

**TOWNSHIP OF NEW BRITAIN
BUCKS COUNTY, PENNSYLVANIA**

ORDINANCE NO.: 2020-_____

AN ORDINANCE OF THE TOWNSHIP OF NEW BRITAIN, BUCKS COUNTY, PENNSYLVANIA; PROVIDING FOR THE AMENDMENT OF CHAPTER 27, ZONING, OF THE NEW BRITAIN TOWNSHIP CODE BY ADOPTING NEW DEFINITIONS AND REVISING EXISTING DEFINITIONS; REVISING AGRICULTURAL USE REGULATIONS CONCERNING ANIMAL DENSITY AND RESIDENCES; REVISING REGULATIONS REGARDING B2 CLUSTER DEVELOPMENT, E4 COMMERCIAL SWIMMING POOLS, G4 WIRELESS TELECOMMUNICATION FACILITIES, H4 NONCOMMERCIAL SWIMMING POOLS, H13 HOUSEHOLD PETS, AND J16 GUEST HOUSE USES; REVISING REGULATIONS APPLICABLE TO MEDICAL, GENERAL, AND SALES OFFICES; ESTABLISHING NEW H16 SHORT TERM RENTAL AND J35 INTEGRATED PLANNED DEVELOPMENT USES; REVISING WATERSHED DISTRICT REQUIREMENTS; AMENDING PERMITTED USES IN RESIDENTIAL, C-1, C-3, AND IO DISTRICTS; REVISING REGULATIONS IN THE C-3, I, AND IO DISTRICTS; REVISING MINIMUM LOT AREA REQUIREMENTS; REWRITING PART 26 CONCERNING SIGN REGULATIONS; REVISING OPEN SPACE, BUFFER, AND PARKING STANDARDS; REVISING ATTACHMENT 2; AND CORRECTING TYPOGRAPHICAL ERRORS.

NOW THEREFORE, be it, and it is hereby ENACTED and ORDAINED by the Board of Supervisors of the Township of New Britain, Bucks County, Commonwealth of Pennsylvania, as follows:

ARTICLE I Definitions

The existing definitions of “Agricultural Soils”, “Building Coverage Ratio”, “Hydric Soils”, and “Impervious Surface Ratio” found in Section 27-201 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

AGRICULTURAL SOILS

Those soils that have been designated by the Natural Resource Conservation Service of the U.S. Department of Agriculture as Capability Class I Land, Capability Class II Land, and Capability Class III Land. These soils are best suited for producing food, feed, forage, fiber, and oilseed crops and also available for these uses based upon their soil quality, growing season, and moisture supply needed to produce high yield crops. For purposes of this chapter, the most current Official Soil Survey of Bucks County,

Pennsylvania provided by the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>), as amended, shall be utilized in determining soil classifications for either use or preservation.

BUILDING COVERAGE RATIO

This ratio is a measurement of the intensity of the use of a piece of land. It is determined by dividing the total area of building coverage on a lot or site by the ratio base site area.

HYDRIC SOILS

A soil that is saturated, flooded, or ponded long enough during the growing season to develop anaerobic conditions that favor the growth and regeneration of wetlands vegetation as listed in the most current Official Soil Survey of Bucks County, Pennsylvania provided by the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>), as amended. Wetlands vegetation are those plant species that have adapted to the saturated soils and periodic inundations occurring in wetlands

IMPERVIOUS SURFACE RATIO

The impervious surface ratio is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within a lot or site by the ratio base site area.

ARTICLE II Definitions

New definitions of “Animal Equivalent Unit”, “Nonresidential Zoning District”, and “Residential Zoning District” are hereby added alphabetically to Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

ANIMAL EQUIVALENT UNIT

An Animal Equivalent Unit (AEU) is equal to one thousand (1,000) pounds of live weight of livestock or poultry animals, regardless of the actual numbers of animals.

NONRESIDENTIAL ZONING DISTRICTS

The following are nonresidential zoning districts: C/R Conservation and Recreation District, C-1 Commercial District, C-2 Commercial District, C-3 Commercial District, OP Office Park District, IN Institutional District, I Industrial District, IO Industrial/Office District.

RESIDENTIAL ZONING DISTRICTS

The following are residential zoning districts: WS Watershed District, SR-1 Suburban Residential District, SR-2 Suburban Residential District, RR Residential District, VR Village Residential District, MHP and Mobile Home Park District.

ARTICLE III. Definitions

A new definition of “Buildable Area” is hereby added alphabetically under the existing definition of “Area” found in Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

a. BUILDABLE AREA

The area of a lot or site that is free of any development, disturbance, and/or building restrictions, including, but not limited to required setbacks or yards, buffers, open space, protected natural resources, easements, and rights-of-way. On a lot, the buildable area is synonymous with the building envelope.

ARTICLE IV Definitions

A new definition of “Site Area, Ratio Base” is hereby added alphabetically under the existing definition of “Site Area” found in Section 27-201, General Definitions, of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

c. SITE AREA, RATIO BASE

The ratio base site area is the portion of the base site area which is used to calculate the building coverage ratio and impervious surface ratio for a lot or site. The ratio base site area is the area of the lot or site remaining after subtracting the following types of lands from the base site area: within the ultimate road rights-of-way of proposed roads; within proposed utility rights-of-way or easements; proposed to be set aside, reserved, and/or restricted for stormwater management, open space, and/or recreation purposes; and/or covered by 100% protected natural resources as set forth in Article 24 of this Chapter (i.e.: Watercourses, Riparian Buffers, Floodplains, Floodplain Soils, Wetlands, and Lakes/Ponds). The ratio base site area for a single lot not undergoing or included in a subdivision or land development shall include any lands covered or proposed to be covered by a conservation easement, even if such lands are not part of the base site area for that lot.

ARTICLE V Definitions

The existing definition of “Soils on Floodplain” found in Section 27-201 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

SOILS ON FLOODPLAIN

Areas subject to periodic flooding or listed in the most current Official Soil Survey provided by the United States Department of Agriculture, Natural Resources Conservation Service, Web Soil Survey (<http://websoilsurvey.nrcs.usda.gov/>), as amended, as soils having a flood frequency other than none. Such soils shall include, but may not be limited to, the following soil types: Bowmansville-Knauers silt loam (Bo),

Buckingham silt loam (BwB), and Rowland silt loam (Ro). A landowner may submit detailed soil profiles and a report to the Township for the purpose of determining an alluvial soil classification, which the Township may or may not accept as the correct boundary of soils on a floodplain.

ARTICLE VI. **Use Regulations – General Farming**

Subsection 27-305.A.A1.b.5 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

5. Animal density shall not exceed one (1) Animal Equivalent Units per acre on an annualized basis for the first five (5) acres in a lot. For every acre over five (5) acres in a lot, the animal density shall not exceed two (2) Animal Equivalent Units per acre on an annualized basis. Farmland in the Township owned or rented on an annual basis by the property owner, but not physically connected to the property, may be used to meet this requirement.

ARTICLE VII. **Use Regulations – General Farming**

Subsection 27-305.A.A1.b.8 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

8. This use may include no more than one (1) single-family detached dwelling unit. This detached dwelling unit must comply with the provisions of Section 305.B1 – Single-Family Detached Dwelling and with the lot width and yard requirements of this B1 Use in the applicable Zoning District.

ARTICLE VIII. **Use Regulations – Crop Farming**

Subsection 27-305.A.A2.b of Chapter 27, Zoning, of the New Britain Township Code shall be revised to add a new subsection 3 that shall read as follows:

3. This use may include no more than one (1) single-family detached dwelling unit. This detached dwelling unit must comply with the provisions of Section 305.B1 – Single-Family Detached Dwelling and with the lot width and yard requirements of this B1 Use in the applicable Zoning District.

ARTICLE IX. **Use Regulations – Crop Farming**

Subsection 27-305.A.A4.b of Chapter 27, Zoning, of the New Britain Township Code shall be revised to add a new subsection 11 that shall read as follows:

11. Animal density shall not exceed two (2) Animal Equivalent Units per acre on an annualized basis. Farmland in the Township owned or rented on an annual basis by the property owner, but not physically connected to the property, may be used to meet this requirement.

ARTICLE X. **Use Regulations - Nursery**

Subsection 27-305.A.A6.b of Chapter 27, Zoning, of the New Britain Township Code shall be revised to add a new subsection 6 that shall read as follows:

6. This use may include no more than one (1) single-family detached dwelling unit. This detached dwelling unit must comply with the provisions of Section 305.B1 – Single-Family Detached Dwelling and with the lot width and yard requirements of this B1 Use in the applicable Zoning District.

ARTICLE XI. **Use Regulations – Commercial Kennel**

Subsection 27-305.A.A9.b.3 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

3. The total number of dogs, cats, and other domestic pets on the property shall not exceed ten (10) pets per acre, excluding pets under three (3) months old.

ARTICLE XII. **Use Regulations – Commercial Kennel**

Subsection 27-305.A.A9.b.13 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

13. The daily hours of operation for all kennels shall be limited to between 7:00 a.m. and 7:00 p.m.

ARTICLE XIII. **Use Regulations – Riding Academy/Stable**

Subsection 27-305.A.A10.b.5 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

5. Animal density shall not exceed two (2) Animal Equivalent Units per acre on an annualized basis. Farmland in the Township owned or rented on an annual basis by the property owner, but not physically connected to the property, may be used to meet this requirement

ARTICLE XIV. Use Regulations – Riding Academy/Stable

Subsection 27-305.A.A10.b of Chapter 27, Zoning, of the New Britain Township Code shall be revised to add a new subsection 8 that shall read as follows:

8. This use may include no more than one (1) single-family detached dwelling unit. This detached dwelling unit must comply with the provisions of Section 305.B1 – Single-Family Detached Dwelling and with the lot width and yard requirements of this B1 Use in the applicable Zoning District.

ARTICLE XV. Use Regulations – Cluster Subdivision

Subsection 27-305.B.B2 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

B2. Cluster Subdivision.

- a. Definition. Detached single-family dwelling units on individual lots with private yards on all sides of the house and where the lots are clustered to preserve common open space.
- b. Regulations.
 1. Permitted Uses in a Cluster Subdivision:
 - (a) Single-family detached dwelling and permitted accessory uses.
 2. Maximum gross density of dwelling units in a Cluster Subdivision shall not exceed the number of dwelling units allowed under Use B1 for the same site in the applicable zoning district.
 3. Open Space. Each site must provide enough open space to meet the minimum open space ratio for the applicable zoning district. The required open space shall meet the requirements for open space set forth in this chapter. Each site must also observe the natural resource protection standards for the site. In the event that the natural resource protection standards require a greater area of open space than the applicable minimum open space ratio, this greater area requirement shall be met.

Open space areas shall include all required buffer yards and natural resource protection areas. An existing farmhouse and existing accessory farm buildings shall be permitted in an open space area that is at least five (5) acres in size and shall count towards the density of the site.

4. Buffer Yards.

(a) There shall be a minimum buffer yard of at least fifty (50) feet separating the lots within a cluster subdivision from adjacent residential properties and existing public rights-of-way. The buffer yard shall be landscaped in accordance with the provisions of this chapter. The buffer yard shall not be included as part of the required minimum lot area or minimum yard setbacks of any lot containing or proposed to contain a residence.

1) At the discretion of the Board of Supervisors, the fifty foot buffer requirement may be waived or reduced when the adjacent property contains an existing buffer yard of at least fifty (50) feet in depth.

2) At the discretion of the Board of Supervisors, the fifty foot buffer requirement may be waived or reduced for the purpose of creating large parcels of open space.

3) When a buffer is waived or reduced by the Board of Supervisors in accordance with this subsection, the minimum setback for the site and the minimum rear yard setback for lots created along the perimeter of the site shall be seventy-five (75) feet for principal buildings and fifty (50) feet for accessory buildings or structures.

(b) There shall be a minimum buffer yard of at least fifty (50) feet to separate the residential lots from any areas proposed for agricultural use or active recreational use. Each such buffer area shall be landscaped in accordance with the provisions of this chapter. The buffer yard shall not be included as part of the required minimum lot area or minimum yard setbacks of any lot containing or proposed to contain a residence.

5. Water and Sanitary Sewer Facilities.

a. A cluster subdivision shall be permitted only on land served by a public sanitary sewer system or a non-public community sanitary sewer system and a public water system or a non-public community water system with water available for firefighting purposes either through hydrants or surface storage.

- b. If the water supply is drawn from the site, a water study shall be prepared by the developer showing that the onsite water supply is adequate for the needs of the proposed subdivision. In addition, the developer shall enter into a well guarantee agreement with the Township and shall provide the appropriate funds (based upon the size of the proposed subdivision) to be escrowed with the Township to protect surrounding individual wells that may be adversely affected by the withdrawal of ground water from the site and address any problems created by this withdrawal of ground water.
- 6. Traffic Impact Study. The impact of the proposed cluster subdivision on the Township's circulation system shall be analyzed and a written Traffic Impact Study shall be prepared in accordance with the provisions of this chapter and submitted as part of the application.
- 7. Open Space Covenants. Open space areas shall be offered for dedication to the Township at the time of final approval of any cluster subdivision. The Township may accept or reject, at its sole discretion, dedication of any or all open space. If the dedication of open space is not accepted by the Township, an alternative form ownership must be proposed in accordance with the requirements of this chapter and approved by the Township.

ARTICLE XVI. Use Regulations – Commercial Swimming Pool

Subsection 27-305.E.E4 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

- E4. Commercial Swimming Pool.
 - a. Definition. Any man-made structure or area including water with a depth greater than six (6) inches that is used or intended primarily to be used for swimming, including, but not limited to, in-ground swimming pools, above-ground swimming pools, wading pools, spas, hot tubs; and their appurtenant equipment and facilities, including, but not limited to, pumps, filters, and decks; and where such structures/areas are not limited to use by members of one (1) household and their guests. This Use includes, but is not limited to, a swim club or a pool open to the general public, a specific community, or tenants of an apartment building.
 - b. Regulations.

1. All pools shall be entirely enclosed by a well-maintained fence, at least seven (7) feet high, and with self-latching gates. The fence and gates shall be adequately designed, installed, and maintained to keep out children and shall conform with the Township Building Code.
2. All pools shall meet the applicable state and federal public bathing requirements.
3. All swimming pools and their appurtenant equipment and facilities shall fully comply with the Township Building Code.
4. Swimming pools and their appurtenant equipment and facilities shall not be located within any of the required minimum yards.
5. The pool may be lighted by underwater or exterior lights, or both, provided all exterior lights are fully shielded and are located so that the light is neither directed nor reflected upon adjacent properties in such a manner as to be a nuisance or an annoyance to neighboring properties.
6. There shall be no cross-connection with a public sewerage system.
7. The permanent inlet shall be above the overflow level of the pool.
8. Prior to permit approval, it shall be demonstrated that the drainage of a pool is adequate and will not interfere with the water supply system, existing sewage facilities, public streets, or neighboring properties.
9. Self-contained, above-ground hot tubs may be located no closer than ten (10) feet to a principal building upon the property.

ARTICLE XVII. **Wireless Telecommunications Facility**

Subsection 4. of §27-305.G.G4.b of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

4. Address new wireless technologies, including but not limited to, small wireless facilities, distributed antenna systems, data collection units, cable wi-fi, and other wireless telecommunications facilities;

ARTICLE XVIII. **Wireless Telecommunications Facility**

Subsection c. of §27-305.G.G4 of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended by adding the following definitions at the appropriate alphabetic location and by then renumbering all of the existing definitions listed under this subsection. The new definitions shall read as follows:

1. *Accessory Equipment* – Any equipment serving or being used in conjunction with a Wireless Communications Facility or Wireless Support Structure, including but is not limited to, utility or transmission equipment; power supplies; generators; batteries; cables; equipment buildings, cabinets, and storage sheds; and shelters.
5. *Decorative Pole* – A Township-owned pole that is specially designed and placed for aesthetic purpose and on which no appurtenances or attachments, other than a Small Wireless Facility, lighting, or municipal attachments have been placed or are permitted to be placed.
13. *Prior Approved Design* – A design for a Small Wireless Facility that has been reviewed and deemed to be in accordance with the requirements of this Use G4 and approved for construction by the Township.
14. *Small Wireless Facility (SWF)* – A specific type of Tower or Non-Tower WTF that meets all of the following requirements:
 - (a) The Facility is: mounted on a structure fifty (50) feet or lower in height (including the height of the proposed Antennas); mounted on a structure no more than ten percent (10%) taller than other adjacent structures; or mounted so that it does not extend the existing structure on which it is located to a height of more than fifty (50) feet or by more than ten percent (10%), whichever is greater.
 - (b) Each Antenna associated with the deployment of the Facility, excluding associated equipment, is no more than three (3) cubic feet in volume;
 - (c) All wireless equipment, other than the Antennae, associated with the Facility, including the wireless equipment associated with the Antennae and any pre-existing associated equipment on the structure, is no more than twenty-eight (28) cubic feet in volume.
 - (d) The Facility does not require antenna structure registration under FCC rules, in particular, 47 CFR Part 17;
 - (e) The Facility does not result in human exposure to radio frequency radiation in excess of the applicable safety standards specified by the FCC, in particular 47 CFR 1.1307(b).

ARTICLE XIX. Wireless Telecommunications Facility

The opening paragraph of Subsection f. of §27-305.G.G4 of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- f. Specific Requirements – Tower-Based WTFs Inside of ROW. The following regulations shall apply to all Wireless Telecommunications Facilities located within the right-of-way of any public street and all such WTFs shall comply with these requirements:

ARTICLE XX. Wireless Telecommunications Facility

Subsection 3.(d) of §27-305.G.G4.f of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- (d) Any underground vaults related to a Tower WTF located within the Right-of-Way shall be reviewed and approved by the Township.

ARTICLE XXI. Wireless Telecommunications Facility

Subsection 4. of §27-305.G.G4.f of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- 4. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of a Tower WTF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WTF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:

ARTICLE XXII. Wireless Telecommunications Facility

The opening paragraph of Subsection h. of §27-305.G.G4 of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- h. Specific Requirements – Non-Tower Facilities Outside of ROW. All Non-Tower Wireless Telecommunications Facilities, except for those located in the public rights-of-way, shall be subject to the following regulations:

ARTICLE XXIII. Wireless Telecommunications Facility

The opening paragraph of Subsection i. of §27-305.G.G4 of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- i. Specific Requirements – Non-Tower Facilities in ROW. All Non-Tower Wireless Telecommunications Facilities located in the public rights-of-way shall be subject to the following regulations:

ARTICLE XXIV. Wireless Telecommunications Facility

Subsection 5.(d) of §27-305.G.G4.i of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- (d) Any underground vaults related to a Non-Tower WTF located within the Right-of-Way shall be reviewed and approved by the Township.

ARTICLE XXV. Wireless Telecommunications Facility

Subsection 6. of §27-305.G.G4.i of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- 6. Relocation or Removal of Facilities. Within sixty (60) days following written notice from the Township, or such longer period as the Township determines is reasonably necessary or such shorter period in the case of an Emergency, an owner of a Non-Tower WTF in the ROW shall, at its own expense, temporarily or permanently remove, relocate, change, or alter the position of any WTF when the Township, consistent with its police powers and applicable Public Utility Commission regulations, shall have determined that such removal, relocation, change, or alteration is reasonably necessary under the following circumstances:

ARTICLE XXVI. Wireless Telecommunications Facility

A new subsection “m” shall be added to Section 27-305.G.G4 of Chapter 27 of the New Britain Township Code of Ordinances which shall read as follows:

- m. Specific standards for Small Wireless Facilities. All Small Wireless Facilities shall be subject to the following regulations in addition to the requirements applicable to the type of WTF the SWF is proposed to be (Tower, Non-Tower, etc.) as set forth in this Section:
1. All SWFs shall be installed and maintained in a workmanlike manner in compliance with the Pennsylvania Uniform Construction Code, National Electric Safety Code, and the National Electrical Code, as applicable.
 2. All SWFs shall comply with the Americans with Disabilities Act and all applicable requirements relating to streets and sidewalks as established by the Township Code.
 3. All SWFs shall be designed and constructed in an effort to minimize aesthetic impact to the extent technically feasible.
 4. Antenna Standards.
 - (a) All pole-top Antennas shall be flush-mounted as closely to the top of the utility pole as technically feasible.
 - (b) All Antennas shall be of a design, style, and color that reasonably matches the utility pole upon which they are attached.
 - (c) Any necessary pole-top extension shall be of the minimum height necessary to achieve separation from the existing pole attachments.
 - (d) Any Antenna mounted on a lateral standoff bracket shall protrude no more than necessary to meet clearances.
 - (e) If mounted on an existing structure, no Antenna shall impair the function of said structure.
 - (f) Antenna placement shall not impair light, air, or views from adjacent windows.
 5. Accessory Equipment Standards.
 - (a) Accessory Equipment shall not exceed twenty-eight (28) cubic feet in volume. Stealth Technology shall not be included in the Accessory Equipment volume calculation.
 - (b) Accessory Equipment shall be mounted flush to the side of a utility pole, or as near flush to the side of a utility pole as technically feasible.

- (c) Accessory Equipment shall be mounted so as to provide a minimum of eight (8) feet vertical clearance from ground level.
- (d) Accessory Equipment shall be of a design, style, and color that reasonably matches the utility pole upon which they are attached.
- (e) All Accessory Equipment shall be contained within a single equipment shroud or cabinet.
- (f) Accessory Equipment placement shall not impair light, air, or views from adjacent windows.
- (g) No Accessory Equipment shall feature any lighting, including flashing indicator lights, unless required by state or federal law.

6. Wiring Standards.

- (a) Exposed wiring is prohibited. Transmission, fiber, power cables and any other wiring shall be contained within any utility pole for which such concealment is technically feasible. If wiring cannot be contained within the utility pole, all wiring shall be contained within conduit or U-guard that is flush-mounted to the utility pole.
- (b) All wiring shall be installed without excessive slack or extra cable storage on the utility pole. Loops of extra wiring shall not be attached to any utility pole.
- (c) Any conduit or U-guard shall be of a color that reasonably matches the utility pole to which the SWF is attached.

7. Replacement Poles. When a utility pole or light pole is proposed to be replaced in conjunction with the installation of a SWF, the following must be complied with:

- (a) The maximum height of any proposed replacement pole shall be the greater of the following:
 - (1) Ten percent (10%) higher than the tallest existing pole in the same Right-of-Way within a two hundred fifty (250) foot radius of the proposed SWF; or
 - (2) Fifty (50) feet above ground level (calculated as the average ground level of an area twenty (20) feet in radius around the pole) where the replacement pole is to be installed,

- (b) Any replacement pole shall be of comparable materials and design to the existing utility pole.
 - (c) Any replacement pole shall be placed within five (5) feet of the existing utility pole being replaced.
 - (d) Any replacement pole shall be designed to accommodate all uses that existed on the existing utility pole prior to replacement. As part of an application for a SWF, the applicant shall provide documentation from a structural engineer licensed in the Commonwealth of Pennsylvania confirming that the replacement pole, SWF, and prior existing uses shall be structurally sound.
 - (e) Any replacement pole shall not deviate from the predominant pattern of existing adjacent structures.
8. New Poles. When a new utility pole or light pole is proposed to be installed in conjunction with the installation of a SWF, the following must be complied with:
- (a) The maximum height of any proposed new pole shall be the greater of the following:
 - (1) Ten percent (10%) higher than the tallest existing pole in the same Right-of-Way within a two hundred fifty (250) foot radius of the proposed SWF; or
 - (2) Fifty (50) feet above ground level (calculated as the average ground level of an area twenty (20) feet in radius around the pole) where the new pole is to be installed,
 - (b) Any new pole shall not deviate from the predominant pattern of existing adjacent structures and shall be of comparable materials and design to the existing poles within a two hundred fifty (250) foot radius of the new pole.
 - (c) To the extent technically feasible, no new pole shall be installed:
 - (1) Directly in front of any commercial or residential building or between the front of any commercial or residential building and any street;
 - (2) Within ten (10) feet of the edge of any driveway;
 - (3) In a Right-of-Way directly opposite any driveway; or

(4) In violation of the design standards contained herein.

9. Decorative Poles.

- (a) Decorative Poles shall be required:
 - (1) To replace any existing Decorative Pole; or
 - (2) In any zoning district where all utilities are required to be placed underground.
- (b) For any replacement Decorative Pole, the new Decorative Pole shall match the existing Decorative Pole in shape, design, color, and material.
- (c) All replacement Decorative Poles shall comply with the requirements of this Section.

10. Timing of Approval.

- (a) Incomplete Application. Within ten (10) calendar days of receiving an incomplete original or revised application for a SWF, the Township shall notify the applicant in writing of this fact and state what information is required to complete such application. If an applicant for a SWF submits an incomplete original application, the deadlines for approval listed below shall restart upon the filing of the revised application, so long as the Township has notified the applicant in writing within ten (10) days of submission that the original application is incomplete. When a revised application has been found to be incomplete, the deadlines for approval are tolled until the missing information is submitted, so long as the Township has notified the applicant in writing within ten (10) days of submission of the revised application that the additional information provided is insufficient.
- (b) Any application to add a SWF to an existing structure shall be fully acted upon by the Township within sixty (60) days of the receipt of a fully completed application for such a SWF. The Township shall advise the applicant in writing of its decision on the application.
- (c) Any application for a SWF that requires a new support structure, such as a new pole, shall be fully acted upon by the Township within ninety (90) days of the receipt of a fully completed application for such a SWF. The Township shall advise the applicant in writing of its decision on the application.

11. Fees.

- (a) Permit Fees. The Township may assess appropriate and reasonable permit fees directly related to the Township's actual costs in reviewing and processing the application for approval of a SWF, as well as inspection, monitoring, and other related costs.
- (b) Compensation for ROW Use. In addition to the above-described permit fees, every SWF in the ROW is subject to the Township's right to fix annually a fair and reasonable compensation to be paid for use and occupancy of the ROW. Such compensation for ROW use shall be directly related to the Township's actual ROW management costs including, but not limited to, the costs of the administration and performance of all reviewing, inspecting, permitting, supervising, and other ROW management activities by the Township. The owner of each SWF shall pay an annual fee to the Township to compensate the Township for its costs incurred in connection with the activities described above.
- (c) The fees for SWFs shall be determined by the Township and authorized by resolution of Township Board from time to time and shall be based on the Township's actual costs for processing applications and managing the rights-of-way concerning SWFs.

ARTICLE XXVII. Use Regulations – Noncommercial Swimming Pool

Subsection 27-305.H.H4.b.2 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

- 2. A swimming pool shall not be located between the principal structure on the lot and a right-of-way line. Swimming pools and their appurtenant equipment and facilities, including, but not limited to pumps, filters, and decks, shall not be located within the required minimum side or rear yard or 15 feet from the side or rear property line, whichever is lesser.

ARTICLE XXVIII. Use Regulations – Household Pets

Section 27-305.H.H13 of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

H13. Household Pets.

- a. Definition. The keeping of a limited number of domesticated animals, commonly kept inside a residence, as household pets, at home without commercial intent.

b. Regulations.

1. No use shall involve the keeping of household pets in such a manner that it creates a nuisance (including noise or smell), a health hazard, and/or a safety hazard. All pets shall be contained, corralled, fenced, or otherwise physically kept upon their owner's property. Pets shall not roam off of their home property unattended and/or not on a leash or lead.
2. No more than six (6), in total, dogs, cats, pot-bellied pigs, weasels, rodents, reptiles, and/or other pets (not including, pigeons, fowl, or fish) may be kept for private purposes. No numerical restriction shall apply to pets of less than three (3) months of age.
3. Any outside area in which pets are kept shall be suitably enclosed if the pets are not tethered or otherwise physically restrained. This area shall not be within the front yard and shall be located at least twenty (20) feet from any dwelling on a neighboring property.
4. Up to a total of twelve (12) pigeons or other fowl may be maintained in a rear yard provided it is on a noncommercial basis and is strictly an incidental use. The area in which the fowl or pigeons are kept shall be enclosed by a fence that will contain them, all parts of which are at least fifty (50) feet from any lot line and are not closer than one hundred (100) feet to the nearest dwelling other than that of the owner. The keeping of roosters shall be prohibited on lots less than three (3) acres in size. The keeping of more than twelve (12) pigeon or fowl shall be considered to be General Farming (Use A1) or Intensive Agriculture (Use A4), whichever is most applicable.
5. The keeping of more than six (6), in total, dogs, cats, pot-bellied pigs, weasels, rodents, reptiles, and/or other pets (not including, pigeons, fowl, or fish) shall be considered to be a Commercial Kennel (Use A9).

ARTICLE XXIX. **Short Term Rental**

Section 27-305.H of Chapter 27, Zoning, of the New Britain Township Code shall be amended to include the following new Use, H16 Short Term Rental, which shall read as follows:

H16 Short Term Rental

- a. Definition. The renting out of one or more rooms in conjunction with a single-family detached dwelling on a short-term basis, usually through websites such as Airbnb or VRBO. This Short Term Rental Use is allowed subject to the

requirements for a B1 Single-Family Detached Dwelling Use and the provisions listed below.

b. Standards

1. Accessory use. This Short Term Rental Use shall be accessory only to a B1 Single-Family Detached Dwelling Use and shall be allowed only where:
 - (a) The B1 Single-Family Detached Dwelling is the principal building on the property and used by its owner(s) as his/her/their primary residence.
 - (b) The room(s) offered for rent shall be within a principal building that meets all of the requirements of the Township's Building Code and the Pennsylvania Uniform Construction Code for residential occupancy. No rooms or areas in temporary structures shall be rented under this Use.
 - (c) The owner of the Single-Family Detached Dwelling must be present overnight on the same property as the dwelling during the course of the short term rental.
 - (d) The rental period for a specific occupant(s) shall be less than fifteen (15) consecutive nights and less than a total of fifty (50) nights a year;
 - (e) The total rental period for the property shall be no more than twenty-four (24) separate rentals a year and no more than a total of one hundred fifty (150) nights a year.
 - (f) The entire principal dwelling shall not be rented out as a short term rental.
2. The number of bedrooms that can be rented out at any one time shall be as follows:
 - (a) In the SR-1, RR, and VR Zoning Districts: 1
 - (b) In the SR-2 Zoning District: 2
 - (c) In the WS Zoning District
 - (i) On lots 1 acre and smaller: 2
 - (ii) On lots between 1 and 5 acres: 3

(iii) On lots 5 acres and greater: 4

3. Parking – One (1) off-street parking space per bedroom being rented out shall be provided on the same lot as this Use. Such spaces shall be in addition to any other parking requirements applicable to the other uses being conducted upon the lot. Each space shall be at least 9 feet by 18 feet in size; improved to a mud-free condition; and freely accessible to a public street without having to move other vehicle(s) or backing into the street.
 4. The owner shall be responsible for any zoning or other ordinance violation(s) committed by any short term tenant, in addition to the tenant's liability.
 5. Any signage and/or advertisement upon the property indicating the use of the property as a short term rental shall be prohibited.
- c. Application and Permit. The following shall be complied with concerning the application for and issuance of a zoning permit for this accessory use:
1. Contact information for the owner in case of emergencies or violations shall be provided with the application.
 2. Along with the permit application, the owner/applicant shall provide proof of the applicant's ownership of and permanent residence at the property that is the subject of the application. Acceptable proof of permanent residence includes: applicant's driver's license, voter registration, or U.S. passport showing the address of the property; or any other document(s) which the zoning officer determines provides equivalent proof of permanent residence.
 3. A zoning permit for this Use shall only last one (1) year. The owner/applicant is responsible for renewing this permit in a timely fashion.
 4. A zoning permit for this Use may be revoked by the Township for any of the reasons listed below. An owner/applicant whose Short Term Rental Zoning Permit has been revoked pursuant to this subsection shall not be eligible to receive a new zoning permit for this Use for one (1) year:
 - (a) The owner is cited for three (3) or more zoning, other Township Ordinance, and/or criminal violations by the Township, Township Police, and/or State Police within any 12 month period.
 - (b) The owner is cited by the Township for any single violation of any specific regulation of this H16 Use.

ARTICLE XXX. Use Regulations

The following new provision shall be added as Subsection b.2. to Sections 27-305.I.I1, 27-305.I.I3, and 27-305.I.I4 of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

2. A lot or structure being occupied by this Use may contain multiple separate tenants, users, offices, or businesses all operating as an I1, I3, or I4 Use and still be considered one (1) Principal Use, so long as all of the other applicable requirements of this chapter are met.

ARTICLE XXXI. Use Regulations

The existing Subsection b.11. to Section 27-305.J.J16 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

11. The Use may not be established until there is compliance with the other Township rules and regulations. In addition to original compliance, the guest house will be periodically inspected by the Fire Marshal for compliance with all Township safety standards, including, but not limited to the Township Fire Code.

ARTICLE XXXII. Planned Integrated Development

A new Use, J35 – Planned Integrated Development, shall be added to Section 27-305.J of Chapter 27, Zoning, of the New Britain Township Code and shall read as follows:

J35. Planned Integrated Development

- a. Definition. A Planned Integrated Development (“PID”) is a development specifically designed to combine commercial and office uses with B7 Apartment Building Uses. A PID shall be conceived as a complex of architecturally compatible structures with appropriate landscaping designed to create an attractive, cohesive streetscape and a fully integrated site.
- b. Use regulations.
 1. Only the following principal sub-uses may be included in a PID:
 - B7 Apartment Building Use
 - D1 Nursery School/Day-Care Center
 - I1 Medical Office

- I3 General Office
- I4 Medical and Pharmaceutical Sales Office
- J1 Retail Store
- J3 Service Business
- J4 Financial Establishment
- J6 Eating Place
- J8 Tavern
- J9 Indoor Entertainment
- J10 Theater
- J11 Indoor Athletic Club
- J12 Amusement Hall or Arcade
- J15 Hotel/Motel
- J17 Repair Shop
- J18 Laundry
- J22 Automotive Accessories
- J28 Office Supplies and Equipment Sales and Services
- J29 Package Delivery Services
- J30 Photocopying Services

2. Only the following accessory sub-uses may be included in a PID when combined with one (1) of the allowed principal sub-uses listed above:

- H1 Garage/Off-Street Parking
- H3 Fences, Walls
- H13 Household Pets
- L1 Nonresidential Accessory Building
- L2 Outside Storage or Display
- L3 Temporary Structure
- L4 Temporary Community Event
- L9 Off-Street Parking
- L10 Signs

3. Except for the area, dimensional, and density regulations which are set forth in the following subsection, any principal or accessory sub-use

established as a part of a PID shall meet all of the requirements applicable to that principal or accessory sub-use as set forth elsewhere in this chapter.

4. Drive-through services are only permitted in conjunction with the J4 Financial Establishment sub-use.
5. Multiple sub-uses may be established in a single building.
6. Any building containing a residential sub-use must contain a mix of residential and nonresidential principal sub-uses. Nonresidential sub-uses may solely occupy a building.

c. All PIDs shall comply with the following area, dimensional, and density regulations:

1. Site area and dimensional regulations.

Minimum Site Area (acres)	Minimum Site Width (feet)	Minimum Site Depth (feet)	Maximum Building Coverage Ratio (%)	Maximum Impervious Surface Ratio (%)	Minimum Yard Setbacks (feet)		
					Front	Side	Rear
5	500	200	30	60	50	30	50

2. Building dimensional regulations.

Maximum Building Height (feet)	Maximum Number of Stories	Maximum Building Length (feet)	Maximum Building Depth (feet)	Maximum Building Coverage for Single Building (square feet)	Minimum Building Spacing (feet)
45	3	350	150	35,000	30

3. Residential Requirements – B7 sub-use. These requirements are in place of the regulations set forth in Section 27-305 for the B7 Use.

- (a) Apartment Building. Three (3) or more dwelling units within a building all solely accessible from internal hallways.
- (b) Maximum Residential Density: 10 Dwelling Units per acre of base site area.
- (c) Maximum Number of Dwelling Units per Building: 75
- (d) Maximum Number of Bedrooms per Dwelling Unit: 2

- (e) Minimum Unit Size: 700 square feet of floor area.
 - (f) Community spaces. For every twenty-five (25) dwelling units, at least 1,000 square feet of space of this sub-use shall be devoted to and set up as community space to be used by the residents of this Use. Up to fifty percent (50%) of this community space may be located outside on rooftops, while the remainder must be located indoors. Any separate and independent community space or area must be a minimum of 150 square feet in floor area.
4. Nonresidential Requirements.
- (a) Minimum Commercial Density. A minimum of thirty percent (30%) of the total floor area of all the buildings upon a site of a PID shall be occupied by nonresidential sub-uses.
 - (b) Maximum Commercial Density. A maximum of sixty percent (60%) of the total floor area of all the buildings upon a site of a PID shall be occupied by nonresidential sub-uses.
 - (c) Minimum Number of Commercial Sub-Uses. A PID shall contain at least one (1) nonresidential sub-use.
- d. Parking Requirements. A PID shall provide off-street parking in compliance with the following requirements. Such off-street parking shall be provided and maintained in accordance with the provisions of Part 29 of this chapter.
- 1. Residential sub-uses: Two (2) off-street parking spaces per dwelling unit.
 - 2. Nonresidential sub-uses: One (1) off-street parking space per 175 square feet of nonresidential floor space.
 - 3. Dedicated Parking. Only up to 50% of the required parking spaces may be dedicated to a specific sub-use, dwelling unit, or person. All of the remaining parking spaces shall be freely available to any member of the public living or working at, visiting, patronizing, or using one (1) or more the sub-uses or dwelling units within a PID.
 - 4. Sufficient loading and unloading areas shall be provided for each building along the rear or side of the building in accordance with the regulations set forth in Part 29 of this chapter.
- e. Butler Avenue Overlay District. If any portion of the site of a PID is located within this Overlay District, the entire development shall fully comply with the Overlay District's requirements, except those requirements waived by the Board of Supervisors.

- f. Public water and public sewer shall be required.
- g. Open Space/Recreation Requirements. A minimum of twenty-five percent (25%) of the base site area shall be open space. The provided open space shall meet the requirements of Part 27 of this Chapter. In addition, areas designated as open space shall meet the following requirements:
 - 1. Open space may be provided in the form of parks, greens, squares, community gardens, active and passive recreation areas, and natural areas.
 - 2. All open space areas shall be open and accessible to all members of the public from public streets, sidewalks, or pedestrian paths. Pedestrian paths shall be installed throughout the site to provide such access to the open space areas from these public facilities, as well as from all buildings within the PID.
 - 3. Open space shall be designed, arranged, and distributed such that no dwelling unit is further than 500 feet walking distance from some form of open space.
 - 4. No separate area of open space shall be less than 250 square feet in area. Except for pedestrian paths, no separate area of open space shall have a minimum dimension of less than fifteen (15) feet.
 - 5. All pedestrian paths shall be at least six (6) feet wide and set in an open space area having a minimum dimension of ten (10) feet.
 - 6. Every green or square shall contain some type of focal point, such as a gazebo, pavilion, fountain, statue, monument, public artwork, etc. Greens and squares shall not be less than one (1) nor more than two (2) percent grade and shall be well-drained. Sidewalks and street trees shall be provided along all streets fronting a green or square in accordance with the requirements of Chapter 22 of this Code.
 - 7. No parking is required for any open space, and no parking, driveways, or manmade impervious surfaces except for pedestrian paths, shall be allowed upon any open space.
- h. Buffer Yard Design Standards. A buffer yard shall be located between a PID and any abutting residential zoning district or any single-family detached dwelling or lot. In addition to the requirements set forth in Part 28 of this chapter, this buffer yard shall conform to the following:

1. This buffer may be counted towards open space requirements, if a pedestrian path is placed throughout its length and the following requirements are met:
 - (a) Vegetation shall be planted between the path and any dwellings on neighboring properties adjacent to the buffer, which shall be in addition to the required plantings of the buffer yard. This vegetation shall be located five (5) feet from the edge of the buffer yard; shall screen the path from the neighboring properties; and shall be comprised of plant materials listed in Part 28 of this chapter.
 - (b) The pedestrian paths may meander through the buffer yard, but in no case shall the trail be closer than five (5) feet from the edge of the buffer yard abutting the neighboring properties.

i. Performance and Design Regulations.

1. Fire escapes shall be located to the rear of buildings.
2. Trash collection and outdoor storage areas shall be located to the rear of buildings and screened from adjoining properties and public streets in accordance with the requirements of Chapter 22 of this Code. Any outside storage shall be considered an L2 Outside Storage or Display use and shall comply with all the requirements for this use, in addition to the above regulations.
3. All rooftop equipment shall be enclosed in or hidden from view by building material that matches the structure or is visually compatible with the structure.
4. No outdoor service of food, outdoor sales, or outdoor displays shall be permitted unless approved by the Board of Supervisors, at the Board's sole discretion. Outdoor seating may be permitted, provided that sufficient area for pedestrian traffic is provided.
5. Lighting facilities shall be installed in a manner which will protect neighboring streets and properties from any direct glare or hazardous off-site interference.
6. The PID shall be designed to enhance the historic and cultural character of New Britain Township. No concrete-block or tilt-up concrete walls shall be permitted. Walls shall be differentiated with offsets, windows, facade details, changes in color or materials. All walls of a building should 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, with the exception of storefront glass, which may wrap around.

7. The PID shall be designed to accommodate pedestrian and vehicular traffic safely, and the applicant shall incorporate traffic-calming devices on site to discourage cut-through traffic and to promote safe circulation through and access to the site.
 8. Vehicular Access. An effort shall be made to limit curb cuts onto adjacent arterial streets, and the applicant shall show alternatives for future access and driveway connections to abutting commercial properties.
 9. Pedestrian Access. The PID shall have internal pathways to provide pedestrian access from adjacent residential developments and to connect to adjacent commercial, office, and institutional uses.
- j. Flexible Design. In order to promote flexibility in design and to encourage innovation within a PID, the Board of Supervisors may, at its sole discretion, consider any of the following proposals as a part of the conditional use application for the establishment of a J35 Use. If an applicant wishes to take advantage of this provision, it shall provide the additional information required below so that the Board of Supervisors can evaluate any such proposal.
1. Additional green areas may be preserved on site in lieu of construction of required parking areas by including reserve parking areas on site, where determined by the Board of Supervisors that the actual parking needed by the proposed sub-uses is significantly less than required by this Section.
 2. The amount of a natural resource required to be preserved and protected in accordance with Part 24 of this Chapter as a part of a PID may be reduced up to fifty percent (50%), provided the applicant provides sufficient evidence and testimony, as determined by the Board of Supervisors, showing why the requested reduction is necessary, how the reduction will improve the PID, and how the requested reduction will be mitigated and remediated upon the site or elsewhere in the Township through:
 - the permanent protection of similar natural resources;
 - the provision of additional useable parkland or open space elsewhere in the Township for use by the Township and/or the PID;
 - providing landscaping and planting on the site in addition to what is required under the Township Code;
 - providing stormwater best management practices on the site in excess of the stormwater improvements and controls required under the Township Code; and/or

- other similar mitigation/remediation methods acceptable to the Board of Supervisors.
3. The amount of open space required to be set aside as a part of a PID may be reduced, provided the applicant provides sufficient evidence and testimony, as determined by the Board of Supervisors, showing why the requested reduction is necessary, how the reduction will improve the PID, and how the resultant reduction of open space will be mitigated and remediated upon the site or elsewhere in the Township through:
 - the provision of other useable parkland or open space elsewhere in the Township for use by the Township and/or the PID;
 - the provision for or construction of specific recreational facilities and/or improvements for the benefit of the Township and/or residents of the PID; and/or
 - other similar mitigation/remediation methods acceptable to the Board of Supervisors.
 4. Woodlands removal and/or woodlands replacement requirements may be modified based upon the condition, quality, quantity, and species of trees proposed to be removed.

ARTICLE XXXIII. Use Regulations

The Section 27-306 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

§27-306 Table of Use Definitions.

Appended to this chapter as “27 Attachment 2” is the Table of Use Definitions. Except as provided by law or in this chapter, in each Zoning District no building, structure, or land shall be used or occupied except in accordance with this Table. Where this Table conflicts with requirements set forth elsewhere in this chapter, the more restrictive requirement shall be complied with.

ARTICLE XXXIV. Residential Zoning District Regulations

Sections 27-401.a, 27-501.a, 27-701.a, 27-801.a, 27-901.a, and 27-1001.a of Chapter 27, Zoning, of the New Britain Township Code shall be amended adding “H16 Short Term Rental” to the list of uses permitted by right in the appropriate alphanumeric spot.

ARTICLE XXXV. WS District

Subsection 27-502.b. of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

b. Unless a more-restrictive area or dimensional regulation is stated in §27-305, Use Definitions and Regulations, for a specific use, all B1 Single-Family Detached Dwelling uses in the Watershed District shall meet the following requirements:

1. Dimensional Standards:

- (a) Minimum lot area: 80,000 square feet.
- (b) Minimum lot width: 175 feet.
- (c) Minimum front yard: 100 feet.
- (d) Minimum side yard: 30 feet.
- (e) Minimum rear yard: 60 feet.
- (f) Minimum building envelope: 10,000 square feet.
- (g) Maximum building coverage ratio:
 - 1) Per lot: 8%.
 - 2) Per site: 8%.
- (h) Maximum impervious surface ratios:
 - 1) Per lot: 12%.
 - 2) Per site: 12%.
- (i) A developer constructing one (1) or more single-family detached dwelling upon a site must comply with the following increased restrictions applicable to every lot within the site: the maximum lot impervious surface requirement shall be reduced by two (2) percentage points and the maximum building coverage requirement shall be reduced by two (2) percentage points. These increased restrictions do not apply to the purchaser of the new dwelling who subsequently resides within this new dwelling, and the land freed from these additional restrictions may be used to construct further improvements upon the lot after the new construction has been completed and the lot has been transferred to the purchaser.

2. The calculations in §27-503 shall be used to determine the base site area.

3. When a lot or tract of land undergoes subdivision/land development or is being developed with a new or expanded principal building or structure, all the natural resource protection land on this lot or tract, such as watercourses, agricultural soils, woodlands, steep slopes, wetlands, etc., shall be protected with a conservation easement in accordance with §§27-505 and 27-2400 of this Chapter. The natural resources required to be preserved on each lot shall only be disturbed in accordance with Part 24 of this chapter and §27-505.
4. Park and recreation land shall be provided in accordance with the New Britain Township Subdivision and Land Development Ordinance (Chapter 22).
5. When an applicant is proposing a land development, the stormwater management facilities shall be designed to manage the runoff from the maximum impervious surface permitted for the entire site. For all other applications, the stormwater management facilities shall be designed to manage the runoff from the total existing and proposed impervious surfaces on site. Future permitted impervious surfaces shall be considered in the design, if possible. Where an applicant is permanently preserving natural resources and/or other portions of the site by the placement of a permanent conservation easement, either voluntarily or in accordance with the requirements of this chapter, those areas so preserved can be removed from the calculation of the maximum impervious surface permitted for the entire site at the option of the applicant by the recording of this restriction permanently against the property.

ARTICLE XXXVI. WS District

Section 27-503 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

- a. Base Site Area. The following calculation shall be used to determine the Base Site Area (BSA) of a tract of land proposed to be developed with a B1 Subdivision in the Watershed District. Certain portions of a site are not usable for a residential subdivision; as such, these areas shall be subtracted from the Gross Site Area to determine the Base Site Area.
 1. Start with the Gross Site Area as determined by an onsite boundary survey. _____acres
 2. Subtract land within the ultimate right-of-way of existing roads; within existing utility rights-of-way or easements, and/or has been preserved through easement or other means. _____acres
 3. Subtract land which is not contiguous, i.e.,

- (a) A separate parcel which does not abut or adjoin, nor share common boundaries with, the rest of the development; and/or _____acres
 - (b) Land which is cut off from the main parcel by a road, railroad, existing land use, and/or major stream, so as to serve as a major barrier to common use and/or so that it is isolated and unavailable for building purposes. _____acres
 - 4. Subtract land which, in a previously approved subdivision, was set aside, reserved, and/or restricted for open space, natural resource protection, and/or recreation purposes. _____acres
 - 5. Subtract land used for another use (i.e., land which is used, or to be used, for commercial or industrial uses in a residential development) or located in a different zoning district than the rest of the development. _____acres
- BSA is equal to the difference of the above 5 subsections _____acres

ARTICLE XXXVII. C-1 Regulations

Subsection 27-1201.c of Chapter 27, Zoning, of the New Britain Township Code shall be amended adding “J35 Planned Integrated Development” to the list of uses permitted by conditional use in the appropriate alphanumeric spot.

ARTICLE XXXVIII. C-3 Regulations

Section 27-1401.a of Chapter 27, Zoning, of the New Britain Township Code shall be amended by removing “B7 Apartment Building” from the list of uses permitted by right.

ARTICLE XXXIX. C-3 Regulations

Subsection 27-1403.c.3 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

- 3. Lotting. A building containing dwelling units can be on a single lot or each unit can have a separate lot, or the entire site may be unlotted. If the units are not placed on separate lots, the applicant must submit a by-right plan to the Township for review and approval documenting that the units in the development could be lotted out to meet the regulations of this §27-1403.c.

ARTICLE XL. IN Regulations

Section 27-1601 of Chapter 27, Zoning, of the New Britain Township Code shall be amended by removing “C4 Group Home” from the list of uses permitted by right set forth in Subsection 27-1601.a and adding “C4 Group Home” to the list of uses permitted by special exception set forth in Subsection 27-1601.b.

ARTICLE XLI. I Regulations

The opening sentence to Subsection 27-1703.a of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

- a. The following additional standards shall apply to the site where more than one (1) principal use and/or one (1) principal building is proposed:

ARTICLE XLII. IO Regulations

The opening sentence to Subsection 27-1803.a of Chapter 27, Zoning, of the New Britain Township Code shall be revised to read as follows:

- a. The following additional standards shall apply to the site where more than one (1) principal use and/or one (1) principal building is proposed:

ARTICLE XLIII. General Regulations

Section 27-2101 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

§27-2101 Minimum Lot Area.

- a. Where a minimum lot area is specified in this chapter, no primary building or use shall be erected or established on any lot of lesser size.
- b. Any real property within New Britain Township which is the subject of a restriction against reduction of lot area, whether by notation or inclusion on a subdivision plan and/or by a deed restriction, or similar instrument or restriction, shall not be reduced in size, or otherwise modified, when such reduction or modification would violate the restriction regardless of the minimum lot areas established within this chapter.
- c. No lot or site shall be reduced in such a way or to such an extent that the area of the lot or the dimensions of required open spaces become smaller than or nonconforming to the applicable requirements set forth in this chapter.

- d. The lot or yard requirements for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this chapter nor include any portion of the lot under separate ownership.

ARTICLE XLIV. General Requirements

Section 27-2102 of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

§27-2102 Exceptions to Minimum Lot Areas.

- a. The provisions of this chapter shall not prevent the construction of a single-family detached dwelling on any lot that was lawful when created and which, prior to October 10, 2020 (the effective date of this section), was in single and separate ownership duly recorded by plan or deed; and provided that:
 - 1. Such lot is not less than one (1) acre in the CR and WS districts and not less than 80% of the minimum lot area in all other districts.
 - 2. Those lots not served by public water and sewers shall meet all requirements of the Bucks County Department of Health.
 - 3. The percentage of lot area covered by the detached dwelling shall not exceed 15% of the area of the lot.
 - 4. The front and rear yards shall aggregate at least 60% of the total lot depth or meet the normal requirements of the district in which the lot is located; but in no case shall either the front yard or the rear yard be less than 30 feet.
 - 5. The side yards shall aggregate at least 40% of the total lot width or meet the normal requirements of the District in which the lot is located, but in no case shall either side yard be less than 15 feet.
 - 6. The building coverage on the lot shall not exceed 20% of the area of the lot, and impervious surface coverage on the lot shall not exceed 35% of the area of the lot; unless a higher building coverage limitation or impervious surface limitation for a single-family detached dwelling is allowed in the zoning district in which the lot is located.
 - 7. The lot is located in a residential zoning district.
- b. A nonconforming lot which is located in a nonresidential zoning district must obtain the necessary variances to be developed.

- c. As of or subsequent to October 10, 2020 (the effective date of this provision), where two (2) or more adjacent lots, one (1) or more of which is nonconforming based on lot size or lot width, are concurrently owned by the same owner, these adjacent lots shall be merged to minimize the nonconformity. The term “same owner” as used in this subsection includes, in addition to a single person or entity, multiple persons with familial relationships and multiple parties with common ownership, business, and/or financial interests. Corporations, partnerships, or other for-profit or non-profit entities organized or used for the purpose of avoiding adjacent lots being owned by the “same owner” are not recognized as separate owners for the purposes of this subsection.

ARTICLE XLV. General Requirements

Subsection h. of §27-2402 of Chapter 27 of the New Britain Township Code of Ordinances is hereby amended to read as follows:

- h. Impervious Surfaces. Calculate the maximum area of impervious surfaces using the following:

Ratio Base Site Area		_____ acres
Multiply by Maximum Impervious Surface Ratio	x _____	
Maximum Permitted Impervious Surface =		_____ acres

ARTICLE LVI. Signs

Part 26, Signs of Chapter 27, Zoning, of the New Britain Township Code shall be amended to read as follows:

Part 26 SIGNS

§27-2600. Scope and applicability.

- a. The purposes of the sign regulations are:
 1. To provide uniform standards for signs within the Township and specific standards for signs in each zoning district.
 2. To establish procedures for the review and approval of sign permit applications.
 3. To regulate the location, size, construction, erection, alteration, use, and maintenance of signs.
 4. To promote the use of well-crafted signs in harmony with the architectural and residential character of the Township.

- b. In all zoning districts, signs shall be erected, altered, maintained, used, removed, or moved in compliance with the provisions of this chapter and any other applicable ordinances and regulations.
- c. Nonconforming signs which do not conform with the requirements of this Part, once removed, shall be replaced only with conforming signs.

§27-2601. Definitions.

The following words and terms shall, for the purposes of this Part, have the meanings given. These terms are in addition to those defined in Part 2 of this chapter:

ABANDONED SIGN

A sign which has not identified or advertised a current, open, and/or active business, service, owner, product, or activity for a period of at least six (6) months; a sign which is damaged, in disrepair, or vandalized and not repaired within sixty (60) days; or a temporary sign that has not been removed within the required timeframe.

ADDRESS SIGN

A sign that designates the street number, street name, and/or occupants of a property or location for identification purposes.

ALTERATION

A change in the size, shape, or type of an existing sign. Copy or color change of an existing sign is not an alteration. Changing or replacing a sign face or panel is not an alteration, providing there is no increase in the size of the sign face or panel.

APPLICANT

A person or entity who applies for a sign permit in accordance with the provisions of this Part.

AWNING SIGN

A sign with its copy on a shelter made of any non-rigid material, such as fabric or flexible plastic that is supported by or stretched over a frame and attached to an exterior wall of a building or other structure.

BANNER SIGN

A sign with its copy on non-rigid material such as cloth, plastic, fabric or paper with no supporting framework. Banners are temporary in nature and do not include flags such as the flag of the United States, the Pennsylvania state flag, and/or other local governmental flags.

BUILDING SIGN

A sign that is applied or affixed to a building, including awning, canopy, marquee, projecting, wall, and window signs, but not roof signs.

CANOPY SIGN

A sign on a rigid multi-sided structure attached to a building or on any other freestanding structure, that may have a roof with support but no walls.

CLEARANCE

The smallest vertical distance between the surface of the ground closest to a sign and the lowest point of that sign, including the supporting framework or bracing of the sign.

CLEAR SIGHT TRIANGLE

An area of unobstructed vision at street intersections defined by lines of sight between points at a given distance from the intersection of the street right-of-way lines.

DIRECTIONAL SIGN

Any sign that is designed and erected for the purpose of providing direction and/or orientation for pedestrian or vehicular traffic. A directional sign shall not advertise any commercial establishment, activity, organization, product, goods or services, and no sign with a commercial message legible from a position off the lot on which the sign is located shall be considered directional.

DOUBLE-FACED SIGN

A sign with two faces, back to back.

ELECTRONIC MESSAGE CENTER OR SIGN (EMC)

An electrically activated changeable copy sign whose variable message and/or graphic presentation capability can be electronically or digitally programmed.

EMERGENCY SIGN

Emergency warning signs erected by a government agency, a public utility company, or a contractor doing authorized or permitted work within the public right-of-way.

FREESTANDING SIGN

The general term for any sign which is supported by structures or supports that are placed on, or anchored in, the ground and that is independent and detached from any building or other structure. A freestanding sign can either be a monument sign or a pole sign. All freestanding signs may be double-faced.

GAMBREL OR MANSARD ROOF

A usually symmetrical two (gambrel) or four (mansard) sided roof with two slopes on each side. The upper slope of the roof is positioned at a shallow angle, while the lower slope of the roof is steep.

GOVERNMENTAL SIGN

A sign erected by a governmental entity, including safety signs, signs indicating points of interest, historical markers, signs identifying official government buildings or facilities.

ILLUMINATION

A source of any artificial or reflected light, either directly from a source of light incorporated in, or indirectly from an artificial source.

a. EXTERNAL

An artificial light source located away from the sign, which lights the sign, the source of which may or may not be visible to persons viewing the sign from any street, sidewalk, or adjacent property.

b. INTERNAL

An artificial light source that is concealed or contained within the sign and becomes visible in darkness through a translucent surface. Message center signs, digital displays, and signs incorporating neon lighting shall not be considered internal illumination for the purposes of this chapter.

INCIDENTAL SIGN

A sign, generally informational, that has a purpose secondary to the use of the lot on which it is located, such as "no parking," "entrance," "telephone," "no entry," and other similar directives; advertising the availability of restrooms or public conveniences; and signs showing store hours, the names of accepted credit institutions, affiliations with business groups or associations, and business-related awards. An incidental sign shall not advertise any commercial establishment, activity, organization, product, goods or services, and no sign with a commercial message legible from a position off the lot on which the sign is located shall be considered incidental.

MARQUEE SIGN

Any sign attached to a covered structure projecting from and supported by a building with independent roof and drainage provisions and which is erected over a doorway or doorways as protection against the weather.

MOBILE SIGN

Any vehicle or trailer which has attached thereto or thereon any sign or advertising device for the basic purpose of providing advertisement of products or directing people to a business or activity located on the same or nearby property or any other premises. These shall not include business logos, identification, or advertising on vehicles primarily used for other business purposes.

MONUMENT SIGN

A type of freestanding sign permanently affixed to the ground at its base, supported entirely by a base structure, and not mounted on a pole or attached to any part of a building.

NONCONFORMING SIGN

A sign which was erected prior to the establishment of zoning regulations within the Township or was erected in compliance with the then-enacted zoning regulations but does not currently comply with the applicable sign regulations of this chapter.

OFF-PREMISES SIGN

A type of sign which directs attention to or contains a message about a business, industry, profession, product, commodity, service, event, entertainment, idea, concept, point of view, or other commercial or non-commercial activity, not specifically located upon, sold, offered, produced, manufactured, furnished, or conducted on the premises where the sign is located. (Also generally known as a billboard.)

ON-PREMISES SIGN

A sign whose message and design relate to an individual business, profession, product, commodity, service, event, entertainment, idea, concept, point of view, or other commercial or non-commercial activity located upon, sold, offered, produced, manufactured, furnished, or conducted on the same property where the sign is located.

PERMANENT SIGN

A sign attached or affixed to a building, window, or structure, or to the ground, in a manner that enables the sign to resist environmental loads, such as wind, and that precludes ready removal or movement of the sign and whose intended placement and use appears to be indefinite.

POLE SIGN

A type of freestanding sign that is permanently supported in a fixed location by a structure of one (1) or more poles, posts, uprights, or braces from the ground and not supported by a building or a base structure.

PROJECTING SIGN

A sign that is dependent on a building for support and which projects more than twelve (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.

ROOF SIGN

A sign, any part of which is erected, constructed, and/or maintained on or above the eave of the roof of a building, or a sign, any part of which is erected, constructed, and maintained higher than the highest elevation of the lower slope of a gambrel or mansard roof.

SANDWICH BOARD SIGN

A sign that is not permanently attached to the ground or a building and readily movable by a single person, consisting of two faces, connected, and hinged at the top and whose message is targeted to pedestrians.

SCOREBOARD

A sign contained within an athletic venue and intended solely to provide information concerning the event occurring within the venue to the attendees of the event.

SIGN

Any device visible from a public place whose essential purpose and design is to convey either commercial or noncommercial messages by means of graphic presentation of alphabetic or pictorial symbols or representations. The term "sign" shall not include any flag or badge or insignia of the United States, State of Pennsylvania, Bucks County, New Britain Township, or official historic plaques of any governmental jurisdiction or agency. A sign includes the sign faces, as well as, any sign supporting structure.

TEMPORARY SIGN

A pole, wall, or window sign not intended or designed for permanent display.

TRAFFIC SIGN

Any of the following signs erected and maintained on public highways and roads by the Commonwealth, the County, the Township or, in the case of private streets, the owner of the road: official highway route number signs, street name signs, directional signs, parking signs, railroad crossing signs, construction signs, emergency signs, and other traffic signs erected and maintained in the interest of public safety or for the regulations of vehicular and pedestrian traffic.

WALL SIGN

A sign that is in any manner affixed to an exterior wall of a building or structure and that projects not more than eighteen (18) inches from the building or structure wall, including signs affixed to architectural projections from a building provided the copy area of such signs remains on a parallel plane to the face of the building facade or to the face of the architectural projection to which it is affixed.

WARNING SIGN

An on-premises sign regulating the use of the premises, such as a "no trespassing," "no hunting," or "no soliciting" sign.

WINDOW SIGN

A sign that is applied, painted, or affixed to a window, or placed inside a window, facing the outside of the building, and visible from the outside.

§27-2602. Prohibited Signs.

The following signs are unlawful and prohibited throughout the Township:

- a. Any sign containing information which states or implies that a property is being or may be used for any purpose not permitted under the provisions of this chapter.

- b. Any sign promoting illegal activity.
- c. Any sign which flashes, reflects, rotates, spins, revolves, oscillates, or has parts that physically move or revolve (with the exception of the movement of the hands of analog clocks or the rotation of barber poles.)
- d. Any sign containing or associated with audio speakers and/or any form of pyrotechnics. This prohibition also includes the speakers and pyrotechnics.
- e. Any sign which emits open flames, flashing lights, smoke, visible vapors or particles, sound, or odor.
- f. Any sign with animated, scrolling, or moving text, video, or graphics.
- g. A series of lights or lighting outlining the edges of commercial buildings or commercial building elements shall be considered a sign under the terms of this Part and shall be prohibited.
- h. All electrical or digital signs, except electronic message centers
- i. All roof signs.
- j. Strobe lights and spotlights.
- k. Any sign fully or partially blocking ingress and/or egress from any door, window, or fire escape. Only safety signs shall be attached to fire escapes or fire standpipes.
- l. Any sign that interferes with, obstructs, mimics, imitates, or resembles a traffic sign, traffic signal, or traffic device.
- m. Any sign attached, erected, posted, painted, or otherwise placed upon public or private property without the permission and/or knowledge of the property owner (with the exception of signs posted in accordance with legal notification requirements.)
- n. Any mobile sign parked in such a manner that its primary purpose is for advertising.
- o. Any sign tacked, nailed, glued, attached, erected, posted, placed, painted, maintained, or otherwise supported by or upon a rock, tree, telephone/power/light pole, road, trail, sidewalk, fence, wall, bench, or other object not originally installed, constructed, erected, or placed to support such sign.
- p. Any sign having content that is not subject to the protections of the First Amendment to the United States Constitution or Article I, Section 7 of the Pennsylvania Constitution, including, but not limited to the following:
 - 1. Obscenity/pornography.

2. Profanity.
 3. Fighting words.
 4. Incitement to imminent lawless action.
- q. Any sign which has been abandoned and/or does not conform to the requirements of the Zoning Ordinance which was in effect when the sign was erected.

§27-2603. Exempt Signs.

A sign permit shall not be required prior to the erection, installation, construction, alteration, structural repair, moving, removal, or demolition of any exempt signs in any zoning district in the Township. Exempt signs shall conform to the regulations of this chapter. No exempt sign shall be illuminated, except as provided for herein. Exempt signs are as follows:

- a. Traffic signs and emergency signs.
- b. Governmental signs.
- c. Governmental flags or insignias.
- d. Address signs, so long as each sign per property or location does not have a sign area in excess of three (3) square feet in residential zoning districts and five (5) square feet in nonresidential zoning districts.
- e. Incidental signs, so long as any such sign does not have a sign area greater than two (2) feet.
- f. Directional signs. Such sign shall not exceed four (4) square feet in sign area and shall have a maximum sign height of five (5) feet.
- g. Temporary signs, so long as any such sign does not exceed six (6) square feet in sign area.
- h. Warning signs; signs indicating the private nature of a road, driveway, or premises; and signs prohibiting or otherwise controlling fishing or hunting upon a particular premises. Such signs shall not have a sign area greater than two (2) square feet and shall be spaced at intervals of not less than seventy-five (75) feet.
- i. Signs indicating that the property the sign is located upon has been preserved by the Township, the County, the Commonwealth, and/or a land trust. Only one (1) such sign per road frontage, and these signs shall not exceed three (3) square feet in sign area and shall have a maximum sign height of five (5) feet.

- j. Cornerstones; historical plaques or plates affixed to the surface of a building wall, so long as any such sign does not exceed two (2) square feet in sign area.
- k. Signs or displays, including lighting, which are temporary and celebrate a national, state, or local holiday; religious or cultural holiday; or another holiday season.
- l. Legal notices.
- m. Signs posted, placed, or erected inside a building or structure which are not meant to be viewed from the outside.
- n. Vending machines.
- o. Any sign erected by or erected at the direction of New Britain Township.

§27-2604. General Sign Regulations.

All signs in the Township shall comply all the applicable sign regulations set forth in this chapter, including, but not limited to, the specific sign type regulations of this Part, the specific zoning district regulations of this Part, and the following general regulations:

- a. Signs which advertise, promote, or draw attention to any product, service, or activity must be located upon the same lot where such product is being sold, service is being offered, or activity is taking place, except where specifically exempt from these requirements by this Part.
- b. Every sign shall be constructed of durable materials, using non-corrosive fastenings; shall be structurally safe and erected or installed in strict accordance with the Pennsylvania Uniform Construction Code; and shall be maintained in safe condition and good repair at all times so that all sign information is clearly legible.
- c. Any sign located along rights-of-way shall comply with the following:
 - 1. No sign shall be placed in such a position as to endanger vehicular or pedestrian traffic by causing confusion with traffic signs or traffic control signals/devices because of the sign's position, color, or reflective surface.
 - 2. No sign shall use the words "stop", "look", "danger", or any other word or character which attempts or appears to attempt to direct the movement of vehicular or pedestrian traffic or which interferes with or resembles any traffic sign or traffic signal/device.

3. No sign shall use or be illuminated by red, green, or yellow lights within seventy-five (75) feet of a public street right-of-way or within three hundred (300) feet of a traffic control signal/device, whichever is greater.
 4. No sign shall obscure or block a motorist's forward view of traffic control signals/devices, traffic signs, or other warning devices as viewed from the cartway of a public street.
 5. No sign shall obscure or block a motorist's forward view of roadway or intersections as viewed from the cartway of a public street.
 6. No sign shall be placed so that blocks the clear sight triangle of any intersection along a public street.
 7. No sign shall be placed so as to limit a pedestrian's view of vehicular traffic along a public street to less than 500 feet while the pedestrian stands inside the curb-line at an intersection or other established crossing point along the street.
 8. No sign shall be placed so that it blocks the movement of pedestrians traveling on sidewalks, trails, or other public thoroughfares.
 9. Only banner signs, traffic signs, and governmental signs are permitted within a public street right-of-way. In no case shall a sign intrude into or hang over the cartway of a public road.
 10. Only banner signs, traffic signs, and governmental signs are permitted to project over a public sidewalk, and the lowest edge of such sign shall be at least eight (8) feet above the walking surface of the sidewalk.
 11. No sign shall be located within five (5) feet of any multi-use trail within the Township.
- d. No sign be erected so that it:
1. Lies within ten (10) feet of any property line, except for traffic signs or governmental signs.
 2. Lies within a parking space or fire lane.
 3. Blocks the entrance, exit, fire escape, or fire lane to a building.
- e. Illumination of signs. No sign shall be illuminated in any fashion except as set forth herein.

1. Light sources to illuminate signs shall neither be visible from any public street right-of-way nor cause glare which is hazardous, annoying, or distracting to pedestrians, the operators/drivers of vehicles, or adjacent properties.
2. No more than 0.2 foot-candle of light from a sign's light source shall be detectable at the boundary of any abutting property.
3. External illumination, where permitted, is allowed only as a steady, stationary light source, shielded, and directed solely at the sign. The light source must be static in color and concealed by a translucent cover.
4. Internal illuminations, including back-lighting and neon signs, must be static in intensity, and color. No portion of the light source should be visible.
5. The lighting of all signs shall meet the design and construction requirements of the Uniform Construction Code of Pennsylvania. All electrical signs shall be manufactured in accordance with the Underwriter's Laboratories' specifications and shall bear the Laboratory label.
6. Illuminated signs are prohibited in residential zoning districts, except for house numbers.
7. Governmental signs identifying governmental buildings, police stations, or other Township facilities may be illuminated by exterior lights focused on the sign.
8. Signs on non-residential properties may be illuminated from 5 a.m. until 11 p.m., or ½ hour past the close of business of the facility being identified or advertised, whichever is later.

§27-2605. Sign Height and Area.

a. Sign area.

1. The area of a sign shall 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 which are incidental to the display itself. The computation of the 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 or painted on a building, wall, or window, the area shall be considered to be that of the smallest rectangle which encompasses all of the letters, logos, and symbols.

3. In computing the size of a double-faced sign where the sides are parallel to each other, only one (1) side shall be considered, provided the size of both faces are identical and the two (2) faces are not more than eighteen (18) inches apart. If the interior angle formed by the two (2) faces of the double-faced sign is 45° or greater or if the two (2) faces are more than eighteen (18) inches apart, then both sides of such sign shall be considered in calculating the sign area.
4. If elements of a sign are movable or flexible, such as a flag or banner, the measurement of sign area is taken when the elements are fully extended and parallel to the plane of view.

b. Sign height.

1. Generally, the height of the sign shall be measured from the average grade of the surface directly beneath the sign to the point on the sign being measured, and if no such point is specified, then to the highest point of the sign, including the supporting framework or bracing of the sign. Where the sign is located less than fifty (50) feet from the legal right-of-way a public or private street, however, the height of the sign shall be measured as the distance from the highest point of the sign, including the supporting framework or bracing of the sign, to the average finished grade of the street's cartway closest to the sign.
2. For wall, projecting, marquee, canopy, and awning signs, the height of the sign shall be measured from the average base of the building wall directly beneath where the sign is attached to this wall to the highest point of the sign, including the supporting framework or bracing of the sign.
3. Any freestanding sign erected within five (5) feet of or partially or fully over a sidewalk, walkway, trail, or other area intended for pedestrian travel shall have a minimum clearance of eight (8) feet.

§27-2606. Sign Type Specific Regulations.

- a. Building Signs. The following building signs shall comply with the regulations listed for that particular sign type.
 1. Awning or canopy signs.
 - (a) An awning or canopy without lettering or other advertising shall not be regulated as a sign.
 - (b) Awning or canopy signs must be centered within or over architectural elements such as windows or doors.

- (c) No awning or canopy shall be wider than the building wall or tenant space it identifies.
- (d) Sign Placement
 - (1) Letter or numerals shall be located only on the front and side vertical faces of the awning or canopy.
 - (2) Logos or emblems are permitted on the top or angled portion of the awning or canopy up to a maximum sign area of three (3) square feet. No more than one (1) emblem or logo is permitted on any one (1) awning or canopy.
- (e) Every awning or canopy sign shall have a minimum clearance of eight (8) feet.
- (f) No ground-floor awning or canopy may project into a street right-of-way.
- (g) Awnings or canopies may be fixed (i.e., not collapsible or foldable), provided they do not project more than four (4) feet from the face of the building they are attached to.
- (h) Multi-tenant buildings. All awning or canopy signs mounted on a multi-tenant building shall be similar in terms of height, projection, lettering, and style throughout the entire building.

2. Marquee signs

- (a) Such signs shall be located only above the principal public entrance of a building facing a public street or parking lot.
- (b) No marquee containing a marquee sign shall be wider than the entrance it services, plus two (2) feet on each side thereof.
- (c) No marquee containing a marquee sign shall extend into the right-of-way of a public street or more than fifty percent (50%) over a public sidewalk. In no case shall a marquee containing a marquee sign extend more than ten (10) feet from the face of the building it is attached to.
- (d) Sign height.
 - (1) No portion of the marquee containing the marquee sign shall extend vertically above the eave line of the building it is attached to.

- (2) Every marquee containing a marquee sign shall have a minimum clearance of ten (10) feet.
 - (e) Marquee signs may contain manually changeable copy.
 3. Projecting signs.
 - (a) No portion of a projecting sign shall project more than four (4) feet from the face of the building it is attached to.
 - (b) No portion of a projecting sign shall project into the right-of-way of a public street.
 - (c) Every projecting sign shall have a clearance of eight (8) feet. Projecting signs located over sidewalks or other public walkways shall have a minimum clearance of ten (10) feet.
 4. Wall signs.
 - (a) No wall sign shall extend out more than eighteen (18) inches from the wall on which it is affixed.
 - (b) Every wall sign shall have a minimum clearance of eight (8) feet, unless the wall sign projects less than two (2) inches from the wall on which it is affixed, in which case its clearance may be less than eight (8) feet.
 - (c) Wall signs may contain manually changeable copy.
 5. Window signs. Incidental window signs shall be excluded from the sign area calculations for window signs.

b. Electronic message center sign. All electronic message center signs shall comply with the following:

 1. Electronic message center signs are permitted in the form of freestanding signs or wall signs or incorporated as a portion of a freestanding sign or wall sign. Electronic message centers are permitted instead of and shall not be permitted in addition to an allowed freestanding sign or wall sign on a property. Moreover, the sign area of the electronic message center sign counts towards the total permitted sign area allowed on the property.
 2. Only one (1) message center sign is permitted per property, regardless of the number of street frontages the property has, or the number of signs allowed on the property under this Part.

3. All displayed messages, or any portion thereof, must have a minimum duration of ten (10) seconds and must be a static display. Messages may change immediately or fade in and out only. No portion of the message may flash, scroll, twirl, twinkle, oscillate, rotate, blink, change color, or imitate movement in any manner.
 4. Time and temperature shall be included as a separate message(s).
 5. The illumination and/or intensity of the display shall be controlled so as to not create glare, hazards, or nuisances. The brightness of the electronic message center sign shall not exceed 0.3 foot-candles of light above the normal ambient light levels. Such signs shall be equipped with automatic dimming technology which automatically adjusts the sign's brightness based on ambient light conditions. Such brightness shall be measured as follows:
 - (a) The luminance specification shall be determined by a foot-candle metering device held at a height of five (5) feet and aimed towards the sign from a distance of sixty-five (65) feet.
 - (b) The metering device should be at a location perpendicular to the sign's center (as seen in plain view) as this angle has the highest luminance.
 - (c) This check shall include the measurement of an all-white image displayed by the sign to evaluate the worst-case scenario.
 - (d) If the difference in luminance between the sign-on and the sign-off conditions is 0.3 foot-candle or less, then the sign luminance is in compliance.
 6. All electronic message center signs must be equipped with a properly functioning default mechanism that will stop the sign and return to a solid black display should a malfunction occur.
 7. The applicant shall be required to coordinate/permit message access for local, regional, state, and national emergency services during emergency situations. Emergency messages are not required to conform to message standards listed herein.
- c. Freestanding signs. All freestanding signs shall comply with the following:
1. Every pole sign shall have a clearance that is either less than four (4) feet or greater than eight (8) feet.
 2. Monument signs shall be supported and permanently placed by embedding, anchoring, or connecting the sign in such a manner as to incorporate it into the landscape or architectural design scheme.

3. Sign placement.
 - (a) A freestanding sign shall be set back from the rights-of-way of public streets and the boundary lines of neighboring properties a distance equal to or greater than the height of the sign. The minimum setback for all freestanding signs from such rights-of-way and boundary lines is ten (10) feet.
 - (b) No freestanding sign may occupy, intrude into, or hang out any parking area, loading area, walkway, driveway, fire lane, easement, right-of-way, or other area required to remain unobstructed.
4. Freestanding signs may contain manually changeable copy.
5. These freestanding sign regulations do not apply to traffic signs, government signs, or off-premises signs.
- d. Sandwich Board Signs. Sandwich board signs that fully comply with this chapter shall not be included in the determination of the type, number, or area of signs allowed on a property. All sandwich board signs shall comply with the following:
 1. Only one (1) sandwich board sign is permitted per establishment. The commercial messages on the sign must advertise only goods and services available on the premises from the establishment.
 2. Each sandwich board sign shall have a maximum sign area of seven (7) square feet per sign face and a maximum sign height of three and one-half (3.5) feet. Each sign shall be weighted or otherwise temporarily secured so as to avoid being carried away by high winds.
 3. Sandwich board signs must be taken in during hours of non-operation of the business being advertised. In addition, these signs shall not be displayed on any premises before 6:00 AM and shall be removed each day at or before 10:00 PM.
 4. Sandwich board signs shall not be illuminated.
 5. Sandwich board signs may contain manually changeable copy.
 6. Sandwich Board Sign Placement.
 - (a) If a sign is located on a public or private sidewalk, a minimum of thirty-six (36) inches of unobstructed sidewalk must be maintained between the sign and any building, the edge of the sidewalk, curb, or other obstruction.
 - (b) The sign must be located on the premises and within twelve (12) feet of the primary public entrance of the establishment it advertises.

e. Temporary signs

1. Commercial.

- (a) Commercial temporary signs are temporary signs that advertise a transitory commercial event or activity occurring on the property where the sign is located, such as construction work, a sale, help-wanted, etc.
- (b) On a single property, one (1) temporary pole sign or one (1) group of temporary wall and/or window signs is permitted for each road the property fronts upon. On properties with multiple units or dwellings, one (1) temporary sign or sign grouping is permitted for each dwelling or unit.
- (c) Dimensions.
 - (1) Area. Each temporary pole sign shall not exceed six (6) square feet in sign area. A grouping of temporary window and/or wall signs shall not exceed twenty (20) square feet in sign area.
 - (2) Sign height. Temporary pole signs shall be limited to four (4) feet in sign height. Temporary wall or window signs shall be limited to eight (8) feet in sign height.
- (d) Temporary signs shall not be directly illuminated in any fashion.
- (e) A temporary sign shall be permitted to be displayed upon a property for up to thirty (30) consecutive days before the occasion, event, or activity commences and up to five (5) consecutive days after the occasion, event, or activity ends. In no case shall the temporary sign be displayed for more than forty-five (45) consecutive days.
- (f) The number of times a temporary sign may be erected upon a property in a calendar year shall be equal to four (4) times the number of temporary signs allowed on the property under Subsection 2 above.

2. Noncommercial.

- (a) Noncommercial temporary signs are temporary signs that advertise a transitory noncommercial occasion, event, or activity occurring on or off the property where the sign is located, such as holidays, birthdays, fairs, festivals, political campaigns, etc.
- (b) On a single lot, one (1) temporary sign is permitted for each road the lot fronts upon.

- (c) Dimensions.
 - (1) Area. Each temporary sign shall not exceed six (6) square feet in sign area.
 - (2) Sign height. Temporary pole signs shall be limited to four (4) feet in sign height. Temporary wall or window signs shall be limited to five (5) feet in sign height.
 - (d) Temporary signs shall not be illuminated in any fashion.
 - (e) A temporary sign shall be permitted to be displayed upon a property for up to thirty (30) consecutive days before the occasion, event, or activity commences and up to five (5) consecutive days after the occasion, event, or activity ends. In no case shall the temporary sign be displayed for more than forty-five (45) consecutive days.
 - (f) The number of times a temporary sign may be erected upon a property in a calendar year shall be equal to three (3) times the number of temporary signs allowed on the property under Subsection 2 above.
3. Sale or Rental of Real Estate.
- (a) Real estate temporary signs are temporary signs that advertise the sale or rental of the real property the sign is located upon.
 - (b) On a single property, one (1) temporary pole sign or one (1) temporary wall and/or window sign is permitted for each road the property fronts upon.
 - (c) Dimensions.
 - (1) Area. Each real estate temporary sign shall not exceed six (6) square feet in sign area.
 - (2) Sign height. Temporary pole signs shall be limited to four (4) feet in sign height. Temporary wall or window signs shall be limited to six (6) feet in sign height.
 - (d) Real estate temporary signs shall not be directly illuminated in any fashion.
 - (e) A real estate temporary sign shall be permitted to be displayed upon a property for the entire time the property is for sale or rent. The sign shall be removed no later than five (5) consecutive days after the property has been sold or let.

§27-2607. Signs Allowed in All Zoning Districts and in Conjunction with all Uses.

In all Zoning Districts and in conjunction with all Uses, the following types of signs are permitted, contingent upon the securing of a sign permit when one is required, and when in full compliance with the applicable requirements of this Chapter.

- a. Any exempt sign.
- b. Any noncommercial temporary sign.

§27-2608. Signs Allowed in Conservation and Residential Districts (CR, WS, SR-1, SR-2, RR, VR, & MHP).

In the CR, WS, SR-1, SR-2, RR, VR, and MHP Zoning Districts the following types of signs and no others shall be permitted upon a lot or site, contingent upon the securing of a sign permit when one is required and when in full compliance with the requirements of this chapter.

- a. Monument signs for residential developments and/or buildings containing more than ten (10) units in compliance with the following regulations.
 1. One (1) sign per street frontage.
 2. Each sign shall have a maximum sign area of twenty (20) square feet and a maximum sign height of five (5) feet.
 3. Illumination of such sign shall only be done externally with a shielded, downward facing light source.
 4. Each sign shall only be erected/installed upon a portion of land owned and controlled by a homeowners or condominium association. The association shall be responsible for maintaining the sign.
- b. Pole or monument signs for permitted non-residential uses in compliance with the following regulations.
 1. One (1) sign per street frontage, and only one (1) type of sign (pole or monument) per property. Where a property or use has multiple signs, all the signs shall be integrated and have a consistent style, lettering, and construction.
 2. Each pole sign shall have a maximum sign area of sixteen (16) square feet and a maximum sign height of seven (7) feet. Each monument sign shall have a maximum sign area of thirty (30) square feet and a maximum sign height of five (5) feet.

3. Illumination of pole signs shall only be done externally with a shielded, downward facing light source. Illumination of monument signs shall only be done with internal illumination or externally with a shielded, downward facing light source.
4. A permitted sign may contain manually changeable copy.

§27-2609. Signs Allowed in Institutional, Office, and Industrial Districts (IN, OP, I, & IO).

In the IN, OP, I, and IO Zoning Districts the following types of signs and no others shall be permitted upon a lot or site, contingent upon the securing of a sign permit when one is required and when in full compliance with the applicable requirements of this chapter.

- a. Any commercial temporary sign.
- b. Freestanding signs for permitted non-residential uses in compliance with the following regulations.
 1. One (1) sign per street frontage.
 2. Each sign shall have a maximum sign area of fifty (50) square feet.
 3. Pole signs shall have a maximum sign height of twelve (12) feet, and monument signs shall have a maximum sign height of seven (7) feet.
 4. Each sign may be externally or internally illuminated. External illumination shall only be done with a shielded, downward facing light source.
- c. Building signs for permitted non-residential uses in compliance with the following regulations.
 1. No more than two (2) projecting or wall signs shall be erected/installed on each principal building located on a property, and not more than one (1) of these two (2) signs shall be a projecting sign.
 2. The sign area of each wall sign shall not exceed ten percent (10%) of the exterior area of the building wall onto which it is mounted (including window and door area and cornices). Any projecting sign shall have a maximum sign area of thirty-two (32) square feet.
 3. The total sign area of all the building signs on the property shall not exceed sixty (60) square feet.

- d. Additional temporary sign for permitted non-residential uses in compliance with the following regulations.
 - 1. One (1) additional commercial temporary sign is allowed on any property that contains more than 10,000 square feet of gross floor area.
 - 2. The additional commercial temporary sign shall have a maximum sign area of sixteen (16) square feet and a maximum sign height of six (6) feet.
- e. Electronic message center or changeable copy signs for permitted non-residential uses in compliance with the following regulations.
 - 1. An electronic message center sign or a changeable copy sign may be substituted for or incorporated into a permitted freestanding sign or wall sign but no more than one (1) electronic message sign may be utilized on any one (1) property.
 - 2. The electronic message center sign or changeable copy sign shall comply with all the requirements of the sign it is being substituted for or incorporated into.
 - 3. If fully replacing an allowed sign, the electronic message center sign or changeable copy sign shall have a maximum sign area that is fifty percent (50%) of the allowed maximum sign area of the sign it is being substituted for.
- f. One (1) sandwich board sign for permitted non-residential uses.

§27-2610. **Signs Allowed in Commercial Districts
(C-1, C-2, & C-3).**

In the C-1, C-2, and C-3 Zoning Districts the following types of signs and no others shall be permitted upon a lot or site, contingent upon the securing of a sign permit when one is required and when in full compliance with the applicable requirements of this Chapter.

- a. Any commercial temporary sign.
- b. Monument signs for residential developments and/or buildings containing more than ten (10) units in compliance with the following regulations.
 - 1. One (1) sign per street frontage.
 - 2. Each sign shall have a maximum sign area of twenty (20) square feet and a maximum sign height of five (5) feet.
 - 3. Illumination of such sign shall only be done with a shielded, downward facing light source.

4. Each sign shall only be erected/installed upon a portion of land owned and controlled by a homeowners or condominium association. The association shall be responsible for maintaining the sign.
- c. Freestanding signs for permitted non-residential uses in compliance with the following regulations.
1. One (1) sign per street frontage.
 2. Each sign shall have a maximum sign area of one hundred (100) square feet.
 3. Pole signs shall have a maximum sign height of twenty (20) feet, and monument signs shall have a maximum sign height of seven (7) feet.
 4. Each sign may be externally or internally illuminated. External illumination shall only be done with a shielded, downward facing light source.
- d. Building signs for permitted non-residential uses in compliance with the following regulations.
1. No more than two (2) projecting or wall signs shall be erected/installed on each principal building located on a property, and not more than one (1) of these two (2) signs shall be a projecting sign.
 2. No more than four (4) window signs shall be allowed on each principal building located on a property, and not more than two (2) of these four (4) signs shall be in a single window.
 3. Sign Area.
 - (a) The sign area of each wall sign shall not exceed twenty percent (20%) of the exterior area of the building wall onto which it is mounted (including window and door area and cornices).
 - (b) Any projecting sign shall have a maximum sign area of thirty-two (32) square feet.
 - (c) The sign area of each window sign shall not exceed twenty percent (20%) of the area of the window it is mounted in, and no more than thirty percent (30%) of the area of a window shall be covered by signage.
 - (d) The total sign area of all the building signs on the property shall not exceed one hundred (100) square feet.
- e. Additional temporary sign for permitted non-residential uses in compliance with the following regulations.

1. One (1) additional commercial temporary sign is allowed on any property that contains more than 5,000 square feet of gross floor area in non-residential use.
 2. The additional commercial temporary sign shall have a maximum sign area of sixteen (16) square feet and a maximum sign height of six (6) feet.
- f. Electronic message center or changeable copy signs for permitted non-residential uses in compliance with the following regulations.
1. An electronic message center sign or a changeable copy sign may be substituted for or incorporated into a permitted freestanding sign or wall sign but no more than one (1) electronic message sign may be utilized on any one (1) property.
 2. The electronic message center sign or changeable copy sign shall comply with all the requirements of the sign it is being substituted for or incorporated into.
 3. If fully replacing an allowed sign, the electronic message center sign or changeable copy sign shall have a maximum sign area that is fifty percent (50%) of the allowed maximum sign area of the sign it is being substituted for.
- g. One (1) sandwich board sign for permitted non-residential uses.

§27-2611. Special Sign Regulations for Specific Uses.

The following regulations apply to the signage allowed in conjunction with certain Uses and activities. These regulations are in addition to the other requirements set forth in this Part. The erection or placement of any sign allowed pursuant to this Section is contingent upon the securing of a sign permit when one is required and must be done in full compliance with the applicable requirements of this chapter.

- a. Agricultural Uses (A Uses). In place of the signs allowed in the zoning district where an agricultural use is located, such a Use may erect the following signs.
1. Any commercial temporary sign.
 2. Pole signs for permitted agricultural uses in compliance with the following regulations.
 - (a) One (1) sign per street frontage.
 - (b) Each pole sign shall have a maximum sign area of twenty (20) square feet and a maximum sign height of seven (7) feet.

- (c) Illumination of pole signs shall only be done externally with a shielded, downward facing light source.
 - (d) A permitted sign may contain manually changeable copy.
 - 3. Pole signs advertising the crop being grown in a farm field in compliance with the following:
 - (a) One (1) sign per field of crop.
 - (b). Each pole sign shall have a maximum sign area of two (2) square feet and a maximum sign height of five (5) feet.
 - (c) The sign shall not be illuminated.
 - (d) The sign shall only be in place while the advertised crop is actually planted and growing in the field.
 - (e) Sign permits are not required for these signs.
 - b. Service Stations (Use J19). In addition to the signs allowed in the zoning district where the service station is located, such a Use may also have the following signs:
 - 1. If the service station has more than one (1) road frontage, it may have an additional electronic message center signs or changeable copy sign for each additional road frontage. Other than regarding the number allowed on each property, these signs shall comply with the applicable regulations for the zoning district the service station is located in.
 - 2. If the service station has one (1) or more fuel island canopies (“FIC”) over the gasoline pumps, it may place a sign on the face of each FIC in accordance with the following:
 - (a) The sign shall just consist of the name of the service station or the brand of fuel being sold.
 - (b) Each side of the FIC facing a road frontage may have a sign on it.
 - (c) The sign area shall not exceed forty-five (45) square feet or thirty percent (30%) of the total area of the side of the FIC the sign is located upon, whichever is larger.
 - (d) The sign on the FIC shall have a maximum sign height of twenty (20) feet.
 - (e) Each FIC sign may only be illuminated internally. No external illumination of the sign is allowed.

- c. Multi-tenant Commercial/Industrial Buildings (F, I, J, and K Uses – not including shopping centers). In place of the signs allowed in the zoning district where a multitenant building is located, such a Use may erect the following signs.
1. Where multiple tenants use the same entrance to a building, a directional sign may be posted or erected outside each such entrance to the building in accordance with the following:
 - (a) Each sign shall have a maximum sign area of six (6) square feet and a maximum sign height of six (6) feet.
 - (b) Each sign can be a freestanding sign or a wall sign.
 - (c) Each sign shall only provide information concerning the location of tenants within the building.
 2. Where a tenant has a separate dedicated entrance just for that tenant, the tenant may post or erect a sign with its and/or logo outside this dedicated entrance to the building in accordance with the following:
 - (a) Each sign shall have a maximum sign area of six (6) square feet and a maximum sign height of six (6) feet.
 3. Where the Use is comprised of several separate buildings in an integrated complex or campus (Use F6, F7, J32, and J35 only), directional signs may be posted or erected along the driveways of the complex/campus at each entrance to the complex/campus or at each building within the complex/campus in accordance with the following:
 - (a) Each sign shall be a freestanding sign with a maximum sign area of twenty (20) square feet and a maximum sign height of six (6) feet.
 - (b) Each sign shall be placed to provide directions to and so it can be read by drivers in automobiles traversing the adjacent driveway or parking lot.
 - (c) Each sign shall only provide information concerning the location of tenants within the complex/campus.
 4. Each tenant may erect a single commercial temporary sign and a single sandwich board sign.
- d. Multi-tenant Shopping Centers (Use J24 and similar). In place of the signs allowed in the zoning district where the shopping center is located, such a Use may erect the following signs:

1. A pole sign containing the name of the shopping center and the name of one (1) or more of the tenants of the shopping center along each arterial road frontage in accordance with the following:
 - (a) Each pole sign shall have a maximum sign area of one hundred fifty (150) square feet and a maximum sign height of twenty-two (22) feet.
 - (b) Each pole sign may only be illuminated internally. No external illumination of the sign is allowed.
 2. A monument sign containing the name of the shopping center along each non-arterial road frontage in accordance with the following:
 - (a) Each monument sign shall have a maximum sign area of fifty (50) square feet and a maximum sign height of seven (7) feet.
 - (b) Each monument sign may only be illuminated internally. No external illumination of the sign is allowed.
 3. A single wall sign on the wall of each tenant's unit in accordance with the following:
 - (a) Each wall sign shall have a maximum sign area of thirty (30) square feet.
 - (b) The wall sign shall only contain the tenant's name and/or logo.
 - (c) Each wall sign may only be illuminated internally. No external illumination of the sign is allowed.
 4. A single projecting sign on the wall of each tenant's unit in accordance with the following:
 - (a) Each projecting sign shall have a maximum sign area of six (6) square feet and a maximum sign height of twelve (12) feet.
 - (b) The projecting sign shall only contain the tenant's name and/or logo.
 - (c) Each projecting sign may only be illuminated internally. No external illumination of the sign is allowed.
 5. Each tenant may erect a single commercial temporary sign and a single sandwich board sign.
- d. Theater (Use J10). In addition to the signs allowed in the zoning district where the theater is located, such a Use may erect the following signs:

1. A single marquee sign at the main entrance to the theater in accordance with the following:
 - (a) The marquee sign shall have a maximum sign area of one hundred fifty (150) square feet or thirty (30) square feet per separate theater room within the theater building, whichever is greater.
 - (b) The marquee sign may only be illuminated internally. No external illumination of the sign is allowed.
2. Wall signs specifically designed and used to advertise current and future events or showings at the theater in accordance with the following:
 - (a) Each wall sign shall be no larger than forty (40) inches by fifty-five (55) inches and shall not project more than four (4) inches from the wall
 - (b) No wall sign shall have a sign height in excess of eight (8) feet.
 - (c) Each theater may erect up to four (4) wall signs or one (1) wall sign per separate theater room within the theater building, whichever is greater.
 - (d) The wall signs may only be illuminated internally. No external illumination of the sign is allowed.
- e. Outdoor Athletic Venues (Use E1 or E2). In addition to the signs allowed in the zoning district where the venue is located, such a Use may erect the following signs:
 1. Scoreboards in accordance with the following:
 - (a) One (1) scoreboard per playing field
 - (b) The scoreboard shall have a maximum sign area of one hundred (100) square feet and a maximum sign height of twelve (12) feet.
 - (c) Commercial messages shall not exceed 30% of the front face of the scoreboard.
 - (d) The face of all scoreboards, including any attached commercial signs and panels, shall be permanently oriented toward the athletic venue and the spectators located therein.
 - (e) Illumination of the scoreboard shall only be done externally with a shielded, downward facing light source. Team names and numbers may be shown on the scoreboard electronically or digitally in conformance with the electronic message center regulations.

2. Off-premises signs in accordance with the following:
 - (a) Such signs shall only be hung from fencing surrounding an individual athletic field and shall be permanently oriented toward the athletic venue and the spectators located therein.
 - (b) One (1) sign per fifteen (15) of fencing.
 - (c) Each sign shall have a maximum sign area of thirty (30) square feet and a maximum sign height of six (6) feet.
 - (d) The signs shall only be hung during the athletic seasons the field is in use.
 - (e) The signs shall not be directly illuminated except as a result of the field being illuminated during an event.

- f. Bars and Restaurants (Use J6, J7, and J8). In addition to the signs allowed in the zoning district where the theater is located, such a Use may erect the following signs:
 1. Neon window signs in accordance with the following:
 - (a) The sign area of each window sign shall not exceed twenty percent (20%) of the area of the window it is mounted in, and no more than thirty percent (30%) of the area of a window shall be covered by signage. Moreover, the sign area window signs shall not exceed ten percent (10%) of the exterior area of the building wall in which the windows with these signs are located (including window and door area and cornices).
 - (b) The signs shall be turned off whenever the business establishment where they are hung is closed to the public.
 - (c) The signs shall comply with the illumination and intensity regulations for electronic message centers contained within this Part.

§27-2612. Off-Premises Signs

Off-premises signs are allowed in the Township in accordance with the following requirements. This section applies to both commercial and noncommercial off-premises signs, except as may be specifically provided for elsewhere in this chapter.

- a. Purpose. Off-premises signs are controlled by this chapter to serve the following purposes:
 1. To ensure that a physical environment is maintained that is attractive to desirable types of development;

2. To prevent visual pollution in the Township and protect property values;
 3. To prevent glare onto adjacent property and streets;
 4. To protect the open space and natural character of areas of the Township planned to remain agricultural or as conservation areas;
 5. To avoid the creation of additional visual distractions to motorists; and
 6. To protect the public's health, safety, morals and general welfare.
- b. Approval. Off-premises signs are only permitted as a special exception.
- c. Location. Off-premises signs shall be only located only along Route 313/Swamp Road in the OP Zoning District or along County Line Road in the I and/or IO Zoning Districts.
- d. Type. All off-premises signs shall be non-illuminated, permanent freestanding signs erected upon the ground. No off-premises sign shall be erected upon, painted on, applied to, attached to, and/or supported by a building, vehicle, or other structure.
- e. Site
1. All off-premises signs shall be erected upon land which is leased or purchased for the exclusive business purpose of advertising by sign. Only one (1) such sign may be erected per parcel.
 2. Off-premises signs shall not be erected upon or within any protected natural resource.
 3. Off-premises signs shall not be erected upon or within any rights-of-way, utility easements, or any easement held by the Township or a third party.
 4. Off-premises signs shall not be erected upon a bridge or culvert.
- f. Area. No off-premises sign shall be permitted to exceed a maximum sign area of one hundred and sixty (160) square feet, including border and trim but excluding supports. A sign having two (2) sides back-to-back or a V-shaped sign with a horizontal angle not greater than forty-five degrees (45°) is permitted to have one hundred and twenty (120) square feet on each side for a total maximum sign area of two hundred and forty (240) square feet.
- g. Sign Height
1. No off-premises sign or any part thereof shall be taller than twenty (20) feet in height as measured from the nearest shoulder of the road to the highest point of

the proposed sign or taller than twenty-five (25) feet in height measured from the lowest point of the undisturbed surface of the ground underneath the sign.

2. All off-premises signs shall have a minimum clearance of eight (8) feet.
3. No off-premises sign shall be erected upon a berm or other artificial/man-made structure designed to increase the height of the sign.

h. Setbacks

1. Right-of-Way. No off-premises sign or any part thereof shall be erected or maintained closer than fifty (50) feet from the existing or ultimate right-of-way of a public street. No off-premises sign or any part thereof shall be erected or maintained farther away than one hundred (100) feet from the existing or ultimate right-of-way of Route 313/Swamp Road or County Line Road. No off-premises sign or any part thereof shall be erected or maintained within fifty (50) feet of any driveway or private lane.
 2. Side or Rear Yards. No off-premises sign or any part thereof shall be erected or maintained within fifty (50) feet of any side or rear property line.
 3. Street Intersection. No off-premises sign shall be erected within one hundred (100) feet of any public street intersection.
 4. Bridge or Overpass. No off-premises sign shall be erected within five hundred (500) feet of any bridge or overpass.
 5. Buildings and signs. No off-premises sign or any part thereof shall be erected or maintained within fifty (50) feet of any building or on-premises sign.
 6. Residences. No off-premises sign shall be located closer than five hundred (500) feet to any residence located within a residential or agricultural zoning district, such measurement to be made between the two (2) nearest points located on any portion of the sign and the residence.
 7. Public and civic places. No off-premises sign shall be placed so as to face a lot located within three hundred (300) feet of the sign and occupied by a church, school, park, playground, open space, historic building, or cemetery.
 8. Other off-premises signs. No off-premises sign shall be located closer than one thousand (1,000) feet to any other off-premises outdoor advertising sign, such measurement to be made between the two (2) nearest points located on any portion of the signs.
- i. Advertisement. An off-premises sign structure may contain only one (1) sign or advertisement per face.

- j. Illumination. Off-premises signs shall not be artificially lit in any fashion.
- k. The following buffer plants shall be planted adjacent to all off-premises signs. The size and species of these plants shall comply with the requirements listed in Part 28 of this Chapter.
 - 1. Five (5) evergreens within a forty (40) foot radius along the sides and rear of the sign;
 - 2. Four (4) flowering trees within a fifty (50) foot radius along the sides of the sign; and
 - 3. One (1) shrub in front of the sign for every three (3) lineal feet of sign frontage.
- l. Construction and Maintenance.
 - 1. All plans for off-premises signs shall be certified by a licensed engineer registered in Pennsylvania.
 - 2. All off-premises signs shall be constructed in accordance with industry-wide standards established by the Outdoor Advertising Association of America and the Institute of Outdoor Advertising, or their successor organizations, as well as in accordance with the Pennsylvania Uniform Construction Code.
 - 3. All off-premises signs shall be structurally sound and maintained in good condition and in compliance with the Pennsylvania Uniform Construction Code.
 - 4. The structural components of the sign shall be maintained to ensure their integrity and to prevent the possible collapse of the sign. Any damage to the structural components shall be repaired within twenty-four (24) hours.
 - 5. The face of the sign shall be blank or shall show the full advertisement. Signs having ripped, defaced, or partial advertisements shall be immediately repaired by having the advertisement restored to its original condition, removed, or covered.
 - 6. The rear face of a single-face, off-premises sign shall be painted and maintained with a single neutral color as approved by the Township.
 - 7. Every three (3) years, the owner of the off-premises sign shall have a structural inspection made of the sign by a licensed engineer registered in Pennsylvania and shall provide to the Township a certificate certifying that the sign is structurally sound.
 - 8. Any trees greater than four (4) inches, DBH removed or damaged during the construction of the sign shall be replaced or replanted on an equivalent caliper

basis. The caliper of all the trees removed or damaged shall be added together, and the applicant shall be required to plant new trees, whose cumulative caliper equals or exceeds that of the removed or damaged trees. The planting of replacement trees shall occur onsite, or on a property within New Britain Township designated and approved by the Board of Supervisors, unless the applicant offers a fee in lieu of the required replacement, such fee being approved by the Board of Supervisors, in its sole discretion. Replacement trees shall be species native to the Township; planted not less than 20 feet on center; and shall have a minimum caliper of three and a half (3½) inches, DBH

- m. Identification of Sign Owner: All off-premises signs shall be identified on the structure with the name, address, and phone number of the owner of such sign.
- n. Prohibitions. All off-premises signs shall comply with the prohibited signs section of this Part. No digital or electronic off-premises signs are allowed, including, but not limited to, revolving or flashing signs, signs with intermittent illumination, or signs with mechanically or electronically changing messages or pictures. No mobile signs or manually changeable copy signs shall be permitted as off-premises signs.
- o. Application/Plan Requirements. All applicants/owners of an off-premises sign must obtain a sign permit prior to erecting the sign in addition to obtaining special exception approval. Any plans submitted in conjunction with an off-premises sign permit application shall show the following in addition to the information required for any sign permit application:
 - 1. The location of the proposed sign on the lot with all the required sign setbacks.
 - 2. The location and species of: existing trees, trees and vegetation to be removed, replacement trees, and proposed landscaping and buffering.
 - 3. The distance to the nearest existing off-premises sign.
 - 4. Proof of compliance with all of the applicable requirements set forth in this chapter.
 - 5. Certification under the seal by a licensed engineer that the off-premises sign, as proposed, is designed in accordance with all federal, state, and local laws, codes, and professional standards.
- p. Additional Regulations. All off-premises signs shall comply with any and all applicable zoning regulations of the Township, and all other applicable municipal, state, and/or federal regulations. In the event any other applicable regulation is in conflict with the provisions of this Section, the more strict regulation shall apply.
- q. Safety. In applying for special exception relief, the applicant bears the burden of proof to establish that the proposed off-premises sign will not create a public health or safety

hazard in the matter and location that it is proposed and in the manner by which it is to be erected and used.

§27-2613. **Permits & Applications**

- a. Permit required. It shall be unlawful to erect, install, construct, alter, structurally repair, move, or replace any sign not classified as “exempt” under this Part without first obtaining a sign permit from the Township Zoning Officer. Normal sign maintenance, which only includes cleaning and repairs, shall not require a sign permit nor shall a permit be required for changing the advertising copy on a permanent sign.
- b. Prior to the erection of any sign or signs requiring a sign permit, the applicant shall file a sign permit application with the Township along with any required fee, set from time to time by resolution of the Board of Supervisors.
- c. Along with the application, the applicant shall submit two (2) copies of a plan drawn to scale depicting:
 1. Lot dimensions; building frontage; and existing cartways, rights-of-way and driveways.
 2. The design of each sign face and sign structure, including dimensions, total area, sign height, depth, color scheme, structural details, materials, lighting scheme and proposed location.
 3. Building elevations, existing and proposed facades, parapet walls, eave line and the location and size of all proposed and existing permanent signage.
 4. Current photographs showing existing signs on the premises (if any) and certifying the date on which photographs were taken.
- d. Upon the filing of an application for a sign permit, the Township shall examine such plans and specifications and other data and the premises upon which it is proposed to erect the sign or other advertising structure, and if it shall appear that the proposed structure(s) is(are) in compliance with the requirements of this Part and chapter and all other laws and ordinances of the Township, the officer shall then issue the sign permit. If the work authorized under a sign permit has not been completed within six (6) months of the date of issuance, the said permit shall become null and void.
- e. An application for a sign permit may be denied by the Township if the application fails to comply with the standards contained herein. The Township shall inform the applicant of the reasons for denying the sign permit application in writing.
- f. Upon denial of a sign permit application, the applicant has thirty (30) days to revise and resubmit the application for review by the Township. In the alternative, the applicant

may appeal the denial to the Zoning Hearing Board in accordance with the requirements of this chapter.

- g. Sign permits shall not expire provided that such signs are not abandoned or destroyed. In the instance that substantial repair or replacement becomes necessary (i.e., repairs that cost more than fifty (50) percent of the replacement cost of the damaged sign); the applicant must apply for a new sign permit, and pay an additional fee, if required.

§27-2614. Maintenance.

All signs permitted in this chapter must be constructed of durable materials and must be kept in good condition and repair. If any sign is allowed to become dilapidated, then the owner of the property upon which the sign is located shall be notified by the Zoning Officer to restore said sign to good and proper condition within thirty (30) days. The Zoning Officer shall make the determination as to whether the sign has become dilapidated and, also, whether said sign has been restored to good and proper condition. Should the landowner object to the Zoning Officer's determination, then said landowner shall appeal the Zoning Officer's decision to the Zoning Hearing Board within thirty (30) days after receiving notice from the Zoning Officer. Failure of a landowner to either rectify the condition of the sign within thirty (30) days or to appeal the decision of the Zoning Officer to the Zoning Hearing Board within thirty (30) days shall constitute a violation of this chapter.

§27-2615. Removal of Unpermitted, Unlawful, Unsafe, or Abandoned Signs.

The following provisions shall apply in all zoning districts:

- a. Unsafe, unlawful, or unpermitted signs.
 - 1. Upon receipt of written notice from New Britain Township, the sign owner or owner of the property where the sign is located shall remove any sign which meets one (1) or more of the following:
 - (a) Becomes unsafe;
 - (b) Is in danger of falling;
 - (c) Becomes deteriorated so that it no longer serves the purpose of communication;
 - (d) Determined to be a nuisance by the Township;
 - (e) Has been unlawfully erected in violation of any of the provisions contained in this Part; or

- (f) Has been erected without application for and/or without the issuance of a sign permit in conformance with the provisions contained in this Part.
2. New Britain Township may remove or cause to be removed, the sign, at the expense of the sign owner or property owner, where such owner has not complied with the terms of the notice. Permanent signs shall be removed or remedied within thirty (30) days of the date of the notice. Temporary signs shall be removed within five (5) business days of the date of the notice. In the event of immediate danger, the Township may remove the sign immediately upon issuance of notice.
- b. Abandoned signs.
1. It shall be the responsibility of the owner of any property upon which an abandoned sign is located to remove such sign within thirty (30) days of the sign becoming abandoned as defined in this Part. Removal of an abandoned sign shall include the removal of the entire sign including the sign face, supporting structure, and structural trim.
 2. Where the owner of the property on which an abandoned sign is located fails to remove such sign in thirty (30) days, New Britain Township may remove such sign. Any expense directly incurred in the removal of such sign shall be charged to the owner of the property. Where the owner fails to pay, New Britain Township may file a lien upon the property for the purpose of recovering all reasonable costs associated with the removal of the sign.

§27-2616 Nonconforming Signs.

- a. Signs legally in existence as of October 10, 2020, which do not conform to the requirements of this chapter, shall be considered nonconforming signs.
- b. Nonconforming signs may be repainted or repaired, the sign copy may be changed, and sign faces may be replaced provided that these actions do not increase the dimensions of the existing sign and do not in any way increase the extent of the sign's nonconformity. A nonconforming sign, however, shall be brought into conformance with the sign regulations of this Part if and when the following occurs:
 1. The sign is removed, relocated, or significantly altered. Significant alterations include changes in the size or dimension of the sign or changes to the support structure of the sign.
 2. If more than fifty percent (50%) of the sign area is damaged, it shall be repaired to conform to this chapter.
 3. An alteration in the structure of a sign support.

4. A change in the mechanical facilities or type of illumination
 5. A change in the material of the sign face.
 6. The property on which the nonconforming sign is located submits a subdivision or land development application requiring municipal review and approval.
 7. The property on which the nonconforming sign is located undergoes a change of land use requiring the issuance of either a use and occupancy permit or a change of use and occupancy permit by the Township.
- c. To request a determination of the legal nonconforming status of existing signs, the requestor shall submit the following information to the Township Zoning Officer:
1. Type(s) of existing sign(s) located on the property.
 2. The area and height of all signs.
 3. For freestanding signs, the distance between the curblin e or shoulder and the nearest portion of the sign.
 4. Type of sign illumination.
 5. The material of which the sign is constructed.
 6. The building frontage.
 7. If the sign in question is an off-premises sign, the applicant shall also submit the plan requirements for such signs as listed in this Part.
- d. A nonconforming sign shall be exempt from being brought into conformance in accordance with the provisions of this Section if it meets one (1) of the following conditions:
1. The nonconforming sign possesses documented historic value.
 2. The nonconforming sign is of a unique nature or type by virtue of its architectural value or design, as determined by the National Park Service, Pennsylvania Historical and Museum Commission, or local historical commission.
 3. When a nonconforming sign is required to be moved because of public right of way improvements.
- e. Nonconforming signs on the premises of legal nonconforming uses.

	feet and 1 shrub per 20 feet
45 feet or greater	(e) 1 canopy tree per 50 feet and 1 flowering tree per 50 feet and 1 evergreen per 50 feet and 1 shrub per 15 feet
	(f) 1 canopy tree per 100 feet and 1 evergreen per 30 feet and 1 hedge planted 1 to 5 feet inside the boundary line with plants 3 feet on center
	(g) 1 evergreen per 25 feet and 1 shrub per 10 feet
	(h) A berm varying in height from 3 to 5 feet with maximum side slopes of all be 4 horizontal to 1 vertical and 1 flowering or evergreen tree per 20 feet and 1 shrub per 10 feet

ARTICLE XLIX. Buffer Yards

Subsection 27-2802.c.2 of Chapter 27, Zoning, of the New Britain Township Code shall be amended by removing “Koelreuteria paniculata — Golden Rain Tree” from this list of approved flowering trees.

ARTICLE L. Buffer Yards

Subsections 27-2802.c.5 and c.6 of Chapter 27, Zoning, of the New Britain Township Code shall be amended by removing “Euonymus alatus - Winged Euonymus” from these lists of approved plants.

ARTICLE LI. Buffer yards

Subsection 27-2803 of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to add a new subsection g. that shall read as follows:

- g. Buffers created and/or planted in conformance with Chapter 22 of this Code shall be maintained as originally designed and approved. Required buffer vegetation shall not be removed and shall be replaced by the owner of the buffer with like plants if dead, diseased, or severely damaged.

ARTICLE LII. Parking

Subsection 27-2902.f of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

- f. Site Plan. Any parking area construction, installation, expansion, and/or improvement involving any new or additional impervious area shall require submission of a site plan to the Township for approval.

ARTICLE LIII. Parking

Subsection 27-2902 of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to add a new subsections g and h which shall read as follows:

- g. Common guest parking areas shall be required at the rate of 0.3 spaces per dwelling unit for B3, B4, B5, and B6 Uses. On-street parking may be counted towards meeting this requirement, and the remainder, if any, shall be provided in an off-street parking lot that meets all of the applicable regulations and requirements set forth in Chapter 22, Subdivision and Land Development, of this Code.
- h. Except for an off-street parking area on a single-family lot or serving a single-family or two-family dwelling, no off-street parking area shall be designed or built to require vehicles exiting the area to back out onto a street.

ARTICLE LIV. Parking

Subsection 27-2905.b.3 of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

- 3. Trailer. A vehicle with a length of 10 feet or more that is not self-propelled; that is intended to haul materials, vehicles, goods, gases or liquids; and/or that is intended to be pulled by a tractor (as defined above).

ARTICLE LV. Parking

Subsection 27-2905.e of Chapter 27, Zoning, of the New Britain Township Code is hereby amended to read as follows:

- e. No commercial truck or van with a gross weight exceeding 8,500 pounds or greater than two (2) axles or any tractor or any trailer (as defined by this section) shall be maintained (except emergency repairs), parked, stored, or otherwise kept within or upon a lot, driveway, street, or other location that is within a residential zoning district between the hours of 8:30 p.m. and 9:00 a.m. any day of the week. This prohibition does not apply to a single truck or van parked, stored, or otherwise kept within an enclosed building or garage upon a residential lot.

ARTICLE LVI. Attachment 2

The following portions of Attachment 2 to Chapter 27 of the New Britain Code of Ordinances are hereby amended to read as follows:

LAND USE	CR	WS	SR-1	SR-2	RR	VR	MHP	C-1	C-2	C-3	OP	IN	I	IO
C. INSTITUTIONAL USES														
C4 Group Home	SE	SE	SE	SE	SE	SE	SE	N	N	N	N	SE	N	N
H. RESIDENTIAL ACCESSORY BUILDING, STRUCTURE OR USE														
H16. Short Term Rental	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	N	N
J. RETAIL AND SERVICE USES														
J35 Planned Integrated Development	N	N	N	N	N	N	N	CU	N	N	N	N	N	N

ARTICLE LVII. Repealer

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

ARTICLE LVIII. Severability

If any section, paragraph, subsection, clause or provision of this Ordinance shall be declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any part thereof other than that portion specifically declared invalid.

ARTICLE LVIX. Effective Date

This Ordinance shall become effective five (5) days after final enactment.

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NEW BRITAIN TOWNSHIP
ZONING AMENDMENT -REZONING
Ordinance No.: 2020-_____

ENACTED and *ORDAINED* this _____ day of _____, 2020.

NEW BRITAIN TOWNSHIP
BOARD OF SUPERVISORS

William B. Jones, III, Chairman

Helen Haun, Vice Chair

Gregory Hood

Cynthia Jones

MaryBeth McCabe