to the intersection of Forest Grove Road and Swamp Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Devonshire One Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	14,000 sq feet
Maximum impervious surface on lot	35 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	40 percent
Minimum yards	
Front	25 feet *
Side (each)	10 feet
Rear	40 feet **
Garage (Front)	25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** The rear yard setback requirement is increased under the following conditions to the following minimum distances:

For lots whose rear yards either:

(i) border the Devonshire One Overlay District boundary where the boundary is not coincident with the Devonshire Two Overlay District boundary, or

(ii) border open space that is directly between their rear yards and the Devonshire One Overlay District boundary where the boundary is not coincident with the Devonshire Two Overlay District boundary,

the rear yard setback shall be the greater of:

(i) 40 feet from the rear property line; or

(ii) 75 feet from the Overlay District boundary.

For lots whose rear yards either border Old York Road, or border open space that is directly between their rear yards and Old York Road, the rear yard setback shall be the greater of: (i) 40 feet from the rear property line; or (ii) 100 feet from Old York Road.

4. Devonshire Two Overlay District - The Devonshire Two Overlay District is that area constituting Phase 5 of the Devonshire Estates Major Subdivision which created 215 residential lots from Tax Parcel Numbers 6-17-24 and 6-17-86 located adjacent to the intersection of Forest Grove Road and Swamp Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Devonshire Two Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	6,000 sq feet
Maximum impervious surface on lot	35 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	40 percent
Minimum yards	

Front	20 feet *
Side (each)	5 feet minimum; 15 feet aggregate
Rear	25 feet **
Garage (Front)	25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** The rear yard setback requirement is increased under the following conditions to the following minimum distances:

For lots whose rear yards either:

(i) border the Devonshire Two Overlay District boundary, or

(ii) border open space that is directly between their rear yards and the Devonshire Two Overlay District boundary,

the rear yard setback shall be the greater of:

(i) 25 feet from the rear property line; or

(ii) 75 feet from the Overlay District boundary.

For lots whose rear yards either border Old York Road, or border open space that is directly between their rear yards and Old York Road, the rear yard setback shall be the greater of: (i) 40 feet from the rear property line; or (ii) 100 feet from Old York Road.

5. Upper Mountain Overlay District - The Upper Mountain Overlay District is that area which created 118 residential lots from Tax Parcel Number 6-10-224 and 6-10-226-2 located adjacent to Upper Mountain Road approximately 1000 feet southwest of its intersection with Durham Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Upper Mountain Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling**:**

Minimum lot area	15,000 sq feet
Minimum lot width at street line	25 feet
Minimum lot width at Building Setback Line	100 feet
Maximum impervious surface on lot	35 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	35 percent
Minimum yards	
Front	25 feet
Side (both)	10 feet
Rear	40 feet

6. Use B6 Life Care or Full Care Facility - Requirements for Life Care or Full Care Facility
   a. The requirements of Section 405.B6, shall apply, in addition to the following requirements:
      i. Use B6 must take access from and have at least 100 feet of lot frontage along an arterial road;
      ii. For each 1000 square feet of building area proposed for the Life care/Full care facility, one (1) transferable development right shall be required to be transferred to the site of the facility, with the minimum number of TDRs transferred to be 20 for any facility, regardless of size.
7. Use C13 Cemetery – Requirements for Cemetery:
   a. Use C13 in the AG1 District may not include the use of mausoleums or columbaria;
   b. No grave markers greater than four (4) feet in height from the grade of the surrounding ground shall be used.
8. All other permitted uses, other than those listed above and Personal Wireless Facilities located in Communications Overlay Districts 1 and 3:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

Section 503 Open Space Regulations in AG-1 District

A. The primary purpose of open space preservation in the AG-1 district is the preservation of farmland, and developments shall be designed to preserve open space for farming use unless otherwise permitted by the Board of Supervisors. The following regulations apply to all uses which have open space required:

1. Farmland shall be defined as those areas of agricultural soils classified as prime farmland and additional farmland of statewide importance by the "Important Farmland Survey," Soil Conservation Service (now Natural Resource Conservation Service), as revised November 1983. Farmland shall also be defined as those areas of agricultural soils classified as farmland of local importance under the aforesaid survey. Open space shall be set aside to include Class I, II, and III agricultural soils.
2. All farmland to be set aside as open space shall be determined by the Buckingham Township Board of Supervisors to be feasible for farmland preservation. Open space areas shall be in large areas contiguous where possible to open space or farmland on surrounding parcels. At least one-half of the required open space area shall be contained in a single open space parcel for farming.
3. All farmland to be open space shall be of a farmable shape so as to be suitable for the convenient use of modern farm equipment and machinery and shall be a minimum of 200 feet in width in all directions.
4. All farmland to be set aside shall be provided with suitable access, including frontage or access to a public road so as to be accessible for farm equipment.
5. All farmland to be set aside shall be considered to be resource-protected land.
6. Additional open space requirements of Article 31 shall be met.

ARTICLE 6 AG-2 AGRICULTURAL - 2 DISTRICT

Section 600 Purpose

A. The AG-2 Agricultural Districts intended to promote the preservation of agriculture as the primary use of undeveloped land. Limited residential uses are permitted as well as agricultural uses. The standards and densities are intended to provide a positive incentive for the preservation of large amounts of open space through the use of development types that preserve open space and through the use of transfer of development rights that may be sold from parcels in this district and transferred to other parcels in the Township.

B. A building or structure may be erected or altered, to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 601 Permitted Uses

A. Uses Permitted By Right - Any of the following uses shall be permitted, provided that the regulations of this Ordinance have been met:

A1 General Farming
A2 Nursery
A4 Forestry
A5 Riding Academy
A6 Kennel
A7 Agricultural Retail
A8 Accessory Farm Dwelling
A9 Farm Support Facility
B1 Detached Dwelling
B5 Large Lot Single Family Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
Class V - Lawn Care Service
B10 Residential Accessory Building
B11 Garage or Yard Sales
B13 Preservation Subdivision
B14 Living Community
C1 Place of Worship
C2 School
C5 Municipal Recreational Facility
C7 Golf Course
C10 Day Care Center
C14 Municipal Building
D2 Veterinary Office
E22 Bed and Breakfast
E27 Farm Equipment Sales and Repair
F2 Emergency Services
H1 Nonresidential Accessory Building
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

A10	Accessory Farm Business
F1	Utilities
H5	Wind Energy Conversion System

Section 602 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply. For uses B13 and B14, the dimensional requirements are stated in Section 405, Use Regulations, shall apply, except that Use B14 shall provide pedestrian access across adjoining streets.

1. Use B1 - Single Family Detached Dwelling**:**

Maximum tract size	10 acres
Minimum lot area	1.8 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	15 percent
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	20 percent
Maximum impervious surface per tract	20 percent
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

a. The B-1 single family detached dwelling use is also permitted on tracts of any size greater than 10 acres, however, the minimum lot area shall be 5 acres. All other dimensional requirements remain unchanged.

b. For land subject to a permanent preservation easement, whether for agricultural, open space or other purposes, where an additional B-1 single family detached dwelling use is permitted by the preservation easement, the minimum lot area of 1.8 acres shall apply, regardless of the size of the tract.

2. All other permitted uses, other than those listed above and Personal Wireless Facilities located in Communications Overlay Districts 1 and 3:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

Section 603 Open Space Regulations in AG-2 District

A. The primary purpose of open space preservation in the AG-2 district is the preservation of farmland, and developments shall be designed to preserve open space for farming use unless otherwise permitted by the Board of Supervisors. The following regulations apply to all uses which have open space required:

1. Farmland shall be defined as those areas of agricultural soils classified as prime farmland and additional farmland of statewide importance by the "Important Farmland Survey," Soil Conservation Service (now Natural Resource Conservation Service), as revised November 1983. Farmland shall also be defined as those areas of agricultural soils classified as farmland of local importance under the aforesaid survey. Open space shall be set aside to include Class I, II, and III agricultural soils.
2. All farmland to be set aside as open space shall be determined by the Buckingham Township Board of Supervisors to be feasible for farmland preservation. Open space areas shall be in large areas contiguous where possible to open space or farmland on surrounding parcels. At least one-half of the required open space area shall be contained in a single open space parcel for farming.
3. All farmland to be open space shall be of a farmable shape so as to be suitable for the convenient use of modern farm equipment and machinery and shall be a minimum of 200 feet in width in all directions.
4. All farmland to be set aside shall be provided with suitable access, including frontage or access to a public road so as to be accessible for farm equipment.
5. All farmland to be set aside shall be considered to be resource-protected land.
6. Additional open space requirements of Article 31 shall be met.

ARTICLE 7 PLANNED BUSINESS & RESIDENTIAL DISTRICT

Section 700 Purpose

A. The Planned Business & Residential District is intended to provide for a mix of uses in the Furlong area and in those portions of the Township designated as development districts by the 1991 Comprehensive Plan. The mix of uses shall allow for employment centers, public or institutional uses, multi-family residential uses, and special residential uses for the elderly.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking, and other requirements as specified by this Ordinance.

Section 701 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A2 Nursery
A4 Forestry
B2 Townhouse and Twins
B3 Apartment, Duplex or Multi-family
B4 Mobile Home Park, units on foundations
B6 Life Care/Full Care Facility
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
C1 Place of Worship
C2 School
C5 Municipal Recreational Facility
C14 Municipal Building
D1 Medical Office
D3 Office
F2 Emergency Services
G1 Manufacturing
G2 Research
H1 Nonresidential Accessory Building
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

D5 Village Office
F1 Utilities

C. Uses Permitted by Special Exception:

B4 Mobile Home Park, units on piers

Section 702 Area and Dimensional Requirements

A. All nonresidential uses in the Planned Business & Residential District shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

Minimum lot area	10 acres
Minimum lot width	200 feet
Maximum impervious surface ratio	50 percent
Maximum building coverage	20 percent
Maximum floor area ratio	0.20
Minimum yards	
Front	50 feet
Side	30 feet
Rear	50 feet

B. The area and dimensional requirements of B2 and B3 residential uses permitted in the Planned Business & Residential District shall comply with the following requirements and the requirements of Section 702.C. and furthermore shall not be subject to the requirements found in Section 405 for these uses. All other residential uses not specifically addressed in this section 702.B. are subject to the requirements of Section 405.

1. Use B2 Townhouse and Twins- A townhouse or twin is an attached dwelling unit from ground to roof, having individual outside access. A row of attached townhouses shall not exceed eight (8) dwelling units and the number of units in a row or group of attached townhouses shall average no more than six (6) in any townhouse development.

Minimum site area	5 acres
Maximum density	5 dwelling units per acre of base site area
Minimum open space required	30 percent of base site area
Maximum impervious surface ratio for site	50 percent of base site area
Minimum lot width at building setback line	20 ft
Maximum impervious surface on a townhouse lot	60 percent
Minimum building setback	
from internal street	20 ft. if driveway and parking are located on lot in front yard; 10 ft. if no driveway or parking in front yard
from common parking area	10 ft
Minimum garage setback	25 ft. from street line
Minimum rear yard	30 ft
Minimum building spacing:	30 ft
Minimum setback from all property lines for all buildings and parking areas	50 feet
Parking spaces required	2 spaces per dwelling unit plus 0.25 spaces per unit for overflow parking

2. Use B3 Apartment, Duplex or Multi-family Dwelling - A dwelling designed and occupied exclusively as a residence and containing three or more dwelling units that may have individual outside entrances or unit entrances from a common entryway.

Minimum site area	5 acres
Maximum density	5 dwelling units per acre of base site area
Minimum open space required	30 percent of base site area
Maximum impervious surface ratio for site	45 percent of base site area
Minimum building setback from:	
internal street line (public or private)	25 ft

common parking area	20 ft
Maximum number of units per building	12
Minimum building spacing	30 ft
Minimum street frontage for site	100 ft
Minimum distance between buildings and open space	20 ft
Minimum setback from all property lines for all buildings and parking areas	50 feet
Parking spaces required	2 spaces per dwelling unit plus 0.25 spaces per unit for overflow parking

3. Use of Transferable Development Rights for Uses B2 and B3.
   a. The maximum density for the uses B2 and B3 may be increased up to a maximum of 15 units per acre of base site area through transferable development rights.
   b. For each dwelling unit added above the density permitted by right of 5 dwelling units per acre, one (1) transferable development right per unit shall be required to be purchased and transferred to the site.

C. The maximum impervious surface ratios permitted for a lot for uses B2 and B3 in the PBR Zoning District as required in Sections 702.B.1 and 702.B.2. may be varied if all of the following conditions are met:

1. A second lot within the same base site and served by the same integrated stormwater collection system contains less than the maximum permitted impervious surface coverage and the percentage of non-utilized impervious surface capacity of this second lot is greater than or equal to the amount of proposed impervious surface coverage in excess of the maximum impervious surface coverage permitted on the first lot. Additionally, the owner of the second lot must agree to transfer this excess impervious surface capacity to be applied to the first lot.
2. The combined impervious surface coverage in the lots involved in the transfer of impervious surface coverage capacity, after the contemplated transfer of impervious surface capacity from one lot to another, does not exceed the maximum impervious surface capacity allowable for the base site under the approved subdivision plans.
3. The Township Engineer has certified that the Stormwater Management Facilities and the storm sewer system in the subdivision can accommodate, within the ranges permitted by Buckingham Township's Subdivision and Land Development Ordinance, the increase in stormwater runoff created by the contemplated additional impervious surface coverage, such that no adverse affects to the existing Stormwater Management Facilities or storm sewer system should occur and modifications to the current facilities will not be required;
4. The owner(s) of the lot from which excess impervious surface capacity is to be transferred and the owner(s) of the lot that is to receive the excess impervious surface capacity shall: (i) jointly execute a declaration memorializing said transfer of impervious surface capacity from one lot to another and limiting additional impervious surface coverage on the lot from which capacity is transferred; (ii) cause the declaration to be properly recorded in the Office of the Recorder of Deeds for Bucks County, and (iii) ensure that a copy of the recorded declaration is delivered to Buckingham Township.

Section 703 Development Requirements

A. For any subdivision or land development of land within the PBR District, the applicant shall show the site of land as a whole, including planned or potential uses for each piece of property. Each use must provide for entrance and egress onto an internal road that has been designed for the site of land that is being subdivided or developed.

B. Each proposed use shall be constructed in accordance with an overall plan, which shall be designed as a single architectural style.

C. Stormwater management facilities and the road system shall be designed for the entire site and shall serve the entire site.

D. Pedestrian access shall be provided across adjoining streets.

E. A Traffic Impact Study shall be required as part of the Conditional Use process for use D5. The Traffic Impact Study shall include a study of all surrounding intersections.

ARTICLE 8 R-1 RESIDENTIAL DISTRICT

Section 800 Purpose

A. The R-1 Residential Districts accommodate residential development in development districts identified by the Township Comprehensive Plan.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 801 Permitted Uses

A. Uses Permitted By Right:

A1	General Farming
A2	Nursery
A4	Forestry
A7	Agricultural Retail
A8	Accessory Farm Dwelling
B1	Detached Dwelling
B5	Large Lot Single Family Dwelling
B9	Accessory Home Occupations
	Class I - Home Office
	Class II - Traditional Home Occupation
	Class III - Family Day Care
B10	Residential Accessory Building
B11	Garage or Yard Sales
B13	Preservation Subdivision
B14	Living Community
C5	Municipal Recreational Facility
C10	Day Care Center
H3	Temporary Structure or Use

B. Uses Permitted by Conditional Use:

C1	Place of Worship
F1	Utilities
F2	Emergency Services
H11	Personal Wireless Facilities

Section 802 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply. For uses B13 and B14, the dimensional requirements are stated in Section 405, Use Regulations, shall apply.

1. Use B1 - Single Family Detached Dwelling:

Minimum lot area	1.8 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	15 %

Maximum impervious surface per lot for non-conforming lots of less than 1.5 acres	20%
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	18%
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

2. All other permitted uses not listed above and Personal Wireless Facilities located in Communications Overlay District 1:

Minimum Lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

3. Use C1 - Place of Worship - In addition to the area and dimensional requirements listed above, Use C1 shall also have a minimum of 125 seats.

ARTICLE 9 R-2 RESIDENTIAL DISTRICT

Section 900 Purpose and General

A. Purpose: The purpose of the R-2 district is to reflect and incorporate the development requirements of the stipulation and agreement for this property.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 901 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 902 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Use B1 - Single Family Detached Dwelling:

Minimum lot area	12,000 feet
Minimum lot width at street line	80 feet
Maximum impervious surface on lot	30 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	35 percent
Minimum yard:	
Front	35 feet
Side (each)	10 feet
Rear	40 feet
Minimum setback from edge of operational spray field	100 feet

B. All other permitted uses not listed above and Personal Wireless Facilities located in Communications Overlay District 1:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet

Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (each)	40 feet
Rear	75 feet

ARTICLE 10 R-3 RESIDENTIAL DISTRICT

Section 1000 Purpose and General

A. The purpose of the R-3 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from a curative amendment filed by Robert H. Yaroschuk.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1001 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1002 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B1 Single Family Detached Dwelling:

Minimum lot area	12,500 sq. ft
Maximum density	1.56 dwelling units per gross acre
Minimum lot width at building setback line	95 ft
Minimum lot width for lots on the bulb of cul-de-sacs	65 ft
Maximum impervious surface per lot	28%
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	33%
Minimum open space	30% of base site area
Minimum yards	
Front	35 ft
Sides	10 ft. minimum; 25 ft. aggregate
Rear	30 ft
Minimum setback from perimeter boundary of the property and from future right-of-way line that forms a perimeter boundary of the property	50 ft

B. All Other Permitted Uses:

Minimum lot size	2 acres
Minimum lot width at building setback line	200 ft
Maximum building coverage	10 %
Maximum impervious surface ratio	20 %
Minimum yards:	
Front	75 ft
Side (each)	40 ft
Rear	75 ft

ARTICLE 11 R-4 RESIDENTIAL DISTRICT

Section 1100 Purpose and General

A. The purpose of the R-4 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from curative amendments filed by John F. Enders, Jr., Della E. Enders, and William J. Shedden Jr.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1101 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
- Class I - Home Office
- Class II - Traditional Home Occupation
- Class III - Family Day Care

B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1102 Area, Dimensional, and Additional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B1 Single Family Detached Dwelling:

Minimum lot area	12,500 sq. ft
Maximum density	2.5 dwelling units per gross acre
Minimum lot width at building setback line*	100 ft.
Maximum impervious surface per lot	35%
Minimum yards	
Front	35 ft
Sides	15 ft
Rear	30 ft
Minimum setback from centerline of Cold Spring Creamery Road to any dwelling	100 ft

*Except where special provisions have been made by stipulation and agreement applicable to this property.

Section 1103 Additional Requirements

A. All uses shall be served by public or centralized sewage disposal and by public or centralized water supply.

B. A buffer and berm shall be provided along Cold Spring Creamery Road and Burnt House Hill Road consisting of evergreens or other trees acceptable to the Township, in accordance with the Stipulation and Agreement in effect for this property.

ARTICLE 12 R-5 RESIDENTIAL DISTRICT

Section 1200 Purpose and General

A. The purpose of the R-5 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from curative amendments filed by Herbert and Irma Barness.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1201 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B2 Townhouse and Twins
B9 Accessory Home Occupations
- Class I - Home Office
- Class II - Traditional Home Occupation
- Class III - Family Day Care

B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1202 Area and Dimensional Requirements

All uses other than Personal Wireless Facilities located in Communications Overlay District 2 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B1 Single Family Detached Dwelling:

Minimum lot area	10,000 sq. ft
Maximum impervious surface	25 %
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	30%
Maximum density	2.5 dwelling units per acre of net buildable site area
Minimum lot width at actual building line	75 ft
Minimum yards:	
Front	25 ft
Sides	25 ft. aggregate; 10 foot minimum
Rear	25 ft

B. B2 Townhouse and Twins:

Maximum impervious surface	30%

Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	35%
Maximum density	6 units per acre of net buildable site area
Minimum lot width	20 ft
Minimum yards:	
Front	25 ft.
Sides	15 ft
Rear	25 ft

Section 1203 Additional Requirements

A. In addition to the specific area and dimensional requirements for each unit type, the following shall apply:

1. No building or structure shall be erected within fifty (50) feet of the boundary of the property or the right-of-way line.
2. A buffer shall be provided along Cold Spring Creamery Road and Route 413 consisting of a staggered double row of white or scotch pines or similar trees planted ten feet apart. All trees shall have a minimum height of four feet when planted. A berm not less than three feet in height shall be provided along Cold Spring Creamery Road and Route 413 to the rear of all lots.

B. All uses shall be served by public or centralized sewage disposal and by public or centralized water supply.

ARTICLE 13 R-6 RESIDENTIAL DISTRICT

Section 1300 Purpose and General

A. The purpose of the R-6 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from curative amendments filed by Herbert and Irma Barness.

B. A building or structure may be erected or altered, to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1301 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
- Class I - Home Office
- Class II - Traditional Home Occupation
- Class III - Family Day Care

B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted Conditional Use:

F1 Utilities

Section 1302 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B1 Single Family Detached Dwelling:

Minimum lot area	10,000 sq. ft
Maximum impervious surface coverage on lot	25 %
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	30%
Maximum density	2.5 dwelling units per gross acre
Minimum lot width at actual building line	75 ft
Minimum yards	
Front	25 ft
Sides	25 ft. aggregate; 10 foot minimum
Rear	25 ft

Section 1303 Additional Requirements

All additional requirements listed in Section 1203 for the R5 district shall apply to the R6 District.

ARTICLE 14 R-7 RESIDENTIAL DISTRICT

Section 1400 Purpose and General

A. The purpose of the R-7 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from curative amendments filed by John F. Enders, Jr., Della E. Enders, and William J. Shedden Jr.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1401 Permitted Uses

A. Uses Permitted By Right:

A4 Forestry
B1 Detached Dwelling
B3 Apartment, Duplex or Multi-Family
B9 Accessory Home Occupations
- Class I - Home Office
- Class II - Traditional Home Occupation
- Class III - Family Day Care

B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1402 Area, Dimensional, and Additional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B3 Apartment, Duplex or Multi-Family:

1. Dimensional Standards:

Maximum density	4.84 units per acre
Minimum open space	25 percent of base site area
Minimum building setback from perimeter lot lines and ultimate-right-of-way lines	50 feet
Minimum parking setback from perimeter lot lines and ultimate-right-of-way lines	20 feet

2. Buffer requirements: Buffers shall be provided in accordance with Article 31 of this ordinance and the Subdivision/Land Development Ordinance. A berm not less than 3 feet shall be provided along all perimeter streets and where the development abuts existing residences.
3. Parking: 3 spaces per dwelling unit (which may include spaces in garages)
4. Public or centralized sanitary sewage disposal is required.
5. Public or central water supply and distribution system is required.

6. Natural Resource Protection Standards - Streams, watercourses, and wetlands shall not be altered, regraded, developed, filled, piped, diverted or built upon except as specifically authorized and/or where required permits and approvals have been obtained authorizing such activities from the Department of Environmental Protection and/or the U.S. Army Corps of Engineers. All other standards of Article 31 shall apply.

B. B1 Single Family Detached Dwelling:

Minimum lot area	1 acre
Maximum impervious surface on lot	20 %
Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	25%
Minimum lot width at actual building line	150 ft.
Minimum yards	
Front	50 ft
Sides	30 ft
Rear	50 ft

C. All other Uses other than B1 and B3:

Minimum lot area	2 acres
Maximum impervious surface on lot	15 %
Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	20%
Minimum lot width at actual building line	200 ft
Minimum yards	
Front	75 ft
Sides	40 ft
Rear	75 ft

ARTICLE 15 R-8 RESIDENTIAL DISTRICT

Section 1500 Purpose and General

A. The purpose of the R-8 District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from a curative amendment filed by Claude J. Schlanger.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1501 Permitted Uses

A. Uses permitted by right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1502 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. B1 Single Family Detached Dwelling:

Minimum lot area	10,000 sq. ft.
Minimum lot width at building setback line	100 ft
Maximum impervious surface on lot	20 %
Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	30 ft.
Side (each)	15 ft.
Rear	30 ft.

Parking - A minimum of 4 off-street spaces per dwelling unit shall be provided, all or some of which spaces may be included within a garage.

B. All Other Permitted Uses other than B1:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 ft.

Maximum impervious surface on lot	20 %
Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	75 ft.
Side (each)	40 ft
Rear	75 ft

ARTICLE 16 R-9 RESIDENTIAL DISTRICT

Section 1600 Purpose and General

A. Purpose -The purpose of the R-9 district is to allow for development similar to that allowed in the R-1 district, with modifications to provide for buffering and setbacks from existing development.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1601 Permitted Uses

A. Uses permitted by right:

A4 Forestry
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1 Utilities

Section 1602 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Use B1 - Single Family Detached Dwelling:

Minimum lot area	1.0 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	20 %
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

B. All Other Permitted Uses:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 ft
Maximum impervious surface on lot	20 %

Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	75 ft
Side (each)	40 ft.
Rear	75 ft

ARTICLE 17 MHP RESIDENTIAL DISTRICT

Section 1700 Purpose

A. The purpose of the MHP District is to reflect and incorporate the development requirements of the stipulation and agreement for this property that resulted from curative amendments filed by Donald Greenberg, Benjamin Seidman, Herbert Burnstein, Alvin Smith, and Alvin Neiberg, known as Fairway-Smith Associates.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1701 Permitted Uses

A. Uses Permitted By Right:

A4	Forestry
B1	Detached Dwelling
B4	Mobile Home Park, units on foundations
B10	Residential Accessory Building
B11	Garage or Yard Sales

B. Uses Permitted by Conditional Use:

F1	Utilities
H11	Personal Wireless Facilities

C. Uses Permitted by Special Exception:

B4	Mobile Home Park, units on piers

Section 1702 Area, Dimensional, Parking, and Development Requirements

All uses other than Personal Wireless Facilities located in Communications Overlay District 1 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Dimensional Requirements:

Minimum open space	25%[1]
Minimum building setback from ultimate right-of-way of perimeter roads (Durham Road and Creek Road)	50 feet
Minimum building setback from PECO property	25 feet
Minimum parking area setback:	
From Durham Road ultimate right-of-way	50 feet
From Creek Road right-of-way	35 feet
From all other property lines	35 feet

[1] Open space may include forested areas, recreation areas, a community center for the mobile home park development, decorative ponds, and stormwater detention basins.

1. Required off-street Parking: 2 spaces per unit + one visitor space per 10 units

2. Buffer Requirements:
   a. Along Durham Road- A fifty (50) foot buffer measured from the ultimate right-of-way line at a density of at least 10 trees per 60 feet of buffer and a berm of not less than 3 feet in height.
   b. Along Creek Road - A thirty-five (35) foot buffer measured from the ultimate right-of-way line at a density of at least 10 trees per 60 feet of buffer.
   c. Along other perimeter site boundary lines - A twenty-five (25) foot buffer measured from the property line at a density of at least 10 trees per 60 feet of buffer.
3. Public or centralized sanitary sewage disposal is required.
4. Public or central water supply and distribution system is required.

Section 1703 Natural Resource Protection Standards

Forested areas - No more than 40 percent of forested areas shall be altered, regraded, or cleared except where development of the tract would result in poor planning in the judgment of the Board of Supervisors. In such areas, the Board of Supervisors may increase the amount of clearing to 60 percent providing; however, that the area cleared over the 40 percent shall be replanted at a rate of ten (10) trees per acre through the site, each tree being a minimum of 3 inches in caliper. Buffer plantings required by this Ordinance shall not be considered as meeting the replanting requirements.

ARTICLE 18 I-INSTITUTIONAL DISTRICT

Section 1800 Purpose and General

A. The Institutional Districts are intended to maintain the character of areas currently used by major institutions.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1801 Permitted Uses

A. Uses Permitted By Right:

A4	Forestry
C1	Place of Worship
C2	School
C4	Library or Museum
C5	Municipal Recreational Facility
C9	Community Center
C14	Municipal Building
F2	Emergency Services
H1	Nonresidential Accessory Building
H3	Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1	Utilities
H11	Personal Wireless Facilities

Section 1802 Area and Dimensional Requirements

All uses other than Personal Wireless Facilities located in Communications Overlay District 3 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. All Permitted Uses:

Minimum lot area	5 acres
Minimum lot width at building setback line	200 ft
Maximum impervious surface on lot for all uses except C2	25 percent
Maximum impervious surface on lot for use C2	35 percent
Minimum yards	
Front	50 ft
Side (each)	30 ft
Rear	75 ft

ARTICLE 19 VR -1 VILLAGE RESIDENTIAL DISTRICT

Section 1900 Purpose

A. The VR-1 Village Residential-1 Districts are intended to accommodate a wide variety of residential structures to ensure a balanced community. The higher density of the Village Residential Districts is compatible with a village or small town character.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 1901 Permitted Uses

A. Uses Permitted By Right:

A4	Forestry
A8	Accessory Farm Dwelling
B1	Detached Dwelling
B9	Accessory Home Occupations
	Class I - Home Office
	Class II - Traditional Home Occupation
	Class III - Family Day Care
B10	Residential Accessory Building
B11	Garage or Yard Sales
B12	Residential Conversion
C1	Place of Worship
C2	School
C4	Library or Museum
C5	Municipal Recreational Facility
C10	Day Care Center
H1	Nonresidential Accessory Building
H3	Temporary Structure

B. Uses Permitted by Conditional Use:

F1	Utilities
F2	Emergency Services
H11	Personal Wireless Facilities

Section 1902 Area and Dimensional Requirements

All uses other than those listed above and Personal Wireless Facilities located in Communications Overlay District 2 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Use B1 - Single Family Detached Dwelling:

Minimum lot area	20,000 sq. ft
Minimum lot width at building setback line	100 feet
Maximum impervious surface per lot	30%

Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	35%
Minimum yards	
Front	35 feet
Side (both)	15 feet
Rear	40 feet

B. All other permitted uses, other than those listed above:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum impervious surface coverage	20 %
Maximum impervious surface coverage after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

ARTICLE 20 RESERVED FOR FUTURE USE

ARTICLE 21 VR-3 VILLAGE RESIDENTIAL - 3 DISTRICT

Section 2100 Purpose

A. The VR-3 Village Residential - 3 District is intended to provide for higher density residential developments with the option for compatible office development in areas of the Township which are adjacent to higher density residential development in Doylestown Borough.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2101 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A2 Nursery
A4 Forestry
A7 Agricultural Retail
B1 Single Family Detached Dwelling
B2 Townhouse and Twins
B3 Apartment, Duplex or Multi-Family
B4 Mobile Home Park, units on foundations or piers
B6 Life Care/Full Care Facility
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
C2 School
C5 Municipal Recreational Facility
C14 Municipal Building
D5 Village Office
F2 Emergency Services
H1 Nonresidential Accessory Structure
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

B9 Accessory Home Occupations
Class IV - Accessory Office
F1 Utilities

Section 2102 Area and Dimensional Requirements

A. Nonresidential Uses:

All nonresidential uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

Minimum lot area	2 acres
Minimum lot width at front building line	200 feet
Maximum impervious surface ratio	30 percent
Maximum building coverage	15 percent
Minimum yards	
Front	35 feet
Side	15 feet
Rear	50 feet

B. Residential Uses:

Residential uses permitted in the Village Residential-3 District, other than Use B4, Mobile Home Park, shall comply with the following requirements and shall not be subject to the requirements found in Section 405 for these uses. Use B4 Mobile Home Park shall comply with the area, dimensional, parking and development requirements set forth in Section 1702, and the natural resource protection standards set forth in Section 1703, for the MHP Residential District; provided, however, that Use B4 Mobile Home Park shall also comply with the development requirements set forth in Section 2103.

1. Use B1 - Single Family Detached Dwelling:

Minimum lot area	1.0 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	20 %
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

2. Use B2 Townhouse and Twins:

An attached dwelling unit from ground to roof, having individual outside access; a row of attached townhouses shall not exceed eight (8) dwelling units and the number of units is a row or group of attached townhouses shall average no more than six (6) in any townhouse development.

Minimum site area	5 acres
Maximum density	5 dwelling units per acre of base site area
Minimum open space required	30 % of base site area
Maximum impervious surface ratio for site	50 % of base site area
Minimum lot width at building setback line	20 ft.
Maximum impervious surface on lot	60 %
Maximum impervious surface permitted on lot after the issuance of the initial occupancy permit	65%
Minimum building setback	
From internal street	20 ft. if driveway and parking are located on lot in front yard; 10 ft. if no driveway or parking in front yard.
From common parking area	10 ft.
Minimum garage setback	25 ft. from street line
Minimum rear yard	30 ft
Minimum building spacing	30 ft.
Minimum setback from all property lines for all buildings and parking areas	50 feet
Parking spaces required:	2 spaces per dwelling unit plus 0.25 spaces per unit for overflow parking

3. Use B3 Apartment, Duplex or Multi-family:

A dwelling designed and occupied exclusively as a residence and containing three or more dwelling units which may have individual outside entrances or unit entrances from a common entryway.

Minimum site area	5 acres
Maximum density	5 dwelling units per acre of base site area
Minimum open space required	30 percent of base site area
Maximum impervious surface ratio for site	45 percent of base site area
Minimum building setback	
from street line (public or private)	25 ft
from common parking area	20 ft
Maximum number of units per building	12
Minimum building spacing	30 ft
Minimum street frontage for site	100 ft
Minimum distance between buildings and open space	20 ft
Minimum setback from all property lines for all buildings and parking areas	50 feet
Parking spaces required	2 spaces per dwelling unit plus 0.25 spaces per unit for overflow parking.

4. Use of Transferable Development Rights for Uses B2 and B3.
   1. The maximum density for the uses B2 and B3 may be increased up to a maximum of 15 units per acre of base site area through transferable development rights.
   2. For each dwelling unit added above the density permitted by right of 5 dwelling units per acre, one (1) transferable development right per unit shall be required to be purchased and transferred to the site.
5. Use B14 Living Community - For use B14, the dimensional requirements stated in Section 405, Use Regulations, shall apply with the exception that the Maximum Density shall be the Base Site Area divided by .33. All other requirements set forth in Section 405 B14 shall apply.
6. Use D5 Village Office - The following additional requirements shall apply to Use D5:
   a. Pedestrian access shall be provided across adjoining streets.
   b. The Traffic Impact Study required for this conditional use shall include surrounding intersections.

Section 2103 Development Requirements

A. For any subdivision or land development of land within the VR-3 District, the applicant shall show the site of land as a whole, including planned or potential uses for each piece of property. Each use must provide for entrance and egress onto an internal road that has been designed for the site of land that is being subdivided or developed.

B. Each proposed use shall be constructed in accordance with an overall plan, which shall be designed as a single architectural style.

C. Stormwater management facilities and the road system shall be designed for the entire site and shall serve the entire site.

D. In order to protect the historic and visual character of the Fonthill Museum and Moravian Tileworks, which are nationally recognized historic sites, all Land Developments (as that term is defined in the Buckingham Township Subdivision and Land Development Ordinance "SALDO") hereafter proposed in the VR-3 district which are adjacent to or across Swamp Road from these landmarks shall maintain a setback of 200 feet from Swamp Road, which setback shall supersede any other front, side, or rear yard setback requirement specifying a lesser dimension and which requirement is established under the authority of Section 605 (2) (vi) of the Pennsylvania Municipalities Planning Code, Act 247, as amended. No hereafter proposed Land Development shall place structures, buildings, or parking areas within this setback. In addition, for any hereafter-proposed Land Development, the developer shall provide a mixed buffer composed of at least three (3) species of evergreen trees selected from the Buckingham Township Recommended Plant List (Appendix F to the Buckingham SALDO) placed at a minimum of four evergreen trees per 60 feet of buffer length. One evergreen tree in four may be substituted with a Pin Oak, American Beech, or European Beech shade tree.

Evergreen trees shall be a minimum of 12 feet in height. Shade trees shall be a minimum 4 inch caliper at time of installation. The buffer shall be installed prior to the erection of any structures.

ARTICLE 22 VC-1 VILLAGE CENTER DISTRICT

Section 2200 Purpose

A. The VC-1 Village Center Districts are intended to promote and preserve the residential and limited commercial character of the historic villages of Buckingham Valley, Forest Grove, Mechanicsville, Pineville, Spring Valley and Wycombe.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking, and other requirements as specified by this Ordinance.

Section 2201 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A4 Forestry
A7 Agricultural Retail
A8 Accessory Farm Dwelling
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
B12 Residential Conversion
C1 Place of Worship
C5 Municipal Recreational Facility
C14 Municipal Building
D3 Office
E3 Village Oriented Shop
E22 Bed and Breakfast,
E31 Accessory Dwelling in Combination
H1 Nonresidential Accessory Building
H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

A2 Nursery
B9 Accessory Home Occupations
Class IV Accessory Office
F1 Utilities
F2 Emergency Services

Section 2202 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Use B1 - Single Family Detached Dwelling:

Minimum lot area	10,000 sq. ft
Minimum lot width at building setback line	70 feet
Maximum impervious surface per lot	45%
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	50%
Minimum yards	
Front	25 ft
Side (both)	10 ft.
Rear	40 ft.

B. All other permitted uses, other than those listed above:

Minimum lot area	20,000 sq. ft.
Minimum lot width at building setback line	100 ft.
Maximum impervious surface coverage	45%
Maximum impervious surface coverage after the issuance of the initial occupancy permit	50%
Minimum yards	
Front	25 ft
Side (both)	20 ft
Rear	50 ft

ARTICLE 23 VC-2 VILLAGE CENTER DISTRICT

Section 2300 Purpose

A. The VC-2 Village Center Districts are intended to serve as the centers for commercial and office uses for the residents of the Township and the surrounding areas. Residential uses would be encouraged with these commercial uses in the villages of Buckingham, Furlong and Lahaska.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2301 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A2 Nursery
A4 Forestry
A7 Agricultural Retail
A8 Accessory Farm Dwelling
B1 Detached Dwelling
B7 Rooming or Boarding House
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
B12 Residential Conversion
C1 Place of Worship
C2 School
C3 Commercial School
C4 Library or Museum
C5 Recreational Facility
C8 Private Club
C9 Community Center
C12 Nursing Home
C14 Municipal Building
D1 Medical Office
D2 Veterinary Office
D3 Office
E1 Retail Store
E3 Village-Oriented Shop
E5 Service Business
E6 Financial Establishment
E7 Funeral Home
E8 Eating Place
E12 Repair Shop
E22 Bed and Breakfast
E31 Accessory Dwelling in Combination
F3 Public Transportation Passenger Terminal
G7 Crafts

H1	Nonresidential Accessory Building
H3	Temporary Structure or Use

B. Uses Permitted by Conditional Use:

B9	Accessory Home Occupations
	Class IV Accessory Office
E10	Tavern
E28	Specialty Cultural Shopping Center
F1	Utilities
F2	Emergency Services

Section 2302 Area and Dimensional Requirements

All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

A. Use B1 - Single Family Detached Dwelling:

Minimum lot area	10,000 sq. ft.
Minimum lot width at building setback line	70 feet
Maximum impervious surface per lot	45%
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	50%
Minimum yards	
Front	25 feet
Side (both)	10 feet
Rear	40 feet

B. All other permitted uses, other than those listed above:

Minimum lot area	20,000 sq. ft.
Minimum lot width at building setback line	100 feet
Maximum building coverage	30 percent
Maximum impervious surface coverage	45 %
Minimum yards	
Front	25 feet
Side (both)	20 feet
Rear	50 feet

C. Use E10 Tavern, in addition to the requirements set forth above, shall be subject to the following requirements:

1. No recreational activity involving patrons shall be permitted outside the structure.
2. Hours of operation shall be set as a condition of the conditional use approval and shall be set to minimize the impact of this use on nearby residential uses.
3. In no event shall this use violate the provisions of the Buckingham Township Noise Ordinance.

ARTICLE 24 VC-3 VILLAGE CENTER DISTRICT

Section 2400 Purpose

This Ordinance is enacted to encourage innovations in residential and non-residential development and, in aid of that purpose, to provide a procedure that can relate the type, design, and layout of residential and non-residential development to a particular site.

Section 2401 General

A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

A. Uses Permitted by Right. The following uses permitted in the AG-1 Agricultural -1 District, subject to all criteria which would be applicable if the lands were subject to the AG-1 Agricultural -1 District classification:

A1	General Farming
A2	Nursery
A4	Forestry
A7	Agricultural Retail
B1	Detached Dwelling
B10	Residential Accessory Building
H1	Nonresidential Accessory Building
H3	Temporary Structure or Use

B. Uses Permitted by Conditional Use:

F1	Utilities
H11	Personal Wireless Facilities

Section 2402 Area and Dimensional Requirements

A. All permitted uses with the exception of Personal Wireless Facilities located in Communications Overlay District 1 shall be governed by the applicable area, dimensional, and density regulations which would be applicable to the proposed use if it were to be situated in an AG-1 Agricultural District.

ARTICLE 25 NVO NEIGHBORHOOD VILLAGE OFFICE DISTRICT

Section 2500 Purpose

A. The NVO Neighborhood Village Office Districts are intended to provide for moderate office use along arterial and major collector roads. Such developments shall be planned with adequate improvements, internal streets/driveways and be compatible with adjacent uses. Adverse impacts on neighboring residential developments must be avoided by use of buffer screening.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2501 Permitted Uses

A. Uses Permitted by Right:

A4	Forestry
D5	Village Office
F1	Utilities

B. Uses Permitted by Conditional Use:

H11	Personal Wireless Facilities

Section 2502 Area and Dimensional Requirements

A. All uses except for Personal Wireless Facilities located in Communications Overlay District 2 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. All Permitted Uses:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	30 percent
Maximum floor area ratio	0.15
Minimum yards	
Front	50 feet
Side (both)	50 feet
Rear	50 feet

B. For any subdivision or land development within the NVO district, the applicant shall show the tract of land as a whole, including planned or potential uses for each lot. Each use must provide for entrance and egress onto an internal road that has been designed for the lot that is being subdivided or developed.

C. Minimum yard requirements shall be applicable to all buildings, structures, and parking areas except for signs and fences.

ARTICLE 26 PC-1-PLANNED COMMERCIAL DISTRICT

Section 2600 Purpose

A. The PC-1-Planned Commercial Districts are intended to provide for commercial uses along U.S. Route 611.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking, and other requirements as specified by this Ordinance.

Section 2601 Permitted Uses

A. Uses Permitted By Right:

A4	Forestry
A7	Agricultural Retail
B9	Accessory Home Occupation
	Class I - Home Office
	Class II - Traditional Home Occupation
B10	Residential Accessory Building
B11	Garage or Yard Sales
C1	Place of Worship
C3	Commercial School
C4	Library or Museum
C6	Private Recreational Facility
C8	Private Club
C9	Community Center
C10	Day Care Center
D1	Medical Office
D3	Office
D4	Office Park
E1	Retail Store
E2	Adult Commercial
E5	Service Business
E6	Financial Establishment
E8	Eating Place
E10	Tavern
E11	Convenience Store
E12	Repair Shop
E13	Theater
E14	Indoor Athletic Club
E15	Amusement Halls
E24	Automotive Sales
E25	Motor Vehicle Service Center/Repair Shop
E26	Car Wash
E27	Truck and Farm Equipment Sales and Repair
E29	Shopping Center
E31	Accessory Dwelling in Combination
E33	Limited Personal Service
F2	Emergency Services
F3	Public Transportation Passenger Terminal
G7	Crafts
H1	Nonresidential Accessory Building

H3	Temporary Structure
H10	Vending Machine

B. Uses Permitted by Conditional Use:

B9	Accessory Home Occupations Class IV Accessory Office
E9	Accessory Drive Through Facility
E23	Motor Vehicle Gasoline Station
E28	Specialty Cultural Shopping Center (Maximum site area of 30 acres)
F1	Utilities
H8	Telecommunications Facility
H11	Personal Wireless Facilities

Section 2602 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. All permitted uses:

Minimum lot area	20,000 sq. ft
Minimum lot width at building setback line	100 feet
Maximum building coverage	20 percent
Maximum impervious surface coverage	50 percent
Minimum yards	
Front	50 feet
Side (both)	25 feet
Rear	50 feet

B. Use E9, Accessory Drive Through Facility, in addition to the requirements set forth above, shall be subject to the following requirement:

1. It shall be a condition of any approval for this use that the applicant shall participate in the Adopt-a-Highway program administered by the Pennsylvania Department of Transportation in order to eliminate the accumulation of trash.

C. For Use E29, the developer shall:

1. Install all roadway improvements and traffic signals indicated as being necessary by a traffic impact study which shall be prepared at the developer's expense; and
2. Consider and implement where feasible the recommendations of the Buckingham Township Historical Review Board with respect to design of the shopping center.

ARTICLE 27 PC-2 PLANNED COMMERCIAL DISTRICT

Section 2700 Purpose

A. The PC-2 Planned Commercial Districts are intended to provide for convenience commercial uses in the form of coordinated shopping center developments.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2701 Permitted Uses

A. Uses Permitted by Right:

A1	General Farming
A2	Nursery
A4	Forestry
A7	Agricultural Retail
A8	Accessory Farm Dwelling
F2	Emergency Services
H1	Nonresidential Accessory Building
H3	Temporary Structure or Use
H10	Vending Machine

B. Uses Permitted by Conditional Use:

E28	Specialty Cultural Shopping Center (Maximum site area of 30 acres)
F1	Utilities
H11	Personal Wireless Facilities

Section 2702 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. All permitted uses:

Minimum lot area	10 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	30 percent
Maximum impervious surface coverage	50 percent
Minimum yards	
Front	100 feet
Side (both)	100 feet
Rear	100 feet

ARTICLE 28 LC LIMITED COMMERCIAL DISTRICT

Section 2800 Purpose

A. The LC Limited Commercial Districts are intended for moderate intensity commercial and office uses of a highway oriented nature. Residential uses are encouraged in the Limited Commercial Districts. All uses must be developed, constructed, operated and maintained within the constraints of the underlying limestone geology.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2801 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A2 Nursery
A4 Forestry
A7 Agricultural Retail
A8 Accessory Farm Dwelling
B1 Detached Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
C4 Library or Museum
C9 Community Center
C10 Day Care Center
D1 Medical Office
D3 Office
E1 Retail Store
E5 Service Business
E6 Financial Establishment
E7 Funeral Home
E8 Eating Place
E22 Bed and Breakfast
E31 Accessory Dwelling in Combination
F2 Emergency Services
G7 Crafts
H1 Nonresidential Accessory Building
H3 Temporary Structure or Use
H10 Vending Machine

B. Uses Permitted by Conditional Use:

B9 Accessory Home Occupations
Class IV - Accessory Office
F1 Utilities

H9 Microwave or Satellite Dish Antenna Greater than Two (2) Feet in Diameter
H11 Personal Wireless Facilities
A combination of two or more uses set forth in Section 2801 A. and/or 2801 B.

Section 2802 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. Use B1 - Detached Dwelling:

Minimum lot area	20,000 sq. ft.
Minimum lot width at building setback line	100 feet
Maximum building coverage	15 %
Maximum impervious surface coverage	20 %
Maximum impervious surface coverage permitted after the issuance of the initial occupancy permit	25%
Minimum yards	
Front	50 feet
Side (each)	15 feet
Rear	50 feet

2. All Other Permitted Uses

Minimum lot area	1 acre[1]
Minimum lot width at building setback line	150 feet
Maximum building coverage	30 %
Maximum impervious surface coverage	50 %
Minimum yards	
Front	50 feet
Side (each)	30 feet
Rear	50 feet

[1]The one (1) acre minimum lot area requirement shall apply to any single use or combination of uses permitted by right, by special exception or by conditional use where such uses are proposed as part of a common, coordinated development plan for a parcel(s) of ground.

B. Where a combination of uses is proposed pursuant to Section 2801 B. as a conditional use, the following parking criteria shall apply in lieu of any inconsistent requirements set forth in Section 405: Five and one-half (5.5) off-street parking spaces for each one-thousand (1,000) square feet of gross floor space and two (2) off-street parking spaces for each residential dwelling unit.

ARTICLE 29 PI-PLANNED INDUSTRIAL DISTRICT

Section 2900 Purpose

A. The Planned Industrial Districts are intended to provide for business, commercial, office and laboratory uses. Such developments should be planned for adequate improvements, internal streets, and compatibility with adjacent uses.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 2901 Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A4 Forestry
A7 Agricultural Retail
A8 Accessory Farm Dwelling
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
C5 Municipal Recreational Facility
C6 Private Recreational Facility
C8 Private Club
C9 Community Center
C10 Day Care Center
C11 Hospital
D1 Medical Office
D2 Veterinary Office
D3 Office
D4 Office Park
E12 Repair Shop
E14 Indoor Athletic Club, as adaptive reuse only
E31 Accessory Dwelling in Combination
F2 Emergency Services
F3 Public Transportation Passenger Terminal
F4 Public Airport or Public Heliport
G1 Manufacturing
G2 Research
G3 Wholesale, Storage, Warehousing
G5 Contracting
G7 Crafts
G8 Planing Mill and Lumber Yard
G11 Fuel Storage
G12 Junk Yard or Auto Salvage Yard
G13 Extractive Operations
G14 Industrial Park
G15 Solid Waste Facility

H1	Nonresidential Accessory Building
H2	Outside Storage or Display
H3	Temporary Structure or Use
H6	Air Landing Strip
H7	Helistop

B. Uses Permitted by Conditional Use:

E32	Fireworks Sales
F1	Utilities
H5	Wind Energy Conversion System
H8	Telecommunications Facility
H11	Personal Wireless Facilities

Section 2902 Area and Dimensional Requirements

A. All uses except for Personal Wireless Facilities in Communications Overlay District 2 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. Dimensional Requirements:

Minimum lot area	2 acres
Minimum lot width at front building line	250 feet
Maximum impervious surface ratio	35 percent
Maximum building coverage	15 percent
Minimum yards:	
Front	50 feet
Side	30 feet
Rear	50 feet

Section 2903 Development Requirements for all Permitted Uses

A. Personal Wireless Facilities shall comply with the provisions of Article 4, Section 405.H11.

B. A minimum tract size of 2 acres is required.

C. For any subdivision or land development of land within the PI District, the applicant shall show the tract of land as a whole, including planned or potential uses for each piece of property. Each use must provide for entrance and egress onto an internal road that has been designed for the tract of land that is being subdivided or developed.

D. Each proposed use shall be constructed in accordance with an overall plan, which shall be designed as a single architectural style.

E. Stormwater management facilities and the road system shall be designed for the entire tract.

F. No industrial waste or byproduct shall be permitted to be discharged into the stormwater or waste water systems or other water course at a level that exceeds the standards of the Clean Water Act and/or associated regulations in effect at the time of application. Pollution prevention controls must be fully detailed and accepted as satisfactory by the Board of Supervisors prior to preliminary approval.

G. No industrial waste or byproduct shall be discharged into the air at a level that exceeds the standards of the Clean Air Act and/or associated regulations in effect at the time of application. Pollution prevention controls must be fully detailed and accepted as satisfactory by the Board of Supervisors prior to preliminary approval.

ARTICLE 29 -A PI-2 PLANNED INDUSTRIAL DISTRICT-2

Section 2900-A Purpose

A. The Planned Industrial Districts are intended to provide for business, commercial, office, and laboratory uses. Such developments should be planned for adequate improvements, internal streets and compatibility with adjacent uses.

B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking, and other requirements as specified by this Ordinance.

Section 2901-A Permitted Uses

A. Uses Permitted By Right:

A1 General Farming
A2 Nursery
A3 Intensive Agriculture and CAFOs
A4 Forestry
A5 Riding Academy
A6 Kennel
A7 Agricultural Retail
A8 Accessory Farm Dwelling
A9 Farm Support Facility
B9 Accessory Home Occupations
Class I - Home Office
Class II - Traditional Home Occupation
Class III - Family Day Care
B10 Residential Accessory Building
B11 Garage or Yard Sales
C5 Municipal Recreational Facility
C6 Private Recreational Facility
C8 Private Club
C9 Community Center
C10 Day Care Center
C14 Municipal Building
D1 Medical Office
D2 Veterinary Office
D3 Office
D4 Office Park
D6 Outpatient Surgical Facility
E12 Repair Shop
E14 Indoor Athletic Club, as adaptive use only
F2 Emergency Services
F3 Public Transportation Passenger Terminal
G1 Manufacturing
G2 Research
G3 Wholesale, Storage, Warehousing
G5 Contracting
G7 Crafts
G8 Planing Mill and Lumber Yard
G11 Fuel Storage

G12	Junk Yard or Auto Salvage Yard
G13	Extractive Operations
G14	Industrial Park
G15	Solid Waste Facility
H1	Nonresidential Accessory Building
H3	Temporary Structure or Use
H9	Microwave or Satellite Dish Antenna Greater than Two (2) Feet in Diameter

B. Uses Permitted by Conditional Use:

F1	Utilities
H5	Wind Energy Conversion System
H8	Telecommunications Facility
H11	Personal Wireless Facilities

Section 2902-A Area and Dimensional Requirements

A. All uses except for Personal Wireless Facilities in Communications Overlay District 2 shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply.

1. Dimensional Requirements:

Minimum lot area	2 acres
Minimum lot width at front building line	250 feet
Maximum impervious surface ratio	35 percent
Maximum building coverage	15 percent
Minimum yards:	
Front	50 feet
Side	30 feet
Rear	50 feet

Section 2903-A Development Requirements for all Permitted Uses

A. Personal Wireless Facilities shall comply with the provisions of Article 4, Section 405.H11.

B. A minimum tract size of 2 acres is required.

C. For any subdivision or land development of land within the PI-2 District, the applicant shall show the tract of land as a whole, including planned or potential uses for each piece of property. Each use must provide for entrance and egress onto an internal road that has been designed for the tract of land that is being subdivided or developed.

D. Each proposed use shall be constructed in accordance with an overall plan, which shall be designed as a single architectural style.

E. Stormwater management facilities and the road system shall be designed for the entire tract.

F. No industrial waste or byproduct shall be permitted to be discharged into the stormwater or waste water systems or other water course at a level that exceeds the standards of the Clean Water Act and/or associated regulations in effect at the time of application. Pollution prevention controls must be fully detailed and accepted as satisfactory by the Board of Supervisors prior to preliminary approval.

G. No industrial waste or byproduct shall be discharged into the air at a level that exceeds the standards of the Clean Air Act and/or associated regulations in effect at the time of application. Pollution prevention controls must be fully detailed and accepted as satisfactory by the Board of Supervisors prior to preliminary approval.

ARTICLE 30 GENERAL REGULATIONS APPLICABLE TO ALL DISTRICTS AND USES

Section 3000 Lot Area or Yard Required

The lot or yard requirements for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this Ordinance. No required lot or area shall include any property, the ownership of which has been transferred subsequent to the effective date of this Ordinance, if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.

Section 3001 Minimum Lot Area

Where a minimum lot area is specified, no principal building or use shall be erected or established on any lot of lesser size than is specified in Articles 4 through 29, except as specifically permitted by this Ordinance.

Section 3002 Exceptions to Minimum Lot Areas

A. The provisions of Articles 4 through 29 shall not prevent the construction of a detached dwelling on any lot that was lawful when created and which, prior to the effective date of this Ordinance, was in separate ownership duly recorded by plan or deed; and provided that:

1. Those lots not served by public water and sewers shall meet all requirements of the Bucks County Department of Health.
2. The percentage of lot area covered by the single-family dwelling shall not exceed fifteen (15) percent of the area of the lot.
3. The front and rear yards shall aggregate at least sixty (60) percent of the total lot depth or meet the normal requirements of the district in which the lot is located; but in no case shall the aggregate of the front yard and the rear yard be less than thirty (30) feet.
4. The side yards shall aggregate at least forty (40) percent of the total lot width or meet the normal requirements of the district in which the lot is located.

B. This exception shall not apply to any two or more contiguous lots in a single ownership as of or subsequent to the effective date of this Ordinance; in any case where a reparceling or replatting could create one or more lots that would conform to the Ordinance.

Section 3003 Minimum Lot Width and Lot Frontage Requirements

A. Where a minimum lot width is specified, no principal building shall be erected on any part of a lot, which has a width less than that specified in this Ordinance, except as specified in Section 3002.

B. Minimum lot width shall be measured at the minimum required front building setback line. In addition to meeting the minimum lot width at the building setback line, each lot shall have a minimum lot width at the street line of not less than 50 percent of the lot width required at the building setback line.

C. Every principal building shall be built on a lot with frontage on a public street or street improved to meet the Township's standards for public streets. Lot frontage shall be a minimum of 25 feet, or greater as may be required by Section 3003.B.

Section 3004 Lane Lots

Lane lots may be permitted as an exception to the minimum lot width requirement at the building setback line as defined in Article 2. A lane lot is a parcel of land that does not have the required minimum lot width at the minimum front building setback line but has direct access to a public street through a strip of land that is part of the same lot. The lot lines of the narrow portion of the lot (the lane) are parallel or nearly parallel.

A. A lane lot may serve detached dwellings only.

B. Each lot must have a separate lane.

C. Lane lots may not be used in a subdivision of lots containing any new streets.

D. If the proposed lane lot is not large enough to further subdivide under the zoning requirements at the time the subdivision is proposed then the lane shall have a minimum width of twenty-five (25) feet at the street line of a public street and shall not narrow to a lesser dimension. However, if the proposed lot is large enough to further subdivide under the zoning requirements at the time the subdivision is proposed then the minimum lane width shall be fifty (50) feet at the street line and shall not narrow to a lesser dimension. Should the property owner agree by plan notation and recorded document that the lot will not be further subdivided, then a lane of twenty-five (25) feet in width shall be sufficient.

E. The area of the lane shall not be included in the calculation of the minimum lot area.

F. Only one tier of lane lots will be permitted on a tract.

G. The front yard setback for a lane lot shall be a distance equal to the front yard requirements for the district in which the lot is located and shall be measured from the point where the lot first obtains the minimum lot width measurement.

H. The length of the lane shall be limited to a maximum length of one thousand (1,000) feet.

I. Lane lots in subdivisions of three or more lots will not be permitted.

J. Lane lots must contain a minimum of ten (10) acres.

Section 3005 Yard Requirements

No portion of a building or structure shall be built within the minimum depth of front, side, or rear yards as specified in Articles 4 through 29, except as expressly permitted by this Ordinance.

Section 3006 Exceptions for Existing Building Alignment

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

A. There shall be existing buildings on the lots on either side of the lot that would contain the proposed building.

B. The proposed building would front on the same side of the same street in the same block as the existing buildings on lots on either side.

C. The existing buildings on the lots on either side would be no greater than fifty (50) feet from the proposed building.

D. The proposed building may be constructed at a front yard depth that is not less than the average of the front yard setbacks of the existing building on the lots on either side.

Section 3007 Projections into Yards

Ground-story bays and chimney flues may project into required yard areas no more than four (4) feet. Such projections into the required minimum yard areas shall not occupy more than one third the length of the building wall. Cornices and gutters may project not more than two (2) feet over a require yard. Fire escapes may be permitted in accordance with this section in side or rear yards only.

Section 3008 Height

The height of buildings is regulated to prevent loss of life or excessive property damage through the inability of Township fire equipment to reach upper stories or roofs. Therefore, no building shall exceed a height of thirty-five (35) feet, except church spires, belfries, silos, water towers, smokestacks, solar panels, wind generator towers, or other areas not designed for human habitation or flagpoles provided they are not used for human occupancy and are setback one and one-half (1.5) times their height (from ground level to the top of the structure) from a building or property line and they comply with any additional regulations, including height, which are stated in Section 405 for specific uses. Any additional restrictions on height that may be imposed by the requirements of Article 3, Airport Area Requirements, shall be followed.

Section 3009 Traffic Visibility Across Corners

A. No structure, sign, fence, planting or other obstruction shall be established or maintained so as to interfere with traffic visibility across the corner within that part of the required yard which is within a horizontal clear-sight triangle. The clear sight triangle is that area as defined by PennDOT criteria for a given roadway and travel speed.

B. At each point where a private access way intersects a public street or road, a clear-sight triangle of ten (10) feet measured from the point of intersection of the edge-of-cart way line and the edge of the access way shall be maintained, within which vegetation and other visual obstructions shall be limited to a height of not more than two (2) feet above the street grade.

Section 3010 Special Setbacks

Special setbacks shall be considered to be larger yard requirements and as such shall not reduce or affect the base site area of a lot.

A. Setbacks for reverse frontage lots - Reverse frontage lots are through lots with the front yard along an internal street from which the lot takes access, and the rear yard along another street from which the lot has no access.

1. These setback requirements shall apply to all uses and principal structures on any reverse frontage lots, regardless of the type of street, and shall supersede the yard and setback requirements for the all zoning districts within which the lots lie.
2. The special setback shall be measured from the ultimate right-of-way line of the streets to the principal structure.
3. For reverse frontage lots existing as of the effective date of this amendment, the following shall apply. Swimming pools and fences may be located closer to the right-of-way line on reverse frontage lots. Pools shall be set back a minimum of 12 feet from the ultimate right of way line. A 10-foot buffer area planted

with a dense evergreen screen and a fence shall be required for pools on reverse frontage lots. The dense evergreen screen shall be planted outside of the ultimate right-of-way and shall consist of evergreen trees and shrubs that will constitute a planted buffer that cannot be seen through, with a minimum of one plant every 10 feet of lot width. Evergreens shall be a minimum of six (6) feet in height when planted. The fence shall be placed on the interior side of the planted buffer and not on the road-side of the evergreen buffer. Unenclosed patios and porches may extend 10 feet into the special setback from the principal structure.

4. For all reverse frontage lots created after the effective date of this ordinance, the special setback shall be a minimum of 200 feet in width. A berm of varying height with a minimum height of 3 feet and a planted buffer with a minimum width of 75 feet shall be planted with vegetation types and plant densities as specified in the Subdivision/Land Development Ordinance for a Type 1 buffer. Accessory structures shall not be placed within the 75-foot buffer area.
5. Special setbacks may not be used to meet minimum open space requirements.

B. Pipelines - All buildings housing a human activity, including a residence, commercial, industrial, or institutional use shall be set back a minimum of 75 feet from any pipeline right-of-way which transports a flammable or explosive material, except for those lines providing domestic gas service. Other buildings or structures not occupied by humans shall be prohibited within the right-of-way of the pipeline.

C. Setbacks from resource-protected lands - On lots which include resource restricted lands that are 80% or more protected from disturbance in accordance with Section 3101.B.2. of this Ordinance, the minimum building setbacks shall be measured from the limit of the resource-protected lands rather than from the lot lines so that the required minimum yard is free from resource restricted lands. On lots which include resource restricted lands that are less than 80% protected from disturbance in accordance with Section 3101.B.2. of this Ordinance, the setback requirements may be measured from the lot lines.

Section 3011 Off-Street Parking - General Regulations

A. Parking shall be provided off street unless on-street parking is specifically permitted by this ordinance

B. Ingress and egress for nonresidential uses shall be designed so that vehicles shall not be required to back out onto a street or another lot. Wherever possible, ingress and egress for residential uses shall be designed so that vehicles shall not be required to back out onto a street or another lot. This will not be required for residential uses in the Village districts.

C. Parking areas for all uses except residences shall be designed to permit each motor vehicle to proceed to and from the parking space provided for it without requiring the moving of any other motor vehicle. Wherever possible, parking area for residential uses shall be designed to permit each motor vehicle to proceed to and from the parking space without requiring the moving of any other motor vehicle. This shall not be required for residential uses in village districts.

D. Structures and uses in existence at the date of adoption of this Ordinance shall not be subject to the requirements of this section so long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.

E. Whenever there is an alteration of a structure or a change or extension of a use that increases the parking requirements according to the standards of this Ordinance, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section.

F. No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.

G. All required facilities shall be provided and maintained so long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except

upon the grant of a variance by the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Article. The owner or sponsor of particular uses shall take reasonable precautions to assure the availability of required facilities to the employees or other persons whom the facilities are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard, or an unreasonable impediment to traffic.

H. Two or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total by special exception if it can be demonstrated to the Zoning Hearing Board that the hours or days of peak parking needed for the uses are so different that a lower total will provide adequately for all uses served by the facility.

I. For parking areas of three (3) or more vehicles, the area not landscaped and maintained, including driveways, shall be graded, surfaced with asphalt or other suitable material, and drained to the satisfaction of the Township Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining property. All off-street parking spaces shall be marked so as to indicate their location, except where the permitted parking lot material does not permit marking. Failure to keep parking areas in satisfactory condition (i.e., free from holes, clearly delineated, or properly graded) shall be considered a violation of this Ordinance.

J. In addition to the parking required for cars, parking lots for uses E-28 and E-29 shall provide bus parking spaces in the amount of 1 bus space for every 25,000 square feet of gross floor area.

K. For any use in any district for which parking is not otherwise specified, Parking shall be provided as follows:

1. Residential Uses - 2 spaces per dwelling unit plus an additional space for every bedroom over 2 and 0.25 spaces per unit for overflow parking.
2. All Other Uses – 1 parking space per every 200 square feet of Floor Area plus one parking space for each employee

Section 3012 Reduction of Parking Requirements

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

B. The design of the parking lot, as indicated on the land development plan, must designate sufficient space to meet the parking requirements of this Ordinance. The plan shall also illustrate the layout for the total number of parking spaces.

C. The reduction shall provide for the establishment of not less than seventy (70) percent of the required number of parking spaces, as specified in this Ordinance. This initial phase of the parking provision shall be clearly indicated on the plan.

D. The balance of the parking area reserved shall not include areas for required buffer yards, setbacks, or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land or other requirements of this Ordinance. This parking area which is reserved shall be located and have characteristics so as to provide amenable open space should it be determined the additional parking spaces are not required. The developer shall provide a landscaping plan for the reserved area with the land development plan. The area reserved shall be graded as if parking were to be built, and seeded.

E. The developer shall enter into a written agreement with the Board of Supervisors that, for up to ten (10) years following the issuing of the last occupancy permit, the additional parking spaces shall be provided at the

developer's or owner's expense should it be determined that the required number of parking spaces are necessary to satisfy the need of the particular land development. This decision shall be made at the sole discretion of the Board of Supervisors.

F. At the time of the above stated agreement, the developer or owner shall post securities to cover the cost of installing the required parking. The Board of Supervisors shall determine if the developer shall provide the additional spaces or if the area shall remain as open space.

G. Land which has been determined and designated by the Board of Supervisors to remain as open space rather than as required parking shall not be used to provide parking spaces for any addition or expansion but shall remain as open space and shall be shown on the record plan as land reserved for parking.

Section 3013 Parking Area Design Requirements

A. Parking areas with a capacity of three (3) or more vehicles shall meet the design standards stated in Section 9-18 of 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).

B. All non-residential parking areas shall be so buffered through the use of any combination of landscaping, fencing, and landscape walls so as to prevent, during all times of year, vehicle headlights within the parking area from producing glare, disabling glare, discomfort glare, obtrusive light, light trespass, light spill or sky glow (as those terms are defined in Section 3016 of this Ordinance) off the premises by illumination from light originating within the parking area and exceeding 0.25 foot-candles at the lot line. No bare or direct light source, including vehicle lights, shall shine directly into windows off the premises.

Section 3014 Loading

Loading shall not be permitted on public streets.

Section 3015 Exemption for Municipal Utilities

Municipal utilities are those services rendered by Buckingham Township in the nature of public water and public sanitary sewer, including the appurtenances owned, or to be owned, by the Township and used in conjunction with the supplying of such public services. Any existing or proposed structure, or extension thereof, used or to be used by the Township for the purpose of supplying municipal utilities shall be exempt from the area, dimensional, parking and use regulations as otherwise would be required by this zoning ordinance.

Section 3016 Lighting

A. Purpose:

The purpose of this section is to regulate outdoor lighting for the public good in order to prevent, or reduce to the largest degree possible, light pollution. To the extent reasonably possible using state-of-the-science technology available at the time of plan application, all efforts shall be made to reduce or prevent obtrusive light, glare and light trespass while promoting the conservation of energy as well as safety and security.

B. Definitions:

CIE - The International Commission on Illumination

Disability glare - That which impairs vision without necessarily causing discomfort. (CIE definition 45-25-320) The masking effect of bright light sources, on the visibility of objects elsewhere in the field of vision.

Discomfort Glare (aka **nuisance glare**) - That which impairs vision without necessarily causing discomfort (CIE definition 45-25-315) A general expression for the hindrance effects on visual performance, by strong lights in the field of view.

Full cut-off fixture (FCO) - A lamp with a flat glass panel beneath which, when mounted horizontally, emits no light above the horizontal that meets IENSA standards for that classification.

Glare - a descriptive term referring to bright or dazzling light which results from one or more of the following conditions singularly or in relation to each other; the luminance of the light source which is the dominant component, the luminance of the background, the size and number of glare sources, the relative position of the glare source.

IESNA – An acronym for the Illuminating Engineering Society of North America, a professional guidance body for lighting engineers.

Light Pollution (aka **Obtrusive Light)** - Artificial light that, because of quantitative, directional, or spectral attributes in a given context, causes annoyance, discomfort, distraction, or a reduction in the ability to see essential information.

Light Spill - Light emitted by a lighting installation that falls outside the boundaries of the property on which the installation is sited.

Light Trespass - Light entering areas or premises outside the boundary of the premises to be illuminated.

Lumen - A unit of luminous flux equal to the amount of light given out through a solid angle of 1 steradian by a point source of 1 candela intensity radiating uniformly in all directions.

Luminary (aka **luminaire**) - The lamp, its surrounding casing and associated optics.

Skybeam, **Sky Beam** - A concentrated beam of light sent into the sky deliberately, usually for the purposes of advertising.

Sky Glow, **Skyglow** - Unwanted light emitted into the night sky from poorly aimed lamps.

Upward Waste Light Ratio (UWLR) - A measure of the proportion of luminous flux emitted by the luminaire above the horizontal over that luminous flux emitted by the luminaire below the horizontal.

C. Applicability:

1. New Uses, Buildings and Major Additions or Modifications. For all proposed new land uses, developments, buildings, and structures that require a permit, all outdoor lighting fixtures shall meet the requirements of this Section. All building additions or modifications to buildings resulting in an increase of twenty-five (25) percent or more of additional dwelling units, gross floor area, or parking spaces, either singly or with multiple additions subsequent to the effective date of this provision, shall invoke the requirements of this Section for the entire property, including previously installed and any new outdoor lighting. Cumulative modification or replacement of outdoor lighting constituting twenty-five (25) percent or more of the permitted lumens for the parcel, no matter the actual amount of lighting already on a non-conforming site, shall constitute a major addition for purposes of this section.
2. Minor Additions. Additions or modifications of less than twenty-five (25) percent to existing uses, as defined in the preceding subsection, and that require a permit, shall require the submission of a complete inventory and site plan detailing all existing and any proposed new outdoor lighting. Any new lighting on the site shall meet the requirements of this Section with regard to shielding and lamp type; the total outdoor light output after the modifications are complete shall not exceed that on the site before the modification, or that permitted by this Section, whichever is larger.
3. Resumption of Use after Abandonment. If a property or use with non-conforming lighting is abandoned as defined in Section 16, then all outdoor lighting shall be reviewed and brought into compliance with this Section before the use is resumed.
4. Nonconformance.
    a. Existing bottom-mounted or unshielded outdoor advertising sign lighting shall not be used beginning five years after enactment of this amendment to the Zoning Ordinance.

b. All other outdoor light fixtures lawfully installed prior to and operable on the effective date of this amendment to the Zoning Ordinance are exempt from all requirements of this Ordinance. There shall be no change in use or lamp type, or any replacement (except for same-type and same-output lamp replacement) or structural alteration made, without conforming to all applicable requirements of this Ordinance. Further, if the property is abandoned, or if there is a change in use or ownership of the property, the provisions of this Ordinance will apply when the abandonment ceases or the new use or ownership commences.

c. Where any provision of federal, state, county, township or city statutes, codes, or laws conflicts with any provision of this Ordinance, the most restrictive shall govern unless otherwise regulated by law.

D. General Standards:

1. Lights for all uses shall be designed to minimize undesirable off-premises effects inclusive of but not limited to glare, disabling glare, discomfort glare, light trespass, light spill, or sky glow as defined by this ordinance.
2. All outdoor lighting shall be designed to provide the minimum lighting necessary to assure adequate vision, safety and working purposes.
3. All outdoor lighting shall be designed to have Upward Waste Light Ratio of 0. In addition, outdoor lighting of any kind shall account for the upward reflectance of the first surface after the source so that directing light projected upward does not exceed the limit specified in subsection 6 (below) at the fixture responsible for the reflectance at the height of the source. Ground and wall reflectance shall be minimized by either modifying the reflectance properties of the surface or by reducing the light emanating from the fixture(s).
4. With the exception of structures having symbolic (i.e. churches and/or public buildings) or historic significance in the planning jurisdiction, entire building facades shall not be illuminated. When illuminating front building facades, the Board of Supervisors shall approve the illumination design. The maximum illumination on any vertical surface or angular roof surface shall not exceed 5.0 foot-candles. Lighting fixtures shall be carefully located, aimed, and shielded so that light is directed only onto the building facade. Building facade lighting shall not shine above the facades. Lighting fixtures shall not be directed toward adjacent streets or roads. Full cut-off lighting fixtures mounted on the building and designed to “wash” the facade with light are preferred and may be required by the Board.
5. Illuminated tubing or strings of lights outlining roof lines, architectural features, doors, windows, or similar areas are prohibited. These standards shall not apply to temporary holiday lights displayed during the winter season.
6. No light shall produce glare, disabling glare, discomfort glare, obtrusive light, light trespass, light spill or sky glow off the premises by illumination originating on the premises. Illumination from light originating on the site shall not exceed 0.25 foot-candles at the lot line.
7. No bare or direct light source shall be visible beyond the lot lines. This applies to all pole-mounted lights, building mounted lights, sign lights, walkway lights, and any other type of illumination. No light shall shine directly into windows or onto streets and driveways off the premises. These standards shall not apply to temporary holiday lights displayed during the winter season.
8. The use of sky beams or searchlights for advertising purposes is prohibited.
9. The use of laser or coherent light sources or similar high intensity light for outdoor advertising or entertainment when projected above the horizon and not in total projected at a screen is prohibited.
10. Types of Pole-Mounted lights Permitted - Lighting shall be provided by fixtures with a height not more than 15 feet in all zoning districts. Height shall be measured from the ground to the uppermost point of the light fixture. A pole mounted light fixture shall be either a shoebox-type fixture approved by the governing body or a full cut-off fixture as defined by the IESNA where the light source is not visible from the property line. All fixtures shall be mounted on a horizontal plane and may not be tipped in any direction. Instead of the shoebox type, the Board of Supervisors may consider other light fixture types, providing that the light source is not visible and the Upward Waste Light Ratio is 0.
11. Fixtures shall not be installed on reflective surfaces or supports that would compromise the intent of the Ordinance.

12. All luminaries mounted on or recessed into a canopy, overhang, covered walkway or structure of similar design shall be fully shielded and utilize flat lenses.
13. Wherever practical, lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting. Commercial lighting including lighted signs and parking areas shall be reduced to the minimum required for security within one hour of closing.
14. Electrical service to outdoor lighting fixtures shall be underground unless the fixtures are mounted directly on utility poles.
15. All light regardless of mounting method shall be directed to the ground and in no case may light emanating from any fixture exceed the horizontal plane of that fixture.
16. Emergency lighting for police, fire, medical, and rescue personnel are exempt from the provisions of this section.
17. Temporary lights for the night construction, repair or modification of Township or state owned highways are exempt from the provisions of this section.
18. The lighting of the national and state flags are exempt from the provisions of this ordinance provided that the minimum amount of light needed to illuminate the flag is utilized and all lighting is directed solely at the flag to be illuminated and that state or federal regulations requiring lighting are followed.
19. Additional lighting standards for Personal Wireless Facilities are found in Article 4, Section 405 H11.
20. The lighting level on exterior display/sales areas shall be adequate to facilitate the activities taking place in them. Lighting of such areas shall not be used to attract attention to the business.
21. Light fixtures shall meet the IESNA definition of full cut-off fixtures, and shall be located, mounted, aimed, and shielded so that direct light is not cast onto adjacent streets, properties or skyward. Areas designated as exterior display/sales areas shall be illuminated so that the average horizontal luminance at grade level is no more than 5.0 foot-candles.
22. The display lot shall limit off-site spill (off the parcel containing the display lot) to a maximum of 5 lux (0.5 fc) at any location on any non-residential property, and 0.5 lux (0.05 fc) at any location on any residential property, as measurable from any orientation of the measuring device.

E. Commercial and Institutional Security Lighting:

1. All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. In no case shall lighting be directed above a horizontal plane through the top of the lighting fixture, and the fixture shall include shields that prevent the light source or lens from being visible from adjacent properties and roadways.
2. The use of general floodlighting fixtures shall be prohibited.
3. Security lighting may illuminate vertical surfaces (e.g. building facades and walls) up to a level eight feet above grade or eight feet above the bottoms of doorways or entries, whichever is greater.
4. Security lighting fixtures may be mounted on poles located no more than ten feet from the perimeter of the designated secure area.
5. Security lights intended to illuminate a perimeter (such as a fence line) shall include motion sensors and be designed to be off unless triggered by motion within five feet of the perimeter. Once triggered, security lights shall remain on for not more than five (5) minutes without manual intervention.

F. Residential Security Lighting:

1. All security lighting fixtures shall be shielded and aimed so that illumination is directed only to the designated area and not cast on other areas. In no case may the light extend past the property line nor shall lighting be directed above a horizontal plane through the top of the lighting fixture and said fixture shall include shields that prevent the light source or lens from being visible from adjacent properties, roadways and sidewalks.
2. All residential security lighting shall include timers and motion sensors and be designed to be off unless triggered and such triggering shall be limited to movement occurring exclusively on the subject property. Once triggered, security lights shall remain on for not more than five (5) minutes without manual intervention.

3. Constant area lighting by metal halide lights shall be prohibited. Existing non-complaint fixtures shall be replaced within five years of the date of this ordinance.

G. Residential Lighting:

1. The use of general floodlighting fixtures for other than occasional use shall be prohibited. All residential spot or flood lamps are to be aimed no higher than 60 degrees below horizontal.
2. The light source or bulb for all exterior lights shall not be directly visible from adjoining properties or roadways.
3. Temporary seasonal lighting displays are permitted; however, flood or spot lighting associated with such displays must conform to this ordinance. Moving, marquee or visually distractive lighting shall be extinguished by 11:00 PM. Residences with holiday displays attracting excessive visitation, either pedestrian or vehicular, shall be required to secure a gathering permit.
4. All lighting in model or sample homes, except security lights illuminated by motion detectors, shall be turned off within one hour of the sample or model home closing for the day or 9:00 pm. prevailing time, whichever is earlier.

H. Landscape Lighting:

1. When landscaping lighting is proposed for any commercial structure, a lighting plan shall be prepared for and reviewed and must be approved by the Landscape Review Committee in addition to other approvals as may be required by this ordinance. The lighting plan shall identify any and all landscape features to be illuminated and include all components of a lighting plan as enumerated in this section.
2. Only low output, fully shielded luminaries may be utilized for landscape lighting and the use of spotlights or floodlights is specifically prohibited. Lighting fixtures shall not be directed toward adjacent streets or roads nor shall they contribute glare, disabling glare, discomfort glare, light trespass or sky glow as defined by this ordinance.

I. Institutional, Private Non-Profit and Commercial Outdoor Recreation Lighting:

1. Outdoor lighting of any institutional or commercial recreational facility is prohibited unless specifically allowed in the zoning district in which the application is made.
2. All institutional, private non-private, 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. When considering a Special Exception the following standards shall be considered.
   a. All lighting installations shall be designed to achieve no greater than the minimal luminance levels for the activity as recommended by IESNA.
   b. All games, events, or other activities using a lighted recreational facility shall be scheduled in such a manner as to allow their completion prior to 10:00 PM. The main lighting of the facility (spotlighting or floodlighting, etc.) shall be turned off no more than 30 minutes after the end of the day's activities but in no event later than 10:00 PM unless a game or event reasonably scheduled to end prior to 10:00 PM is in progress.
   c. A low level lighting system shall be installed to facilitate patrons leaving the facility, cleanup, nighttime maintenance, etc. The low level lighting system shall provide an average horizontal illumination level, at grade level, of no more than 3.0 foot-candles.
   d. Where playing fields or other special activity areas are to be illuminated, lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is falls off the site. In no event may off-site spill exceed 5 lux (0.5 fc) at any location on any non-residential property, and 1 lux (0.1 fc) at any location on any residential property, as measurable from any orientation of the measuring device.
   e. The mounting height and quantity of luminaries shall be the minimum required to provide adequate illumination to safely conduct the primary use of the facility. All electrical components of the lighting system including wires, transformers, light poles, and luminaries shall be designed and located to maximize public safety and minimize the negative impacts of light pollution on adjacent properties as

well as the community at large. Said design must be approved by the Board of Supervisors which, at its sole option, may require relocation, redirection or alteration of luminaries, underground wiring, component containment, additional support structures, signage or other safety feature as it sees fit. All lighting shall be designed to withstand wind gusts of a minimum of 100 MPH.

f. Lighting for associated parking areas, pedestrian circulation, accessory buildings, and security shall comply with the requirements set forth in this ordinance and shall be detailed on an overall lighting plan for the facility.

J. Municipal Outdoor Recreation Lighting:

1. Outdoor recreational lighting erected under the auspices of the governing body need not comply with the provisions of this Ordinance. However, in erecting any outdoor recreational lighting, the Township shall give due consideration to, but need not comply with, the same criteria for the erection of outdoor recreational lighting in determining its appropriateness that applies to Institutional, Private Non-Profit, and Commercial applicants seeking Special Exception approval. The Township shall not be required to obtain a Special Exception.

K. Private Outdoor Recreation Lighting:

1. Outdoor lighting of private tennis courts and sports courts shall be permitted only by Conditional Use where the applicant shall bear the burden of proving that the proposed lights do not impact or offend abutting property owners or the community in general. In no case may such lights be placed on properties of less than 3 acres and in no case may the lights be closer than 200' to the nearest property line. The board may, at its sole discretion, require the addition of buffer plantings or exercise other options to minimize the impact of the lights on neighboring properties, roads and/or the community at-large.
2. All lighting installations shall be designed to achieve no greater than the minimal luminance levels for the activity as recommended by the IESNA.
3. No bare or direct light source shall be visible beyond the lot lines. All lights shall be limited to 15' in height and be extinguished by 10:00 PM. Lighting fixtures shall be specified, mounted, and aimed so that their beams fall within the primary playing area and immediate surroundings, and so that no direct illumination is directed off the site
4. The quantity of luminaries shall be the minimum required to provide adequate illumination to safely conduct the primary use of the facility.

L. Submission of Plans and Evidence of Compliance with Ordinance:

1. Submission Contents. The applicant for any permit required by any provision of the laws of this jurisdiction in connection with proposed work involving outdoor lighting fixtures shall submit, as part of the application for permit, subdivision or land development, evidence that the lighting proposed will comply with this Ordinance. Should no other such permit be required, the installation or modification (except for routine servicing and same-type lamp replacement) of any exterior lighting shall require submission of the information described below. The submission shall contain but shall not necessarily be limited to the following:
   a. Plans indicating the location on the premises of each illuminating device, both proposed and any already existing on the site;
   b. Description of all illuminating devices, fixtures, lamps, supports, reflectors, both proposed and existing. The description may include, but is not limited to, catalog cuts and illustrations by manufacturers (including sections where required);
   c. Photometric data, such as that furnished by manufacturers, or similar showing the angle of cut off of light emissions;
   d. Descriptions and data sufficiently complete to enable the designated official or reviewer to readily determine whether compliance with the requirements of this Ordinance will be secured. If such plans, descriptions and data cannot enable this ready determination, the applicant shall additionally submit as evidence of compliance to enable such determination such certified reports of tests as will do so provided that these tests shall have been performed and certified by a recognized testing laboratory.

2. Subdivision Plats. If any subdivision proposes to have installed street lighting or other common or public area outdoor lighting, submission of the information as described in Section 3016 shall be required for all such lighting.
3. Lamp or Fixture Substitution. Should any outdoor light fixture or the type of light source therein be changed after the permit has been issued, the permittee shall submit prior to substitution a change request must be submitted to the designated official for approval, together with adequate information to assure compliance with this Ordinance, which must be received prior to substitution.
4. If the designated official or reviewer determines that the proposed lighting does not comply with this ordinance, the permit shall not be issued nor the plan approved.
5. For all projects where the total initial output of the proposed lighting equals or exceeds 10,000 lumens, certification that the lighting, as installed, conforms to the approved plans shall be provided by a certified engineer before the certificate of occupancy is issued. Until this certification is submitted, approval for use of a Certificate of Occupancy shall not be issued for the project.

Section 3017 Noise

A. Terminology and Definitions - For the purposes of this section, the following words and phrases shall have the meanings respectively ascribed to them by this section:

A-weighted decibel means the sound level, in decibels, measured with a sound level meter using the A-weighting network or scale as specified in the ANSI S1.4-1983 (specification for sound level meters). The level so read shall be post scripted dB(A) or dBA.

ANSI means the American National Standards Institute, Inc., New York, New York.

Chief means the Chief of Police of Buckingham Township or his authorized officers.

Daytime means the local time of day between the hours of 7:00 a.m. and 10:00 p.m. weekdays and from 9:00 a.m. to 10:00 p.m. on Saturdays, Sundays and legal holidays unless otherwise specified.

Decibel means a unit that describes the sound pressure level or intensity of sound. The sound pressure level in decibels is twenty (20) times the logarithm to the base ten (10) of the ratio of the pressure of the sound in microbars to a reference pressure of 0.0002 microbar; abbreviated dB.

Code Enforcement Officer means the director of the Buckingham Township Department of Building and Codes, the Township Zoning Officer, or their authorized agents.

Nighttime means those times excluded from the definition of daytime.

Noise means any steady state or impulsive sound occurring on either a continuous or intermittent basis that annoys or disturbs humans or that causes or tends to cause an adverse psychological or physiological effect on humans.

Noise disturbance means any sound which:

(1) Endangers or injures the safety or health of humans; or

(2) Annoys or disturbs a reasonable person of normal sensitivities; or

(3) Endangers or injures personal or real property; or

(4) Exceeds the applicable maximum permissible sound levels as they appear in the table in Section 5.

Sound level meter means an instrument to measure sound pressure levels that meets or exceeds performance standards for a Type 2 meter as specified by the ANSI.

Sound pressure level means the intensity in decibels (dB) of a sound.

Zoning district classification is the scheme of land use classification contained in the Buckingham Township Zoning Ordinance, as amended from time to time.

B. Maximum Permissible Sound Levels Generally - Except as otherwise provided, any noise which emanates from any operation, activity or source and which exceeds the maximum permissible sound levels established in this section below is hereby prohibited. Such levels shall be measured at the property boundary of the sound source or at any point within any other property affected by the noise. When a noise source can be

identified and its noise measured in more than one (1) zoning district classification, the limits of the most restrictive classification shall apply.

1. Maximum Permissible Sound Pressure Levels:

Zoning District(s)	Classification Maximum dBA Daytime/Nighttime
Commercial:	
PC-1 Planned Commercial District	65/60
PC-2 Planned Commercial District	65/60
LC Limited Commercial District	65/60
I-Institutional District	
65/60	
Office:	
NVO Neighborhood Village Office District	65/60
Industrial:	
PI Planned Industrial District	79/72
PI-2 Planned Industrial District-2	79/72
Agricultural:	
AG-1 District	60/55
AG-2 District	60/55
Residential:	
R-1 Residential District	60/55
R-2 Residential District	60/55
R-3 Residential District	60/55
R-4 Residential District	60/55
R-5 Residential District	60/55
R-6 Residential District	60/55
R-7 Residential District	60/55
R-8 Residential District	60/55
R-9 Residential District	60/55
MHP Mobil Home Park District	60/55
Mixed Use Districts:	
VR-1 Village Residential District	60/55
VR-3 Village Residential District	60/55
VC-1 Village Center District	65/60
VC-2 Village Center District	65/60
VC-3 Village Center District	65/60
NVO Neighborhood Village Office District	65/60
All Other Districts Not Specifically Set Forth	60/55

2. Heating and cooling systems, including but not limited to air conditioners and heat pumps, shall not be subject to the night levels enumerated above.
3. Any person, with lawfully obtained building and/or land development permits, who between the hours of 7:00 a.m. and 6:00 p.m. weekdays and between the hours of 9:00 a.m. and 8:00 p.m. on Saturdays, Sundays, and legal holidays operates or causes to be operated any equipment used in construction, repair, alteration, or demolition work on buildings, structures, alleys, or appurtenances thereto in the outdoors in any residential district within one hundred (100) yards of a lawfully occupied dwelling shall not be subject to the levels enumerated above.
4. Persons performing construction of public projects, repair or maintenance work for such projects or persons performing work for private or public utilities for the repair of facilities or restoration of services shall not be subject to the levels enumerated above.

C. Prohibitions Generally –The following acts are violations of this Ordinance:

1. Operating or causing to be operated between the hours of 8:00 p.m. and 7:00 a.m. on weekdays and between the hours of 8:00 p.m. and 9:00 a.m. on Saturdays, Sundays, and legal holidays any equipment

used in construction, repair, alteration or demolition work on buildings, structures, alleys or appurtenances thereto in the outdoors in any residential district (as above set forth) within one hundred (100) yards of a lawfully occupied dwelling. This section shall not apply to construction of public projects, the repair or maintenance work performed on such projects or work performed by private or public utility companies for the repair of facilities or restoration of services.

2. Using, operating or causing to be operated mechanical loud speakers or other sound amplification devices on trucks or other moving vehicles for the purpose of commercial advertising or attracting the attention of the public during the nighttime. The use of such at all other times shall be subject to the following conditions:
   a. The only sounds permitted are music or human speech.
   b. Sound shall not be issued or devices shall not be used within one hundred (100) yards of hospitals, schools, churches or courthouses.
3. Using, operating or causing to be operated mechanical loud speakers or other sound amplification devices in commercial establishments for the purpose of commercial advertising or attracting the attention of the public during the nighttime when such sound, as measured at the property line of the premises, exceeds the maximum permissible sound pressure levels for the zoning district from which the sound emanates as set forth in section 3017 B. above.
4. Operating or permitting to be operated any powered model aircraft in the outdoors during the nighttime.
5. The playing of radio, phonographs, television, tape or disc players, musical instruments or drums, sound amplifiers or similar devices which produce, reproduce or amplify sound in such a manner as to create a noise disturbance.
6. Talking, yelling, shouting, screaming, singing, or any other form of human sounds produced by any person or group of people that creates a noise disturbance.
7. Noise From Animals -
   a. It shall be unlawful for any person to allow within the Township prolonged or intense barking or other harsh or excessive noises to be made by any animal under his ownership or control, at any time, so as to disturb the quiet, comfort or repose of two (2) or more members of the community
   b. For the purpose of this section, a harsh or excessive animal noise is one that disturbs the quiet, comfort or repose of a reasonable person with normal sensitivities.
   c. For the purpose of this section, a person shall be deemed to have "allowed" his animal to bark or create other harsh or excessive noises, if he has once been put on notice by the Township Police Department or the Code Enforcement Officer, upon the complaints of two (2) persons who are not members of the same household that the animal is disturbing two (2) or more members of the community and he thereafter fails to confine such animal inside his dwelling unit or other enclosed structure or take similar action calculated to terminate such disturbance. It shall not be necessary for the Township Police Department or the Code Enforcement Officer to issue a new notice for each repeated occurrence.

D. Measurement Procedures - The measurement of sound or noise pursuant to this Ordinance shall be as follows:

1. The measurement of sound or noise shall be made with sound level meters Type 1 or Type 2 that meet the standards prescribed by the ANSI. The instruments shall be maintained in calibration and good working order. A calibration shall be made of the system at the time of any noise measurement. Measurements recorded shall be taken so as to provide a proper representation of the noise source. The microphone during measurement shall be positioned so as not to create any unnatural enhancement or diminution of the measured noise. A windscreen for the microphone shall be used when required. A minimum of three (3) sound level readings will be taken. The geometric mean of these readings will be used as the average sound level. If the background noise is equal to the levels set forth in Section 5 above, three (3) dB shall be subtracted out of the average sound level.
2. The slow meter response of the sound level meter shall be used to determine that the average amplitude has not exceeded the dBA readings or the limiting noise spectra set forth in Section 5 above.

3. Unless otherwise specified, the measurement shall be made at the property boundary on which such noise is generated, or at any point within the receiving property affected by the noise.
4. For any source of sound which emits an impulsive sound, the excursions of sound pressure level shall not exceed twenty (20) dBA over the maximum sound level limits set forth Section 5 above, provided that in no case shall they exceed eighty (80) dBA, regardless of time of day or night or receiving land use, using the "fast" meter characteristic of a Type II meter, meeting the American National Standards Institute specifications Sl.4- 1971.

E. Exceptions - The maximum permissible sound levels established in Section 3107 B. and the general prohibitions set forth in sections 3107 C. hereof shall not apply to any of the following noise sources:

1. All emergency vehicles and implements, such as but not limited to fire-fighting equipment, law enforcement equipment, ambulance/medical equipment and any other equipment such as may be needed on short notice to protect personnel and/or property or secure the general welfare, are exempt from the noise control provisions of this Ordinance.
2. The work to provide electricity, water or other utilities when public health or safety is involved.
3. Licensed game hunting activities on property where such activities are authorized.
4. Agriculture - All farming and/or agricultural vehicles and implements are exempt from the noise control provisions of this Ordinance.
5. The noise of aircraft flight operations.
6. Public celebrations specifically authorized by the Township.
7. Surface carriers engaged in commerce by railroad.
8. Any activity for which a permit has been issued under the Buckingham Township Noise Ordinance, Ordinance No. 2002-08

Section 3018 Smoke

No smoke shall be emitted from any chimney or other source of visible gray opacity greater than No. 1 on the Ringlemann Smoke Chart as published by the U.S. Bureau of Mines, except that smoke of a shade not darker than No. 2 on the Ringlemann Smoke Chart may be emitted for not more than four (4) minutes in any thirty (30) minute period.

Section 3019 Dust, Fumes, Vapors and Gases

A. The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to human health, to animals, to vegetation, or to property, or which can cause any soiling or staining of persons or property at any point beyond the lot line of the use creating the emission, is herewith prohibited.

B. No emission of liquid or solid particles from any chimney or other source shall exceed three-tenths (0.3) grains per cubic foot of the carrying gas at any point beyond the lot line of the use creating the emission. For measurement of the amount of particles in gases resulting from combustion, standard correction shall be applied to a stack temperature of five hundred (500) degrees Fahrenheit and fifty (50) percent excess air in stack at full load.

Section 3020 Heat

No use shall produce heat perceptible beyond its lot lines.

Section 3021 Odor

A. No use shall emit odorous gases or other odorous matter in such quantities as to be offensive at any point on or beyond its lot lines. The guide for determining such quantities of offensive odors shall be the fifty (50) percent response level of Table I (Odor Thresholds in Air), "Research on Chemical Odors: Part I - Odor Thresholds for 53 Commercial Chemicals," October, 1968, Manufacturing Chemists Association, Inc., Washington, D.C.

B. Paragraph A. above shall not apply to odors normally created as part of an agricultural or horticultural use except that no animal waste produced off of the property shall be stockpiled unless processed to eliminate all offensive odors.

Section 3022 (Reserved for Future Use)

Section 3023 Vibrations

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

Frequency of Ground Motion (Hz)	Maximum Amplitude of Ground Motion in inches
Up to 10	0.0305
20	0.0153
30	0.0102
40	0.0076
50	0.0061
60	0.0051

In the event of vibration causing construction activity within 500 feet of any structure, should such structure suffer damage, for which there is no other readily apparent cause, within two weeks of the last such construction activity, then the vibrations from such construction activity shall be presumed to have caused the damage unless those responsible for the construction activity can prove, by a preponderance of the evidence, otherwise.

Section 3024 Storage and Waste Disposal

The following requirements shall apply to nonresidential land uses:

A. No liquids, solids or gases having a flash point less than seventy-three (73) degrees Fahrenheit (as specified in the National Fire Code Vol. 12 and 13, National Fire Protection Association,) shall be stored in bulk above ground, except tanks or drums of fuel, having a maximum capacity of three thousand (3,000) gallons, connected directly with energy devices or heating appliances located and operated on the same lot as the tanks or drums of fuel.

Capacity of Flammable Materials Permitted, Gallons[1]	
Flash Point (Closed cup tester)	Above Ground Storage (gal)
140° F. or higher	10,000
74° F. to 1390 F	5,000
73° F. or less, fuels connected to energy devices	3,000

[1]When flammable gases measured in cubic feet are stored, the quantities of cubic feet at standard temperature and pressure permitted shall not exceed thirty (30) times the volumes listed above.

B. All outdoor storage facilities for fuel, raw materials and products, and all fuel, raw materials and products stored outdoors, shall meet the State Fire Marshall standards and shall be enclosed by a fence with a minimum height of seven (7) feet. The fence shall be chain link, stockade, picket (not exceeding 3 inch spacing), solid wood, building wall, or such other material as may be acceptable to the zoning officer to carry out the intent of this Ordinance.

C. No materials or wastes shall be deposited upon a lot in such form or manner that they may be transported off the lot by natural causes or forces, nor shall any substance which can contaminate a stream or watercourse or otherwise render such stream or watercourse undesirable as a source of water supply or recreation, or which will destroy aquatic life, be allowed to enter any stream or watercourse.

D. All materials or wastes which might cause fumes or dust, or which constitute a fire hazard, or which may be edible or otherwise attractive to rodents or insects, shall be stored outdoors only if enclosed in containers adequate to eliminate such hazards.

E. Radioactivity and Electrical Disturbance: There shall be no activity that emits dangerous or harmful radioactivity. There shall be no electrical disturbance adversely affecting the operation of any equipment beyond the property line of the creator of such disturbance.

Section 3025 Impact Studies Required

A. Traffic Impact Studies - Traffic Impact Studies shall be provided as required by the Township Subdivision/Land Development Ordinance and shall be submitted with all applications for zoning changes and as otherwise required by this Ordinance. The study shall be conducted in accordance with the requirements of this Ordinance, as outlined in the Appendix hereto.

B. Water Impact Studies - A Water Impact Study shall be provided as required by the Township SALDO and Well Ordinance (Ordinance 2003-06) and shall be submitted with all applications for zoning changes at the time application is made. The study shall be conducted in accordance with the requirements of the Township Well Ordinance.

C. Environmental Impact Assessment Report - An Environmental Impact Assessment Report, as outlined in the Appendix of this Ordinance, shall be provided with all applications for zoning changes and for all applications of residential developments of 20 dwelling units or more.

D. Economic Impact Study – An Economic Impact Study as provided in Section 405 E1 C. 6. shall be provided with all applications for retail stores with a proposed floor area of more than 7,500 square feet, as outlined in the Appendix hereto.

E. Pedestrian Circulation Study - A Pedestrian Circulation Study shall be provided as required by this Ordinance. The study shall be conducted in accordance with the requirements of this Ordinance, as outlined in the Appendix hereto.

Section 3026 Protection of Historic Resources

The Township's historic resources have been studied and evaluated by the Township Historical Commission, and it is the purpose of this ordinance to protect those resources. The following regulations shall apply to all applications for zoning permits, subdivisions, and land developments:

A. The applicant shall indicate whether or not any historic structures or resources identified in the survey made by the Heritage Conservancy and maintained by the Buckingham Township Historic Commission are

included within the project site for which development approval is sought. Files are available at the Township Building. The properties identified by this survey shall be considered to be the Official List of Historic Resources and may be amended by the Board of Supervisors upon recommendation by the Historic Commission.

B. Any such sites shall be shown on the plans, with a description of the historic resource.

C. Any building or structure that has been identified by the Heritage Conservancy survey, referenced above, as having national, state, or local architectural or historic significance shall be preserved unless the applicant can demonstrate to the satisfaction of the Historic Commission and the Board of Supervisors that it is in irreparable condition and cannot be used. Documentation will be required, in accordance with Section 3026.F.

D. If a subdivision or land development is proposed for the site of any structure identified in the Heritage Conservancy survey, referenced above and on the Official List of Historic Resources, the lot lines of the proposed subdivision or land development shall be drawn so as to preserve the historic context of the building, including its outbuildings, with adequate setbacks. The Board of Supervisors may permit the alteration of lot sizes or setbacks on other proposed lots within the same development in order to allow adequate land area and setbacks to preserve the historic character of resource, without increasing the overall permitted density on the site. Adequate land areas and setbacks represent a site sufficient to protect the real estate values of the historic resource to the extent that investment in the restoration and continued maintenance can be ensured.

E. Historic Overlay for Buildings within the VC-1, VC-2, and VR-1 Zoning Districts - The VC-1, VC-2, and VR-1 zoning districts encompass the historic villages of Buckingham Township and contain valuable resources that reflect the historic development patterns of the Township. To protect these villages and the architectural and historic resources, the following regulations shall apply and are enacted in accordance with Section 605.2 (vi) of the Pennsylvania Municipalities Planning Code.

1. Buildings on the Official List of Historic Resources within the VC-1, VC-2, and VR-1 Zoning Districts shall not be demolished unless the applicant has demonstrated that the buildings cannot be adapted and used for the use intended or for any other permitted use.
2. Where demolition is determined by the Board of Supervisors to be acceptable, the development of the property shall be undertaken in a manner which preserves the character, front yard setback, and design of the building removed, notwithstanding the front yard setback that may apply within the applicable zoning district. New or reconstructed structures shall maintain the setback of the original building and shall maintain the architectural style, scale, bulk, and design of the original building.

F. No building shall be demolished except in compliance with the Township's Demolition Ordinance. A permit must be granted for demolition.

G. In addition to the applicable requirements under the Township Building and Fire Code, any applicant seeking a permit to demolish an identified historic resource shall provide a site plan and file a written application stating the following with regard to that historic resource:

1. Owner of record.
2. Site plan showing all buildings, structures, foundations, walls, ruins, historic trees, and any other features.
3. Recent interior and exterior photographs of the resource proposed for demolition.
4. Explanation of the reasons for demolition.
5. Proposed method of demolition.
6. Future proposed uses of the site and the materials from the demolished resource.
7. The Buckingham Township Historic Commission shall review the application and shall make a recommendation to the Board of Supervisors.

H. No permit for demolition of an historic resource in the Township shall be recommended unless the applicant provides a certified engineering report regarding structural stability of the resource that would indicate threats to public safety.

I. Passive demolition, partial destruction to promote demolition or demolition by neglect of historic resources will not be used as an excuse by an applicant as justification for an active demolition application. Demolition by neglect shall be considered to be the readily observable deterioration of a structure due to lack of routine maintenance, which has detrimental effect upon the character, stability, or structural integrity of the resource thereby constraining or negating the structure's ability for rehabilitation or reuse.

Section 3027 Dumping in Streams, Wetlands, Waterways, and Storm Water Facilities

It shall be unlawful to dump, deposit or otherwise cause any materials including, but not limited to, fill, trash, landscape debris, grass clippings, leaves, or any other item that could displace or impede the flow of water in any stream, channel, swale, ditch, pond, wetland, basin or any other natural or man-made structure that regularly or periodically carries or stores storm water or runoff.

ARTICLE 31 NATURAL RESOURCE STANDARDS, SITE CAPACITY CALCULATIONS, OPEN SPACE STANDARDS, BUFFERS

Section 3100 Natural Resource Protection Standards

A. All uses and activities established after the effective date of this Ordinance shall comply with the following resource protection standards. Site alterations, grading, filling or clearing of vegetation prior to the submission of applications for zoning or building permits or the submission of plans for subdivision or land development shall be a violation of this Ordinance. Cutting of trees and/or grading that is initiated two years or less before the submission of plans for subdivision, land development, or building permits is presumed to be in anticipation of development.

If an application for building, subdivision or land development is submitted for the property within two years of the date the cutting and/or grading began, the requirements for resource protection, as set forth in this ordinance and in the Township Subdivision/Land Development Ordinance, shall be applied to the property as it was prior to the removal of trees or grading. If forest removal, tree removal or grading has exceeded the limits set forth in Township ordinances, the applicant shall be required to replace trees removed during the tree or forest removal process. Replacement shall be based on the actual number and size of trees or forest removed, and trees shall be replaced on the basis of three inches of new stock for every one inch that was removed. Determination of actual caliper-inches of trees removed may be determined through a site inspection or on the basis of the tree inventory that was submitted to the Township. If it is not possible to determine the caliper inches of trees removed, then replacement trees shall be provided so that there shall be a minimum of 2000 caliper-inches of trees per acre after replanting. Provided that the minimum planting requirements for the proposed site have been met, the applicant may, at his option and with the approval of the board, plant the replacement trees off-site provided that the location selected benefits the public. All costs associated with the planting at the alternate location shall be borne by the applicant.

B. The following Natural Resource Standards shall apply to all uses:

1. Flood Plains: Areas identified as within the flood plain of the one hundred year recurrence interval flood shall not be altered, graded, filled or built upon except in conformance with Section 3102 Flood Plain Regulations. The floodplain area shall be those areas that are subject to the 100-year flood and the 500-year flood as identified in the Flood Insurance Study dated May 18, 1999, and the accompanying maps prepared by the Federal Emergency Management Agency, or the most recent revision thereof. For areas along streams and watercourses where the one hundred year flood plain and five hundred year flood plain have not been delineated, the requirements of Flood Plain Soils shall be met.
2. Flood Plain Soils: All such areas shall not be altered, regraded, filled or built upon except in conformance with Section 3102 Flood Plain Regulations. Flood plain soils shall not be used to delineate the floodplain where the one hundred year flood plain and five hundred year flood plain have been delineated by a floodplain study.

   Studies prepared by a registered engineer expert in the preparation of hydrological studies may be used to delineate the one hundred year flood plain and the five hundred year flood plain with a floodway and flood fringe in place of areas designated as “flood plain soils” and “approximate 100-year Flood Boundary.” Such hydrological studies shall be subject to the review and approval of the Board of Supervisors on the recommendation of the Township Engineer.
3. Steep Slopes: In areas of steep slopes greater than 3000 contiguous square feet, the following standards shall apply:
   a. 8 to 15%: no more than forty (40) percent of such areas shall be altered, regraded, cleared or built upon.
   b. 15 to 25%: no more than thirty (30) percent of such areas shall be altered, regraded, cleared or built upon.
   c. 26% or steeper: no more than fifteen (15) percent of such areas shall be altered, regraded, cleared or built upon.

Small areas of steep slopes of less than 3000 square feet of contiguous slope area shall be exempt from the limitations of this subsection.

4. Forests: In all zoning districts, no more than twenty percent (20%) of the total caliper-inches of trees 3 inches or more in diameter within a forest, as defined in Article 2, shall be removed or cleared or built upon except as specifically provided for by this Ordinance. All forests and mature trees located within the area of the ultimate right-of-way shall be retained except where it is necessary to clear for sight distance, driveways, new streets, removal of non-native invasive species, or where the Township or PennDOT requires road widening that necessitates tree or forest removal.

   Any permitted clearing or alteration of a forested area shall be undertaken to maintain the existing continuous canopy of trees where a continuous canopy exists. Every effort should be made to keep the dimensions of forested tracts as near to square or circular as possible to minimize edge to interior ratio and to maximize effective forest interior habitat.

   Except as specifically provided for by this Ordinance, trees greater than 36 inches within forests shall not be removed.

   a. In the Planned Industrial Districts, PI and PI-2, no more than forty percent (40%) of the forested area shall be altered, regraded, cleared or built upon.

   b. In connection with the establishment of Use C7 Golf Course, an additional 20 percent of the forested area may be altered, regraded, or cleared, up to a maximum of 40 percent, provided the following conditions are met:

      (i) The plans shall indicate the areas that are to be cleared and the additional area to be cleared under the terms of this exception. Two times the additional area cleared beyond the 20 percent permitted shall be identified on the plans. This additional area cleared shall be deducted from the base site area in case the golf course property is proposed to be used in the future for purposes other than a golf course.

      (ii) The land development agreement shall include requirements on the method by which tree removal will be monitored by the Township and security to be posted to guarantee the limits of the tree removal.

      (iii) The remaining forested area shall be subject to a covenant that will prohibit additional tree removal from the golf course in the future.

   c. In the VR-3 district, where the proposed use to be developed is either B2, Townhouse and Twins, or B3, Apartment, Duplex or Multifamily and no others, not more than 50 percent of the forest area shall be altered, regraded, cleared, or built upon. Reforestation with trees meeting Township Ordinance standards is required so that the area cleared of forest in excess of twenty percent shall be replanted by the developer at a rate of 50 trees per excess acre cleared, with the location of the replacement trees to be determined by the Township.

5. Wooded land other than Forest - Wooded land other than forests, as defined herein includes nurseries, orchards, and abandoned fields where successional tree growth is occurring. No more than 40 percent of the total caliper-inches of mature trees (over 3 inches in diameter measured 14 inches above ground level) shall be removed or cleared except as specifically provided for by this Ordinance. This percentage does not include removal of non-native invasive species. Other than trees in the latter category, trees greater than 36 inches in diameter shall not be removed.

6. Mature Trees outside of Forest Areas: Mature trees are those greater than three inches diameter at breast height or twenty (20) feet in height and which stand outside of forest areas as defined herein. Trees greater than 36 inches in diameter at any point shall not be removed except as specifically provided for by this Ordinance. In the Planned Industrial Districts, PI and PI-2, no more than forty (40) percent of Mature Trees outside of Forest Areas shall be altered, graded, cleared or built upon. In all other zoning districts, no more than twenty (20) percent of Mature Trees outside of Forest Areas shall be cleared or cut. Except in the Planned Industrial Districts, PI and PI-2, any permitted removal of Mature Trees outside of Forest Areas shall be undertaken to maintain the existing continuous canopy of trees where a continuous canopy exists.

   In connection with the establishment of Use C7 Golf Course, an additional 20 percent of the mature trees may cleared, up to a maximum of 40 percent, provided the following conditions are met:

a. The plans shall indicate the trees permitted to be removed and the additional trees to be removed under the terms of this exception. The additional trees removed beyond the 20 percent permitted shall be identified on the plans.

b. The land development agreement shall include requirements on the method by which tree removal will be monitored by the Township and security to be posted to guarantee the limits of the tree removal.

c. For each caliper-inch of mature trees removed beyond the 20 percent limit, replacement trees shall be provided to the Township so that the caliper-inches of mature trees removed will be equal to the caliper-inches of replacement trees provided to the Township. Replacement trees shall be at least 2 1/2 inches in caliper and shall meet all the requirements of the Subdivision/Land Development Ordinance for size and other specifications. All costs associated with the planting and proper installation of the replacement tress shall be borne by the applicant.

7. Streams, Waters of the Commonwealth, Lakes or Ponds: Such areas shall not be altered, graded, developed, filled, piped, diverted or built upon except to restore eroded stream banks as approved by the Township and except for utility crossings for water and sanitary sewer services undertaken by the Township. No construction activity or permanent construction of any kind inclusive of the storage of materials is permitted within 50' of the edge of any waterway.

8. Wetlands -

A wetland is an ecosystem that depends on constant or recurrent, shallow inundation or saturation at or near the surface of the substrate. The minimum essential characteristics of a wetland are recurrent, sustained inundation or saturation at or near the surface and the presence of physical, chemical, and biological features reflective of recurrent, sustained inundation or saturation. Common diagnostic features of wetlands are hydrology, hydric soils, and hydrophytic vegetation. Any area containing all three elements shall be defined as wetlands as shall any area that meets the definition of a wetland in either 1) The United States Army Corps of Engineers Technical Report Y87-1, Corps of Engineers Wetlands Delineation Manual; or 2) The United States Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology, as most recently updated or modified; or 3) The Pennsylvania Department of Environmental Protection Wetlands Identification and Delineation, Chapter 105 Dam Safety and Waterways Management Rules and Regulations, as most recently updated or modified. Where a difference between the foregoing criteria exists, the most restrictive criteria will be used in any particular case. For the purposes of this definition and for its application to this Ordinance most restrictive criteria shall mean the criteria which effects preservation of the most extensive area of Wetlands.

No area, which does not contain the required hydrology, hydric soils and hydrophytic vegetation shall be considered as a regulated wetland except where specific physicochemical, biotic, or anthropogenic factors have removed them or prevented their development. In the event that such factors have occurred and have prevented the development of or removal of wetland hydrology, hydric soils, or hydrophytic vegetation, the area shall be considered as a wetland and regulated as such with the exception that replacement and/or mitigation will not be required by the Township unless required by another regulatory entity.

All wetland determinations shall be performed by the Army Corp of Engineers or by an independent party certified by the Army Corp of Engineers to be expert in wetland delineations in which case a copy of such certification shall be provided with the subdivision or land development application and all wetland delineations shall be attested to and sealed.

At the time of application, the applicant shall file for review a wetlands report that shall identify and delineate all wetlands on the plan set in sufficient detail as to make on-site verification possible. All wetland areas shall be clearly staked at the time of application and throughout the review period to allow the entire parameter of the wetland area(s) to be located.

In the event that one or more but less than three of the normal characteristics of a wetland are present, the party delineating the wetlands shall identify such areas and clearly indicate their location on the plan set. Such areas shall be clearly staked in the field at the time of application and throughout the review period to allow such areas to be located. All such areas shall be considered wetlands unless the application for land development or sub-division is accompanied by a signed and certified, detailed explanation that asserts that the lack of a particular wetland characteristic is a normal and natural condition and is not the result of human intervention (including agricultural activities) or an unusual natural event.

Resource Protection Ratio for Wetlands - Wetlands shall not be altered, graded, developed, filled, piped, diverted or built upon. No construction activity or permanent construction of any kind inclusive of the storage of materials is permitted within fifty (50) feet of the edge of any wetland.

9. Riparian Areas: Riparian areas suppress the undesirable effects of flooding, maintain water quality by removing sediment and other contaminants, serve as centers of biological diversity and create recreational opportunities. To protect riparian areas and to allow them to continue to function for the public benefit, no construction activity or permanent construction of any kind inclusive of the storage of materials is permitted within 50' of the edge of any riparian area, which shall be defined as the transition point between upland and aquatic ecosystems. The determination of that delineation shall be by a certified botanist or certified wetland delineator who shall seal the plans.
10. Agricultural Soils: In areas of Agricultural Soils of Class I, II, III, and IV greater than 20,000 contiguous square feet in the AG-1 and AG-2 Districts, no more than fifty percent (50%) of such soils in aggregate may be disturbed. Undisturbed soils shall be in a farmable location and configuration. Class I, II, III and IV soils shall be preserved in areas where they abut Class I, II, III, and IV soils on an adjacent property.
11. Vegetation at the Perimeter of a Tract –
    a. On tracts where, at the perimeter of the tract there is living vegetative growth, other than grasses, greater than five (5) feet in height measured from the ground, all such growth within 100 feet of the perimeter of the tract or edge of cart way, whichever is greater, shall be preserved, except where necessary to provide driveways, walkways, bike paths or roads into the tract.
12. Limestone Areas: In accordance with Section 605(2) (iii) of the Pennsylvania Municipalities Planning Code, this ordinance and other applicable Township ordinances regulate and restrict uses in areas of hazardous geological formations, including limestone and carbonate areas. In areas within the limestone Formation as defined in "An Evaluation of the Limestone Area of Buckingham and Solebury Township," or any other areas where field inspections reveal limestone/carbonate features, the Township Limestone Ordinance shall apply to all uses. The lands that have limestone/carbonate features shall be considered an overlay zoning district where the following regulations shall apply.
    a. All restrictions of the Township Subdivision and Land Development Ordinance and the Township's limestone ordinance regarding limestone/carbonate features shall apply.
    b. Testing shall be done on site where there is an indication that limestone/carbonate features may be present. Testing shall be undertaken using non-invasive, non-destructive testing methods that comply with standard engineering practices and that are approved by the Township Engineer.
    c. Best management practices designed for carbonate areas for the management of stormwater shall be used.
    d. No automobile service stations shall be permitted in the limestone/carbonate overlay district.
    e. Impervious surface shall be limited to not more than 10 percent of the site total.
    f. All plans as well as any and all required disclosure documents due the purchaser shall clearly indicate the square footage and percentage of the total available impervious surface allotted to each building lot. The square footage and percentage of the total available impervious surface actually utilized to construct any impervious structure or object on the lot shall be clearly listed as shall any balance remaining for use by the purchaser. Disclosure documents shall address impervious surface limitations in the limestone/carbonate overlay district on a separate page(s) from other disclosure information and the purchaser shall signify their understanding of any limits of future construction by signing, with a full signature, said page(s).
    g. All identified limestone features shall be clearly identified on the property map as specified in Section 3101.
13. Cold Water Streams: It shall be unlawful to discharge water into a Cold Water Stream unless such discharge is of the same water quality, mineral content, Ph, and electrolyte content as the Cold Water Stream. Such discharge shall not change the temperature of the stream measured downstream from the discharge by more than 1 degree Fahrenheit.
14. Naturally Occurring Springs: It shall be unlawful to disturb any naturally occurring spring (such as vernal springs, vernal ponds, etc.) or to impede the flow of such springs. No construction activity or permanent

construction of any kind inclusive of the storage of materials is permitted within fifty (50) feet of the edge of any naturally occurring spring.

Section 3101 Application of Natural Resource Protection Standards

In order to meet the natural resource protection standards of Section 3100 B., the applicant shall provide the following information with applications for a zoning permit or building permit. Where subdivision and land development approval is requested, the applicant shall provide the information necessary to ensure that each proposed lot is buildable under the terms of this Ordinance by indicating that a minimum building area free of resource-restricted lands exists for each proposed lot or by providing sufficient information for the Planning Commission and Board of Supervisors to determine that the minimum building area can be achieved for each proposed lot without violating the resource protection standards for the entire site.

Each prospective purchaser of a previously undeveloped lot or property owner shall be given, as part of the disclosure documents and prior to signing any commitment to purchase, a color property map of not less than 11 inches by 14 inches detailing the property being considered. The property map shall clearly designate the ACTUAL location and footprint of the ACTUAL house to be constructed with any and all additions or accessory structures such as porches, decks, patios, pools, sheds, etc. clearly shown. The property map shall show all areas which are subject to natural resource protection in RED and legibly provide distance measurements from the ACTUAL location of the house, inclusive of any decks, additions, patio, porches, etc. depicting the shortest, longest and mid-point distances to the areas subject to natural resource protection as well as to all property lines. The property map shall show all eased areas in yellow and all areas available for the unrestricted use and enjoyment of the property in green.

The property map shall be accompanied by a descriptive narrative that shall clearly and without margin for interpretation, describe what each of the various colors on the property map represents, specifically how each easement or natural protection area limits full use of the property and the enforcement actions, mechanisms and penalties for violating any restrictions that may have been placed on the property. A written description of the backyard size shall be provided as shall impervious surface calculations based on the ACTUAL house and accompaniments for which the contract is being prepared. The impervious surface calculations shall clearly state the impervious area allowable on both a square foot and percentage of the lot basis, how much of that area is being utilized for the contracted house and related improvements and what the balance of impervious surface is for the future use of the home owner.

The applicant is specifically responsible for the accuracy of the information provided to prospective purchasers including but not limited to understanding how restrictions, easements or other criteria may impact dimensional and/or area calculations. The prospective purchaser and an authorized representative of the seller must sign both the property map and the narrative.

A. For all uses other than, B4, Mobile Home Park, B13, Preservation Development, B14, Living Community the following standards shall apply:

1. All lots shall have a contiguous building area within the minimum building setback lines of at least an area as indicated below within the overall lot. The purpose of the identification of a minimum building area is to provide sufficient area for the location of the building, driveway, parking areas, patios, other improvements, and site alterations while meeting the natural resource protection standards and minimum setback requirements of this Ordinance.

District	Minimum Building Area Use B1 (sq ft)	Other Permitted Uses (sq ft)
AG-1	8,500	20,000
AG-2	8,500	20,000
PBR	---	20,000
R-1	7,000	20,000
R-2	3,500	20,000
R-3	3,500	20,000
R-4	3,500	20,000
R-5	3,500	20,000
R-6	3,500	20,000
R-7	3,500	20,000
R-8	3,500	20,000
R-9	3,500	20,000
VR-1	3,500	20,000
VR-3	3,500	20,000
MHP	--	20,000
I	--	84,000
VC-1	5,000	35,000
VC-2	3,500	35,000
VC-3	3,500	35,000
PC -1	--	12,000
PC-2	--	84,000
LC	3,500	24,000
PI	--	30,000
PI-2	3,500	30,000

2. For uses with on-lot sewage systems, a three thousand (3,000) square foot or larger area, in addition to the building envelope specified in subsection A. above, shall be identified for the location of the sewage system. In addition, a second area, three thousand (3,000) square foot or larger, shall be identified and marked as a back-up area. Neither of the additional areas set aside for on-lot treatment of sewage shall include natural features with a one hundred (100) percent protection standard as specified in Section 3100. All on-lot sewage areas, including primary and replacement areas shall be protected in their entirety with snow fencing of a minimum of four (4) feet in height on poles spaced on four foot (4) centers. Such fencing shall be installed before ANY work is done on the site and no permits of any kind may be issued if the fencing is not installed or if either field has been disturbed by any construction activity. Should any construction activity damage either the identified primary or secondary on-lot sewage areas, all work on the site will cease immediately, with the exception of that necessary to create a safe condition, and not commence again until the identified areas have been reconditioned for use as an on-lot sewage area per the standards and with the approval of the Bucks County Board of Health or an alternate area be approved by the Board of Health.
3. Applicants for zoning permits and/or subdivision or land development approval shall submit the following information:
   a. A site plan which illustrates all natural resources on the site and the proposed use on the site; and
   b. All encroachments and disturbances necessary to establish the proposed use on the site.
   c. Calculations which indicate the area of the site with natural resources; the area of natural resources that would be disturbed or encroached upon; and the area of the site which is buildable under the terms of this ordinance.
   d. Applicants are not required to illustrate and calculate forested areas and areas of mature trees for the purposes of identifying the building area. The building area may include forested areas and mature trees as long as the requirements of forest and mature tree protection of this Ordinance are met for all uses, subdivision and land developments for the entire site.

B. The following site capacity calculations shall be submitted with applications for use B1 Detached Dwelling, use B2 Townhouse and Twins, Use B3 Apartment, Duplex or Multifamily, Use B4, Mobile Home Park, use B13 Preservation Development with Single Family Detached Dwellings and use B14, Living Community. Through these calculations, the net buildable site area, the maximum number of lots or dwelling units, the maximum amount of impervious surfaces and the required open space will be determined for the specific site. Where the district requirements or use regulations of this ordinance require a sketch plan in order to determine the maximum number of dwelling units permitted, the sketch plan shall be used to determine the permitted number of units rather than the site capacity calculations. Areas identified as Resource Protection Land may be used to meet the open space requirements for uses where this ordinance requires a sketch plan in order to determine the maximum number of dwelling units permitted.

1. Base Site Area:

   Calculate the base site area. From the total site area, subtract ultimate rights-of-way of existing streets; existing utility rights-of-way; land which is not contiguous or which is separated from the parcel by a road, railroad or major stream; or land shown on previous subdivision or land development plans as reserved for open space or other uses which restrict it from development.

   Base Site Area = _____acres

2. Land with Resource Restrictions and Resource Protection Land:

   Calculate the land with resource restrictions and the resource protection land. In the event that two or more resources overlap, only the resource with the highest protection ratio shall be used in the calculations.

	I	II	III	IV
Resource Group	Natural Resource	% Resource to be protected	Total Natural Resource Land (acres)	Total Resource Protection Land (II x III)
HYDROLOGIC SURFACE FEATURES	Flood Plain	100%		
	Floodplain soils	100%		
	Watercourses or Streams	100%		
	Waters of Commonwealth	100%		
	Lakes or Ponds	100%		
	Wetlands	100%		
	Lake and Pond Shoreline	100%		
SLOPES	Steep Slopes (8 - 15%)	60%		
	Steep Slopes (15-25%)	70%		
	Steep Slopes (>25%)	85%		
Ag SOILS	Agricultural Soils Class I, II, III and IV in the AG-1 and AG-2 Districts	50%		
Perimeter Vegetation	Vegetation at the Perimeter of a Tract	100%		
FOREST	Forest*	80%		
		TOTALS	acres	acres

   (*Except where otherwise specified by these regulations.)

3. Determine Required Minimum Open Space - Required open space shall be either the amount of open space required for the use by Section 405 and by the district in which the use is located, or the amount of land which is needed to preserve the resources on the site, as calculated in subsection 2. of this section, whichever is greater.

   Multiply Base Site Area by Minimum Open Space Ratio for the use proposed

   Open Space = _____acres

   Compare with Resource Protection Land, calculated in column IV of the table above

   Resource-Protection Land = _____acres.

   The larger of these two acreages shall be the required minimum open space.

4. Net Buildable Site Area - Calculate the net buildable site area in the following way:

Base Site Area = _____ acres

Subtract total natural protection resource land in floodplains, lakes, ponds, watercourses, Waters of the Commonwealth, streams, and wetlands, as calculated in subsection 2, from base site area.

Net Buildable Site Area = _____acres

5. Number of Dwelling Units or Lots permitted - Calculate the maximum number of dwelling units.

Multiply Base Site Area or the Net Buildable Site Area, whichever is applicable for the use and district, by Maximum Density (Section 405 and applicable district requirements) = ___ _____maximum Number of Dwelling Units permitted

6. Impervious Surface: Calculate the maximum area of impervious surfaces.

Multiply Base Site Area by Maximum Impervious Surface Ratio (Section 405 and applicable district requirements) = _____maximum area of all Impervious Surfaces on the entire site

Section 3102 Flood Plain Regulations

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

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

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

D. For the purposes of this Ordinance substantial improvement shall mean any repair, reconstruction, or improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure either before the improvement or repair is started, or, if the structure has been damaged and is being restored, before the damage occurred. All improvements and repairs meeting the definition of substantial improvement and occurring during the ten years preceding the filing of an application for a permit shall be applied cumulatively toward the fifty (50) percent threshold for market value. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include either any project for improvement of a structure to comply with existing State or local health, sanitary, or safety code specifications that are solely necessary to assure safe living conditions, or any alteration to a structure listed on the National Register of Historic Places or the State Inventory of Historic Places.

E. Purpose:

The purpose of these provisions is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection arid relief, and to protect the tax base by:

1. Regulating uses, activities, and development that, acting alone or in combination with other existing or future uses, activities, and development, will cause unacceptable increases in flood heights, velocities and frequencies.
2. Restricting or prohibiting certain uses, activities, and development from locating within areas subject to flooding.
3. Requiring all those uses, activities, and development that do occur in flood-prone areas to be protected and/or flood proofed against flooding and flood damage.
4. Protecting individuals from buying lands and structures that are unsuited for intended purposes because of flood hazards.

F. Warning and Disclaimer of Liability:

1. The degree of flood protection sought by the provisions of this Ordinance is considered reasonable for regulatory purposes and is based on acceptable engineering methods of study. Larger floods may occur on occasion. Flood heights may be increased by man-made or natural causes. This Ordinance does not imply that areas outside the flood plain districts or that land uses permitted within such districts will be free from flooding or flood damages.
2. This Ordinance shall not create liability on the part of the Township or any officer or employee thereof for any flood damages that result from reliance on this Ordinance or any administrative decision lawfully made thereunder.

G. Definitions and Establishment of Flood Plain Areas:

1. Definitions - The following definitions apply only to terms used in Section 3102. Definitions found in Article 2 of this ordinance apply in all other sections of this Ordinance:

   Accessory Use or Structure: a use or structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal use or structure.

   Basement: any area of the building having its floor below ground level on all sides.

   Building: a combination of materials to form a permanent structure having walls and a roof. Included shall be all manufactured homes and trailers to be used for human habitation.

   Development: any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets, and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

   Floodplain area: a relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and any area subject to unusual and rapid accumulation of surface waters from any source. This term shall include areas within the five hundred year flood plain.

   Flood-proofing: any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

   Floodway: the designated area of a floodplain required to carry and discharge floodwaters of a given magnitude. For the purpose of this Ordinance, the floodway shall be capable of accommodating a flood of one hundred (100) year magnitude.

   Historic Structure: any structure that is:

   a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register.
   b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historical district or a district preliminarily determined by the Secretary to qualify as a registered historic district;

c. Individually listed on a state inventory of historic places in states with historic preservation programs which have been approved by the Secretary of Interior; or

d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:

   i) By an approved state program as determined by the Secretary of Interior; or

   ii) Directly by the Secretary of the Interior in states without approved programs.

Identified Floodplain Area: the floodplain area specifically identified in this Ordinance as being inundated by the one hundred (100) year flood.

Land Development: Any of the following activities:

a. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:

   i) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or

   ii) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups, or other features.

   2. A subdivision of land.

Lowest Floor: the lowest floor of the lowest fully enclosed area (including basement). An unfinished, flood resistant partially enclosed area, used solely for parking of vehicles, building access, and incidental storage, in an area other than a basement area is not considered the lowest floor of a building, provided that such space is not designed and built so that the structure is in violation of the applicable non-elevation design requirements of this Ordinance.

Manufactured home - structure, transportable in one or more sections, which is built on a permanent chassis, and is designed for use with or without a permanent foundation when attached to the required utilities. The term includes park trailers, travel trailers, recreational and other similar vehicles that are placed on a site for more than 180 consecutive days.

Manufactured home park: a parcel of land under single ownership, which has been planned and improved for the placement of two or more manufactured homes for non-transient use.

Minor Repair: the replacement of existing work with equivalent materials for the purpose of its routine maintenance and upkeep, but not including the cutting away of any wall, partition or portion thereof, the removal or cutting of any structural beam or bearing support, or the removal or change of any required means of egress, or rearrangement of parts of a structure affecting the exit way requirements; nor shall minor repairs include addition to, alteration of, replacement or relocation of any standpipe, water supply, sewer, drainage, drain leader, gas, oil, waste, vent, or similar piping, electric wiring or mechanical or other work affecting public health or general safety.

New Construction: structures for which the start of construction commenced on or after March 15, 1979, including any subsequent improvements thereto.

Person: an individual, partnership, public or private association or corporation, firm, trust, estate, municipality, governmental unit, public utility or any other legal entity whatsoever, that is recognized by law as the subject of rights and duties.

Recreational Vehicle: a vehicle which is (a) built on a single chassis; (b) not more than 400 square feet, measured at the largest horizontal projections; (c) designed to be self-propelled or permanently towable by a light-duty truck; (d) not designed for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

Regulatory Flood Elevation: the one hundred (100) year flood elevation plus freeboard safety factor of one and one-half (1-1/2) feet.

Repetitive Loss: flood related damages sustained by a structure on two separate occasions during a 10-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25 percent of the market value of the structure before the damages occurred.

Special Permit: a special approval which is required for hospitals, nursing homes, jails, and new manufactured home parks and subdivisions and substantial improvements to such existing parks, when such development is located in all, or a designated portion, of a floodplain.

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

Substantial Damage: damage from any cause sustained by a structure whereby the cost of restoring the structure to its before-damaged condition would equal or exceed fifty (50) percent or more of the market value of the structure before the damage occurred. All improvements and repairs meeting the definition of substantial improvement and occurring during the ten years preceding the filing of an application for a permit shall be applied cumulatively toward the fifty (50) percent threshold for market value.

Substantial Improvement: any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty (50) percent of the market value of the structure before the "start of construction" of the improvement. All improvements and repairs meeting the definition of substantial improvement and occurring during the ten years preceding the filing of an application for a permit shall be applied cumulatively toward the fifty (50) percent threshold for market value. This term includes structures that have incurred "substantial damage" or "repetitive loss", regardless of the actual repair work performed. The term does not, however, include either:

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

b. Any alteration of a "historic structure" provided that the alteration will not preclude the structure's continued designation as a "historic structure".

2. For the purposes of this Ordinance, various flood plain areas are identified which are subject to the provisions of this section. The identified floodplain area shall be those areas of the Township which are subject to the one hundred year flood or the five hundred year flood, as identified in the Flood Insurance Study (FIS), dated May 18, 1999, and the accompanying maps prepared for the Township by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof. These flood plain areas are:

   a. FW Floodway Area - The areas identified as Floodway in the AE Zone in the Flood Insurance Study prepared by FEMA. The term shall also include floodway areas that have been identified in other available studies or sources of information for those floodplain areas where no floodway has been identified in the Flood Insurance Study.

   b. FF Flood Fringe Area - The remaining portion of the one hundred year floodplain in those areas identified as an AE zone in the Flood Insurance Study, where a floodway has been delineated. The basis for the outermost boundary of this area shall be the 100-year flood elevations as shown in the flood profiles contained in the Flood Insurance Study.

   c. FA General Floodplain Area - The areas identified as Zone A in the FIS for which no one hundred year flood elevations have been provided. When available, information from other federal, state and other acceptable sources shall be used to determine the one hundred year flood elevation, as well as a floodway area, if possible. When no information is available the 100 year elevation shall be determined by using a point on the boundary of the identified floodplain area that is nearest the construction site in question.

   d. Floodplain Soils - Soils identified in the *Soil Survey of Bucks and Philadelphia Counties*, Pennsylvania, U.S. Department of Agriculture, most recent edition, as being subject to flooding or floodplain soils.

H. Use of Flood Plain Areas:

1. The flood plain areas described above shall be overlays to the existing underlying zoning districts and the flood plain provisions shall serve to supplement the underlying zoning provisions. Where there is a conflict between the provisions or requirements of any flood plain requirement and those of the underlying zoning, the more restrictive provisions and/or those pertaining to the flood plain area shall apply. However, in all cases the flood plain requirements shall be met.
2. In the event any provision concerning a flood plain regulation is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying zoning district provision shall remain applicable.
3. The delineation of any of the flood plain area may be revised by the Township where natural or man-made changes have occurred and/or more detailed studies conducted or undertaken by the U.S. Army Corps of Engineers, the Federal Emergency Management Agency, or other qualified agency or individual documents the notification for such change. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA) and the Pennsylvania Department of Community and Economic Development.
4. The Zoning Officer shall make the initial interpretation of the flood plain areas boundaries. Should a dispute arise concerning the boundaries of any of the areas, the Zoning Hearing Board shall make the necessary determination on the basis of a certified engineering study and delineation of the floodplain. The persons questioning or contesting the location of the boundary shall be given a reasonable opportunity to present their case to the Board and to submit their own technical evidence if they so desire.

I. Floodplain Regulations:

In the floodplain area, as herein defined, encroachments, including fill, new construction, substantial improvements, and other development that would result in any increase in flood levels within the community during the occurrence of the one hundred year flood are prohibited. On-lot wastewater treatment systems are prohibited in any floodplain area.

1. Permitted Uses:

   In the floodplain areas the following uses and activities are permitted provided that they are in compliance with the provisions of the underlying zoning district and are not prohibited by any other ordinance and provided that they do not require structures, fill or storage of materials and equipment within the floodplain:

   a. Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
   b. Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat launching and swimming areas, hiking and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, and fishing areas.
   c. Accessory residential uses such as yard areas, gardens, play areas, and porous parking areas.
   d. Accessory industrial and commercial uses such as yard areas, loading areas, and porous parking.

2. Uses Permitted By Special Exception:

   The following uses and activities may be permitted by Special Exception provided that they are in compliance with the provisions of the underlying zoning district, in conformance with this Section and are not prohibited by any other Ordinance:

   a. Uses and activities accessory to the uses and activities in Section 3102.I.1.
   b. Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water treatment plants, and other similar or related uses.
   c. Water-related uses and activities such as marinas, docks, wharves, piers, etc.
   d. Temporary uses such as circuses, carnivals, and similar activities.
   e. Storage of materials and equipment, provided that they are not buoyant, flammable or explosive, and are not subject to major damage by flooding, or provided that such materials and equipment are firmly anchored to prevent flotation or movement. Storage of materials and equipment listed in Section 3102.l. shall be prohibited on the flood plain.

f. All uses, activities, and structural developments, shall be undertaken in strict compliance with the flood proofing provisions contained in all other applicable codes and ordinances.

J. Flood Fringe Area Regulations:

In the flood fringe areas, the development and/or use of land shall be permitted in accordance with the regulations of the underlying zoning district provided that all such uses, activities and/or development shall be undertaken in strict compliance with the filling, flood-proofing and related provisions contained in this Ordinance and all other applicable codes and ordinances.

K. Approximate 100-Year Flood Area and Flood Plain Soils Area Regulations:

Along those portions of streams and watercourses where the floodway and flood fringe areas have not been determined, the following regulations pertaining to the approximate 100-Year Flood Areas and flood plain soils areas shall apply:

1. For the purposes of this Section, it shall be assumed that, absent justification to the contrary submitted by the applicant and approved by the Township, any activity other than allowed in Section 3102 Floodplain Area Regulations, will substantially affect the elevation and velocity of floodwaters. Therefore, the provisions of Section 3102.I. Floodplain Regulations shall be applicable.
2. The applicant for a proposed use, development or activity in Approximate 100-Year Flood Areas and flood plain soils areas shall have the opportunity to determine flood profiles and elevations, thereby identifying the floodway and flood fringe areas, in accordance with hydrologic and hydraulic engineering techniques as follows:
   a. The applicant shall provide sufficient documentation to demonstrate that his proposed activity, together with all other existing and anticipated development, uses, and activities, will not increase the water surface elevation of the one hundred (100) year flood <u>more</u> than one (1) foot at any point. The engineering principle of equal reduction of conveyance shall be used to make the determination of increases in flood heights.
   b. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computations, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township. The Board of Supervisors must approve the study.

L. Development Which May Endanger Human Life:

1. Any new or substantially improved structure which will:
   a. Be used for the production, storage or retention of any of the following dangerous materials or substances in quantities exceeding 550 gallons on the premises; or
   b. Be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances, carcinogenic substances, or teratogenic substances) of any of the dangerous materials or substances, including but not limited to the following, on the premises shall not be permitted in the Flood Plain (including the five hundred year flood plain) or Flood Plain Soils Areas:
      i. Acetone
      ii. Ammonia
      iii. Benzene
      iv. Calcium carbide
      v. Carbon disulfide
      vi. Celluloid
      vii. Chlorine
      viii. Hydrochloric acid
      ix. Hydrocyanic acid
      x. Magnesium
      xi. Nitric acid and oxides of nitrogen
      xii. Petroleum products (gasoline, fuel, oil, etc.)

xiii. Phosphorus
xiv. Potassium
xv. Sodium
xvi. Sulfur and sulfur products
xvii. Pesticides (including insecticides, fungicides and rodenticides)
xviii. Radioactive substances, insofar as such substances are not otherwise regulated

M. Special Requirements for Mobile or Manufactured Homes:

No mobile or manufactured home shall be permitted in the flood fringe area except as a nonconforming use which predates the enactment of this Ordinance. Any new mobile or manufactured homes or mobile homes or manufactured homes placed in an existing mobile home park shall be anchored to resist flotation, collapse, or lateral movement by providing over-the-top and frame ties to ground anchors in accordance with the American National Standards as specified in the Standard for the Installation of Mobile Homes, including Mobile Home Park Requirements (CNFPA No.501 A-1974 CANSI A119.3-1975) as amended for Mobile Homes in Hurricane Zones or other appropriate standards such as, but not limited to, the following:

1. Over the top ties shall be provided at each of the four (4) corners of the mobile home, with two (2) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and one (1) additional tie per side for units less than fifty (50) feet in length.
2. Frame ties shall be provided at each corner of the mobile home, with five (5) additional ties per side at intermediate locations for units fifty (50) feet or more in length, and for four (4) additional ties per side for units less than fifty (50) feet in length.
3. All components of the anchoring system shall be capable of carrying a force of four thousand eight hundred (4,800) pounds.
4. The stands or lots shall be elevated on compacted fill, or on pilings so that the lowest floor of the mobile home will be one and one-half (1.5) feet or more above the elevation of the one-hundred (100) year flood.
5. Adequate surface drainage shall be provided.
6. Adequate access for a hauler shall be provided.
7. Where pilings are used for elevation, the lots shall be large enough to permit steps; piling foundations shall be placed in stable soil no more than ten (10) feet apart; reinforcement shall be provided for pilings that will extend for six (6) feet or more above the ground level.

N. Existing Structures in the Flood Plain and Flood Plain Soils Areas:

A structure or use of a structure or premises which lawfully existed before the enactment of these provisions, but which is not in conformity with these provisions, may be continued subject to the following conditions:

1. Existing structures and/or uses located in any floodway shall not be expanded or enlarged unless the effect of the proposed expansion or enlargement on flood heights is fully offset by accompanying improvements.
2. The modification, alteration, repair, reconstruction, or improvement of any kind to a structure and/or use regardless of its location in a flood plain or flood plain soils areas to an extent or amount of fifty (50) percent or more of its market value shall be undertaken only in full compliance with the provisions of this and any other applicable ordinances. All improvements and repairs meeting the definition of substantial improvement and occurring during the ten years preceding the filing of an application for a permit shall be applied cumulatively toward the fifty (50) percent threshold for market value.

O. Anchoring, Elevation and Flood-proofing Requirements:

1. Residential Structures. Within any flood plain area or flood plain soils area, the lowest floor (including basement) of any new or substantially improved residential structure shall be at least one and one-half (1.5) feet above the one hundred (100) year flood elevation.
2. Nonresidential Structure. Within any flood plain area or flood plain soils area, the lowest floor (including basement) of any new or substantially improved nonresidential structure shall be at least one and one-half (1.5) feet above the one hundred (100) year flood elevation, or be designed and constructed so that the space enclosed by such structure shall be watertight with walls substantially impermeable to the passage

of water and with structural components having the capability of resisting hydrostatic and hydrodynamic loads and effects of buoyancy.

3. Any structure, or part thereof, which will not be completely or adequately elevated, shall be designed and constructed to be completely or essentially dry in accordance with the standards contained in the publication entitled "Flood-Proofing Regulations" (U.S. Army Corps of Engineers, June 1972, as amended March 1992), or some other equivalent standard, for that type of construction.
4. A document, certified by a registered professional engineer or architect, which states that the proposed construction or development has been adequately designed to withstand the one-hundred (100) year flood elevations, pressures, velocities, impact and uplift forces associated with the one-hundred (100) year flood shall be submitted. Such statement shall include a description of the type and extent of flood-proofing measures that have been incorporated into the design of the structure and/or the development; and will include elevations of the existing ground, the proposed finished ground, and lowest floor.
5. Anchoring
   a. All buildings and structures shall be firmly anchored in accordance with accepted engineering practices to prevent flotation, collapse, or lateral movement.
   b. All air ducts, large pipes, storage tanks, and other similar objects or components located below the Regulatory Flood Elevation shall be securely anchored or affixed to prevent flotation.

P. Design and Construction Standards:

1. Fill:

   If fill is used, it shall:

   a. Extend laterally at least fifteen (15) feet beyond the building line from all points,
   b. Consist of soil or small rock materials only. Sanitary landfills shall not be permitted;
   c. Be compacted to provide the necessary permeability and resistance to erosion, scouring, or settling,
   d. Be no steeper than one (1) vertical to two (2) horizontal, unless substantiated data, justifying steeper slopes are submitted to, and approved by the Zoning Officer and Township Engineer,
   e. Be used to the extent to which it does not adversely affect adjacent properties.
2. Drainage:

   Storm drainage facilities shall be designed to convey the flow of storm water runoff in a safe and efficient manner. The system shall insure proper drainage along streets, and provide positive drainage away from buildings. The system shall also be designed to prevent the discharge of excess runoff onto adjacent properties.
3. Water and Sanitary Sewer Facilities and Systems:
   a. All new or replacement water and sanitary sewer facilities and systems shall be located, designed and constructed to minimize or eliminate flood damages and the infiltration of flood waters.
   b. Sanitary sewer facilities and systems shall be designed to prevent the discharge of untreated sewage into floodwaters.
   c. No part of any on-site sewage system shall be located within any identified flood plain or flood plain soils area except in strict compliance with all State and local regulations for such systems. If any such system is permitted, it shall be located so as to avoid impairment to it, or contamination from it, during a flood.
4. Other Utilities:

   All other utilities such as gas lines, electrical and telephone systems shall be located, elevated (where possible) and constructed to minimize the chance of impairment during a flood.
5. Streets:

   The finished elevation of all new streets shall be at least one and one-half (1.5) feet above the one hundred (100) year flood elevation.
6. Storage:

   All materials that are buoyant, flammable, explosive or otherwise hazardous, in times of flooding, could be injurious to human, animal, or plant life, and not listed in Section 3102, Development Which May

Endanger Human Life, shall be stored at or above the Regulatory Flood Elevation and/or flood proofed to the maximum extent possible.

7. Placement of Buildings and Structures:

   All buildings and structures shall be designed, located, and constructed so as to offer the minimum obstruction to the flow of water and shall be designed to have a minimum effect upon the flow and height of floodwater.

8. The applicant shall submit plans of all proposed buildings, structures and other improvements, drawn at suitable scale showing the following:
   a. The proposed lowest floor elevation of any proposed building based upon National Geodetic Vertical Datum of 1929;
   b. The elevation of the one-hundred (100) year flood;
   c. If available, information concerning flood depths, pressures, velocities, impact and uplift forces and other factors associated with a one-hundred (100) year flood; and
   d. Detailed information concerning any proposed flood-proofing measures.

Q. Prohibited Activities in the Flood Plain:

The following activities shall be prohibited within any identified flood plain area (including the five hundred year flood plain) or flood plain soils area of the Township:

1. The commencement of any of the following activities; or the construction, enlargement, or expansion of any structure used, or intended to be used, for any of the following activities:
   a. Hospitals
   b. Nursing homes
   c. Jails or prisons
   d. Emergency services
   e. Kennels
2. The commencement of, or any construction of a new mobile or manufactured home park or mobile or manufactured home subdivision, or substantial improvement to an existing mobile or manufactured home park or mobile or manufactured home subdivision.
3. Pursuant to federal Executive Order 11988, no "critical facilities", whether new or substantially improved, shall be permitted within the 500 year flood plain.

R. Variances and Appeals; Requests for variances shall be considered by the Zoning Hearing Board in accordance with the following:

1. Variance Procedures and Conditions:

If compliance with any of the requirements of this Ordinance would result in an exceptional hardship to a prospective builder, developer or landowner, the Township Zoning Hearing Board may, upon request, grant relief from the strict application of the requirements.

2. Appeals:
   a. Any person aggrieved by the action of decision of the Code Enforcement Officer concerning the administration of the provisions of this Ordinance may appeal to the Zoning Hearing Board. Such appeal must be filed, in writing, within 30 days after the decision, determination or action of the Code Enforcement Office.
   b. Upon receipt of such appeal the Zoning Hearing Board shall set a time and place, within not more than 60 days for the purpose of considering the appeal. Notice of the time and place at which the appeal will be considered shall be given to all parties.
   c. Any person aggrieved by the decision of the Zoning Hearing Board may seek relief therefrom by appeal to court as provided by the laws of this Commonwealth including the Pennsylvania Floodplain management Act.
3. No variance shall be granted for any construction, development, use, or activity within any floodway area that would cause any increase in the one hundred (100) year flood elevation.

4. No variance shall be granted for any construction, development, use, or activity within any floodplain area that would, together with all other existing and anticipated development, increase the one hundred (100) year flood elevation more than one (1) foot at any point.
5. Except for a possible modification of the one and one half (1/2) foot freeboard requirement involved, no variance shall be granted for any of the other requirements pertaining specifically to development regulated by Special Permit (or to Development Which May Endanger Human Life).
6. If granted, a variance shall involve only the least modification necessary to provide relief.
7. In granting any variance, the Zoning Hearing Board shall attach whatever reasonable conditions and safeguards it considers necessary in order to protect the public health, safety, and welfare, and to achieve the objectives of this Ordinance.
8. Whenever a variance is granted, the Zoning Hearing Board shall notify the applicant in writing that:
   a. The granting of the variance may result in increased premium rates for flood insurance.
   b. Such variances may increase the risks to life and property.
9. In reviewing any request for a variance the Zoning Hearing Board shall consider, at a minimum, the following:
   a . That there is good and sufficient cause.
   b . That failure to grant the variance would result in exceptional hardship to the applicant.
   c . That the granting of the variance will (i) neither result in an unacceptable or prohibited increase in flood heights, additional threats to public safety, or extraordinary public expense, (ii) nor create nuisances, cause fraud on, or victimize the public, or conflict with any other applicable state or local ordinances and regulations.
10. A complete record of all variance requests and related actions shall be maintained by the Township. In addition, a report of all variances granted during the year shall be included in the annual report to the Federal Insurance Administration.

Notwithstanding any of the above, however, all structures shall be designed and constructed so as to have the capability of resisting the one hundred (100) year flood.

S. Flood Elevation Certificates:

A completed Federal Emergency Management Agency (FEMA) National Flood Insurance Program Elevation Certificate shall be provided to the Township for all buildings constructed, substantially improved or placed within the 100 year flood plain or 500 year flood plain as defined in Section 3102.G.2. This shall include any area designated as a Special Flood Hazard Area (SFHA) as defined by FEMA.

Section 3103 Open Space

A. General Requirements:

1. Preservation Developments, Living Communities, mobile home parks, and any other use which is required to contain open space under the terms of this ordinance shall meet the open space requirements of this Ordinance. The plan shall contain or be supplemented by such material as required to establish the method by which open space shall be protected, maintained, used, and owned. The plan and other materials shall be construed as a contract between the land owner(s) and the Township, and shall be noted on all deeds.
2. Any property or parcel, including open space as part of previous subdivision within Buckingham Township, which is subject to a restriction against further subdivision, whether by notation on a subdivision plan or restriction in a deed, shall not be further subdivided or developed, regardless of an intervening zoning or other ordinance change.
3. Where open space is designated on a subdivision plan or is to be restricted from further subdivision or development by a restriction in a deed and/or by a note on a subdivision plan, the plan shall contain the following statement: “Open space which is designated on this subdivision plan is restricted from further

subdivision and development by a restriction in a deed or by this note, regardless of an intervening or other ordinance zoning change."

4. All subdivisions and residential developments with open space requirements shall provide internal usable open space that shall be accessible to residents of the development. For all developments of 25 dwellings or more, in conjunction with any other open space requirements of this Ordinance, a minimum area of 800 square feet per dwelling unit shall be provided in one or more central community greens accessible to residents of the development. A green or common shall have a minimum contiguous area of at least 20,000 square feet.
5. Where open space is designated on a subdivision plan, an open space easement shall be granted to the Township over such open space, in the form set forth in the appendices to the Township's SALDO, assuring the open space's protection from future subdivision, development or use inconsistent with its preservation as open space or agricultural land in accordance with Section 3103 C. below and Sections 503 and 603 above.

B. Layout of Open Space in the Agricultural Districts:

The Open Space Requirements for districts AG-1 and AG-2, Article 5 and 6, shall be met to the greatest extent possible by preservation of land for agriculture. Open space for agricultural use shall be land that has been in cultivation. Where open space is required, it shall be contiguous to existing farmed land.

C. Open Space Purpose and Uses:

1. Open space land means land that will be used for any of the following purposes. All plans shall designate the use of open space, the type of maintenance to be provided and a planting plan.
   a. To conserve natural or scenic resources, including but not limited to streams, wetlands, floodplains, and forests. Areas designated as open space to preserve natural resources as required by this Ordinance shall remain undisturbed and in a natural state.
   b. To preserve agricultural land as described in Section 3103.B. above.
   c. To augment recreation or public open space opportunities - An area designated for open field play or fields for active recreation may be designated where the land does not contain natural resource restrictions and is not designated as farmland and where such use is recommended by the Township Park and Recreation Board and approved by the Board of Supervisors and where the size, shape, topography, and soils make it suitable and usable for recreational use; or lands established as a common green which shall be accessible to the public and central to the proposed development. Where land is proposed for recreational use, it must be in addition to any land required by the mandatory dedication of recreation land provisions in the Township's Subdivision/Land Development Ordinance.
   d. To enhance the value of existing parks, forests, wildlife preserves, nature preserves, or other public open spaces by preserving land abutting such existing parks or open space serving these purposes listed in this subsection.
2. No part of required open space may be used for sewage lagoons, finishing ponds, or spray fields for land application of wastewater.
3. Minimum width buffer yards do not count as open space. However, required open space may be used to meet the requirements for buffers where the open space has a minimum contiguous area of four acres and a minimum dimension of 200 feet.
4. Required open space shall not include any area that is required by this Ordinance for minimum yards or setbacks or building separations.
5. Stormwater facilities or basins (retention or detention) may not be located in open space and may not be used to meet the minimum open space requirements for the use or district. The design standards for the stormwater management facility contained in the Township Subdivision/Land Development Ordinance shall be followed.
6. Open space whose purpose or resulting effect is to enhance the private yards of individual lots shall not be considered to meet the ordinance requirements for open space and shall not be counted in the calculation of minimum required open space. Narrow or irregular pieces of land which serve no public

open space function or which are remnants leftover after the lots, streets, and parking areas have been laid out shall not be considered to meet the ordinance requirements for open space and shall not be counted in the calculation of minimum required open space.

7. The easement area for any underground utility pipelines shall not be used to meet open space requirements.
8. Areas designated as open space to preserve natural resources as required by this Ordinance shall be laid out so as to be one contiguous area.

D. Open Space Performance Bond:

The developer shall provide designated planting and recreation facilities within the open space areas. A performance bond or other securities may be required to cover costs of installation in accordance with provisions of the subdivision and land development ordinance.

E. Ownership of Open Space:

Any of the following methods may be used to preserve, own, or maintain open space: condominium, home owners' association, dedication in fee simple to Buckingham Township or to a County or State government, dedication of easements to a municipal government or conservation organization, or transfer to a private conservation organization. The following specific requirements are associated with each of the various methods.

1. Open space may be offered for dedication to Buckingham Township as a fee-simple dedication. The Township may, but shall not be required to, accept any portion or portions of the open space provided:
   a. Such land shall be freely accessible to the public;
   b. There shall be no cost of acquisition to the Township involved;
   c. The Township agrees to and has access to maintain such lands; and
   d. The open space shall be in an acceptable condition to the Township at the time of transfer with regard to size, shape, location, condition, and improvement.
2. The Township may, but shall not be required to accept any agriculturally designated open space in the AG-1 or AG-2 Agricultural Districts provided:
   a. There shall be no cost of acquisition to the Township involved;
   b. Such open space shall be deed restricted to agriculture or other open space purposes; and
   c. The Township may rent or sell the land subject to such restrictions.
3. Condominium: The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Pennsylvania Uniform Condominium Act. All open space land shall be held as common element. Such land shall not be eligible for sale to another party except for transfer to another owner permitted under this section, and then only where there is no change in the open space ratio or the open space designated on the record plans for the development.
4. Home owners' association: The open space may be held in common ownership by a home owners' association. Such land shall not be eligible for sale to another party except for transfer to another owner permitted under this section, and then only where there is no change in the open space ratio or the open space designated on the record plans for the development.
5. Dedication of easements: Where the Township takes easements to any portion or portions of the open space, the land remains in the ownership of the individual, condominium, or home owners' association while the easements are held in public ownership. Such open space easements shall serve the public purpose of preserving open space, scenic areas, historic resources, farmland, or natural resources and all deed and easement documents shall insure the permanent preservation of open space and natural resources.
6. Transfer to a Private Conservation Organization: With permission of the Township, an owner may transfer either the fee simple title, with appropriate deed restrictions running in favor of the Township, or easements, to a private, nonprofit organization, among whose purposes it is to conserve open space land and/or natural resources provided that:

a. The organization is acceptable to the Township and is a bona fide conservation organization with perpetual existence;
b. The conveyance contains appropriate provision for transfer to the Township in the event that the organization becomes unwilling or unable to continue carrying out its functions; and
c. A maintenance agreement acceptable to the Township is entered into by the developer and the organization.

7. Deed Restrictions: Natural resource protection land or open space, as required by this Ordinance, may be held in the ownership of an individual property owner(s). This form of ownership of open space will be subject to the following requirements:
   a. It may be used only if approved by the Board of Supervisors.
   b. Restrictions meeting Township specifications must be placed in the deed and through conservation easement for each property that has natural resource protection areas within its boundaries. The restrictions shall provide for the continuance of the resource protection areas in accordance with the provisions of this ordinance;
   c. It will be clearly stated in the individual deeds and in the easement documents that the maintenance responsibility lies with the individual property owner.
8. Nonresidential Uses: For nonresidential uses, buffer yards and areas of natural resource-restricted lands may be held with the ownership of the entire parcel provided the buffer yards and natural resource-restricted areas are deed-restricted to ensure their protection and continuance.
9. Multi-family or Townhouse Developments - In the case of multi-family or townhouse residential uses, the open space land may be in the same ownership as that of the development provided that the land is deed-restricted to ensure its protection and continuance and that a maintenance agreement suitable to the Township is provided. For any of these options the Township may accept, but is not required to accept, an easement to the open space land in the development.

F. Costs:

Unless otherwise agreed to by the Township or County, the cost and responsibility of maintaining open space shall be borne by the property owner, condominium association, or home owners' association. The recorded Plan documents and/or easements or unilateral declarations shall provide that if the open space is not properly maintained, the Township may assume responsibility of maintenance and charge the property owner, condominium association or home owners' association a fee which covers maintenance cost, administrative costs, and penalties as stipulated in this Ordinance.

Section 3104 Buffers

A. Buffer Yards:

Buffer yards are required for all uses in accordance with Section 9.20 of the Township Subdivision/Land Development Ordinance. Where this Ordinance specifies that buffers shall be provided for a specific use, the planting and width requirements of the Subdivision/Land Development ordinance shall apply.

B. Installation of Buffers Required Prior to the Issuance of a Building Permit:

Where under: (i) this Ordinance, (ii) the Buckingham Township Subdivision and Land Development Ordinance, as amended, or (iii) as a condition of any subdivision or land development approval, any buffer along adjoining lands or along a public street is required to be installed as a part of any proposed construction or earthwork, then such buffer as may be required shall be installed prior to the issuance of any building or construction permit.

C. Parking Buffers:
Parking areas shall be adequately screened with a planted buffer of not less than 10 feet in width, located not less than fifty (50) feet from the property line of land in residential use, and in compliance with the standards of Section 9.20 E. "Parking Area Landscaping" (or its successor section) of the Buckingham Township Subdivision and Land Development Ordinance, as amended.

Section 3105 Restricted Use of Open Space

Land to be or previously preserved as open space either by virtue of the transfer of development rights, easement purchase, fee simple purchase or any other means, cannot be used to satisfy in whole or in part any open space or recreation land requirements for another development or use nor shall it be used to meet the minimum lot area or yard requirements for any other use or for any other purpose that would support or serve development.

ARTICLE 32 SIGNS

Section 3200 Scope and Applicability

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

Section 3201 Definitions

A. Sign: A sign is defined as any billboard, signboard, lettering, or other advertising device with the purpose in mind of drawing attention to the product, service, premises, business, residence, location, event, organization or notice described thereon. A sign includes, but is not limited to:

(1) A separate structure consisting of a face or faces upon which information is portrayed and its supporting elements including foundation; or

(2) A structure or device erected in the form of a symbol or trademark; or

(3) A structure or device designed to carry visual information, either static or animated attached or fastened to another structure, such as on the wall or roof of a building; or

(4) Electronic Graphic Signs that display electronic, static images, static graphics or static pictures, with or without text information, defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area where the message change sequence is accomplished immediately or by means of fade, re-pixalization or dissolve modes. Electronic Graphic Sign(s) include computer programmable, microprocessor controlled electronic or digital displays. Electronic Graphic Sign(s) include projected images or messages with these characteristics onto buildings or other objects.

(5) Video Signs that change their message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which present the illusion of motion, including but not limited to the illusion of moving objects, moving patters or bands of light, or expanding or contracting shapes. Video Sign(s) include projected images or messages with these characteristics onto buildings or other objects, and Electronic Graphic Signs.

(6) A surface of a structure or device upon which lettered, pictorial or other visual information is displayed; or

(7) Window signs, cloth banners, festoon lighting, pennants or other devices designed to attract attention by animation or direct or reflected lighting.

A sign does not include:

(1) Merchandise, pictures or models of products or services incorporated in a window display;

(2) Holiday decorations customarily displayed in a window or on or about the premises of residential structures, or in windows of business uses, without business advertising; or

(3) Works of art or physical constructs that do not promote a product, service, premises, business, location, event, organization or activity.

B. Sign Types:

1. Freestanding sign - A sign permanently supported by upright or uprights that are permanently anchored into the ground. This may have two display sides.
2. Building or Wall sign - A sign mounted parallel to the face of a building or wall and not projecting above the eaves of the structure and not more than twelve inches from the plane or facade of the building or wall.
3. Window sign - A sign painted on a window so that it can be seen through the window, containing only the name of the establishment and the type of establishment.

4. Directory Sign - A sign advertising a group of establishments occupying one property or one building, with the name of the property or building and the names of the individual establishments located within the property or building.
5. Projecting Sign - A sign that is dependent on a building for support and which projects more than 12 inches from the building, including an awning sign. Whenever a canopy or awning is affixed with any lettering, design, symbol, or made from any special material that is intended to be or by its nature is an identification of a business, the applicable measurable area of the awning or canopy is a projecting sign.
6. Portable Sign - Any sign used for a short period of time and which is not permanently affixed to a location on a building or on the ground, including sandwich boards, posters, signs on wheels, and buntings.
7. Off Premises Advertising Sign – A sign that directs attention to a product, business, commodity, service, location, event, organization, activity or entertainment, conducted, sold or offered only elsewhere than upon the premises where the sign is displayed. Off Premises Advertising Signs shall be permitted only in the PC-1 and PI Districts, subject to the regulations of this Article 32.

C. Area of a Sign:

1. The area of a sign shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing incidental to the display itself. The computation of area of the sign shall include decorative trim in addition to the portion devoted to the message and lettering.
2. Where the sign consists of individual letters or symbols attached to a building, wall, or window, the area shall be considered to be that of the smallest rectangle or other regular geometric shape that encompasses all of the letters and symbols.
3. In computing square-foot area of a double-face sign, only one side shall be considered, provided both faces are identical. If the interior angle formed by the two faces of the double-faced sign is greater than forty-five (45) degrees, then both sides of such sign shall be considered in calculating the sign area.

D. Illumination:

1. Indirectly illuminated signs are those which have no internal source of light but which have lights external to the sign which shine on signs to illuminate them. Lights shall shine with white or clear light only. Fully shielded fixtures shall be used and the source of illumination shall not be visible from any adjoining property or roadway. The planting of vegetation, while a desirable additional means to reduce the impact of the light source, shall not be considered as a replacement for this requirement. All light shall be directed at the sign and no horizontal or vertical spill, as defined in section 3016 of this ordinance, shall be permitted.
2. Directly illuminated signs are signs that have an internal light source within the sign. The internal light source shall be a white or clear light only.
3. Unilluminated signs are those that have no internal or external illumination.

Section 3202 Sign Regulations Applicable to All Districts

Objectives of Sign Regulations - The purpose of the sign regulations is to allow for the public to be able to identify community businesses and to protect the community appearance by regulating the size, location, and type of signs used. Signs should be designed to be compatible with the rural/suburban nature of the community. The sign regulations are intended to:

(1) Encourage sound practices with respect to size, spacing, illumination, type and placement of signs for the purpose of safeguarding and enhancing properties in each of the Township's zoning districts;

(2) Provide an environment that will promote the orderly growth and development of business and industry in the Township;

(3) Protect public investment in public structures, open spaces and thoroughfares;

(4) Promote the safety and welfare of the citizens of the Township and people visiting and/or traveling through the Township;

(5) Recognize the Township's environmental attributes, public open spaces and parks, agricultural lands and historic places, and the effect that signage can have on these features;

(6) Preserve and perpetuate uncluttered and natural views for the enjoyment and environmental enrichment of the citizens of the community and visitors thereto;

(7) Enhance the appearance of the Township, reduce visual clutter and blight, and promote the recreational value of public travel and the economic development of the community;

(8) Promote safety upon the streets and highways in the Township;

(9) Recognize that Off Premises Advertising Signs are a legitimate advertising medium if located in areas that neither lessen the visual attributes of the Township through the placement of such signs, nor cause confusion or safety problems or lessen the ability to identify local businesses through visual clutter;

(10) Implement the minimum regulations necessary to achieve the Community Development Objectives stated herein; and

(11) Regulate signs within the Township in the interests of economic prosperity, civic pride, quality of life and general welfare of the people who reside in, are visiting, are employed in or conduct business in the Township.

A. No more than one such sign shall be placed on any property held in single and separate ownership, unless such property fronts upon more than one (1) public street, in which event, one (1) such sign may be erected on each street frontage.

B. Unless the regulations of this Ordinance specifically state that a sign may be placed off the lot or premises to which it relates, signs may be placed only on the same lot with the use or establishment to which the sign relates.

C. Obstruction - No sign shall be placed in such a position that it will cause danger to traffic on a street or entering a street by obscuring the view, or which hides from view or interferes with the effectiveness of an official traffic control device. No sign shall be placed in a clear sight triangle.

D. Location - All parts of any sign, except for official traffic and street signs, shall observe the placement requirements:

1. No sign shall be erected or maintained within fifteen (15) feet of the edge of the cart way or curb or be located within, or project over, the legal right-of-way of any existing or proposed street or road, whichever is greater.
2. No sign shall be erected or maintained within a distance of ten (10) feet from the side-line of a lot except as may be specifically permitted by this Article.
3. No sign shall be placed on Buckingham Township property except for those signs installed by the Township or which the Township requires.
4. No sign shall be placed along a state road or road right-of-way that violates the regulations of PennDOT.
5. No sign shall be erected and maintained within a parking space or fire lane.

E. Code Requirements - All signs over two (2) square feet in size, other than-official highway signs, shall be considered as structures and shall conform to the provisions of this Ordinance, the Municipal Building Code, and any other ordinance regulations of the Township.

F. Prohibited Signs - The following signs are prohibited:

1. Signs of a flashing, rotating or revolving type, with the exception of barber poles.
2. Novelty signs, including but not limited to objects such as tires, automobiles, food products, pennants, banners, balloons, bulletin boards, and animated signs.
3. Roof signs - Any sign placed above or at the same level as the roof line of a flat roof or the lowest point of eaves of a sloping or mansard roof.
4. Any sign suspended between poles and lighted by a series of lights is prohibited.
5. Signs erected or attached to a tree or utility pole, or painted or drawn on a rock or other natural feature.

6. Any banner sign or sign of any other type across a public street or on any private property, except for such signs which are approved by the Board of Supervisors to be of general benefit to the municipality or for public convenience, necessity, or welfare.
7. Any sign suspended between poles, which is either a pennant that blows in the wind or a spinner that spins in the wind.
8. Any sign which imitates any official traffic sign, signal or device.
9. Any vehicle or trailer which is parked on a public right-of-way or on public or private property so as to be visible from a public right-of-way, which has attached thereto or located thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or on another property.
10. Any sign is prohibited which does not conform to the requirements of the sign ordinance that was in effect when the sign was erected.
11. No sign shall be erected containing information which states or implies that a property may be used for any purpose not permitted under the provisions of the Buckingham Township Zoning Ordinance in the zoning district on which the property to which the sign relates is located.
12. No sign visible outside of any structure shall contain neon or other gases in exposed tubes.
13. A series of lights or lighting outlining the edges of buildings or building elements shall be considered a sign under the terms of this ordinance and shall be prohibited.
14. Backlit signs that do not comply with Section 3201 **D**. 2. above shall not be permitted.

G. All permanent signs shall be professionally lettered and neatly displayed.

H. Interior signs, which are signs placed within a building and are placed more than twelve (12) inches from the interior surface of a window, are not regulated by the provisions of this Ordinance, with the exception of neon signs which, regardless of distance from a window, shall not be visible from any public road or adjoining property.

I. Illuminated Signs - Any illuminated sign, whether illuminated from within or by an exterior light, shall be subject to the following requirements:

1. No sign facing an occupied dwelling unit within an agricultural or residential district shall be permitted within two hundred (200) feet of such occupied dwelling.
2. No red, green, or yellow illuminated sign shall be permitted.
3. Signs that contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.
4. Internally illuminated signs shall have dark backgrounds and light letters, rather than light backgrounds and dark letters, in order to reduce glare.
5. In addition to the foregoing requirements, illumination of any Off Premises Advertising Sign shall be effectively shielded so as to prevent beams or rays of light from being directed off the property on which the sign is located or at any portion of the traveled rights-of-way or which is of such intensity or brilliance as to cause glare or to impair the vision of a driver of a vehicle, or which interferes with any driver's operation of a motor vehicle. Illumination of an Off Premises Advertising Sign shall not interfere with the effectiveness of or obscure an official traffic sign, device or signal.
6. All signs shall comply with the requirements of Section 3016 "Lighting" of this Ordinance.

J. Development entrance signs or walls shall be permitted on a temporary basis only during the time when a project is under construction. Walls may not be located in a clear sight area and may not interfere with sight distance. Only one sign, wall or entrance feature is permitted per road frontage. These must be removed upon completion of project construction and initial sale of units. Design and location of entrance walls or signs must be approved with the development plans. Approval may be granted by the Board of Supervisors for retaining the signs in place beyond the period specified at their sole discretion. Adequate funds shall be escrowed to ensure the removal of development entrance signs. Removal of said signage shall be completed prior to the issuance of the final building permit for the development.

Section 3203 Signs in the Agricultural, Residential, Village Residential, Planned Business & Residential, and MHP Districts

In these districts, the following types of signs, and no others, shall be permitted. Signs may be unilluminated or indirectly illuminated but may not be illuminated with lights inside the sign.

A. Official highway route number signs, street name signs, and other official traffic signs may be erected and maintained in the interest of public safety or for the regulation of traffic.

B. Temporary Signs advertising the sale or rental of premises upon which said sign has been erected, or signs indicating that said premises has been sold or rented, provided that the following regulations are met:

1. Maximum size: twelve (12) square feet;
2. Signs shall be removed promptly within ninety (90) days after an agreement of sale or rental has been entered into, whether there are any conditions in the agreement or not, or removed within twenty (20) days from the date of occupancy, whichever is the lesser period of time.

C. Temporary Signs advertising the sale or development of premises upon which they are erected, when erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other person interested in such sale or development, may be erected and maintained, provided that:

1. Maximum size: twenty-four (24) square feet;
2. Signs shall be removed within ninety (90) days after an agreement of sale, lease or rental, has been entered into for the last building or dwelling unit, or removed within twenty (20) days from the date of occupancy, whichever is the lesser period of time.

D. Identification signs for schools, churches, hospitals, nursing homes, life care facility, full care facility or similar institutions, and for clubs, golf courses, farms, or estates provided that the following regulations are met:

1. Maximum sign size - twenty (20) square feet;

E. Temporary signs advertising political parties or candidates for election may be erected and maintained, provided the following regulations are met:

1. Maximum size sixteen (16) square feet per side;
2. All such signs may be posted for a maximum of ninety (90) days before they are removed or replaced. No permit fee or security deposit shall be required or permitted.

F. Signs of a temporary nature, not otherwise described herein, such as those advertising civic, social or political gatherings or causes and fundraising activities may be erected and maintained, provided that:

1. Maximum sign size: sixteen (16) square feet per side;
2. No more than seven such signs shall be permitted within the Township for any single civic, social or political gatherings or causes and fundraising activity;
3. 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 five (5) days after the event to which such signs relate. If such signs are not removed at the end of the five (5) day period, the Township will then have them removed and forfeit the sum deposited to reimburse the expenses incurred in removal. The deposit shall be returned upon the satisfactory removal of such signs within the five (5) day period. No such temporary sign may be displayed for a period or periods exceeding a total of ninety (90) days in any one calendar year, unless authorized by the Board of Supervisors to be renewed a longer period of time. The deposit amounts required to be paid herein are in addition to the permit fee.

G. Trespassing signs or signs indicating the private nature of a road, driveway, or premises, and signs prohibiting or otherwise controlling the fishing and hunting upon a particular premises may be erected and maintained providing that the size of any such sign shall not exceed two (2) square feet per side.

H. Professional, home occupation, or name signs indicating the profession and/or activity and/or the name of the occupant of the dwelling, provided that 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;

I. Temporary signs of mechanics, contractors and artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that:

1. Maximum sign size: six (6) square feet per side;
2. No more than one (1) sign for each mechanic, contractor or artisan shall be placed on any one (1) property on which such person is performing work.
3. The mechanic, contractor, or artisan shall promptly remove signs upon completion of work.

J. Directional, informational or public service signs such as signs advertising the availability of restrooms, telephone or similar facilities of public convenience, and signs advertising meeting times and places of non-profit service or charitable clubs and organizations, provided that such signs do not advertise any commercial establishment, activity, organization, product, goods or services and any such sign shall not exceed three (3) square feet per side in size.

K. Temporary signs advertising the sale of agricultural or horticultural products, meeting the following requirements:

1. Maximum sign size: twelve (12) square feet per side for on-premises signs and four (4) square feet for off-premises signs;
2. Signs shall be removed immediately upon the end of the sales season. Application for a temporary sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit to be set by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period. If such signs are not promptly removed at the end of the authorized period, the Township will then have them removed and forfeit the sum deposited to reimburse the expense incurred in removal.
3. Signs may be erected for no more than ninety (90) days per year, which may be divided among more than one growing season.
4. Signs may be permitted off premises provided that the property owner on whose lot the sign is to be placed has given written permission to the person applying to place the sign.
5. No more than seven (7) off-premises signs are permitted within the Township for any single establishment.
6. On the lot where the agricultural or horticultural products are sold only one sign shall be permitted.

L. Signs advertising non-residential uses, where such uses are permitted as principal or valid non-conforming uses, provided that the following regulations are met:

1. Maximum sign size: twelve (12) square feet per side;
2. The sign may be either a freestanding sign or a building sign mounted flush with a wall.
3. In the Planned Business & Residential District and VR-3 District only, permitted nonresidential uses may have signs in accordance with the standards of Section 3208, NVO District.

M. Sign types permitted are freestanding and building wall sign. Free standing signs shall not exceed a maximum height of six (6) feet from the ground level to the top of the sign in these zoning districts.

Section 3204 Signs in the I Institutional District

The following types of signs and no others shall be permitted. Signs in Institutional districts may be unilluminated or indirectly illuminated but may not be illuminated with lights inside the sign:

A. Any sign erected and maintained in accordance with the provisions of Section 3203, provided the use to which it refers is permitted in the I District.

B. Nonresidential uses within the I district may have one freestanding sign and one building sign which comply with the following requirements:

1. Free Standing Signs.
   a. Maximum sign size: twenty (20) square feet per side
   b. Maximum height to top of sign: twelve (12) feet from ground level
2. Building Signs. One of the following types of building sign is permitted:
   a. Signs which are part of the architectural design of a building shall be restricted to an area not more than fifteen (15) percent of the wall area, including windows and doors, of the wall upon which such sign is affixed or attached and such signs shall not protrude beyond the wall of which it is a part; or,
   b. A projecting sign mounted to a wall or other vertical building surface and which projects at right angles from the facade, shall not project more than five (5) feet from the wall or surface to which it is mounted, and shall not exceed eight (8) square feet in size; or,
   c. A single building sign, which shall be no more than twenty (20) square feet in size where mounted flush on the structure, or two (2) buildings signs, which shall be no more than twelve (12) square feet for one and eight (8) square feet for the second where mounted flush on separate walls.
3. A directional signs of two (2) square feet or less is permitted for traffic control purposes at each driveway to the lot, provided such signs do not contain advertising copy.

Section 3205 Signs in the VC-1 District

In the VC-1 District the following types of signs and no others shall be permitted for uses permitted:

A. Any sign erected and maintained in accordance with the provisions of Section 3203, provided the use to which it refers is permitted in the VC-1 District.

B. Signs advertising a permitted nonresidential use, such as a business, office or other permitted use, may erect two signs, in accordance with the following regulations:

1. One (1) free standing sign:
   a. Maximum size: twelve (12) square feet.
   b. Maximum height: Four (4) feet from the ground level to the top of the sign.
2. One (1) building sign:
   a. Maximum size: either 12 percent of the wall area, including windows and doors, of the wall upon which such sign is affixed or attached, or 12 square feet, whichever is less. The total sign area may be split into two signs.

C. Directional Signs. A directional signs of two (2) square feet or less is permitted for traffic control purposes at each driveway to the lot, provided such signs do not contain advertising copy.

D. Temporary Signs. Exterior temporary signs, including all portable signs such as those advertising commercial sale, when located on the site where such use is conducted, may be permitted for a period not to exceed ninety (90) days in any one calendar year for any one premises or commercial use.

1. The size of such sign may not exceed twelve (12) square feet per side.

2. Application for a temporary sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit to be set by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period. If such signs are not promptly removed at the end of the authorized period, the Township will then have them removed and forfeit the sum deposited to reimburse the expense incurred in removal.

E. Decorative Flags - Flags which are decorative and contain designs marking seasons, holidays, or the general nature of a business are permitted in addition to permitted signs. If the flag contains advertising, company or business logos, or names of businesses, then the area of the flag shall be considered a sign and shall be counted toward the total area of signage permitted on a property.

Section 3206 Signs in the VC-2, VC-3, and LC Districts

In the VC-2, VC-3, and LC Districts, the following types of signs and no others shall be permitted.

A. Any sign erected and maintained in accordance with the provisions of Section 3203, provided the use to which it refers is permitted.

B. Signs for an individual use on an individual lot which does not share occupancy of a lot with any other use and which does not share a common building entrance with any other use shall comply with the following sign requirements:

1. The total sign area permitted in all signs for the use shall be equal to 1 square foot of sign area for each five (5) feet of lot width along the front of the lot, not to exceed a maximum of 20 square feet.
2. The total sign area may be divided among up to three separate signs, such as a free-standing sign, building sign, and window sign, in accordance with the following:
   a. No more than one (1) free-standing sign per lot is permitted.
   b. A free-standing sign shall not exceed 20 square feet in size and eight (8) feet in height.
   c. A building sign may not exceed an area equal to 10 percent of the wall surface on which it is affixed.

C. Decorative Flags - Flags which are decorative and contain designs marking seasons, holidays, or the general nature of a business are permitted in addition to permitted signs. If the flag contains advertising, company or business logos, or names of businesses, then the area of the flag shall be considered a sign and shall be counted toward the total area of signage permitted on a property.

D. Signs for Joint Use of a Lot - Signs for a combination of individual uses which share occupancy of a lot or combination of lots with other establishments or uses are permitted in accordance with the following:

1. Entrance Signs - Two signs, one on either side of the driveway, shall be permitted. Such signs shall not exceed a total of 15 square feet and shall be no more than 10 feet long and no more than 18 inches high. The signs shall not exceed a height of four (4) feet above the surrounding ground level.
2. Directory Sign - One (1) free standing sign directory sign for uses in the development may be erected. Such sign shall not exceed forty (40) square feet per side with a maximum height of eight (8) feet and shall only identify the name of the center or park and/or the names of the various businesses or firms located within such center or park.
3. Plaque Signs for Individual Establishments - For each separate establishment within the building, one (1) plaque sign may be erected which shall be mounted on the wall of the building and which shall not ten (10) percent of wall area to which it is affixed, or a maximum of 20 square feet, whichever is less
4. 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.

5. No temporary, handwritten, or paper signs are permitted to be placed in windows or within 12 inches of the window so as to be visible from the exterior of the building.
6. Signs within a shopping center or other use planned as a single development shall have uniformity of sign materials and design.
7. Interior directory signs indicating the location of specific establishments shall be permitted for shopping centers on lots of 10 acres or greater. Each internal directory sign shall be no larger than 12 square feet. One internal directory sign is permitted for every 10 establishments within a shopping center (uses E28 or E29) use.
8. For uses E28 and E29 only, the following shall apply:
   a. One freestanding sign may be substituted for one plaque sign for an individual establishment where such establishment is contained within a separate building and where such establishment also has street frontage onto an arterial or collector road. The size of the freestanding sign shall not exceed the size of the plaque sign that would be permitted, up to a maximum size of 24 square feet and a maximum height of eight feet.
   b. This provision shall not apply to any establishment that is contained within a building or structure with another establishment.
9. Within the LC district, directory signs indicating the name and location of establishments contained within the interior of the building shall be permitted to be attached to the building at the main entrance to the interior offices or establishments. Each directory sign, which shall contain the names of all offices in a building, shall not exceed a total width of 36 inches and a height of 40 inches. A maximum of two directory signs per front building entrance shall be permitted.

Section 3207 Signs in the PC-1, PC-2, PI and PI-2 Districts

In the PC-1, PC-2 PI and PI-2 Districts, the following types of signs and no others shall be permitted.

A. Any sign erected and maintained in accordance with the provisions of Section 3203, provided the use to which it refers is permitted in the PC-1, PC-2, PI and PI-2 Districts.

B. Signs for an individual use on an individual lot that does not share occupancy of a lot with any other use and which does not share a common building entrance with any other use shall comply with the following sign requirements:
1. The total sign area permitted in all signs for the use shall be equal to 1 square foot of sign area for each five (5) feet of lot width along the front of the lot.
2. The total sign area may be divided among up to three separate signs, such as a free-standing sign, building sign, and window sign, in accordance with the following:
   a. No more than one (1) freestanding sign per lot is permitted.
   b. A freestanding sign shall not exceed thirty-two (32) square feet in size and eight (8) feet in height.
   c. 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 60 square feet, whichever is less.

C. Decorative Flags - Flags which are decorative and contain designs marking seasons, holidays, or the general nature of a business are permitted in addition to permitted signs. If the flag contains advertising, company or business logos, or names of businesses, then the area of the flag shall be considered a sign and shall be counted toward the total area of signage permitted on a property.

D. Signs for Joint Use of a Lot - Signs for a combination of individual uses which share occupancy of a lot or combination of lots with other establishments or uses are permitted in accordance with the following:
1. Directory Sign - One (1) free standing sign directory sign for uses on the lot may be erected. The maximum size shall be one (1) square foot of sign area for every four feet of lot width along the front of the lot, up to a maximum of 40 square feet per side and shall only identify the name of the center or park

and/or the names of the various businesses or firms located within such center or park. The height of the freestanding sign shall not exceed eight (8) feet.

2. Two (2) signs of the window or building wall type, which shall be limited to the name of the firm, use, or business, may be erected on each individual use. The total area of all signs shall not to exceed fifteen (15) percent of wall area to which they are affixed.
3. 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.
4. Temporary Signs. Exterior temporary signs, including all moveable signs such as those advertising commercial sales, when located on the site where such use is conducted, may be permitted for a period not to exceed ninety (90) days in any one calendar year for any one premises or commercial use.

   a. Maximum sign size: sixteen (16) square feet per side.

   b. Application for a temporary sign permit shall be made to the Township Zoning Officer accompanied by the required permit fee and an escrow deposit to be set by resolution of the Board of Supervisors, as a guarantee that the temporary signs shall be promptly and completely removed at the end of the authorized period.

E. Off Premises Advertising Signs, but only in the PC-1 and PI Districts, subject to the regulations of Section 3202 and subject further to the following regulations:

1. The maximum face area of an Off Premises Advertising Sign shall not exceed one hundred (100) square feet. The face area shall exceed neither a maximum of ten (10) feet in height nor a maximum of fifteen (15) feet in length. The overall height of an Off Premises Advertising Sign, including the supporting structure, shall not exceed thirty (30) feet.
2. The face of an Off Premises Advertising Sign shall be situated so that it is not visible within a sight distance of three hundred fifty (350) feet of any of the following:

   a. property in residential use;

   b. property in an agricultural district; or

   c. a park or recreation area.
3. No Off Premises Advertising Sign shall be painted directly on the wall of any building.
4. No Off Premises Advertising Sign shall be in whole or in part an Electronic Graphic Sign or Video Sign.
5. The number of Off Premises Advertising Sign structures shall be limited to one (1) structure per zoning lot, which shall contain no more than two (2) separate sign faces. If there is more than one sign face, the faces shall be arranged back-to-back. An Off Premises Advertising Sign is not an accessory use but shall constitute the principal use of a lot. Where an existing Off Premises Advertising Sign exists on a property proposing land development, said sign shall be removed.
6. The height of an Off Premises Advertising Sign shall be measured from the undisturbed, natural, and unaltered ground elevation nearest to the sign to the highest elevation of the sign structure. The overall height of the Off Premises Advertising Sign shall not exceed a height of thirty (30) feet. All Off Premises Advertising Signs shall be setback within the buildable area of the lot in accordance with the area requirements of the applicable zoning district.
7. No Off Premises Advertising Sign shall be erected or maintained in such a manner as to obscure or otherwise physically interfere with an official traffic sign, signal or device, or to obstruct or physically interfere with a driver's view of approaching, merging or intersection traffic.
8. Each Off Premises Advertising Sign, together with its supports, braces, guys, anchors and electrical equipment shall be kept fully operable, in good repair and maintained in a safe manner and in a neat, clean and attractive condition. The display surfaces of all Off Premises Advertising Signs shall be kept neatly painted or posted and free of graffiti. If the Applicant fails to so maintain the Off Premises Advertising Sign and fails to correct such failure after 10 days written notice from the Township to do so, then the Off Premises Advertising Sign and its supporting premises shall be removed as if it were not used for a period of three (3) consecutive months in accordance with Section (9) hereof.

9. Any applicant filing an application for a permit for erection of an Off Premises Advertising Sign shall provide the removal of the sign and its supporting structure when no advertising is located thereon or the sign otherwise ceases to be used for a period of three (3) consecutive months. The Applicant shall provide financial security, in a form acceptable to the Township, sufficient to secure to the Township the removal of any off-premises outdoor advertising sign in accordance with the provisions of this paragraph. The applicant further shall provide, in a form acceptable to the Township and able to be recorded with the Bucks County Recorder of Deeds office, proof that the record owner and licensee or other person in control of the signage consents to the removal of the sign for reasons as set forth in this paragraph.
10. Any applicant filing an application for a permit for erection of an Off Premises Advertising Sign pursuant to Section 3213 who is not the owner of the property or structure on which the Off Premises Advertising Sign is proposed shall submit with such permit application a copy of all agreements between the applicant and the property owner relating to the proposed location of the Off Premises Advertising Sign and the right of the applicant to use the property or structure for the proposed use.
11. Any applicant filing an application for a permit for erection of an Off Premises Advertising Sign shall demonstrate that the sign shall be covered at all times by a policy of insurance under which the limits of public liability for personal injury and property damage shall not be less than $500,000.00 per claimant and $1,000,000 per incident. The policy of insurance shall contain a provision that it cannot be cancelled except upon sixty (60) day prior notice to Buckingham Township.

Section 3208 Signs in the NVO Neighborhood Village Office Districts

In the NVO Districts, the following types of signs and no others shall be permitted.

A. Entrance Signs - Two signs, one on either side of the driveway, shall be permitted. Such signs shall not exceed a total of 15 square feet and shall be no more than 10 feet long and no more than 18 inches high. The signs shall not exceed a height of four (4) feet above the surrounding ground level.

B. Directory Sign - No more than one (1) directory sign per building may be constructed with the following maximum dimensions:

1. The dimensions of the sign shall not exceed two (2) feet by five (5) feet.
2. The height of the sign shall not exceed four (4) feet above the level of the surrounding ground.
3. Each directory sign may be divided into subsections to identify individual occupants of the building.

C. Plaque Signs for Individual Establishments - For each separate establishment within the building, one (1) plaque sign may be erected which shall be mounted on the wall of the building and which shall not exceed 24 inches by 8 inches.

Section 3209 Construction and Maintenance

A. All signs must be constructed of durable materials and must be kept in good condition and repair at all times. The requirements of applicable Township codes shall be met.

B. Detailed plans showing supporting structural members and foundations must be submitted to the Building Inspector's office for approval before issuance of a permit. The seal of a registered engineer shall be required on all plans in any instance when the Building Inspector or the Township Engineer deem the approval of a registered engineer necessary to public safety.

Section 3210 Removal or Abandonment

A. The owner of any property or premises upon which any sign is erected shall be responsible for its complete removal at such time as the circumstances which caused its erection have ceased to exist, or at such other

time that the sign must be removed under any other provision of this Ordinance. If the owner of any property upon which a sign has been erected shall fail or neglect to remove it as herein above required, the Zoning Officer shall give notice by certified mail to the owner. If this letter is returned undelivered, for any reason, he may post such notice upon the premises. If, upon the expiration of thirty (30) days following notice, the owner fails to remove the sign, the Zoning Officer shall arrange for its removal on behalf of the Township, at the expense of the property owner, and the Township shall bill the owner for the cost of such work plus ten (10) percent for administrative cost. If such bill remains unpaid after the expiration of thirty (30) days, the Township Solicitor shall take the necessary steps to collect the same. Failure of the property owner to remove such sign after the notice herein above provided, shall constitute a violation of the terms of this Ordinance, and each day's continuance of such failure shall constitute a separate violation.

B. If the owner of any sign in violation is not the owner of the premises on which it is situated, the identical notices specified above may be issued to him in like manner, and such owner of the sign shall be required to take such steps to comply with the notice or notices issued to him as though he were the owner of the property or premises on which the sign is located; if such owner of the sign fails to comply, such failure shall constitute a violation of the terms of this Ordinance. Such owner of the sign shall be liable to the same extent as the owner of the property or premises on which the sign is located.

Section 3211 Unsafe and Unlawful Signs

If the Zoning Officer finds that any sign regulated herein is unsafe or insecure or is a menace to the public or has been constructed, erected, or maintained in violation of the provisions of this Ordinance, he shall give notice, in the same manner as in Section 3210.A. above, to the party to whom the permit was issued to erect the sign or to the owner of the premises where the sign is located, or to the owner of the sign or to any combination of them. If the parties notified fail to remove or alter the sign to comply with the standards herein set forth within ten (10) days after notice, such sign may be removed or altered by the municipality at the expense of each and every person notified. The expenses of removal or alteration shall be computed and paid for by the parties notified in the same manner as in Section 3210.A. above, and the same sanctions shall apply. The Zoning Officer may cause any sign or other advertising structure that is in immediate peril to persons or property to be removed summarily and without notice.

Section 3212 Nonconforming Signs

Any sign existing and lawful at the time of the passage of this Ordinance that does not conform in use, location, height or size with the regulations of the district in which such sign is located, shall be considered a nonconforming sign and may continue in its present location until replacement or rebuilding becomes necessary, at which time a zoning permit shall be required and the sign must be brought into conformity with this Ordinance. If the sign is a part of a non-conforming use of the property, any such sign may be maintained, modernized or replaced without increasing its size, provided that such sign was legally erected prior to the adoption of this Ordinance. If the non-conforming use of the property is changed to another non-conforming use or to a permitted use, such sign shall be brought into conformity with the requirements of this Ordinance.

Section 3213 Administration and Signs Exempt from Permits

A. Zoning Permits. A zoning permit shall be secured prior to the erection, structural repair, alteration and relocation of any sign within the Township. The changing of movable parts of an approved sign that is designed for such changes, or the repainting or reposting of display matter shall not be deemed an alteration, provided the conditions of the original approval are not violated. For purposes of obtaining a zoning permit, the applicant shall make application in writing and shall submit plot plan, sketch of design and lettering, and construction plans, including loads, stresses, anchorage and any other pertinent engineering data to the Zoning Officer. The plot plan shall indicate all existing structures, including signs. The application shall contain all necessary facts with respect to signs already existing on the property.

1. Any erection, construction, reconstruction, alteration or moving of any sign, poster or advertising structure shall be commenced within one (1) year after the date of issuance of the zoning permit. If such activities are not commenced within the prescribed period of time, the permit shall be considered null and void.
2. The following sign types do not require a permit. The regulations regarding size and placement of these signs are found in Sections 3202 and 3203 of this Ordinance and apply to all these signs:

   a. Official highway, traffic control, and street signs
   b. Temporary signs advertising the sale or rental of a property
   c. Trespassing signs
   d. Temporary signs of mechanics and contractors
   e. Directional and public service information signs
   f. Signs placed inside a building more than 12 inches from a window or door
   g. Temporary signs advertising political parties or candidates for election.

   Exemptions from the necessity of securing a permit shall not relieve the owner of the sign from responsibility for its erection in a safe manner and in a manner that complies with all other provisions of this Ordinance.

B. Inspection. The Building Inspector shall require the proper maintenance of all signs and shall inspect every sign for which a permit is required within ten (10) days after work is completed on the sign.

C. Fees and Deposits. Permit fees and refundable escrow deposit amounts, as required herein, shall be set by resolution of the Board of Supervisors.

D. Plan Requirements. Any sign which is intended to be used or included in any development or plan of building or development to be submitted and reviewed by the Township shall be identified in the plan, including location, size, nature of the sign materials and the purpose of the sign.

ARTICLE 33 NONCONFORMITIES

Section 3300 Definitions

Nonconforming Lot. A lot the area or dimension of which was lawful prior to the adoption or amendment of this zoning ordinance but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming Structure. A structure or part of a structure that does not comply with the applicable area, setback, yard, building height, location, size, impervious surface, and/or other dimensional requirements of this Zoning Ordinance or amendment heretofore or hereafter enacted where such structure lawfully existed prior to the enactment of this ordinance or amendment. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming Use. A use, whether of land or of structure, which does not comply with the applicable use provisions in this zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the enactment of this ordinance or amendment or prior to the application of such ordinance or amendment to its location by reason of annexation.

Section 3301 Registration of Nonconforming Uses and Structures

The zoning officer shall, upon adoption of this Ordinance or amendment thereof, identify and register all nonconforming uses and structures. Upon identifying the nonconformity, the zoning officer shall mail registration forms to the owner of record.

Section 3302 Continuation

The lawful use of a building or structure or the lawful use of any land as existing and lawful at the time of the enactment of this Ordinance, or in the case of an amendment to this Ordinance then at the time of such amendment, may be continued except as hereinafter provided, even though such use does not conform to the provisions of this Ordinance or subsequent amendments.

Section 3303 Extension of Nonconforming Uses and Structures

A. A structure that does not conform with the dimensional, area, parking, buffer or other requirements of this Ordinance may be extended only if the extension meets all the requirements of this Ordinance and the extent of the nonconformity is not increased. In the case of a non-conforming structure that is used for a nonconforming use, such alteration, extension, or enlargement shall also meet the requirements of subsection B. of this Section.

B. A use that does not conform to the use regulations of the district in which it is located may be extended by special exception granted by the Zoning Hearing Board provided that:

1. The proposed extension shall take place only upon the same lot on which the use existed at the time the use became non-conforming and shall be prohibited from encroaching on another lot subsequently added to the original parcel. Permission to extend a non-conforming use as described in this Article shall not be construed to mean that new uses may be established.
2. The proposed extension shall conform with the setback, yard, area, dimensional, building height, parking, sign, buffer, and all other area and dimensional requirements of the District in which said extension is located, as contained in this Ordinance.

3. Any increase in volume or area shall not exceed an aggregate of more than 50 percent of the volume or area existent at the date the use became non-conforming, during the life of the nonconformity, and shall be permitted only by the Zoning Hearing Board. Structures or land uses that have reached their maximum expansion allowance under previous ordinances are not eligible for any increase in volume or area under this Ordinance.
4. No nonconforming use shall be extended to displace a conforming use.

Section 3304 Restoration

A nonconforming building or structure, or any building or structure containing a nonconforming use, wholly or partially destroyed by fire, explosion, flood or other natural phenomenon, or legally condemned, may be reconstructed and used for the same nonconforming use, provided that reconstruction of the building shall be commenced within one (1) year from the date the building was destroyed or condemned and shall be carried on without interruption. No further expansion of the original non-conforming use will be permitted. If a nonconforming building or structure is removed or demolished by the owner, it shall be replaced only with a conforming structure.

Section 3305 Abandonment

If a nonconforming use of a building, structure, or lot is abandoned for a continuous period of one (1) year, subsequent use of such building, structure, or lot shall be in conformity with the provisions of this Ordinance. Abandonment shall commence when the nonconforming use ceases.

Section 3306 Nonconforming Use - Single Family Detached Dwelling

In districts where residential uses are not permitted, an existing nonconforming single-family detached dwelling may be maintained. A minimum lot area of 1.8 acres shall be retained for any single family detached nonconforming dwelling and no subdivision shall be permitted which would reduce the lot area for the nonconforming dwelling to less than 1.8 acres. Such dwellings shall retain minimum yards as follows: front - 50 feet, sides - 30 feet each, and rear - 50 feet, except where such yards are nonconforming, in which case the extent of the nonconformity shall not be increased.

ARTICLE 34 ADMINISTRATION AND TRANSFER OF DEVELOPMENT RIGHTS

Section 3400 Zoning Officer and Assistant Zoning Officer - Duties and Powers

A. The provisions of this Ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the Board of Supervisors. It shall be the duty of the Zoning Officer and he/she shall have the power to:

1. Receive and examine all applications for zoning permits.
2. Issue permits only for construction and uses where there is compliance with the provisions of this Ordinance, with other Township ordinances, and with the laws of the Commonwealth and the federal government. Permits for construction or uses requiring a special exception or variance shall be issued only upon order of the Zoning Hearing Board. Permits requiring approval by the Township Board of Supervisors shall be issued only after receipt of approval from the Board of Supervisors.
3. Record and file all applications for permits with any accompanying plans and documents.
4. Make such reports as the Board of Supervisors may specify.
5. Institute in the name of the Township any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance or use; to restrain, correct or abate such violation so as to prevent the occupancy or use of any building, structure or land; or to prevent any illegal act, conduct, business or use in or about such premises.
6. To revoke, by order, a zoning permit issued under a mistake of fact or contrary to the law or the provisions of this Ordinance.
7. To order and require the abatement forthwith or otherwise of a violation of the provisions of this Ordinance.
8. Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance.
9. Maintain a map showing the current zoning classifications of all land.
10. Receive and forward to the Zoning Hearing Board all applications for special exceptions or variances to the terms of this Ordinance.
11. Prepare and maintain a list of nonconforming uses when directed to do so by the Board of Supervisors.
12. Enforcement Notices. If it appears to the Township that a violation of this ordinance has occurred, the Township shall initiate enforcement proceedings by sending an enforcement notice as provided herein. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner of record.

    The enforcement notice shall state at least the following:

    a. The name of the owner of record and any other person against whom the Township intends to take action.
    b. The location of the property in violation.
    c. The specific violation with a description of the requirements that have not been met, citing in each instance the applicable provisions of the ordinance.
    d. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
    e. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in the ordinance.
    f. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation.

Section 3401 Zoning Permits Required

No use may be established or changed, no structure may be erected, constructed, reconstructed, altered, razed, removed, no building used or occupied, changed in use or changed in nonresidential occupancy and no dumping or placing of soil or other substance or material as landfill shall take place until a zoning permit has been secured from the zoning officer. Upon completion of changes in use or construction, reconstruction, placement of fill, alteration or moving structures, the applicant shall notify the zoning officer of such completion. No zoning permits shall be issued until the zoning officer has certified that the proposed use of land or existing or proposed building or structure complies with the provisions of the applicable district and other provisions of this Ordinance. No permit shall be considered as complete or as permanently effective until the zoning officer has noted on the permit that the work or occupancy and use have been inspected and approved as being in conformance with the provisions of this Ordinance and all other applicable regulations.

Section 3402 Application Requirements for Zoning Permits

A. All applications for zoning permits shall be made in writing by the owner, tenant, or vendee under contract of sale, or authorized agent, on a form supplied by the Township and shall be filed with the zoning officer. The application shall include four copies of the following information:

1. Statement as to the proposed use of the building or land;
2. A site layout showing the location, dimensions, and height of proposed buildings or uses and any existing buildings in relation to property and street lines;
3. The information regarding natural resource protection requirements and site capacity calculations as required by Article 31.
4. The location, size, arrangement, and capacity of all areas to be used for motor vehicles access, off-street parking, off-street loading and unloading, and provisions to be made for lighting such areas.
5. The location, dimensions, and arrangements of all open spaces, yards and buffer yards, including methods to be employed for any required screening.
6. The dimensions, location, and methods of illumination for signs, if applicable.
7. The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
8. Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply, and storm drainage.
9. The capacity and arrangement of all buildings intended to be used for dwelling purposes.
10. Wherever the topography and vegetation are to be disturbed, a plan for the control of erosion and sediment and grading is required. It shall be unlawful to pave, fill, strip or change the existing grade of any land; and it shall be unlawful to disturb, modify, divert, block, or affect the natural overland or subsurface flow of storm water within the Township without first securing a zoning permit. If required by the Bucks County Conservation District, a soil erosion and sediment control plan shall be reviewed and approved by that agency prior to the issuance of a zoning permit.

B. No permit for any new use or construction which will involve the on-site disposal of sewage or wastewater and no permit for a change in use or an alteration which will result in an increased volume of sewage or wastewater to be disposed of on the site shall be issued until written notice of the change has been given to and acknowledged by the Bucks County Health Department.

C. Permits within Historic Districts - For any erection, alteration, or enlargement of any building, or other structure, or portion thereof within any duly created Historic District, the permit application shall be reviewed by the Historic Architectural Review Board prior to the issuance of a permit in accordance with Historic District Ordinances in effect in the Township. Permits shall be issued only after the Board of Supervisors has approved a Certificate of Appropriateness.

Section 3403 Fees and Escrow Deposits

At the time of making application, all applicants for zoning permits, special exceptions, conditional uses, and interpretation and variance appeals shall pay to the Township for use of the Township a fee and, if applicable, an escrow deposit in accordance with the fee schedule adopted by resolution of the Board of Supervisors.

Section 3404 Life of a Permit

Any erection, construction, reconstruction, alteration, or moving of a building or other structure, including a sign authorized by a zoning permit, shall be commenced and any change in use of a building or land authorized by a zoning permit shall be undertaken within one year of the date of the issuance of the permit. If not, the permit shall be considered null and void. In the case of erection or construction of a building, the right to proceed with construction may be extended annually without additional fees for an aggregate period of not more than three (3) years, provided that the construction pursuant to the permit has commenced within the first one-year period.

Section 3405 Certificate of Occupancy

No structure erected, constructed, reconstructed, extended, or moved and no land or building changed in use under a zoning permit shall be occupied or used in whole or in part for any use whatsoever or changed in nonresidential occupancy until the owner or authorized agent has been issued a certificate of occupancy by the zoning officer indicating that the building or use complies with the terms of this Ordinance.

No certificate of occupancy shall be issued until the premises in question have been inspected and found by the zoning officer to be in compliance with the zoning Ordinance.

The issuance of a certificate of occupancy in no way absolves the owner or authorized agent from compliance with the intent of this Ordinance.

Section 3406 Transfer of Development Rights (TDR)

A. Transferable development rights are available to owners of lots of 25 acres or more within the Agricultural AG-1 District and Agricultural-2 AG-2 District. In order to be eligible, the property must be enrolled in the Township's Agricultural Security District, pursuant to Pennsylvania Act 43.

B. Number of transferable development rights available to owners of eligible lots is determined by the following formula:

Base site area of tract, as determined by the calculations in Article 31 of this Ordinance, multiplied by 0.56 = Total TDRs available for the lot or tract of land.

For each dwelling unit located on the lot, subtract one TDR from the total number calculated + one additional TDR for future use.

C. No transferable development rights are available for the following properties:

1. Lots or properties from which all of the development rights have already been sold or transferred;
2. Lots or properties on which an easement or other restriction in a deed or other document has been granted to the Farmland Preservation Program of Bucks County, any utility company, to any other program or agency, or to any person, partnership, corporation, or other legal entity;
3. Lots or properties that have been restricted from development by the terms or conditions of a development plan, subdivision approval, or other agreement that restricts the property from further development;

4. Land within the ultimate right-of-way of existing roads;
5. Lots or properties or portions of lots or properties that have been designated and used to meet the open space or resource protection requirements of a subdivision or land development plan.

D. The development rights may be issued and transferred or sold to a person, corporation, partnership, or other legal entity so designated by the landowner pursuant to the following:

1. The submission to the Township Zoning Officer of an agreement of sale for said rights, duly executed by the parties.
2. The applicant shall submit for Township approval a restrictive covenant that would run with the land. The restrictive covenant shall be subject to the approval of the Township Solicitor and the Board of Supervisors and shall restrict the land from which TDRs have been sold so as to comply with the following:
   a. The location of any additional dwelling unit shall be specified in the zoning permit application. The location of the dwelling unit and its driveway shall not harm the economic viability of the subject land for agricultural production.
   b. Other buildings or structures may be permitted to be constructed for agricultural purposes only. No conversions of agricultural buildings to dwelling units shall be permitted.
   c. Subdivision of the land from which TDRs have been sold is permitted only if such subdivision of land shall not harm the economic viability of the land for agricultural production.
   d. Land from which TDRs have been sold may be used only for the following purposes:
      (i) Agriculture - Production of crops, livestock, and livestock products, and field crops, fruits, vegetable crops.
      (ii) Nursery - Horticultural specialties, nursery stock, shrubs, trees, and flowers.
      (iii)Accessory retail sales of agricultural products in accordance with the requirements of the Township Zoning Ordinance for Agricultural Retail use.
      (iv) Preservation of natural landscape by leaving land and resources undisturbed in forest, field, wetland, or other natural and unaltered state.
   e. No zoning permits shall be issued for other uses; and no land development approval shall be granted for other uses.
   f. Where the total available TDRs from a tax parcel are not sold, the regulations of subsection 5. shall be complied with and shall be reflected in the recorded covenant.
3. The development rights shall not be transferred and become usable until the restrictive covenant has been approved by the Township and has been recorded with the Bucks County Recorder of Deeds.
4. The land from which development rights have been sold shall not be used to meet the open space requirements or minimum lot area or yard requirements for any other use nor may it be used for any other purpose that would support or serve development, including but not limited to fields for land application of sewage, sewage lagoons, stormwater management facilities, utilities, or other uses.
5. If the agreement of sale of development rights would entail less than an entire tax parcel, the following additional regulations shall apply:
   a. The portion of the tax parcel involved in the proposed sale of development rights shall be described by metes and bounds and must be shown on a plot plan.
   b. Where a portion of the total available TDRs are sold from a lot or property, the future sale of additional TDRs from that property shall occur so that the land from which TDRs are sold is contiguous, to the greatest extent possible, to the lands from which TDRs were previously sold.
   c. Where a portion of the total available TDRs from a lot or property are sold, the landowner proposing to transfer TDRs shall provide with his application for the TDRs a resource inventory plan of the property which shall indicate the location of arable land, wetlands, floodplains, steep slopes greater than 25 percent (to the extent that these slopes are required to be protected under the terms of this ordinance), and forests. The applicant may use data available at the Township Building or at the Bucks County Planning Commission to determine the location of floodplains, wetlands, and forests. The purpose of the resource inventory plan is to determine that a fair proportion of the land to be

preserved through the sale of TDRs is buildable under the terms of this Zoning Ordinance. The land from which TDRs are sold shall have a ratio of resource-restricted land-to-land area that is equal to or less than the ratio of resource-restricted land to total lot area of the entire property, so that the following standard is met:

Total lot area	A acres
Total lot area with resource restrictions (floodplains, wetlands, forests, and steep slopes)	B acres

% of lot with resource restrictions = B/A
% of area from which TDRs are sold which can have resource restrictions ≤ B/A

d. Where a portion of the total available TDRs from a lot or property are sold and the owner of the lot intends to develop the remaining portion of the lot, the remaining development potential shall be calculated on the basis of the number of dwelling units which could have been constructed on the lot or property without the sale of TDRs. When the applicant intends to develop the lands remaining after the sale of TDRs from a portion of a tax parcel, the applicant shall provide to the Township a sketch plan which indicates the number of dwelling units which could be developed on the property under the terms of this Zoning Ordinance so that the remaining development potential can be determined. The number of TDRs sold shall be subtracted from the total development potential of the property to determine the number of dwelling units that could be built on the lands remaining, in accordance with the following example:

Available TDRs for entire tax parcel as calculated in this section	100 TDRs
TDRs proposed to be sold	50
Development yield of entire tax parcel as demonstrated by a sketch plan	65 dwelling units
Total remaining development potential which can be built on the tax parcel on the lands from which TDRs have not been sold (difference between total yield and TDRs sold and transferred)	15 dwelling units

E. Voluntary Use of Development Rights - Uses meeting the requirements of this Ordinance and other ordinances of the Township shall be approved up to the maximum density or impervious surface ratio as permitted for uses without the purchase of development rights. Nothing in this Ordinance shall require a landowner to purchase development rights.

F. Transfer and Recording - Development rights shall be recorded in the Bucks County Recorder of Deeds Office in accordance with their regulations. All transfers and recording shall be conveyed and recorded in full compliance with Section 619.1, Transferable Development Rights, of the Pennsylvania Municipalities Planning Code.

G. Transferable development rights may be used only in the districts and for the uses designated by the Buckingham Township Zoning ordinance as being eligible to receive and use transferable development rights. No transferable development rights may be used in zoning districts unless specifically permitted by the Buckingham Township Zoning ordinance, nor may any transferable development rights be used to increase the density of any use unless specifically permitted by the Buckingham Township Zoning ordinance.

H. No final plan approval shall be granted until the applicant has presented to the Township an agreement of sale or other documentation to demonstrate to the satisfaction of the Township that the necessary TDRs have been acquired to support the proposed development.

ARTICLE 35 CONDITIONAL USES

Section 3500 Conditional Uses

A. Applicability - The Board of Supervisors shall have the power to approve or disapprove conditional uses when this ordinance specifically requires the obtaining of such approval and for no other purpose.

B. General Conditions for Conditional Uses:

1. In granting a conditional use, the Board of Supervisors shall make findings of fact consistent with the provisions of this Ordinance. The Board of Supervisors shall not approve a conditional use except in conformance with the conditions and standards outlined in this Ordinance.
2. The Board of Supervisors shall grant a conditional use only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use. The Board of Supervisors shall require that any proposed use and location among other things be:
   a. In accordance with the Township Comprehensive Plan and consistent with the spirit, purposes and intent of the applicable zoning district.
   b. In the best interests of the Township, the community, and the public welfare, and which shall not be a detriment to the properties in the immediate vicinity.
   c. Suitable for the property in question and designed to be constructed, operated and maintained so as to be in harmony with and appropriate in appearance with the existing or intended character of the general vicinity.
   d. In conformance with all applicable requirements of this Ordinance and all Township ordinances;
   e. Suitable in terms of effects on highway traffic and safety with arrangement for access adequate to protect streets from undue congestion and hazard. In no event shall a use be permitted if the required Traffic Impact Study shows that for an intersection within 1300 feet of the access to such use the Level of Service will decrease by one or more letter, as determined by standard engineering practice. For Use F1 Utilities no Traffic Impact Study shall be required.
   f. Provides for layout of open space meeting the intent of this ordinance and all open space requirements.
3. The Board of Supervisors may impose whatever conditions it deems necessary to ensure that any proposed development will secure substantially the objectives of this Ordinance.
4. The burden of proof in a conditional use application shall be on the applicant to establish that all of the conditions are in the spirit of this Ordinance.

C. Application Requirements - Conditional use applications shall be governed by the following:

1. The landowner shall make a written request to the Board of Supervisors of Buckingham Township. The request shall contain a statement reasonably informing the Board of Supervisors of the matters that are at issue.
2. Site and building plans and other materials describing the use or development proposed shall accompany the application. Such plans and other materials shall provide a sufficient basis for evaluating the applicant's request. Information required by this Ordinance shall accompany the application.
3. Fees. The applicant for any hearing on a conditional use request before the governing body shall at the time of making application pay to the zoning officer, for the use of the Township, a fee in accordance with a fee schedule adopted by resolution of the Board of Supervisors upon enactment of this Ordinance or as such schedule may be amended from time to time.

D. Review Procedures:

1. The Board of Supervisors shall request an advisory opinion from the Township Planning Commission on any application for a conditional use; the Township planning commission shall submit a report of such advisory opinion prior to the date of the public hearing held by the Board of Supervisors on the application.

2. The Board of Supervisors shall hold a hearing upon the request, commencing not later than sixty (60) days after the request is filed, unless the applicant requests or consents in writing to an extension of time.
3. Hearing. The Board of Supervisors shall conduct hearings and make decisions in accordance with the following:
   a. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record, and any other person including civic or community organizations permitted to appear by the Board of Supervisors. The Board of Supervisors may require that all persons who wish to be considered parties enter appearances in writing on forms provided for that purpose.
   b. The chairman or acting chairman shall have the power to administer oaths of witnesses.
   c. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
   d. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
   e. The Township at its discretion may require a stenographic record of the proceedings, and such transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.
   f. All procedures for Special Exception hearings shall be followed for Conditional Uses, including the required notification of property owners within 500 feet (See section 3612).
4. The review procedures for Personal Wireless Facilities shall include those provisions contained in Article 4, Section 405 H11.

ARTICLE 36 ZONING HEARING BOARD

Section 3600 Establishment of Board

A Zoning Hearing Board is established in order that the objectives of this Ordinance may be fully and equitably achieved and that a means for interpretation of this Ordinance be provided.

Section 3601 Membership of Board and Terms of Office

The Zoning Hearing Board shall consist of five members appointed by the Board of Supervisors for overlapping three-year terms. Members of the Board shall hold no other office in the Township. The Board of Supervisors may appoint alternate members in accordance with the Pennsylvania Municipalities Planning Code provisions. The Board of Supervisors may appoint at least one but not more than three residents of the Township to serve as alternate members of the Board. An alternate shall be entitled to participate in all proceedings and discussions of the board to the same and full extent as provided by law for Board members, including specifically the right to cast a vote as a voting member during the proceedings, and shall have all the powers and duties set forth in this act and as otherwise provided by law. Alternates shall hold no other office in the Township, including membership on the planning commission and zoning officer. Any alternate may participate in any proceeding or discussion of the board but shall not be entitled to vote as a member of the board nor be compensated unless designated as a voting alternate member.

If, by reason of absence or disqualification of a member, a quorum is not reached, the chairman of the board shall designate as many alternate members of the board to sit on the board as may be needed to provide a quorum. Any alternate member of the board shall continue to serve on the board in all proceedings involving the matter or case for which the alternate was initially appointed until the board has made a final determination of the matter or case. Designation of an alternate shall be made on a case-by-case basis in rotation according to declining seniority among all alternates.

Section 3602 Removal of Members

Any Board member may be removed for malfeasance, misfeasance or nonfeasance in office or for other just cause by a majority vote of the Board of Supervisors, taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

Section 3603 Procedure

A. Officers - The Board shall elect a chairman from its membership, shall appoint a secretary, and shall prescribe rules in accordance with the provisions of the Municipalities Planning Code and this Ordinance for the conduct of its affairs. The Board shall promptly notify the Board of Supervisors of any vacancies that occur. Appointments to fill vacancies shall be only for the unexpired portion of the term.

B. Meetings - Meetings shall be open to the public and shall be at the call of the chairman and at such other times as the Board shall specify. For the conduct of any hearing and the taking of any action, the quorum shall be not less than a majority of all members of the Board, but where two (2) members are disqualified, the remaining member may act for the Board. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf and the parties may waive further action by the Board.

C. Records and Decisions - The Board shall keep minutes of its proceedings, showing the vote of each member on each question or, if absent or failing to vote, indicating such fact, and shall keep records of its

examinations and other official actions, all of which shall be immediately filed with the Township Secretary and shall be a public record.

D. Compensation - The Board of Supervisors may fix per-meeting compensation for the members of the Board, according to a schedule adopted by resolution of the Supervisors upon the enactment of this Ordinance or as such schedule may be amended from time to time.

Section 3604 Interpretation Appeals

Any person aggrieved by any decision of the Zoning Officer shall have the right to appeal to the Zoning Hearing Board within thirty (30) days of such decision by filing with the Zoning Officer, specifying the grounds thereof. Such appeal may involve the interpretation of any provisions of this Ordinance, and shall include the following information:

A. The name and address of the applicant or appellant.

B. The name and address of the owner of the lot to be affected by such proposed change or appeal.

C. A brief description and location of the lot to be affected by such proposed change or appeal.

D. A statement of the present zoning classification of the lot in question, the improvements thereon and the present use thereof.

E. A statement of the section of this Ordinance under which the appeal is made and reasons why it should be granted or a statement of the section of this Ordinance governing the situation in which the alleged erroneous ruling is being appealed and the reasons for this appeal.

F. A reasonably accurate description of the present improvements and the addition or changes intended to be made under this application, indicating the size, material and general construction thereof. In addition, there shall be attached a plot plan of the real property to be affected, indicating the location and size of the lot and size of improvements existing thereon and proposed to be erected thereon.

Section 3605 Variances

The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship on the applicant. The Board shall prescribe the form of application and require preliminary application to the Zoning Officer. The Board shall have the power to vary or adapt the strict application of any of the requirements of this Ordinance and grant a variance, provided the following findings are made where relevant in a given case:

A. That there are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape or exceptional topographical or other physical conditions peculiar to the particular property and that the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of this Ordinance in the neighborhood or district in which the property is located;

B. That, because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance and the authorization of a variance is therefore necessary to enable the reasonable use of the property;

C. That the applicant has not created such unnecessary hardship;

D. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located nor substantially or permanently impair the appropriate use or development of adjacent property nor be detrimental to the public welfare; and

E. That the variance, if authorized, will represent the minimum variance that will afford relief and the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this Ordinance.

Section 3606 Special Exceptions

Where this Ordinance has provided for stated special exceptions to be granted or denied by the Board pursuant to express standards and criteria, the Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may deem necessary to implement the purposes of this Ordinance. The Board shall pursue the following procedure:

A. The Board's decision to grant a special exception use shall be made only after public notice and hearing. Such permit shall apply specifically to the application and plans submitted and presented at said public hearing. Any subsequent amendments or additions shall be subject to review and public hearing by the Zoning Hearing Board as a special exception use.

B. The Zoning Hearing Board shall hear the application in the same manner and under the same procedure as it is empowered by law and ordinance to hear cases and make exceptions to the provisions of this Ordinance. The Zoning Hearing Board may grant a Special Exception if, in its judgment, the use meets all specific provisions and criteria contained in this Ordinance and the following general provisions:

1. That the proposed use is in accordance with the spirit, purpose and intent of the Comprehensive Plan and in conformance with all applicable requirements of this Ordinance.
2. That it is in the best interests of the Township, the convenience of the community, and the public welfare.
3. That there are adequate sanitation and public safety provisions, where applicable, and that a certificate of adequacy of sewage and water facilities from a governmental agency has been obtained.
4. That all public, commercial or industrial parking, loading, access or service areas shall be adequately illuminated at night while in use and that such lighting, including sign lighting, shall be arranged so as to protect the highway and the neighboring properties from direct glare or hazardous interference of any kind.
5. That off-street parking shall be provided in accordance with the provisions of this Ordinance.
6. That such use conforms to the minimum area and yard requirements of the district and to the buffer requirements contained in this Ordinance.

The Zoning Hearing Board may impose whatever conditions regarding layout, circulation and performance it deems necessary to insure that any proposed development will secure substantially the objectives of this Ordinance.

Section 3607 Challenge to the Validity of Ordinance or Map

The Zoning Hearing Board shall hear challenges to the validity of this Ordinance, except those brought before the Board of Supervisors as specifically provided by Article IX of the Pennsylvania Municipalities Planning Code, as amended, and challenges to the validity of this Ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within 30 days after the effective date of said ordinance.

In all such challenges, the Board shall take evidence and make a record thereon. At the conclusion of the hearing, the Board shall decide all contested questions and make findings on all relevant issues of fact, which shall become part of the record on any subsequent appeal to Court.

Section 3608 Actions of the Board in Exercising Powers

In exercising the above mentioned powers, the Board may reverse or affirm, wholly or partly, or may modify the order, requirement, decision or determination, including any order requiring an alleged violator to stop, cease and desist, appealed from and may make such order, requirement, decision or determination, including a stop order or orders to cease and desist, as ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

Section 3609 Rules

The Zoning Hearing Board shall adopt rules in accordance with the provisions of this Ordinance. Such rules shall include, but shall not be limited to, the manner of filing appeals, the manner of filing applications for special exceptions and variances from the terms of this Ordinance, and the manner of giving notice of public hearings where required under the terms of this Ordinance.

Section 3610 Meetings

Meetings of the Zoning Hearing Board shall be held at the call of the Chairman and at other times as the Zoning Hearing Board may determine. The Chairman or, in his absence, the Vice Chairman may administer oaths and compel the attendance of witnesses. All meetings of the Board shall be kept open to the public.

Section 3611 Records

A. The Board shall keep a stenographic record of the proceedings and a transcript of the proceedings and copies of graphic or written material received in evidence shall be made available to any party at cost.

B. The Board shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board. Each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefore.

Section 3612 Hearings

A. Upon the filing with the Zoning Hearing Board of an appeal or an application for which a public hearing is required, the following procedures shall be followed:

1. Public notice shall be given and written notice shall be given to the applicant, the zoning officer, persons whose properties adjoin the property in question, to all owners of properties within 500 feet, and to any other person who has made timely request for notice. Written notice of said hearing shall be conspicuously posted on the affected tract of land at least one week prior to the hearing. The applicant shall provide the list of persons to be notified.
2. The hearing shall be held within 60 days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.
3. The Board shall render a written decision or written findings on the application within 45 days after the last hearing or, if such hearing is continued, within 45 days after said continued hearing. If the Board does not make a decision within 45 days after the hearing or continued hearing, it shall be deemed that

such Board has decided in favor of the person or Township official aggrieved or affected who is seeking relief, unless the applicant has agreed in writing to an extension of time.

4. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefor. Conclusions based on any provisions of the Pennsylvania Municipalities Planning Code, this Ordinance, or other rule or regulation shall contain a reference to the provisions relied on and the reasons why the conclusions are deemed appropriate in the light of the facts found. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as hereinafter provided, the board shall give public notice of said decision within ten days from the last day it could have met to render a decision. If the board shall fail to provide such notice, the appellant may do so. Nothing in this section shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.
5. A copy of the final decision, or where no decision is called for, the findings shall be delivered to the applicant personally or mailed to him not later than the day following the date of the decision. To all other persons who have filed their name and address with the board not later than the last day of the hearing, the board shall provide by mail or otherwise brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

Section 3613 Administration

The Board of Supervisors shall from time to time make rules and regulations in order to facilitate the administration of matters before the Zoning Hearing Board and in addition thereto shall from time to time establish reasonable fees by Resolution in order to defray the cost of legal, stenographic, engineering, planning, and such other similar services as may be required by the Township or the Zoning Hearing Board. Such fees shall be set in accordance with the provisions of the Pennsylvania Municipalities Planning Code.

Section 3614 Appeals to Court

Any person aggrieved by any decision of the Zoning Hearing Board may, within thirty (30) days after such decision of the Board, file an appeal to the Court of Common Pleas of Bucks County. Such appeals shall be made in accordance with Article X-A of the Pennsylvania Municipalities Planning Code, as amended.

Section 3615 Stay of Proceedings

Upon filing of any proceeding and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the zoning officer or any agency or body, and all official action thereunder, shall be stayed in accordance with Section 915.1 of the Pennsylvania Municipalities Planning Code, as amended.

Section 3616 Fees and Escrow Deposits

The application for any hearing before the Zoning Hearing Board shall at the time of making application pay to the zoning officer a fee and an escrow deposit in accordance with the fee schedule adopted by resolution of the Board of Supervisors as may be amended from time to time.

ARTICLE 37 AMENDMENTS

Section 3700 Power of Amendment

The Board of Supervisors may, from time to time, amend, supplement, change, modify or repeal this Ordinance, including the Zoning Map. When doing so, the Board of Supervisors shall proceed in the manner prescribed in this Ordinance.

Section 3701 Initiation of Amendments

Proposals for amendment may be initiated by the Board of Supervisors on its own motion, the Planning Commission or petition by one or more owners of property to be affected by the proposed amendment, subject to the following provisions:

A. Proposals Originated by Board of Supervisors. The Board of Supervisors shall submit to the Township Planning Commission a copy of the proposed amendment and no action shall be taken thereon by the Board of Supervisors until such time as the Planning Commission shall submit to the Supervisors its written recommendation relative thereto or until the expiration of thirty (30) days from the time of submission by the Supervisors to the Planning Commission of the said proposed action, whichever shall first occur. At least 30 days prior to the hearing on the proposed amendment the Township shall submit the proposed amendment to the Bucks County Planning Commission for recommendations, in accordance with Section 609.e. of the Pennsylvania Municipalities Planning Code.

B. Proposals Originated by Planning Commission. The Planning Commission may at any time transmit to the Board of Supervisors any proposal for the amendment, supplement, change, modification or repeal of this Ordinance.

C. Private Petition for Amendment. A landowner who desires to seek an amendment to the Zoning Ordinance or map shall file an application for amendment and present it to the Township with the fee as set forth by the Board of Supervisors by resolution, and shall set forth the following:

1. The applicant's name and address and his representative and the interest of every person represented in the application.
2. A plan showing the extent of the area subject to the proposed amendment, streets bounding and intersecting the area, land use and zoning classification of abutting districts, and tax parcel numbers of the areas subject to the proposed amendment.
3. A statement of the circumstances in the proposed district and the abutting districts and any other factors on which the applicant relies as reasons for supporting the proposed amendment.
4. Information and analysis of traffic, water, environmental, and other impacts are required by the Township to evaluate the proposed amendment. Impact analysis requirements are in the Appendix to this Ordinance.

D. Proposals by Curative Amendments. A landowner who desires to challenge the validity of this Ordinance which prohibits or restricts the use or development of land in which he has an interest may submit a curative amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in Section 916.1 of the Pennsylvania Municipalities Planning Code (Act 247), as amended. The curative amendment shall be referred to the Planning Commission; and no action shall be taken thereon by the Board of Supervisors until such time as the Planning Commission shall submit to the Board of Supervisors its written recommendation relative thereto or until the expiration of thirty (30) days from the time of submission by the Board of Supervisors to the Planning Commission of said curative amendment, whichever shall first occur. The Board of Supervisors shall commence a hearing thereon within 60 days of the request. The conduct of the hearing and the determination by the Board of Supervisors shall be in accordance with sections 609.1 (b) and (c), (1) through (5), of the Pennsylvania Municipalities Planning Code, as amended.

Section 3702 Hearings

A. Upon receipt of the Planning Commission's recommendation and before voting on any proposed amendment to the Ordinance, the Board of Supervisors shall hold a public hearing thereon pursuant to public notice.

B. If the proposed amendment involves a zoning map change, notice of the proposed public hearing on said change shall be conspicuously posted by the Township at points deemed sufficient by the Township along the perimeter of the tract to notify potentially interested citizens. The affected tract or area shall be posted at least one week prior to the date of the hearing.

C. Proposed zoning ordinances and amendments shall not be enacted unless the requirements for publication, advertisement and availability of proposed ordinances as set forth by the Pennsylvania Municipalities Planning Code, Act 247, as amended, Section 610, are met.

D. In the event substantial amendments are made in the proposed ordinance or amendment, before voting on enactment, the Board of Supervisors shall at least ten days prior to enactment re-advertise, in one newspaper of general circulation in the Township, a brief summary setting forth all the provisions in reasonable detail together with a summary of the amendment.

Section 3703 Action upon Amendment

A. Enactment of any proposed amendment shall be by the vote of the Board of Supervisors. Any proposed amendment acted upon shall be specifically found to be in accordance with the spirit and intent of the Township Comprehensive Plan.

B. Within thirty (30) days after enactment, a copy of the amendment to the zoning ordinance shall be forwarded to the Bucks County Planning Commission.

Section 3704 Appeals

Any person desiring to challenge this Ordinance or any subsequent amendment hereto shall proceed in accordance with Article X-A of the Pennsylvania Municipalities Planning Code, as amended.

Section 3705 Administration and Fees

The Board of Supervisors shall from time to time enact Rules and Regulations to facilitate the administration of this Article and shall by Resolution from time to time establish reasonable fees to be paid by applicants in order to defray expenses that may be incurred by the Township.

ARTICLE 38 REMEDIES, PENALTIES, VALIDITY, REPEALER, AND EFFECTIVE DATE

Section 3800 Causes of Action

In case any building, structure, landscaping, or land is or is proposed to be erected, constructed, reconstructed, altered, converted, maintained or used in violation of any of the provisions of this Ordinance, the Board of Supervisors, or with the approval of the Board, an officer of the Board, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, many institute any appropriate action or proceeding to prevent, restrain, correct, or abate such building, structure, landscaping, or use of land, or to prevent, in or about such premises, any act, conduct, business, or use constituting a violation. When a landowner or tenant institutes such action, notice of that action shall be served upon the Township at least 30 days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors. No such action may be maintained until such notice has been given.

Section 3801 Enforcement Remedies

Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Ordinance shall, upon being found liable therefor in a civil enforcement proceeding commenced by the Township, shall pay a judgment of not more that $500 plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or be payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the municipality may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good faith basis for the person, partnership or corporation violating the ordinance to have believed that there was no such violation in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of the Ordinance shall be paid over to the Township. The Court of Common Pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem fine pending a final adjudication of the violation and judgment. Nothing contained in this Section shall be construed or interpreted to grant to any person or entity other than the Township the right to commence any action for enforcement pursuant to this Section.

Section 3802 Validity

If any section, paragraph, sub-section, clause or provision of this Ordinance shall be declared by a court of competent jurisdiction to be invalid, such decision shall not affect the validity of this Ordinance as a whole or any other part thereof.

Section 3803 Repealer

Any prior Buckingham Township Zoning Ordinance and all supplements and amendments thereto are, to the extent inconsistent herewith, repealed when this Ordinance becomes effective.

Section 3804 Continuation

The provisions of this Ordinance, so far as they are the same as those of ordinances in force immediately prior to the enactment of this Ordinance, are intended as a continuation of such ordinances. The provisions of this

Ordinance shall not affect any act done or liability incurred nor shall they affect any suit or prosecution pending or to be instituted to enforce any right or penalty or to punish any offense under the authority of any ordinance repealed by this Ordinance.

Section 3805 Effective Date

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

ARTICLE 39 CO-1 - COMMUNICATIONS OVERLAY DISTRICT 1

Section 3900 Purpose

A. Communications Overlay District 1 is intended to regulate the construction erection, placement, reconstruction, enlargement or expansion of Personal Wireless Facilities in areas of the Township where, by the placement of such facilities, significant gaps in Personal Wireless Services will be reduced and/or eliminated. Those identified areas are located at, along or near major thoroughfares, their intersections and interchanges and transportation arteries; places of relatively steep slope or grade; public buildings and public grounds; and in agricultural districts in the Township.

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 3901 Permitted Uses

A. Uses Permitted by Conditional Use:

H11. Personal Wireless Facilities

Section 3902 Area and Dimensional Requirements

All permitted uses shall comply with the area and dimensional requirements set forth in Article 4 Section 405, H11.

Section 3903 Application

A. Unless noted within this Article 39 and/or Article 4, Section 405 H11, provisions of Articles 1, 2, 4,30, 31, 32, 33, 34, 35, 36, 37 and 38 shall apply.

B. In instances where there is found to be a conflict between this Article 39 and the other provisions of this Zoning Ordinance, the more restrictive regulations shall apply.

ARTICLE 40 CO-2 - COMMUNICATIONS OVERLAY DISTRICT 2

Section 4000 Purpose

A. Communications Overlay District 2 is intended to regulate the construction erection, placement, reconstruction, enlargement or expansion of Personal Wireless Facilities in areas of the Township where, by the placement of such facilities, significant gaps in Personal Wireless Services will be reduced and/or eliminated. Those identified areas are located at, along or near major thoroughfares, their intersections and interchanges and transportation arteries; public buildings and public grounds in the Township.

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 4001 Permitted Uses

A. Uses Permitted by Conditional Use:

H11. Personal Wireless Facilities

Section 4002 Area and Dimensional Requirements

All permitted uses shall comply with the area and dimensional requirements set forth in Article 4 Section 405, H11.

Section 4003 Application

A. Unless noted within this Article 40 and/or Article 4, Section 405 H11, provisions of Articles 1, 2, 4,30, 31, 32, 33, 34, 35, 36, 37 and 38 shall apply.

B. In instances where there is found to be a conflict between this Article 40 and the other provisions of this Zoning Ordinance, the more restrictive regulations shall apply.

ARTICLE 41 CO-3 - COMMUNICATIONS OVERLAY DISTRICT 3

Section 4100 Purpose

A. Communications Overlay District 3 is intended to regulate the construction erection, placement, reconstruction, enlargement or expansion of Personal Wireless Facilities in areas of the Township where, by the placement of such facilities, significant gaps in Personal Wireless Services will be reduced and/or eliminated. Those identified areas are located at, along or near major thoroughfares, their intersections and interchanges and transportation arteries; public buildings and public grounds; and in agricultural districts in the Township.

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 4101 Permitted Uses

A. Uses Permitted by Conditional Use:
H11. Personal Wireless Facilities

Section 4102 Area and Dimensional Requirements

All permitted uses shall comply with the area and dimensional requirements set forth in Article 4 Section 405, H11.

Section 4103 Application

A. Unless noted within this Article 41 and/or Article 4, Section 405 H11, provisions of Articles 1, 2, 4,30, 31, 32, 33, 34, 35, 36, 37 and 38 shall apply.

B. In instances where there is found to be a conflict between this Article 41 and the other provisions of this Zoning Ordinance, the more restrictive regulations shall apply.

ORDAINED AND ENACTED this __14th_ day of _April_, 2010.

BUCKINGHAM TOWNSHIP
BOARD OF SUPERVISORS

BY:_____
Jon Forest, Chairman

BY:_____
Maggie Rash

ATTEST:

_____
Township Manager

BY:_____
Henry W. Rowan

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APPENDIX A
Requirements for Environmental Impact Assessment Report

A. The impact on the environment requires a comprehensive analysis of the probable results and the actions that can be taken to minimize these results. In order to evaluate the environmental consequences or effects of such projects proposed in the township, an Environmental Impact Assessment (EIA) report shall be submitted with applications for conditional use approval requesting establishment of a facility and an updated environmental impact assessment report shall be submitted with any application for preliminary and/or final plan approval for land development or subdivision requesting authority to establish a facility.

B. Definitions - For the purpose of an EIA the following definitions shall apply:

1. Adverse Environmental Impact - An impact which contributes to a harmful or degraded condition and/or produces an environmental harm or degradation. Adverse environmental impacts may include: a negative impact on surrounding land uses; negative impacts which are contrary to the Comprehensive Plan for the Township and the intent of this ordinance; negative impacts which may create a threat to the public health, safety and general welfare; and negative impacts on physical and biological resources.

2. Alternatives - Choices between or among two (2) or more plans, layouts, approaches, solutions or results.

3. Beneficial Effects - Results contributing to an improvement in condition and/or producing a favorable result such as making a use more compatible with the intent of this ordinance and the goals of the Comprehensive Plan and promoting the public health, safety and general welfare.

4. Biological Resources - Characteristics of the natural environment manifest in its flora and fauna. The disposition of these characteristics is typically expressed in vegetation and/or wildlife units such as: field and meadow; tree, woodland or forest stands and related understory and ground cover growth; and aquatic and terrestrial wildlife and/or their habitats.

5. Community Facilities - The services which provide for various community health, education, safety, leisure, and like needs and the locations at which these services are provided. Typical community facilities include: schools, parks and recreation areas; libraries; hospitals and other health-care facilities; fire protection; police; ambulance and rescue services; and postal services.

6. Cultural Environment - A representation of man's influence on land and/or water through the use, organization, adornment and maintenance of property and structures.

7. Demographic Characteristics- Characteristics related to the distribution, density and vital statistics of populations.

8. Economic and Fiscal Characteristics - Characteristics related to the expenditure and revenues in conjunction with the management of income of a household, private business, community, association and/or government.

9. Environment - The conditions, resources and/or characteristics which exist within and surround the area to be affected by a proposed project including, but not limited to:

natural elements such as land. water, air, minerals, natural flora and natural fauna; and manmade components such as objects of historic or aesthetic significance, infrastructure, and man related attributes of a social and economic nature.

10. Environmental Impact Assessment Report- An assessment which objectively describes, analyzes, and documents both the beneficial and adverse environmental and cultural effects of a proposed project and the measures to be undertaken to mitigate adverse effects in accordance with the provisions set forth in this ordinance.

11. Historic Resources - Sites, areas, structures, trails and/or routes which are valued due to their significance as examples and/or locations of events, customs, skills, and/or arts of the past.

12. Impact - The power of an event or condition to produce changes in other conditions. In the context of impact exerted on the environment, changes which affect existing conditions and/or quality are of greatest concern.

13. Infrastructure - The basic installations and facilities on which the continuance and growth of a community depend such as roads, schools, electrical transmission facilities, transportation and communication systems, and sewer and water systems.

14. Long-Term Effects - Results which are manifest for, or extending over a period of greater than two (2) years.

15. Mitigation - The act of precluding a potentially adverse effect and/or making a potentially adverse effect less severe through measures which will Improve a condition and/or lessen the impact.

16. Natural Environment - A composition of land, water, and/or air represented by its inherent physical and biological resources.

17. Physical Resources - Characteristics of the natural environment manifest in its: land forms, soils, geological structure of surface and/or subsurface rock, minerals, natural bodies of water and/or man-made impoundments, watercourses, groundwater and the like. The disposition of these characteristics is typically expressed in physiographic, topographic and/or hydrologic units such as rock formations, slope elevations, soil types, watersheds, surface water types, wetlands, floodplains, aquifers or aquifer recharge areas and the like.

18. Primary Effects - Results of a direct nature which have a principal influence on a particular condition.

19. Project - A subdivision, land development, or other development involving the construction or alteration of buildings or other structures, or the grading of land to accommodate use of property for the facility being assessed.

20. Secondary Effects - Results of an indirect nature which have an influence on a particular condition or state derived from a primary effect.

21. Short Term Effects - Results which are manifest for, or extending over a period of two (2) years or less.

22. Visual Resources - Characteristics of the natural and/or cultural environment which are visible. The visual resources of a particular area are typically expressed in terms

of their visibility, character, and/or attractiveness relative to their amenity value and/or quality.

C. The EIA report shall include text, tables, maps and analyses for the purpose of describing the project site. proposed use(s), environmental characteristics, and the environmental effects of the proposal as follows:

1. Overview - Indicate the purpose and scope of the proposed project. Enumerate the benefits to the public which will result from the proposed project and describe the suitability of the site for the intended use. A description of the proposed project shall be presented to indicate the extent to which the site must be altered, the kinds of facilities to be constructed, how they are to be constructed and the uses intended. The resident population, working population, and visitor population shall be projected. The basis of the projections shall be clearly stated in the report.

2. Compatibility - The compatibility or incompatibility of the proposed project shall be described in relation to the following:

a. Township Comprehensive Plan, especially the land use and open space elements.

b. Comprehensive Plan of adjacent municipalities whenever a project is located along or within 2,000 feet of the municipal boundaries.

c. Bucks County Comprehensive Plan and Solid Waste Management Plan (for solid waste facilities only).

3. Location - An identification of the site location and area through the use of a location map drawn at a scale of not more than two thousand (2000) feet to the inch. The location map shall depict all streets, adjoining properties, zoning district boundaries and municipal boundaries within twenty-five hundred (2,500) feet of any part of the tract. In the case of development of only a portion of the entire tract, the location map shall also show the relationship of the section to the entire tract.

4. Photographs - An identification of the character and appearance of the site through the presentation of photographs or copies thereof. Such photographs shall provide a representation of what the site looks like from ground level. Photographs should be properly identified or captioned and shall be keyed to a map of the site.

5. Description of the Project - An identification of the nature of the proposal through the presentation of the following:

a. A site development plan.

b. A statement indicating the existing and proposed ownership of the tract.

c. A statement indicating the proposed staging or phasing of the project and a map depicting the boundaries of each stage or phase of the project. Such boundaries shall be superimposed on a version of the site development plan.

6. Physical Resources Inventory - An identification of physical resources associated with the natural environment of the tract including such features as geology, topography, soils, hydrology and the like. The identification of physical resources shall include a narrative description of the qualitative aspects of each of the resources mentioned above. In addition,

these resources shall be mapped at a scale of not smaller than one hundred (100) feet to the inch as specified below and may be either incorporated into the EIA report or submitted as attachments to the report.

a. A map depicting the geological characteristics of the tract. Such map shall define the location and boundaries of the rock formations at or influencing the tract and features such as faults and/or fractures.

b. A map depicting the topographical characteristics of the tract. Such map shall contain contours with at least two (2) foot intervals and shall depict slopes ranging from zero to fifteen (0-15) percent, fifteen to twenty-five (15-25) percent, and greater than twenty-five (25) percent.

c. A map depicting the soil characteristics of the tract. Such map shall depict all soil types and shall include a table identifying soil characteristics pertinent to the proposed project such as prime agricultural soils, depth to bedrock, depth of water table, flood hazard potential, and limitations for septic tank filter fields. List and describe each soil type located on the site. If applicable, provide percolation data. Where the proposed area of land disturbance will involve soils with moderate or severe limitations (as per the Soil Survey of Bucks and Philadelphia Counties, U.S. Soil Conservation Service) relative to the type of project proposed, a complete mapping of all soil types on the site shall be required indicating where those moderate and severe limitations exist.

d. A map depicting the hydrological characteristics of the tract. Such map shall depict: surface water resources, their drainage characteristics, watershed and floodplains, and ground water resources. Surface water resources include features such as creeks, runs and other streams, ponds, lakes, and other natural bodies of water, springs, wetlands, and any manmade impoundments. Groundwater resources include features such as aquifers and aquifer recharge areas.

7. Biological Resources Inventory - An identification of biological resources associated with the natural environment of the tract including such features as vegetation and wildlife. The identification of biological resources shall include a narrative description of each of the resources mentioned above. In addition, these resources shall be mapped at a scale of not smaller than one hundred (100) feet to the inch as specified below; and may be either incorporated into the EIA report or submitted as attachments to the report.

a. A map depicting the vegetation characteristics of the tract. Such map shall define the locations and boundaries of the woodland and forest areas of the tract and shall note the types of vegetation associations which exist in terms of their species and sizes. In addition, all trees twelve (12) inches in caliper or greater shall be accurately located and identified on the map whether they are free-standing trees or tree masses.

b. A map depicting characteristics associated with wildlife habitats. Such map may draw upon vegetation, hydrology, and soil maps in order to express habitat characteristics associated with terrestrial and aquatic wildlife on the tract and the relationship of the overall habitat(s).

8. Land Use Inventory - An identification of the land use conditions and characteristics associated with the tract such as: current and past use, land cover; and the relationship of these to adjacent tracts. The identification of land use conditions and characteristics shall include a narrative description of the above. In addition, the following maps drawn at a Scale not smaller than one hundred (100) feet to the inch shall be incorporated into the EIA

report or submitted as attachments to it.

a. A map depicting the land cover characteristics of the tract. Such map shall define existing features including: paved or other impervious surfaces, woodland and forest areas, cultivated areas. pasture, old fields, lawns and landscaped areas, and the like.

b. A map depicting any encumbrances to the tract. Such map shall define easements and other areas where certain use privileges exist.

c. A map depicting the land uses within five hundred (500) feet of the proposed tract. Such map may be at the same scale as the location map.

9. Surface Water Inventory - Describe existing watercourses and water bodies that are partially or totally on the site and their relationship to the area of land disturbance. Calculate existing surface runoff from the site and the associated watershed, including the potential development of the remainder of the watershed. When the natural drainage pattern will be significantly altered, an analysis shall be conducted which will investigate flow, depth, capacity, and water quality of the receiving waters. When required, floodplain areas will be mapped in consultation with the Department of Environmental Resources. Existing drainage structures shall be mapped and the capacity of the drainage network shall be determined. Additionally, wetland areas as defined by the Department of Environmental Resources and the U.S. Army Corps of Engineers shall be delineated.

10. Subsurface Water Inventory - Describe the subsurface water conditions on the site both in terms of depth to groundwater and water supply capabilities of the site. Where existing conditions warrant, provide detailed information regarding existing wells within 1000 feet of the site relative to depth, capacity and water quality.

11. Existing Features Inventory - Describe any existing features on the site that are not considered to be part of the natural environment. This may include, but not necessarily be limited to, roads, housing units, accessory structures, utility lines, etc.

12. Historic Resources Inventory - An identification of the man-made resources associated with or within five hundred (500) feet of the tract which are older than fifty (50) years. Areas, structures, and/or routes and trails included on the National Register of Historic Places, the Pennsylvania Inventory of Historic Places, the Historic American Building Survey, the Bucks County Conservancy and any which may be identified by the Township Historic Commission, shall be identified. The identification of historic resources shall include a narrative description of the above. In addition, a map drawn at a scale of not smaller than one hundred (100) feet to the inch depicting historic resources shall be incorporated into the EIA report or submitted as an attachment to the report.

13. Visual Resources Inventory - An identification of the visual resources associated with the tract such as areas which have a particular amenity value and areas which offer interest in viewing the tract. The identification of visual resources shall include a narrative description of the above. In addition, a map drawn at a scale of not smaller than one hundred (100) feet to the inch depicting visual resources shall be incorporated into the EIA report or submitted as an attachment to the report.

14. Community Need Inventory - An identification of the community facility needs associated with the users of the proposed project. The community facility needs assessment shall indicate in narrative form the type of services which will be in demand. Where applicable, community facilities (such as schools, parks and recreation areas, libraries,

hospitals, and other health care facilities, fire protection, police protection, ambulance, and rescue service) shall be discussed in terms of the ability of the existing facilities and services to accommodate the demands of future users and/or residents of the lots and/or tract and the need for additional or expanded community facilities.

15. Utility Needs Inventory - An identification of the utility needs associated with the users of the proposed project. The utility needs assessment shall indicate in narrative form the type of installations which will be in demand. Utilities shall be discussed in terms of: the ability of existing utility installations to accommodate the demands of the future users; the needs for additional or expanded utility installations; the ability to achieve an adequate potable quantity of water whenever individual wells are proposed; the ability to achieve an adequate system for on-site sewage disposal whenever such a system is proposed; and, the ability to achieve an adequate system for storm drainage and stormwater management. Certificates from the utilities confirming that adequate capacity exists to serve the proposed development shall be included.

16. Transportation System Inventory - An identification of the relationship of the transportation and circulation system needs of the proposed project to the existing street or highway network. A discussion of this relationship shall be in narrative form and shall indicate factors such as methods to be used for traffic control within the tract and at points of ingress to and egress from it; and, expected traffic volumes generated from the project including their relationship to existing traffic volumes on existing streets for both peak hour and non-peak hour traffic conditions. In addition, there shall be a discussion of the physical condition of existing streets which will service the proposed project and what improvements are proposed to remedy any physical deficiencies.

17. Fiscal Impact - An identification of the economic and fiscal characteristics related to the proposed project. The characteristics which shall be presented in narrative form shall include a profile of the township, county and school district revenues which the proposed use may generate and the township, county and school district costs it will create. Such information shall be related to initial and completed project conditions.

18. Existing Conditions - An identification of characteristics and conditions associated with existing, construction related, and future air and water quality and noise levels, vibration, toxic materials, electrical interference, odor, glare and heat, fire and explosion, smoke, dust, fumes, vapors and gases and/or radioactive materials.

19. Licenses and Permits - An identification of all licenses, permits, or other approvals required by law for the development and the status of each.

20. Environmental Controls - An identification of compliance with the Floodplain Regulations provided by this Ordinance.

21. Impacts Inventory -The implications of the proposed project in terms of: the type of beneficial or adverse effects which may result from it; and, the duration of these effects in terms of their short-term or long-term nature. To indicate such effects, there shall be a discussion of the implications of the proposed project to the resources, conditions and characteristics described above. In addition to a narrative presentation of implications, the applicant shall display where the project adversely affects the tract's resources, conditions or characteristics through the use of a map drawn at a scale of not smaller than one hundred (100) feet to the inch, wherein the area adversely affected from proposed development are highlighted. Such map may be either incorporated into the EIA report or submitted as an attachment to the report. Further, the applicant must demonstrate and

specify in the EIA report how and where the findings in the EIA report and its attachments are reflected in the project.

22. Alternative Analysis - Alternatives within the project which would preclude, reduce or lessen potential adverse impact or produce beneficial effects. To indicate such alternatives the applicant shall submit exhibits or diagrams which will depict the type or alternatives described in narrative form. The applicant shall comment on how alternatives such as: revised location, redesign, layout or siting of buildings, roads, and other structures and the reduction in the size of the proposed structures or number of structures, would affect the impacts or effects of the project.

23. Adverse Impacts - Probable adverse impacts which cannot be precluded, including:

a. water quality and quantity
b. air quality
c. noise
d. incompatible land use patterns
e. damage or destruction of significant plant of wildlife systems
f. aesthetic values
g. destruction of natural resources
h. displacement of people and business
i displacement of viable farms
j. destruction of man-made resources

24. Mitigation Measures - Measures to mitigate adverse effects. To indicate such measures, the applicant shall submit exhibits or diagrams which will depict the type of remedial, protective and mitigative measures described in narrative form. These measures shall include those required through existing procedures and standards and those unique to a specific project, as follows:

a. Mitigation measures which pertain to existing procedures and standards are those related to current requirements of the state, county, and/or township for remedial or protective actions such as: sedimentation and erosion control, stormwater runoff control, water quality control and air quality control.

b. Mitigation measures related to impacts which may be unique to a specific project are those related to efforts such as: revegetation. screening, fencing, emission control, traffic control, noise control, relocation of people and/or businesses and land acquisition.

25. Irreversible Impacts - Any irreversible environmental changes which would occur due to the proposed project, should it be implemented. To indicate such changes, the use of nonrenewable resources during the initial and continued phases of the project shall be discussed. Further, the loss of environmental resources shall be indicated through a presentation of the quantity of loss and related qualitative effects.

D. In making its evaluation, the Board of Supervisors and/or the Planning Commission may request any additional information it deems necessary to adequately assess potential environmental impacts. Whenever any information required in this section is assumed not directly applicable to the proposed project, the applicant shall indicate such assumed inapplicability in the narrative of the EIA report, and state why such information is considered to be inapplicable in the case of the particular project in question.

E. Ail persons who participate in preparing the report shall be identified and their

qualifications stated. All sources of information shall be identified when presented and a bibliography shall be attached to the report. All work in the report shall be in conformity with recognized engineering, architectural, and planning practices and principles.

F. Indication of Acceptability - All applications for conditional use approval requiring EIA reports shall be accompanied by plans, reports and other documents as herein required to indicate that the proposed use will be acceptable to the Township as follows:

1. Consistent with the Township Comprehensive Plan;

2. Conforms to all requirements of the Township Subdivision and Land Development Ordinance and all other ordinances, codes, permit conditions and regulations;

3. Will not adversely affect the health, safety and general welfare of the residents of the Township and of surrounding municipalities;

4. Promotes the harmonious and orderly development of the zoning district involved;

5. Is compatible with the character and type of development existing in the area which surrounds the site in terms of size, scale, height and bulk of the proposed uses, and the size, shape and placement of the buildings and other structures;

6. Will not detract from or cause harm to neighboring properties;

7. Is compatible with the uses permitted in the surrounding area in terms of the density and/or intensity of land use;

8. Reflects effective site planning and design in terms of energy efficiency and environmental protection;

9. Reflects sound engineering and land development design and construction principles, practices and techniques;

10. Is consistent with the logical, efficient and cost-effective extension of public services and utilities and will not adversely affect the public services and utilities of surrounding properties and of the Township as a whole, in terms of public water supply, waste water treatment, police, fire protection and hospital and health services;

11. Includes proposals for the effective disposal of residues and unprocessable solid waste, for solid waste facilities;

12. Provides safe and efficient access to roads and will not create traffic congestion, hazardous traffic conditions or excess traffic volumes;

13. Limits the number of access points along major public streets and generally provides development of the frontage of buildings on access roads which are parallel or perpendicular to major public streets;

14. Provides improvements needed to guarantee compatibility with adjoining roads and properties;

15. Provides continuity of existing circulation systems including roads, sidewalks,

trails, and other walkways;

16. Provides adequate off-street parking and loading areas which will be minimally visible and audible from adjoining public streets and neighboring properties;

17. Utilizes effective stormwater management techniques and soil erosion and sedimentation control techniques which are in character with and complementary to the proposed site grading and landscaping;

18. Preserves, to the maximum extent possible, woodlands and other trees existing on the site;

19. Will not be disruptive to existing topography, surface water resources and groundwater resources;

20. Includes landscaping, in addition to that around the buildings and structures, in areas which are highly visible to the public such as entrances, along roads, trails and walkways, where the use of trees, shrubs, flowers and ground cover would be both functional and decorative.

APPENDIX B
REQUIREMENTS FOR TRAFFIC IMPACT ANALYSIS

1. Purpose and Applicability - A transportation impact study shall be submitted as part of all requests for change of zoning and under any other conditions where specified by the Township Zoning Ordinance or Subdivision/Land Development Ordinance. This study will enable Buckingham Township to assess the impact on the transportation system (both highways and public transportation) in the Township, of a proposed change of zoning, a conditional use approval, or other uses having a potential impact, as specified in the Township Zoning Ordinance. The purpose of the impact study is to insure that proposed developments do not adversely affect the transportation network and to identify any traffic problems associated with access from the site to the existing transportation network. The study's purpose is also to delineate solutions to potential problems and to present improvements to be incorporated into the proposed development. The study shall assist in the protection of air quality, the conservation of energy and the encouragement of public transportation use.

The Township, at its sole discretion, may require any subdivision or land development application to be accompanied by a Traffic Impact Study if, in the opinion of the Township, such a survey is necessary to determine the impact the proposed development will have on Township and state roads in the vicinity of the proposed development. The Traffic Impact Study required pursuant to this section shall be performed in accordance with the standards as set forth hereinafter in this section. In those situations where the Township may require a Traffic Impact Study, such a requirement shall be communicated in writing to the applicant immediately following the Planning Commission's first meeting to consider the proposal. Such a notification shall specify the reason for the requirement, citing the proposal's particular location or existing problems at that location, or type of use (e.g., generation of heavy truck traffic).

2. Definitions

a. Public Transportation - Transportation service for the general public provided by a common carrier of passengers generally on a regular route basis, by the Southeastern Pennsylvania Transportation Authority, or a private operator offering service to the public.

b. Study Area - This area will extend along all township and state roads serving the development to the nearest intersection with a major arterial road, and shall, in any event, extend to all intersections along all roads within one-half airline mile area. Where doubt exists, the transportation engineer shall seek guidance from the Township Manager prior to the submission of the traffic impact study.

c. Major Intersection - Any intersection, either signalized or non-signalized, where traffic generated by the proposal will have a significant impact on the operation of the intersection and/or any other intersection with an arterial or collector road. Where doubt exists the transportation engineer shall seek guidance from the Township Manager prior to the submission of the traffic impact study.

d. Volume/Capacity Analysis - Procedures used to determine Level of

Services and to evaluate the operational characteristics of a roadway or intersection. The procedures are described in the 1985 Highway Capacity Manual, Highway Research Board, and the results are expressed in Level of Service for roadways, signalized and non-signalized intersections.

e. Level of Service - Level of service, as described in the 1985 Highway Capacity Manual, Special Report 209, indicates how well traffic moves on a particular highway facility or through a specific intersection. There are six levels of servicing ranging from A through F. Level of service A indicates generally free movement. Level of service E represents maximum capacity of the facility. Level F indicates congestion. Level of service C is considered the design level of service, representing a stable traffic flow and a relatively satisfactory travel speed.

f. Trip Generation Rates - The total count of trips to and from a study site per unit of land use as measured by parameters such as dwelling units, acres, etc. which said trip generation rates are established by the Institute of Transportation Engineers, Trip Generation Report. 4th Edition or other later edition.

g. Warrants for Traffic Signal Installation - This is a series of warrants which detail the minimum traffic or pedestrian volumes or other criteria necessary for the installation of a traffic signal. These warrants are contained in the Manual on Uniform Traffic Control Devices, U.S. Department of Transportation, Federal Highway Administration, 2003 Edition, as amended.

3. General Requirements and Standards

A transportation impact study shall be performed by a qualified traffic engineer and/or transportation planner with previous traffic study experience and shall contain the following information:

a. General Site Description - The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed subdivision or land development. If the development is residential, types of dwelling units shall also be included. A brief description of other major existing and proposed subdivisions and land developments within the study area shall be provided. The general site description shall also include probable socio-economic characteristics of potential site users to the extent that they may affect the transportation needs of the site (i.e., number of senior citizens). The general site description shall also contain a demographic study which includes projections as to where new residents to be served by the development would work or shop, and where employees of new commercial developments would live, and the traffic generation effects of such a study. The general site description shall also include analysis of both vehicular and pedestrian traffic projected to be generated by children in any new residential development going to and from school.

b. Transportation Facilities Description - The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations and any traffic signals or other intersection control devices at all intersections within the site. The site design shall be shown to maximize potential public transportation usage to and from the development, such as providing adequate turning radius at all access points to

allow a bus to enter the development. Bus shelter and sign locations shall be designated where appropriate.

c. The report shall describe the entire external roadway system within the study area. Major intersections in the study area shall be identified and illustrated. All existing and proposed public transportation services and facilities within a one-mile radius of the site shall also be documented. All future highway improvements, including proposed construction and traffic signalization, shall be noted. This information shall be obtained from the 12-Year Highway Capital Program for the Delaware Valley Region and from the Pennsylvania Department of Transportation. Any proposed roadway improvements due to proposed surrounding developments shall be recorded.

d. Existing Traffic Conditions - Existing traffic conditions shall be measured and documented for all roadways and intersections in the study area. Existing traffic volumes for average daily traffic, peak highway hour(s) traffic, and peak development-generated hour(s), and documentation shall be included in the report. Manual traffic counts at major intersections in the study area shall be conducted, encompassing the peak highway and development generated hour(s), and documentation shall be included in the report. Ail documentation shall be included in a technical appendix and consist of highway peak hour turning movement counts expressed in fifteen-minute increments, development-generated peak hour turning movement counts expressed in fifteen minute increments, capacity analysis worksheets and all quantitative information used in the traffic analysis. A Level of Service analysis based upon existing volumes shall be performed during the peak highway hour(s) and the peak development generated hour(s) for all roadways and major intersections in the study area. Levels of service shall be determined for each location. This analysis will determine the adequacy of the existing roadway system to serve the current traffic demand. Roadways and/or intersections experiencing levels of service D, E, or F shall be noted as congested locations. The analysis shall make use of or reference the Township-wide Traffic Study where this study includes any analysis of roadways or intersections within the proposed study area.

e. Transportation Impact of the Development - Estimation of vehicular trips to result from the proposal shall be completed for the average daily peak highway hour(s) and peak development-generated hour(s). Vehicular trip generation rates to be used for this calculation shall be obtained from the Trip Generation. An Informational Report, Fourth Edition, Institute of Transportation Engineers, 1987. For all land uses proposed but not listed in the Institute report, the traffic engineer shall seek guidance from the Township Manager or his designee. All turning movements shall be calculated. These development-generated traffic volumes shall be distributed to the study area and assigned to the existing roadways and intersections throughout the study area. Documentation of all assumptions used in the distribution and assignment phase shall be provided in the technical appendix. Traffic volume shall be assigned to individual access points. Pedestrian volumes shall be calculated, if applicable. If school crossings are to be used, pedestrian volumes shall be assigned to each crossing. Any characteristics of the site that will cause particular trip generation problems shall be noted.

f. Analysis of Transportation Impact - The total future traffic demand shall be calculated. This demand shall consist of the combination of the existing traffic expanded to the completion year (using an annual background traffic growth rate which best reflects the intensity of growth projected in Buckingham Township). The

background growth rate shall reflect the consideration of other proposed developments within the study area. A list of the proposed developments may be obtained from the Township Manager and/or Township Engineer. The rates shall be based on acceptable parameters such as population and employment and be monitored to insure that the rate accurately reflects local conditions, the development generated traffic, and the traffic generated by any other proposed developments in the study area. A second Level of Service analysis shall be conducted using the total future demand and the future roadway capacity. If staging of the proposed development is anticipated, calculations for each stage of completion shall be made. This analysis shall be performed during the peak highway hour(s) and peak development-generated hour(s) for all roadways and major intersections in the study area. Level of Service calculations shall be completed for all major intersections. It is usually at these locations that capacity is most restricted.

g. All access points and pedestrian crossings shall be examined as to the feasibility of installing traffic signals. This evaluation shall compare the projected traffic and pedestrian volumes to the warrants for traffic signal installation.

h. Analysis of Existing Roadway Pavement Conditions - Where the Subdivision and Land Development ordinance requires the widening of existing pavement, the applicant shall:

(1) Take pavement cores and CBR values of the existing pavement at 400 foot intervals staggered left to right in the path of the outside wheels of vehicles traveling the existing roadway;

(2) Submit an analysis of the existing pavement based on the foregoing core sample and analysis and the traffic volume, to determine the extent of roadway reconstruction needed.

(3) Submit a plan, profile and detailed road cross-sections at 50-foot intervals with existing and proposed elevations.

i. Conclusions and Recommended Improvements –

(1) Levels of service for all roadways and intersections shall be listed. All roadways and/or intersections or portions of intersections showing a level of service below C shall be considered deficient, and specific recommendations for the elimination of these problems shall be listed, unless design limitations preclude Level of Service C. Where such conditions exist, the Traffic Engineer shall seek guidance from the Township Manager prior to submission of the Traffic Impact Study. This listing of recommended improvements shall include, but not be limited to, the following elements: internal circulation design, site access location and design, external roadway and intersection design and improvements, traffic signal installation and operation including signal timing, and transit design improvements. All physical roadway improvements shall be shown in sketches.

(2) Other circulation conditions shall be described and analyzed, including sight distance at all proposed access points to the site; circulation of commercial vehicles (trucks, etc.) in nonresidential developments and in multi-family developments.

j. Existing and/or future public transportation service shall also be addressed. A listing of all actions to be undertaken to increase present public transportation usage and improve service, if applicable, shall be included.

k. The listing of recommended improvements for both roadways and transit shall include, for each improvement, the party responsible for the improvement, the cost and funding of the improvement, and the completion date for the improvement.

4. Time of Submission

a. The traffic impact study shall be submitted to the Township and to the Township Engineer as part of the preliminary plan application. Submission of the preliminary plan application shall be deemed incomplete if the required traffic impact study is not included in the submission.

b. The improvement plans shall not be submitted to Pennsylvania Department of Transportation until after review by the Buckingham Township Planning Commission, the Buckingham Township Engineer, and approval by the Buckingham Township Board of Supervisors. The submission to PennDOT shall be accompanied by comments of Buckingham Township.

5. Implementation

The Buckingham Township Planning Commission, Engineer and Board of Supervisors shall review the traffic impact study to analyze its adequacy in solving any traffic problems that will occur due to the subdivision or land development. The Board of Supervisors may decide that certain improvements on- or off-site are mandatory for plan approval and may attach such conditions to the approval.

APPENDIX C
REQUIREMENTS FOR PEDESTRIAN CIRCULATION ANALYSIS

1. Purpose and applicability - A pedestrian circulation study shall be submitted as part of applications for certain uses as specified by the Buckingham Township Zoning Ordinance or Subdivision/Land Development Ordinance. This study will enable the Township to assess the impact of such uses on the needs of pedestrians within the study area and to ensure the safety of pedestrians traveling within and to the proposed use. The purposes of the pedestrian circulation study are:

a. To identify any problems associated with pedestrian access to and from the site;

b. To identify and remedy any conflicts between likely or existing pedestrian circulation patterns and existing or proposed vehicular traffic patterns;

c. To evaluate the extent of existing provisions for pedestrian movement;

d. To permit development of pedestrian facilities;

e. To improve the pedestrian environment; and

f. To create logical patterns of pedestrian and non-vehicular circulation in order to enhance the overall quality of the proposed use.

The Township may, at its sole discretion, require any subdivision or land development application to be accompanied by a Pedestrian Circulation Study if, in the opinion of the Township, such a study is necessary to determine the impact the proposed development will have on the safety and movement of pedestrians within the development and in the surrounding area. The Pedestrian Circulation Study required by the Zoning Ordinance or Subdivision/Land Development Ordinance shall be performed in accordance with the standards as set forth herein. In those situations where the Township may require a Pedestrian Circulation Study, such requirement shall be communicated in writing to the applicant immediately following the Planning Commission's first meeting to consider the proposal. Such notification shall specify the reason for the requirement, citing the proposal's particular location, existing problems at that location, or the type of use proposed.

2. Definitions

a. Pedestrian Demand Model - A model for forecasting pedestrian flows and prioritizing pedestrian improvements, developed with a structure similar to standard transportation planning models, including zonal trip generation based on land use characteristics and trip distribution; e.g., the Pedestrian Planning Process, developed by Kagan, Scott and Avin (1978), designed to be implemented using Urban Transportation Planning System (UTPS) software packages.

b. Public Transportation - Transportation services for the general public provided by a common carrier of passengers generally on a regular route basis, by the Southeastern Pennsylvania Transportation Authority, or a private operator offering service to the public.

c. Study Area - The area will include the development site and will extend along all Township and State roads serving the development to the nearest intersection with a major arterial road, and shall, in any event, extend to all intersections along all roads within one-half airline mile area. Where doubt exists, the transportation engineer shall seek guidance from the Township Manager prior to submission of the Pedestrian Circulation Study.

3. General Requirements and Standards

A Pedestrian Circulation Study shall be performed by a qualified traffic engineer and/or transportation planner with previous experience evaluating pedestrian issues, using an accepted pedestrian demand model, and shall contain the following information:

a. General Site Description - The site description shall include the size, location, proposed land uses, construction staging and completion date of the proposed subdivision or land development. If the development is residential, types of dwelling units shall also be included. A brief description of other major and existing and proposed subdivisions and land developments within the study area shall be provided. The general site description shall also include probable socio-economic characteristics of potential site users to the extent that they may affect the pedestrian needs of the site (e.g., number of senior citizens). The general site description shall also contain a demographic study which includes projections as to where new residents to be served by the development would work or shop, and where employees of new commercial developments would live, and the pedestrian effects of such a study. In addition, the general site description shall include analysis of both vehicular and pedestrian traffic projected to be generated by children in any new residential development going to and from school.

b. Transportation Facilities Description - The description shall contain a full documentation of the proposed internal and existing external transportation system. This description shall include proposed internal vehicular, bicycle and pedestrian circulation, all proposed ingress and egress locations, all internal roadway widths and rights-of-way, parking conditions, traffic channelizations and any traffic signals or other intersection control devices at all intersections within the site.

c. The Pedestrian Circulation Study shall describe and document all existing and proposed pedestrian facilities within a one-mile radius of the site.

d. Existing Pedestrian Conditions - Existing pedestrian conditions shall be measured and documented for the study area, including review of existing pedestrian circulation within the Township to identify constraints to walking and identification of constrained locations, including pedestrian street crossings.

e. Analysis of pedestrian circulation, as follows:

(1) Derive existing and forecast pedestrian volumes within the study area;

(2) Assign pedestrian flows throughout the study area to determine pedestrian capacity thresholds and constraints;

(3) Analyze key entrance and egress locations (examine all

access points and pedestrian crossings to determine pedestrian volumes);

(4) Analyze spatial requirements (width of sidewalks, parking locations, proposed retail and other non-commercial uses, pedestrian amenities, such as seating, bicycle parking, pedestrian-scale lighting, street trees, flower boxes, trash receptacles, drinking fountains, and awnings);

(5) Identify any conflicts between likely or existing pedestrian circulation patterns and flows and existing or proposed vehicular traffic patterns;

(6) Provide an overview of construction staging and identify any potential impediments to pedestrian circulation; sidewalk/roadway (or driveway) crossings should be minimized as much as possible;

(7) Coordinate and review future pedestrian connections and infrastructure; and

(8) Confirm pedestrian circulation requirements to meet the Township's Community Development Objectives, as set forth in the Zoning Ordinance.

f. Conclusions and Recommended Improvements -

(1) List any deficiencies noted and specific recommendations for elimination of such problems, including, but not limited to, internal circulation design, pedestrian and vehicular conflicts, site access location and design, roadway and intersection design and improvements, and signal timing. All physical roadway improvements shall be shown in sketches. In addition, other circulation conditions shall be described and analyzed, such as vehicle circulation.

(2) Address existing and/or future public transportation service, including any and all actions to increase present public transportation usage and improvement of such service.

(3) List recommended improvements for roadways, parking areas, sidewalks, etc., to optimize pedestrian circulation within the proposed development and surrounding area and to resolve existing or potential conflicts.

4. <u>Time of Submission</u>

a. The Pedestrian Circulation Study shall be submitted to the Township and to the Township Engineer as part of the preliminary plan application. Submission of the preliminary plan application shall be deemed incomplete if the required Pedestrian Circulation Study is not included.

b. Any improvement plans that require approval by the Pennsylvania Department of Transportation shall not be submitted directly to PaDOT until after review by the Township Planning Commission and the Township Engineer and approval by the Board of Supervisors. Any submission to PaDOT shall include comments supplied by the Township.

5. Implementation

The Buckingham Township Planning Commission, the Township Engineer and the Township Board of Supervisors shall review the Pedestrian Circulation Study to analyze its adequacy in solving any pedestrian circulation problems that will occur due to the proposed subdivision or land development. The Board of Supervisors may decide that certain improvements on- or off-site are mandatory for plan approval and may attach such conditions to the approval.

APPENDIX D
REQUIREMENTS FOR ECONOMIC IMPACT ANALYSIS

1. Purpose and Applicability – An Economic Impact Study shall be submitted as part of applications for certain uses as specified by the Buckingham Township Zoning Ordinance or Subdivision/Land Development Ordinance. This study will enable the Township to assess the impact of such uses on the projected costs and benefits to the community resulting from the project. When required, the applicant must submit as part of the preliminary land development or subdivision plan an economic impact study based upon a ten (10) year horizon and indicating the market for the proposed facility and the area from which patrons will be attracted.

The Township may, at its sole discretion, require any subdivision or land development application to be accompanied by an Economic Impact Study if, in the opinion of the Township, such a study is necessary to determine the impact the proposed development will have on: the Township, surrounding neighborhoods, Township services, the Township and Central Bucks School District tax base, need for public infrastructure, employment and existing businesses. The Economic Impact Study required by the Zoning Ordinance or Subdivision/Land Development Ordinance shall be performed in accordance with the standards as set forth herein. In those situations where the Township may require a Economic Impact Study, such requirement shall be communicated in writing to the applicant immediately following the Planning Commission's first meeting to consider the proposal. Such notification shall specify the reason for the requirement, citing the proposal's particular location, existing problems at that location, or the type of use proposed.

2. General Study Requirements - The economic impact study shall evaluate the projected costs and benefits to the community based upon a ten (10) year horizon resulting from the project including:

a. Projected costs to the Township arising from the demand for and required improvements to public services and infrastructure, including roads;
b. Value of improvements to public services and infrastructure to be provided by the project;
c. Projected tax revenues to be generated by the project;
d. Projected impact of the project on surrounding land values and the potential loss or increase in municipal tax revenues resulting from such increase or decrease. (The project shall be designed to minimize any negative impacts to adjoining property values);
e. Short-term and long-term projection of increased Township revenues and costs resulting from the proposed project.
f. The estimated net impacts to local employment, wages and salaries, retained profits, and the local income tax. The change in the estimated number of employees, employment types, and estimated wages generated by the project. For purposes of determining this impact, the applicant must identify the number of jobs displaced or created, the quality of the jobs, whether the jobs are temporary or permanent, and the employment sector in which the lost or gained jobs are located;
g. Estimate of how much revenue generated by the project will be retained and re-directed back into the economy of Buckingham;
h. The impacts (including displacement of existing retailers) on business within the Township;

i. Any measures available that will mitigate any materially adverse economic impacts, if any, identified by the applicant, if necessary;

j. Establishing the market and financial feasibility of the project, including any market studies prepared for the project and any plans for phased construction;

k. Demonstration of the applicant's financial ability to complete the project and to achieve long-term financial stability;

l. Whether prior efforts to establish a retail store larger than 20,000 square feet within the identified impact area have been unsuccessful or whether the proposed use will have an adverse impact or economic benefit on grocery or retail shopping centers in the identified impact area;

m. Whether any restrictions exist on the subsequent use of the property on which the retail store is proposed to be located, including the provisions of a lease if applicable, which, in the event the owner or operator of the retail store vacates the premises, would require the premises to remain vacant for a significant amount of time; and

n. A proposal addressing plans for the reuse of the site in the case that the applicant abandons the large-scale building. The plan shall include design features that demonstrate availability of flexible features such as partitions and multiple or multiple entryways to facilitate reuse by multiple tenants if the building is abandoned. The plan for reuse shall be reviewed and adopted by the Board of Supervisors.

3. Time of Submission

The Economic Impact Study shall be submitted to the Township and to the Township Engineer as part of the preliminary plan application. Submission of the preliminary plan application shall be deemed incomplete if the required Economic Impact Study is not included.

4. Implementation

The Buckingham Township Planning Commission, the Township Engineer and the Township Board of Supervisors shall review the Economic Impact Study to analyze any economic impact problems that will occur due to the proposed subdivision or land development. The Board of Supervisors may decide that certain improvements on- or off-site are mandatory for plan approval and may attach such conditions to the approval.

USES BY DISTRICT

USE	DISTRICT	AG1	AG2	PBR	R1	R2	R3	R4	R5	R6	R7	R8	R9	VR1	VR3	MPH	I	VC1	VC2	VC3	NVO	PC1	PC2	LC	PI	PI-2	USE
A1	General Farming	P	P	P	P										P			P	P	P			P	P	P	P	A1
A2	Nursery	P	P	P	P										P			CU	P	P			P	P		P	A2
A3	Intensive Agriculture	CU																								P	A3
A4	Forestry	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	A4
A5	Riding Academy	P	P																							P	A5
A6	Kennel	P	P																							P	A6
A7	Agricultural Retail	P	P		P										P			P	P	P		P	P	P	P	P	A7
A8	Accessory Farm Dwelling	P	P		P									P				P	P				P	P	P	P	A8
A9	Farm Support Facility	P	P																							P	A9
A10	Accessory Farm Business	CU	CU																								A10
B1	Detached Dwelling	P	P		P	P	P	P	P	P	P	P	P	P	P	P		P	P	P				P			B1
B2	Townhouse & Twin			P					P						P												B2
B3	Apartment, Duplex,Multifamily			P							P				P												B3
B4	Mobile Home Park. Foundation/Piers			P/SE											P	P/SE											B4
B5	Large Lot Single Family Dwelling	P	P		P																						B5
B6	Life Care/ Full Care Facility	P		P											P												B6
B7	Rooming or Boarding House																		P								B7
B8	Patio-Zero Lot Line Dwelling																										B8
B9	Accessory Home Occupations																										B9
	Class 1-Home Office	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P			P		P	P	P	
	Class 2-Traditional Home Business	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P			P		P	P	P	
	Class 3-Family Daycare	P	P	P	P	P	P	P	P	P	P	P	P	P	P			P	P					P	P	P	
	Class 4-Accessory Office														CU			CU	CU			CU		CU			
	Class 5-Lawn Care Service	P	P																								
B10	Residential Accessory Building/Structure/Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P		P		P	P	P	B10
B11	Garage or Yard Sales	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P			P		P	P	P	B11
B12	Residential Conversion													P				P	P								B12
B13	Preservation Development w/ Family Detached Dwellings	P	P		P																						B13
B14	Living Community	P	P		P																						B14
C1	Place of Worship	P	P	P	CU									P			P	P	P			P					C1
C2	School	P	P	P										P	P		P		P								C2
C3	Commercial or Trade School																		P			P					C3
C4	Library or Museum													P			P		P			P		P			C4
C5	Municipal Recreational Facility	P	P	P	P									P	P		P	P	P						P	P	C5
C6	Private Recreational Facility	P																				P			P	P	C6
C7	Golf Course	P	P																								C7
C8	Private Club																		P			P			P	P	C8
C9	Community Center																P		P			P		P	P	P	C9
C10	Day Care Center		P		P									P								P		P	P	P	C10
C11	Hospital																								P		C11

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SE - PERMITTED AS SPECIAL EXCEPTION
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USES BY DISTRICT

USE	DISTRICT	AG1	AG2	PBR	R1	R2	R3	R4	R5	R6	R7	R8	R9	VR1	VR3	MPH	I	VC1	VC2	VC3	NVO	PC1	PC2	LC	PI	PI-2	USE
C12	Nursing Home or Personal Care Facility																		P								C12
C13	Cemetary	P																									C13
C14	Municipal Building	P	P	P											P		P	P	P							P	C14
D1	Medical Office			P															P			P		P	P	P	D1
D2	VeterinaryOffice	P	P																P						P	P	D2
D3	Office			P														P	P			P		P	P	P	D3
D4	Office Park																					P			P	P	D4
D5	Village Office			CU											P						P						D5
D6	Outpatient Surgical Facility																									P	D6
E1	Retail Stores																		P			P		P			E1
E2	Adult Commercial																					P					E2
E3	Village Oriented Shop																	P	P								E3
E4	RESERVED																										E4
E5	Service Business																		P			P		P			E5
E6	Financial Establishment																		P			P		P			E6
E7	Funeral Home																		P					P			E7
E8	Eating Place																		P			P		P			E8
E9	Accessory Drive Thru Facility																					CU					E9
E10	Tavern																		CU			P					E10
E11	Convenience Store																					P					E11
E12	Repair Shop																		P			P			P	P	E12
E13	Theater																					P					E13
E14	Indoor Atheletic Club																					P			P	P	E14
E15	Amusement Parks and Arcade																					P					E15
E16	RESERVED																										E16
E17	RESERVED																										E17
E18	Cottage Development or Private Camp	P																									E18
E19	RESERVED																										E19
E20	RESERVED																										E20
E21	RESERVED																										E21
E22	Bed and Breakfast	P	P															P	P					P			E22
E23	Motor Vehicle Gasoline Station																					CU					E23
E24	Motor Vehicle Sales																					P					E24
E25	Motor Vehicle Service Center/Repair Shop																					P					E25
E26	Car Wash																					P					E26
E27	Farm Equipment Sales and Repairs	P	P																			P					E27
E28	Specialty Cultural Shopping Center																		CU			CU	CU				E28
E29	Shopping Center																					P					E29
E30	RESERVED																										E30
E31	Accessory Dwelling in Combination																	P	P			P		P	P		E31
E-32	Fireworks Sales																								CU		E-32
E-33	Limited Personal Service																					P					E-33

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USES BY DISTRICT

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F1	Utilities	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	CU	P	CU	CU	CU	CU	CU	F1
F2	Emergency Services	P	P	P	CU									CU	P		P	CU	CU			P	P	P	P	P	F2
F3	Public Transportation Passenger Terminal																		P			P			P	P	F3
F4	Public Airport or Heliport																								P		F4
G1	Manufacturing			P																					P	P	G1
G2	Research			P																					P	P	G2
G3	Warehousing and Distribution																								P	P	G3
G4	RESERVED																										G4
G5	Contracting																								P	P	G5
G6	Truck Terminal																										G6
G7	Crafts																		P			P		P	P	P	G7
G8	Planing Mill and Lumber Yard																								P	P	G8
G9	RESERVED																										G9
G10	RESERVED																										G10
G11	Fuel Storage and Distrubution																								P	P	G11
G12	Junkyare or Auto Salvage Yard																								P	P	G12
G13	Extractive Operation																								P	P	G13
G14	Industrial Park																								P	P	G14
G15	Solid Waste Facility																								P	P	G15
H1	Nonresidential Acccessory Building	P	P	P										P	P		P	P	P	P		P	P	P	P	P	H1
H2	Outside Storage or Display																								P		H2
H3	Temporary Structure or Use	P	P	P	P	P	P	P	P	P	P	P	P	P	P		P	P	P	P		P	P	P	P	P	H3
H4	RESERVED																										H4
H5	Wind Energy Conversion System (WECS)	CU	CU																						CU	CU	H5
H6	Air Landing Strip	CU																							P		H6
H7	Helistop																								P		H7
H8	Telecommunications Facility																					CU			CU	CU	H8
H9	Microwave/Satellite Dish Antenna >2ft																							CU		P	H9
H10	Vending Machines																					P	P	P			H10
H11	Personal Wireless Facilities	CU			CU									CU		CU	CU			CU	CU	CU	CU	CU	CU	CU	H11

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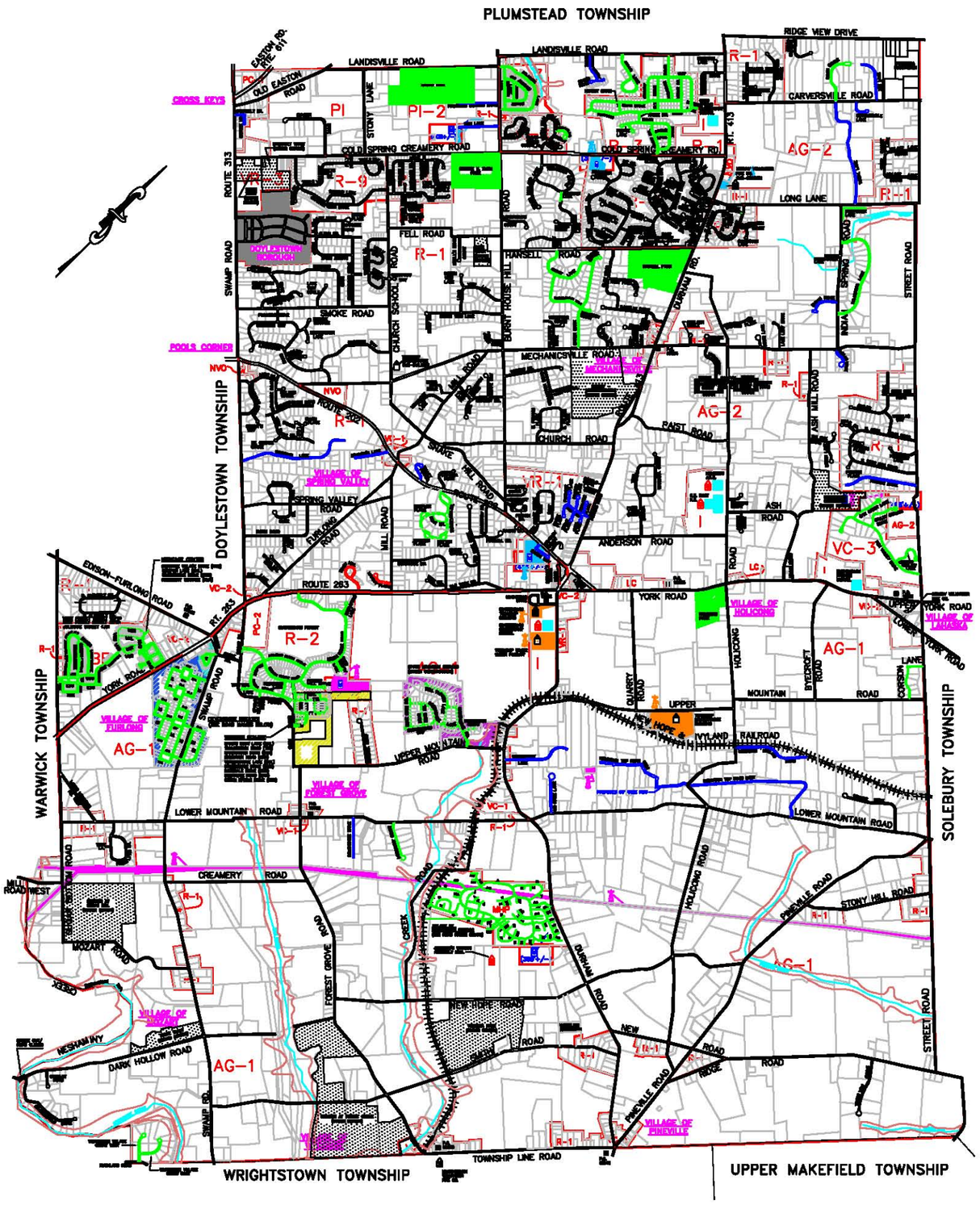
BUCKINGHAM TOWNSHIP ZONING MAP

(ENACTED OCTOBER 25, 2006)



LEGEND:

- ROADS UNDER CONSTRUCTION
- DEVELOPMENT ROADS IN PLANNING
- PRIVATE ROADS
- TOWNSHIP BUILDING
- POST OFFICE
- FIRE HOUSE
- TOWNSHIP PARK
- EMERGENCY OPERATIONS EVACUATION CENTERS
- EXISTING WATER TOWER
- COMMNICATIONS OVERLAY DISTRICT (LEVEL 1)
- COMMNICATIONS OVERLAY DISTRICT (LEVEL 2)
- COMMNICATIONS OVERLAY DISTRICT (LEVEL 3)
- DEVONSHIRE OVERLAY DISTRICT NO.1
- DEVONSHIRE OVERLAY DISTRICT NO.2
- WINDSOR SQUARE OVERLAY DISTRICT
- UPPER MOUNTAIN ESTATES OVERLAY DISTRICT

ZONING DISTRICTS:

AG-1	AGRICULTURAL DISTRICT
AG-2	AGRICULTURAL DISTRICT
PBR	PLANNED BUSINESS & RESIDENTIAL DISTRICT
R-1	RESIDENTIAL DISTRICT
R-2	RESIDENTIAL DISTRICT
R-3	RESIDENTIAL DISTRICT
R-4	RESIDENTIAL DISTRICT
R-5	RESIDENTIAL DISTRICT
R-6	RESIDENTIAL DISTRICT
R-7	RESIDENTIAL DISTRICT
R-8	RESIDENTIAL DISTRICT
R-9	RESIDENTIAL DISTRICT
VR-1	VILLAGE RESIDENTIAL DISTRICT
VR-3	VILLAGE RESIDENTIAL DISTRICT
VC-1	VILLAGE CENTER DISTRICT
VC-2	VILLAGE CENTER DISTRICT
VC-3	VILLAGE CENTER DISTRICT
MHP	MOBILE HOME PARK DISTRICT
I	INSTITUTION DISTRICT
NVO	NEIGHBORHOOD VILLAGE OFFICE DISTRICT
PC-1	PLANNED COMMERCIAL DISTRICT
PC-2	PLANNED COMMERCIAL DISTRICT
PI	PLANNED INDUSTRIAL DISTRICT
PI-2	PLANNED INDUSTRIAL DISTRICT
LC	LIMITED COMMERCIAL DISTRICT

4000 0 4000 8000

Scale 1" = 4000'

KNIGHT ENGINEERING, INC.

4998 MECHANICSVILLE ROAD, P.O. BOX 247
MECHANICSVILLE, PENNSYLVANIA 18934
(215) 794-5958

JULY 2006

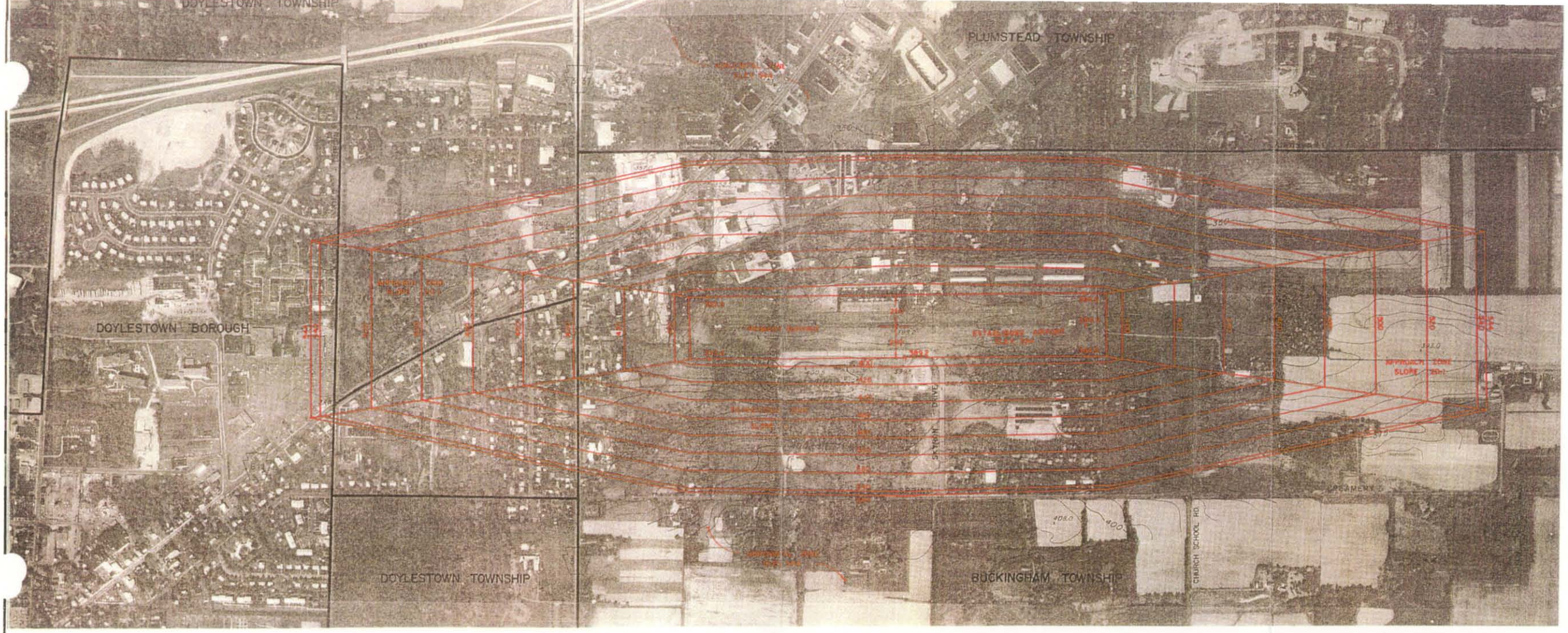
FLOOD PLAIN

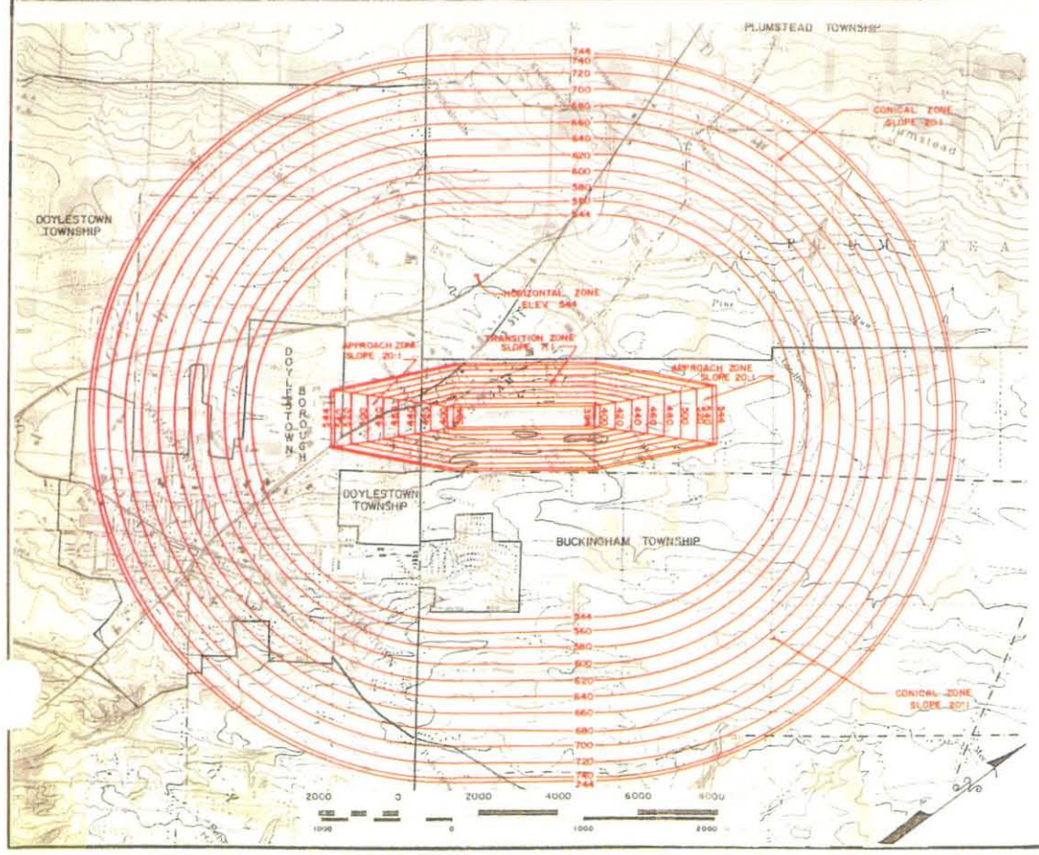
- Floodway [1.]
- Flood Fringe [1.]
- Approximate 100 Year Flood Plain [1.]
- Flood Plain Soils [2.]

SOURCE:
1.HUD Flood Insurance Program
2.Soil Survey for Philadelphia and Bucks Counties

0 2000 4000 8000 12000 feet

BUCKINGHAM TOWNSHIP
Bucks County , Pennsylvania





DATE OF PHOTOGRAPHY APRIL 26, 1985 CONTOUR INTERVAL 5 FT.

400 0 400 800 1200 1600 FEET

200 0 200 400 METERS

LEGEND

x 389.2	SPOT ELEVATIONS
400	GROUND ELEVATION CONTOURS (BASED ON USGS DATUM)
500	ELEVATION CONTOURS DEFINED BY FEDERAL AVIATION REGULATIONS FOR A "UTILITY RUNWAY NON-PRECISION INSTRUMENT APPROACH ZONE"
394.0	= ESTABLISHED AIRPORT ELEVATION

MAP 'C'

AIRPORT ZONING MAP

FOR

DOYLESTOWN AIRPORT

BUCKINGHAM TOWNSHIP, BUCKS COUNTY, PA.

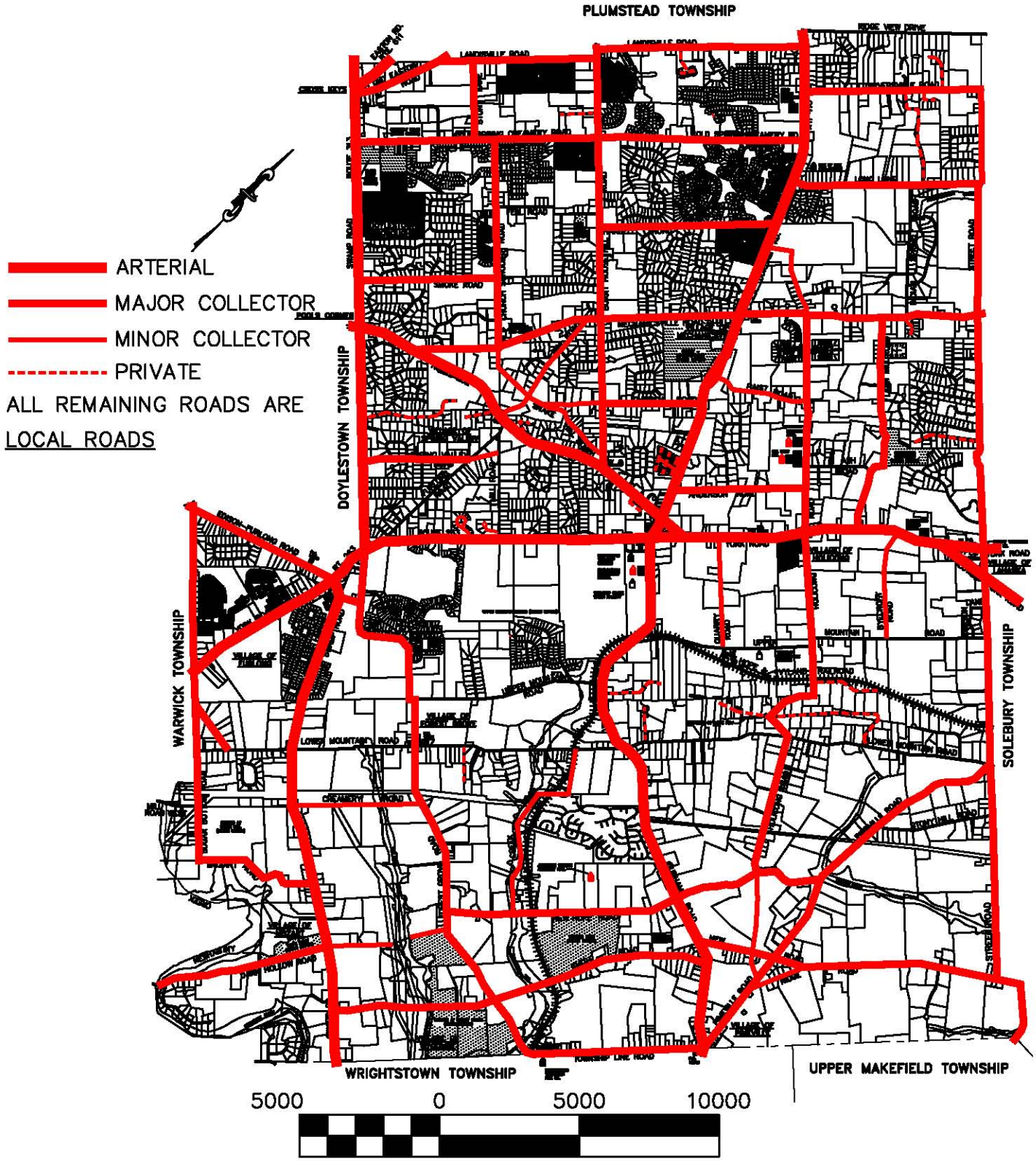
AUGUST, 1984

PREPARED BY

C K S Engineers, Inc.
88 South Main Street, Doylestown, PA 18901
(215) 340-0600

HIGHWAY CLASSIFICATION MAP

BUCKINGHAM TOWNSHIP
BUCKS COUNTY, PENNSYLVANIA



SCALE 1" = 5000'

JULY 24, 1996