

TOWNSHIP OF HILLTOWN
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 2010 - /

AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN AMENDING PROVISIONS
OF THE CODE OF ORDINANCES, CHAPTER 160, SECTION 160-23.A,
AGRICULTURAL AND HORTICULTURAL USES

The Hilltown Township Board of Supervisors, upon review by the Bucks County Planning Commission and the Hilltown Township Planning Commission, hereby enacts and ordains the following Ordinance amending the Hilltown Township Code of Ordinances, Chapter 160, Section 160-23.A, Agricultural and Horticultural Uses:

Article I – **Section 160-11. Definitions** is hereby amended to include the following definition:

Roadside Stand. A Roadside Stand is a building or structure for the display and sale of agricultural products. A Roadside Stand shall not contain a basement or cellar; and shall not be provided with either water or sanitary sewer service.

Article II - **Section 160-23.A, Agricultural and Horticultural Uses**, paragraph A(2) Nursery is revised to read as follows:

Nursery uses shall be the growing of plants, shrubs, or trees, either from seed or from immature plants that are raised to marketable size.

Article III – **Section 160-23.A(2), Nursery**, is hereby amended to add the following provisions:

- (a) Nursery products grown upon the property may be sold at a Roadside Stand located upon the property.
 - i. A Roadside Stand shall sell only products grown on the property upon which the Roadside Stand is located.
 - ii. A Roadside Stand shall not exceed a maximum size of two hundred and fifty (250) square feet; and shall also provide, to the satisfaction of the Township Zoning Officer, a safe means of ingress and egress from a public street as well as sufficient off-street parking to accommodate customers.
- (b) The sale of nursery products not grown on site, or nursery products sold from a stand or structure greater than two hundred and fifty (250) square feet shall not be permitted as a part of an A2 Nursery Use. They shall be considered an E1 Retail Store Use and shall be subject to the requirements and standards of that use.
- (c) A lot area of not less than three (3) acres shall be required.

- d) Maximum impervious surface ratio: 15%.
- (e) All structures and buildings shall meet the yard and setback requirements for all other uses for the district in which the nursery is located.
- (f) All applicants are required to submit a water impact study performed by a hydrologist or professional engineer if any new well is required and/or proposed as a part of an A2 Nursery use. The study shall include a discussion of existing water availability and potential water usage, and shall be submitted with the zoning application.
 - i. The water impact study shall be performed in accordance with the requirements of Section 140-22 of the Hilltown Township Subdivision & Land Development Ordinance.
 - ii. The applicant seeking approval of a permit for a new well to serve an A2 Nursery use shall be responsible for any adverse effect caused by the applicant's well(s) to any residential domestic water supply well existing prior to the issuance of a well drilling permit.
 - iii. Any permitted new wells shall contain a meter to monitor the ongoing record of water usage. Any increase in usage beyond the baseline level proposed and submitted as a part of the application permit for that well shall require review by the Zoning Officer.

Article IV -- Section 160-22 Table of Use Regulations, Use A2 is revised as follows:

Township of Hilltown
Table of Use Regulations
 N=Not Permitted; Y=Permitted By-Right;
 CU=Conditional Use; SE=Special Exception

Use	RR	CR-1	CR-2	VC	LI	HI	PC-1	PC-2	MHP	AQRC	Q
A2 Nursery	Y	SE	SE	N	SE	SE	SE	SE	N	N	SE

ENACTED AND ORDAINED as an Ordinance of the Township of Hilltown this
22nd day of February, 2010.

HILLTOWN TOWNSHIP
 BOARD OF SUPERVISORS

[Handwritten signatures of three board members over horizontal lines]