

ORDINANCE NO. 98- 10

AN ORDINANCE OF THE TOWNSHIP OF HILLTOWN, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF HILLTOWN TOWNSHIP, AS AMENDED, (THE "ZONING ORDINANCE") BY AMENDING CERTAIN DEFINITIONAL LANGUAGE

SECTION 1. Certain definitions and language contained within the Hilltown Township Zoning Ordinance of 1995 are hereby amended to read as follows:

ARTICLE II - DEFINITIONS, amendments include the following:

1. Section 200.2.3 to read: The word "person" includes a corporation, partnership, association, receiver, legal representative, trustee, trustee in bankruptcy, labor organization, municipality, as well as an individual and any other entity recognized as a "person" at law.
2. Section 201.32 to read: **Business:** Shall include commercial, industrial, and professional activity, whether "for profit" or otherwise.
3. Section 201.54 to read: **Density, Net:** This is the maximum (remainder unchanged).
4. Section 201.77 to read: **Egress:** An exit.
5. Section 201.86 - **Farmstead** (to be deleted.)
6. Section 201.101 to read:

Frontage: That dimension of a lot abutting on a street that is between the side lot lines measured along the principal street's ultimate right-of-way line.

7. Section 201.128 to read:

Land Development: Any of the following activities:

1. The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:

- (a) 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 or occupants or tenure; or

(b) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants (delete comma) by means of, or for the purpose of (delete comma) streets, common areas, leaseholds, condominiums, building groups or other features.

2. A subdivision (delete the words "or allocation") of land (delete the words "or space,").

3. Development in accordance with Section 503(1.1) of the Pennsylvania Municipalities Planning Code, Act 247 as amended.

8. Section 201.131 to read:

Land Use: A description of how land is occupied/utilized or intended to be occupied/utilized.

9. Section 201.156 to read:

Noise Disturbance: Any sound which (a) endangers or injures the safety or health of humans or animals, or (b) annoys or disturbs a reasonable person of normal sensitivities, or (c) endangers or injures personal or real property, or (d) violates the noise standards set forth in Section 512 of this Ordinance.

10. Section 201.175 to read:

Person: Any corporation, partnership, a association, receiver, legal representative, trustee, trustee in bankruptcy, labor organization municipality, or individual, as well as any other entity recognized as a "Person" at law.

11. Section 201.189 to read:

Report: Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency, nor shall any appeal lie therefrom (delete remaining language).

12. Section 201.190 to read:

Right-of-Way: Land usually linear in configuration, set aside for use as streets, roads, pedestrian ways or other means of travel and/or for the location of (delete the word "other") public utilities.

13. Section 201.215 to read:

Steep Slopes: Areas where the average slope exceeds eight (8) percent which, because of the slope, may be subject to high rates of storm-water run-off and therefore erosion.

14. Section 201.221 to read:

Story: That part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest story having one half or more of its wall area above grade level. A half story is a story immediately under a gable, hip or gambrel roof.

15. Section 201.221 to read:

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 purposes, whether immediate or future, of lease, partition by the court for the 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 exempt.

16. Section 201.226. to read:

Use: Includes the phrases "arranged," "designed" and "intended to be used" and shall mean a specific purpose for which land, buildings or structures are designed, arranged, intended, occupied or maintained, or any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a lot, parcel or tract of land.

17. Add definition of "Zoning Hearing" to read:

Zoning Hearing: A hearing conducted before the local zoning hearing board pursuant to Article IX of the Municipalities Planning Code, Act 247, as amended, and Article IX of this Ordinance.

ARTICLE IV - USE REGULATIONS, amendments include the following:

1. Section 400 to read:

Applicability of Regulations

Except as provided by law or by 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 addition, only one (1) principal use shall be permitted on any property, parcel, lot or tract of land located in the PC-2 District.

2. Section 401.3 to read:

3. A use listed in Section 405 is permitted as a Conditional Use in any district denoted by the letters "CU" provided the Board of Supervisors, having received recommendations from the Planning Commission within sixty (60) days of receipt of the petition, grants the conditional use subject to the expressed standards set forth in Section 406 and 811, and such further conditions that the Board of Supervisors may impose to insure the protection of adjacent uses, and/or the health, safety, and general welfare of the persons therein.

3. Section 406 - Use Type Regulations:

1. **A4 Forestry**, to read, in the introductory paragraph:

Forestry includes commercial logging operations, clearing, or destruction of forested or woodland areas as defined herein, selective cutting or clearing for commercial or clearing purposes, or clearing of vegetation in reserved open space or resource protection areas. Forestry does not include authorized clearing in accordance with plans approved pursuant to this Ordinance, nor removal of sick or dead trees, nor removal of trees in non-deed restricted areas on occupied lots of one (1) acre or less. In such districts where this use is allowed as a conditional use, the use is subject to the following conditions.

2. **A5 Riding Academy**, to read, in paragraph 2:

Where adjoining existing residential uses, buffering shall be provided in accordance with the Buffer Tables of this Ordinance. Adequate provisions shall be made for the control of noise and odor and the containment of animals. consistent with the provisions of this Ordinance.

3. **A6 Kennel-Commercial**, to read, in paragraph 3:

Where adjoining existing residential uses, buffering shall be provided in accordance with the Buffer Tables of this Ordinance. Adequate provisions shall be made for the control of noise and odor and the containment of animals, consistent with the provisions of this Ordinance.

4. **B2 Mobile Home**, delete paragraph 5 as duplicative of paragraph 2.

5. **C9 Private Club**, to read, in the introductory paragraph:

Private club or lodge other than use C6 or use C8, subject to the following additional provisions:

6. **D2 Veterinary Office**, to read in paragraph 2:

Parking: Four (4) off-street parking spaces for each doctor, plus one (1) additional space for each additional employee.

7. **E10 Gasoline Service Station**, to read in paragraph 3:

No building, structure, fuel pump or fuel storage tank shall be less than one hundred (100) feet from any residential zone or residential use.

8. **E23 Public Entertainment Facility**, to read in paragraph 5:

Such facilities shall be subject to adult management, with an adult manager on premises at all times during operation.

9. **G7 Warehousing**, to read in paragraph 1:

The use of a building or buildings for the storage of goods (delete comma) and materials not produced or manufactured on site.

10. H2 Planning Mill, to read, in the heading:

Planing Mill

SECTION 2. This Ordinance shall take effect five (5) days after enactment.

SO ENACTED AND ORDAINED this 28th day of October,
1998.

HILLTOWN TOWNSHIP
BOARD OF SUPERVISORS

Mr. H. Bennett
Kenneth B. [unclear]
Charles Jones

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