

# DOYLESTOWN TOWNSHIP

## ZONING

### ARTICLE II Definitions

§ 175-8. Word usage. [Amended 9-1-1992 by Ord. No. 219]

Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings herein indicated. The singular shall include the plural, and the plural shall include the singular. The word “occupy” includes the words “designed or intended to be occupied.” The word “use” includes the words “arranged, designed or intended to be used.” The present tense shall include the future tense. The word “shall” is always mandatory.

§ 175-9. Terms defined.

As used in this chapter, the following terms shall have the meanings indicated:

**ACCESSORY BUILDING** — A building subordinate to and on the same lot with the principal building on a lot, used for purposes customarily incidental to those of the principal building, and not to be used for residential purposes unless such building was originally designed for residential uses, as in conjunction with an institution.

**ACCESSORY USE** — A use on the same lot with and customarily incidental and subordinate to the principal use of land or of a building.

**AGRICULTURE** — The cultivating of soil and the raising and harvesting of products of the soil, including but not limited to nurseries, nursery sales yards, horticulture, forestry and animal husbandry.

**AGRICULTURE FACILITY INTENSIVE** — A farm building, structure or facility designed, constructed and/or operated for the intensive and accelerated raising of poultry, animal or agricultural produce and/or byproducts of the same for commercial sale.

**ALLEY** — A strip of land over which there is a public or private right-of-way which serves as the secondary means of vehicular access to the side or rear of two or more properties. Frontage on such a right-of-way shall not be construed as satisfying the requirements of the chapter related to frontage on a dedicated street.

**ALTERATION OF BUILDING** — Any change in supporting members of a building, such as bearing walls, columns, beams or girders; any addition to a building; any change in use from one district classification to another; or removal of a building from one location to another.

**APARTMENT** — A room or group of rooms in an apartment house or multifamily structure designed for and being intended for use and occupancy exclusively as a residence for only one family.

**BUFFER AREA** — A strip of land adjacent to the boundary of a property or district of a width not less than that designated by this chapter and on which is placed evergreen shrubbery, hedges, evergreens or other suitable plantings of sufficient height and density to constitute an effective screen and give maximum protection and immediate screening to an abutting property or district.

**BUILDING** — Any structure having enclosing walls and roof and permanently located on the land.

**BUILDING AREA** — The aggregate of the maximum horizontal cross-section areas of all buildings on a lot, including accessory structures, above the ground level, measured at the greatest outside dimensions. [Amended 12-16-1997 by Ord. No. 268]

**BUILDING, PRINCIPAL** — A building in which is conducted the principal use of the lot on which it is situated.

**BUILDING SETBACK LINE** — The line which establishes the minimum depth of front, side and rear yards. The front building line is a line parallel to the right-of-way at a distance therefrom equal to the depth of the front yard required for the district in which the lot is located. The side building line is a line parallel to the side property line at a distance therefrom equal to the depth of the side yard required for the district in which the lot is located. The rear building line is a line parallel to the front building line at a distance from the rear lot line equal to the depth of the rear yard required for the district in which the lot is located.

**CARTWAY** — That portion of a street or alley intended for vehicular use.

**CLEAR SIGHT TRIANGLE** — An area of unobstructed vision at street intersections defined by the right-of-way lines of the street and by a line of sight between a point on the right-of-way lines and a given distance from the intersection of the right-of-way lines.

**COMMUNITY HOME** — An institution or other residence which provides temporary or permanent housing for individuals who are not related by blood, marriage or adoption, including foster children, to the operator and who are unable to provide a home for themselves, such as children, the aged, the indigent or the handicapped.

**COMPREHENSIVE PLAN** — Maps, charts and text duly adopted by the Doylestown Township Board of Supervisors as the Official Comprehensive Plan of the Township.

**CONDITIONAL USE** — Any use that is permitted subject to additional conditions, as specified in this chapter, beyond those contained in the general provisions of this chapter and the specific provisions of the particular district in which the lot is located and subject to the approval of the Board of Supervisors.

**CUL-DE-SAC** — A street with one end open for public vehicular and pedestrian access and the other end terminating in a vehicular turnaround.

**DAYS** — Calendar days.

**DECISION** — Final adjudication of any board or other body granted jurisdiction under this chapter, either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Bucks County and the judicial district wherein the Township lies. [Added 9-19-1989 by Ord. No. 195]

**DECK** — An unenclosed patio or porch attached to or immediately adjoining a dwelling unit. [Amended 9-1-1992 by Ord. No. 219]

**DENSITY** — The number of dwelling units per acre.

**DENSITY, NET** — The number of dwelling units per the net buildable site area, as determined in Article V.

**DETERMINATION** — Final action by an officer, body or agency charged with the administration of this chapter or applications thereunder, except the Board of Supervisors and Zoning Hearing Board. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal. [Added 9-19-1989 by Ord. No. 195]

**DEVELOPMENT** — Any man-made change to improved or unimproved real estate, including but not limited to buildings or other structures, the placement of mobile homes, streets or other paving, utilities, filling, grading,

excavation, mining, dredging or drilling operations and the subdivision of land.

**DISTRICT** — A zoning district as laid out on the Zoning Map, Editor's Note: Said map is on file in the Township offices. along with the regulations pertaining thereto.

**DORMITORY** — A building occupied by and maintained exclusively for faculty, students or other such persons affiliated with a school, church, recreational or educational facility or other recognized institution.

**DRIVEWAY** — A minor vehicular right-of-way providing access between a street and a parking area or garage within a lot or property. Editor's Note: See also Ch. 83, Driveways.

**DWELLING** — A building designed for and occupied exclusively for residential purposes, excluding hotel, rooming house, tourist home, institutional home, guesthouse, residential club, motel, motor court and the like, but including the following:

- A. **SINGLE-FAMILY DETACHED** — A building designed for and occupied exclusively as a residence for only one family and having no party wall in common with an adjacent building. Where a private garage is structurally attached to such a building, it shall be considered a part thereof.
- B. **SINGLE-FAMILY SEMIDETACHED** — A building designed for and occupied exclusively as a residence for only one family and having a party wall in common with one adjacent building; a single-family twin dwelling. Where a private garage is structurally attached to such a building, it shall be considered a part thereof.
- C. **TWO-FAMILY DETACHED** — A building designed for and occupied exclusively as a residence for two families living independently of each other with one family wholly or partly over the other and having no party wall in common with an adjacent building: a detached duplex dwelling. Where a private garage is structurally attached to such a building, it shall be considered a part thereof.
- D. **TWO-FAMILY SEMIDETACHED** — A building designed for and occupied exclusively as a residence for two families living independently of each other with one family living wholly or partly over the other and having a party wall in common with an adjacent building: a semidetached duplex dwelling. Where a private garage is structurally attached to such a building, it shall be considered a part thereof.
- E. **MULTIFAMILY** — A building, not a townhouse, on a lot designed for and occupied exclusively as a residence for three or more families living independently of one another, with or without the provisions of meal service for its tenants and guests and with or without a central dining room, but without meal service for the general public and without habitable rooms in the basement: an apartment house or apartment complex.
- F. **SINGLE-FAMILY ATTACHED** — A dwelling on a lot designed and occupied exclusively as a residence for one family, having independent outside access and attached to but separated from adjoining dwellings by not more than two party walls: a townhouse dwelling.

**DWELLING UNIT** — Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, cooking and eating by one family. An in-law suite as permitted herein shall, for the purposes of this chapter, be considered to be part of a single dwelling unit even though it may contain facilities which are used or intended to be used for living, sleeping, cooking and eating by family members. [Amended 5-4-1993 by Ord. No. 224]

**EASEMENT** — A right-of-way or restriction granted for limited use of private land within which the owner of the property may be restricted from erecting permanent structures but shall have the right to make any other use

of the land which is not inconsistent with the rights of the grantee.

**FACING WALLS** — Those walls opposite to and parallel with one another or walls or wall lines extended off opposite walls intersecting at angles of less than 60°.

**FAMILY** — Individuals, including domestic servants, living together in a single dwelling and maintaining a common household. A roomer, boarder or lodger shall not be considered a member of the family. [Amended 5-4-1993 by Ord. No. 224]

**FLOOD** — A temporary inundation of normally dry land areas.

**FLOOD FRINGE** — That portion of the floodplain outside the floodway.

**FLOOD, ONE-HUNDRED-YEAR** — A flood that, on the average, is likely to occur once every 100 years and that has a one-percent chance of occurring each year, although the flood may occur in any year.

**FLOODPLAIN** — A relatively flat or low land area adjoining a river, stream or watercourse which is subject to partial or complete inundation; and an area subject to the unusual and rapid accumulation or runoff of surface waters from any source.

**FLOODWAY** — The designated area of a floodplain required to carry and discharge floodwaters of a given magnitude. For the purpose of this chapter, the floodway shall be capable of accommodating a flood of the one-hundred-year magnitude, as defined by the Federal Emergency Management Agency and the National Flood Insurance Program.

**FUNERAL HOME** — A mortuary, including auditorium, crematorium, funeral equipment sales, laboratory and temporary storage facilities, but not including cemeteries, columbariums, mausoleums or any other permanent storage facility.

## **GARAGE**

A. **PRIVATE GARAGE** — A building accessory to or an integral part of a single-family or two-family dwelling for the storage of one or more motor vehicles owned and used by the owner or tenant or members of his household.

B. **PUBLIC GARAGE** — A building, other than a private or a storage garage, used for the storage, service or repair of motor vehicles.

C. **STORAGE GARAGE** — A building, not a private or public garage, one story in height, used solely for the storage of automobiles but not for the sale, service or repair of automobiles.

**GASOLINE SERVICE STATION** — Any area of land, including structures thereon, or any building or part thereof that is used for the sale of gasoline or other motor vehicle fuel or accessories and which may or may not

include facilities for lubrications, washing or otherwise servicing motor vehicles but which shall not include painting or body or fender repairs.

**GRADE LEVEL** — The mean elevation of the ground surrounding a building, calculated as an average of the highest and lowest elevations.

**GREENHOUSE** — A horticultural use or operation occurring within a partially or totally enclosed structure, including but not limited to the sale of products produced in such structure.

**GUESTHOUSE/BED-AND-BREAKFAST** — A dwelling in which temporary sleeping accommodations are provided for compensation for no more than 10 persons at any given time.

**HEARING** — An administrative proceeding conducted by the Board of Supervisors or the Zoning Hearing Board pursuant to this chapter. [Added 9-19-1989 by Ord. No. 195]

**HEIGHT OF BUILDING** — A building's vertical measurement from the mean level of the ground surrounding the building to a point midway between the highest and the lowest points of the roof. Farm silos and church steeples shall be considered as accessory irregularities which are exempt from the height limitations for principal buildings or uses.

**HOME OCCUPATION** — A lawful occupation customarily conducted in a dwelling unit or in a building or other structure accessory to a dwelling unit, carried on by a member of the family residing in the dwelling unit and which is clearly incidental to the use of the dwelling unit for residential purposes.

**HOTEL/MOTEL/INN** — A building used for the purpose of furnishing for compensation temporary lodging to the public and having lodging accommodations for more than 10 persons.

**IMPERVIOUS SURFACE** — Any surface which does not absorb rain; all buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete, asphalt, packed stone or other equivalent surfaces. [Amended 11-4-1991 by Ord. No. 208]

**IMPERVIOUS SURFACE RATIO** — The total area of all impervious surfaces divided by the net buildable site area, as defined in Article V.

**JUNKYARD** — A lot, land or structure or part thereof used primarily for the collection, storage and sale of wastepaper, rags, scrap metal or discarded material or for the collection, dismantling, storage or salvaging of machinery or vehicles not in operating condition and for the sale of parts thereof.

**KENNEL** — Any establishment wherein four or more dogs and other domesticated pets four months of age or

older are kept for the purpose of breeding, boarding, sale or show purposes.

**LAKES and PONDS** — Year-round bodies of water. The shorelines of such bodies shall be measured from the permanent pool elevation.

**LEGAL RIGHT-OF-WAY** — A right-of-way established and shown on a final record plan on file at the Township Office. The legal right-of-way shall be the future or ultimate right-of-way.

**LIVESTOCK** — Includes all cattle, horses, ponies, donkeys, mules, hogs, sheep, goats, rabbits, hares, poultry and any other similar creature raised for human use or profit, but shall not include dogs, cats or similar creatures customarily kept as household pets.

**LOADING BERTH** — A space, accessible from a street or driveway, in a building or on a lot for the temporary use of vehicles while loading or unloading merchandise or materials, but not to be used for storage.

**LOT** — A parcel of land, set aside from other parcels, in one ownership and not divided by any street and not including any land within the right-of-way of any public or private street even if the ownership to such right-of-way is the owner of the lot, and not including future easements.

**LOT AREA, MINIMUM** — The total horizontal area of the lot lying within the lot lines, provided that no area of land lying within any street or legal right-of-way and no area which is to be part of future easements for aboveground drainage facilities, including, but not limited to, detention basins, retention basins and swales, shall be deemed a portion of any lot area. In addition, the minimum lot area required by this chapter in any zoning district, up to a maximum of 40,000 square feet, shall not include the area of any lands which contain floodplains, wetlands, waters of the Commonwealth, lakes, ponds, streams and watercourses, as referenced in § 175-27 of this chapter. [Amended 9-19-1989 by Ord. No. 193; 2-20-1996 by Ord. No. 249]

**LOT, CORNER** — A lot which has an interior angle of less than 135° at the intersection of two street lines. A lot abutting on a curved street shall be considered a corner lot if the tangents to the curve at the points of intersection of the side lot lines intersect as an interior angle of less than 135°.

**LOT, INTERIOR** — A lot other than a corner lot.

**LOT LINE** — A property boundary line of any lot held in single and separate ownership, except that in the case of any lot abutting a street, the lot line for such portion of the lot as abuts the street shall be deemed to be the same as the street line and shall not be the center line of the street or any other line within the street line even though such may be the property boundary line.

**LOT, THROUGH** — An interior lot having frontage on two parallel or approximately parallel streets.

**LOT WIDTH** — The horizontal distance between the side lines of the lot measured at the building setback line.

**MOBILE HOME** — A transportable, single-family dwelling intended for permanent occupancy, contained in one unit or in two or more units designed to be joined into one integral unit capable of being again separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that the unit may be used without a permanent foundation. [Amended 9-19-1989 by Ord. No. 195]

**MOBILE HOME LOT** — A parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home. [Added 9-19-1989 by Ord. No. 195]

**MOBILE HOME PARK** — A parcel or contiguous parcels of land which has been so designated and improved that it contains two or more mobile home lots for the placement thereon of mobile homes. [Amended 9-19-1989 by Ord. No. 195]

**MUNICIPALITY** — The Township of Doylestown.

**NONCONFORMING LOT** — A lot, the area or dimension of which was lawful prior to the adoption or amendment of this chapter but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment. [Amended 9-19-1989 by Ord. No. 195]

**NONCONFORMING STRUCTURE** — A structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions in this chapter or any amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this chapter or any amendment or prior to the application of such chapter or any amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs. [Added 11-4-1991 by Ord. No. 208]

**NONCONFORMING USE** — A use of a building or lot which does not comply with the applicable use regulations of this chapter or amendments thereto for the district in which it is located but which was in existence at the time the use regulations became effective and was lawful at the time it was established.

**NURSING HOME** — A licensed establishment which provides full-time convalescent or chronic care for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. No care for the acutely ill or surgical or obstetrical services shall be provided in such a home.

**OCCUPANCY CERTIFICATE** — A certificate stating that all work indicated on a building permit has been satisfactorily completed or, in cases not involving construction, that a proposed new use is in conformity with this chapter and the building or lot may be occupied.

**OFF-PREMISES OUTDOOR ADVERTISING SIGN** — A sign, including the supporting structure, framework, and power sources, if any, which advertises, draws attention to or promotes any product, article of business, service or activity sold, occurring or located, temporarily or permanently, on a property other than that upon which the sign is located. [Added 3-6-2007 by Ord. No. 337]

**OPEN SPACE** — That area of land and/or water to be restricted from future development for the purpose of protecting natural features, providing buffers or for recreational purposes. Open space does not include land occupied by structures, roads, road rights-of-way, parking lots, land reserved for future parking lots, stormwater detention basins or retention basins or areas of public facilities, such as community septic systems, nor does it include any portion of the minimum lot areas as required by this chapter. Certain public utilities may occupy a portion of the open space if approved by the Board of Supervisors. [Amended 12-16-1997 by Ord. No. 268]

**OPEN SPACE RATIO** — The total amount of open space within a site divided by the base site area.

**PLANNING COMMISSION** — The words “Commission” or “Planning Commission” shall always refer to the Doylestown Township Planning Commission. Editor’s Note: See Ch. 30, Planning Commission.

**PUBLIC HEARING** — A formal meeting held pursuant to public notice by the Board of Supervisors or the Planning Commission, intended to inform and obtain public comment, prior to taking action in accordance with this chapter. [Added 9-19-1989 by Ord. No. 195]

**PUBLIC MEETING** — A forum held pursuant to notice under the Act of July 3, 1986, P.L. 388, No. 84, known as the “Sunshine Act,” as amended. Editor’s Note: See now 65 Pa.C.S.A. § 701 et seq. [Added 9-19-1989 by Ord. No. 195]

**PUBLIC NOTICE** — Notice published once each week for two consecutive weeks in a newspaper of general circulation in the Township. Such notice shall state the date, time and place of hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing. [Added 9-19-1989 by Ord. No. 195]

**PUBLIC UTILITY** — A private or municipal corporation organized and existing for the distribution and sale of water, electricity, gas or the collection and disposal of sanitary waste or sewage, provided that the same are regulated in whole or in part by the Pennsylvania Public Utility Commission. A public utility shall not include a corporation or other entity engaged in the wireless communication industry. [Amended 12-16-1997 by Ord. No. 268]

**PUBLIC UTILITY FACILITY** — A building or structure and its equipment used for the transmission and exchange of telephone, radio, gas, power, sewer and water facilities.



**PUBLIC WATER SYSTEM** — Water supply provided by a public utility.

**QUARRY** — Any natural or excavated opening in the ground from which clay, gravel, slate, limestone, sandstone or other rocks or minerals or material are obtained by stripping, digging, blasting or other means, except for anthracite or bituminous coal stripping. “Blasting” shall mean the explosion of dynamite, black powder, fuse, blasting cap, detonators, electric squibs or other explosives as defined in the Regulation for Pits and Quarries, 1959 Edition, issued by the Commonwealth of Pennsylvania through the Department of Labor and Industry, as amended.

**QUASI-PUBLIC** — Institutions of a religious, educational, charitable or philanthropic nature, including places of worship, hospitals or other community organizations.

**RECREATIONAL EQUIPMENT** — Equipment including boats, boat trailers, travel trailers, pickup campers or coaches designed to be mounted on automotive vehicles, motorized dwellings, tent trailers, recreational vehicles and the like, and cases or boxes used for transporting recreational equipment, whether occupied by such equipment or not.

**REPORT** — Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant, other than a solicitor, to any body, board, officer or consultant for the purpose of assisting the recipient of such report in the rendering of any decision or determination. All reports shall be deemed recommendatory and advisory only and shall not be binding upon the recipient, board, officer, body or agency nor shall any appeal lie therefrom. Any report used, received or considered by the body, board, officer or agency rendering a determination or decision shall be made available for inspection to the applicant and all other parties to any proceeding upon request, and copies thereof shall be provided at the cost of reproduction. [Added 9-1-1989 by Ord. No. 195]

**RIGHT-OF-WAY** — A strip of land occupied or intended to be occupied by a street, alley, crosswalk, sanitary or storm sewer, stream, drainage ditch or for any other special use.

A. **FUTURE RIGHT-OF-WAY** — A strip of land required for the widening of existing streets to accommodate anticipated future traffic or to provide future access to or through undeveloped land.

B. **ULTIMATE RIGHT-OF-WAY** — The future or planned width of highways in the public domain as shown on the official Ultimate Right-of-Way Map on file at the Township Office.

**ROOMING HOUSE/BOARDINGHOUSE** — A dwelling (not a single-family or two-family dwelling, apartment house, motel, hotel or guesthouse) providing lodging, with or without meals, and having lodging accommodations for less than 10 roomers. A “roomer” is a person occupying any room or group of rooms forming a single habitable unit used or intended to be used for living and sleeping but not for cooking or eating purposes and paying compensation for lodging or board and lodging to an owner or operator for a period longer than two weeks.

**SENIOR CITIZEN HOUSING** — Senior citizen housing shall be in the form of a planned community for senior citizens which provides proper care, supervision, living accommodations and recreation for said senior citizens and shall comply with the specific regulations set forth in Article XII, Commercial Retirement District.

Such use may include life-care and continuing-care facilities.

**SERVICE MACHINE** — A currency-activated device for personal use or pleasure, including, but not limited to, devices for washing, drying, cleaning, change or amusement, but specifically excluding vending machines and automatic bank teller machines. [Added 2-20-1996 by Ord. No. 249]

**SEWERS** [Amended 11-4-1999 by Ord. No. 208; 12-5-2000 by Ord. No. 297]

A. **CENTRALIZED SEWAGE SYSTEM** — Any sewage collection and treatment system in which sewage is collected from buildings and directly piped to an approved sewage treatment system, plant or central septic tank system and approved by the Pennsylvania Department of Environmental Protection or any other municipal, county, federal or state governmental agency having jurisdiction.

B. **PRIVATE ON-LOT SEWER SYSTEM** — A system of piping, tanks and other facilities approved by the Bucks County Department of Health, serving one or more buildings located on a single lot, which collects and disposes of sewage in whole or in part into the soil on the same lot.

**SIGN** — Any name, nameplate, poster, panel, display, illustration, structure or device used for visual communication which is affixed, painted or represented directly or indirectly upon a building or other surface, including signs visible from the outside which are inside windows or doors, for the purpose of bringing the subject thereof to the attention of the public or advertising a business, commodity, service or product or for identifying a business, structure or use of land. [Amended 9-19-1989 by Ord. No. 194]

**SITE AREA** — All land area within the site as defined by the deed and determined by a site survey.

**SITE AREA, BASE** — The site area minus existing road and utilities rights-of-way, land which is not contiguous or is separated from the parcel by a road or other public easement and land shown on previous subdivisions or land development plans as reserved from development for natural resource reasons, recreation and/or open space preservation.

**SPECIAL EXCEPTION** — A permission or approval granted to use land for a purpose other than those specified as uses permitted outright within a zoning district, granted by the Township Zoning Hearing Board in accordance with the standards contained in this chapter.

**STORY** — That part of a building located between the surface of any floor and the floor or roof next above. The first story of a building is the lowest story having 50% or more of its area above grade level or having the floor at the level of the exterior grade on one or more sides. [Added 4-15-2003 by Ord. No. 309]

**STREET** — A right-of-way municipally or privately owned, serving as a means of vehicular and pedestrian travel, furnishing access to abutting properties and space for public utilities.

**STREET LINE** — The dividing line between a lot and the future or ultimate right-of-way line of a public street, road or highway legally opened or officially platted or between a lot and a privately owned street, road or high-

way over which the owners or tenants of two or more lots held in single and separate ownership have the right-of-way.

**STRUCTURE** — Any man-made object having an ascertainable location on or in land or water, whether or not affixed to the land. [Amended 12-16-1997 by Ord. No. 268]

**SWIMMING POOL** — Any pool which is used or intended to be used for swimming or bathing, over 18 inches in depth or with a surface area of 150 square feet or more. For the purposes of this chapter, a swimming pool is considered an accessory structure.

**TRAVEL TRAILER** — A vehicular portable structure built on a chassis designed as a temporary dwelling for travel, recreation, vacation and other short-term uses, having a body width not exceeding eight feet and a body length not exceeding 32 feet.

**TREE PROTECTION AREA** — An area that is radial to the trunk of a tree. The tree protection area shall be 15 feet from the trunk of the tree to be retained or the distance from the trunk to the drip line (the line marking the outer edge of the branches of the tree), whichever is greater. Where there is a group of trees or woodlands, the tree protection area shall be the aggregate of the protection zones for the individual trees. [Added 9-19-1989 by Ord. No. 195]

**USE** — The specific purpose, activity, occupation or business operation carried on or intended to be carried on in a building or other structure or on a tract of land.

**VARIANCE** — Permission or approval granted by the Zoning Hearing Board in accordance with this chapter constituting a modification of or deviation from the exact provisions of this chapter as applied to a specific piece of property.

**VENDING AND SERVICE MACHINES** [Added 2-20-1996 by Ord. No. 249; amended 12-16-1997 by Ord. No. 268]

A. **SERVICE MACHINE** — A device for personal or business use or pleasure, including, but not limited to, devices for washing, drying, cleaning, change, letter or package delivery services or amusement, but specifically excluding United States Postal Service facilities.

B. **VENDING MACHINE** — A device for dispensing merchandise, including, but not limited to, devices dispensing beverages, candy, tobacco products, toiletries, dairy products, ice or food, newspapers, brochures, sales literature, but excluding automatic bank teller machines.

**WAREHOUSE** — A storehouse for materials and merchandise from which they may be distributed.

A. **MINI WAREHOUSE** — A building or group of buildings with individual, controlled access compartments for rental storage for nonbusiness use.

**WETLANDS** — Areas of undrained, saturated soils, supporting wetland vegetation, where the water table is at

or near the surface or where shallow water covers the site due to permanent or seasonal inundation of surface water or groundwater or other areas meeting the wetlands criteria set by the Department of Environmental Resources or the United States Army Corps of Engineers.

**WOODLANDS** — Areas, groves or stands of mature or largely mature trees (i.e., at least six inches in diameter measured at a height of 4.5 feet above grade level) covering an area of 1/4 acre or a grove of trees forming one canopy where 10 or more trees measure at least 10 inches in diameter measured at a height of 4.5 feet above grade level. [Amended 6-1-1993 by Ord. No. 229]

**YARD** — An open, unoccupied space on the same lot with a building or other structure or use, open and unobstructed from the ground to the sky except for vegetation and accessory uses and/or structures to the extent specifically permitted by this chapter. [Amended 9-1-1992 by Ord. No. 219]

A. **FRONT YARD** — The open unoccupied space between the front building line and the street right-of-way line for the full width of the lot.

B. **SIDE YARD** — The open unoccupied space extending from the front yard to the rear yard between the side building line and the side lot line.

C. **REAR YARD** — The open unoccupied space between the rear building line and the rear lot line for the full width of the lot.

**ZONING HEARING BOARD** — The Zoning Hearing Board of Doylestown Township.

### ARTICLE III Establishment of Districts

§ 175-10. Classes of districts. [Amended 2-18-1992 by Ord. No. 213; 3-17-1992 by Ord. No. 214; 8-7-2001 by Ord. No. 302; 3-6-2007 by Ord. No. 337]

For the purpose of this chapter, the Township is hereby divided into 15 districts, which shall be designated as follows:

- R-1a Residential District
- R-1 Residential District
- R-2 Residential District
- R-2a Residential District
- R-2b Residential District
- R-4 Residential District
- CR Commercial Retirement District
- VC Village Center District
- C-1 Commercial District

C-2	Commercial District
C-3	Commercial District
C-4	Office and Medical Professional District
Q	Quarry District
LI	Limited Industrial District
I	Institutional District
I-2	Institutional District
FW	Floodway District (overlay)
FF	Flood Fringe District (overlay)
FA	General Floodplain District (overlay)
	Riparian Corridor Conservation District (overlay)
	Airport Zoning Overlay District
	Off-Premises Outdoor Advertising Sign Overlay District

§ 175-11. Zoning Map.

The boundaries of said districts shall be as shown upon the map attached to and made a part of this chapter, which map shall be designated the “Doylestown Township Zoning Map.” Said map and all notations, references and other data shown thereon are hereby incorporated by reference into this chapter and shall be as much a part of this chapter as if all were fully described herein. Editor’s Note: The Zoning Map is on file in the Township offices. A list of Zoning Map amendments is included at the end of this chapter. Floodplain and flood hazard districts shall be as shown on a separate map attached to and made a part of this chapter, which map shall be known as the “Doylestown Township Floodplain and Flood Hazard District Map.” Editor’s Note: Said map is on file in the Township offices.

(7) B-7. Single-family detached cluster. A single-family detached cluster use shall be limited to single-family detached dwellings on individual lots. Cluster development is intended to provide flexibility in the design of residential developments and to preserve open space and provide other public amenities and services by permitting a reduction in residential lot size. Cluster development may be used to provide for open space, protection of critical natural features not protected by other regulations, park land, recreational facilities, community facilities, historic sites or other public uses.

(a) All single-family detached dwelling units within a cluster development shall include front, rear and side yards.

(b) The tract of land to be developed shall be a minimum of 10 acres and shall be in single and separate ownership or shall be the subject of an application filed jointly by all the owners of the entire tract who shall

stipulate that the entire tract will be developed in accordance with the approved plan.

(c) All dwelling units shall be served by a public sewage disposal system or a nonpublic centralized sewer system acceptable to the Board of Supervisors, the Bucks County Department of Health and the Pennsylvania Department of Environmental Resources and shall be served by a centralized water supply system, either public or nonpublic.

(d) Areas set aside for open space shall be part of the same tract as the proposed cluster development, be suitable for the designated purpose and shall be consistent with the future land use plan policies of the Township. Any such area shall contain no structure other than a structure related to the purposes of the open space. Where structures are included in the open space, no more than 5% of the total open space area may be used for buildings.

(e) Open space shall be uninterrupted by unrelated buildings or drives and appropriately landscaped and designated as open space. Open space areas shall be interconnected with open space areas on abutting parcels whenever possible. It shall be incumbent upon the applicant to demonstrate that the open space configuration meets the intent of the cluster philosophy and the goals of the Township and is compatible with the surrounding areas.

(f) Any land set aside as open space which is of such a size as may be capable of future subdivision under the regulations of this chapter must be made subject to a deed restriction, conservation easement or agreement acceptable to the Board of Supervisors and duly recorded in the Bucks County Recorder of Deeds Office.

(g) Open space shall be offered for dedication to Doylestown Township, which shall have the sole discretion to accept the open space. [Amended 12-16-1997 by Ord. No. 268]

#### § 175-20. Outdoor illumination.

Outdoor illumination in all districts shall be diffused or shielded in such a manner as not to create any hazardous situations for passing vehicular traffic or a nuisance to persons residing in the area. Lighting plans shall provide for nonglare lights focused downward. The regulations of Chapter 153, Subdivision and Land Development, shall be followed. In the event that an application for a commercial, industrial or multifamily residential development is not subject to the regulations of Chapter 153, Subdivision and Land Development, the application shall include a lighting study and a lighting plan with sufficient detail to allow determination of the effects to adjacent properties, traffic safety and overhead sky glow.

#### § 175-26. Performance standards.

A. Smoke, ash, dust, fumes, vapors and gases.

(1) There shall be no emission of smoke, ash, dust, fumes, vapors or gases which violates the Pennsylvania Air Pollution Control Laws or other regulations of the Pennsylvania Department of Environmental Resources or the United States Environmental Protection Administration. Editor's Note: See also Ch. 94, Fire Prevention. There shall be no emission of odorous gases or other odorous material in such quantities as to be detectable at a lot boundary line.

(2) The emission of dust, dirt, fly ash, fumes, vapors or gases which can cause any damage to health, animals or vegetation or other forms of property or which can cause any soiling of persons or property at any point beyond the lot line of the use creating the emission is herewith prohibited.

B. Noise. [Amended 12-16-1997 by Ord. No. 268]

(1) At no point on the boundary of a residential, industrial or commercial district shall sound pressure level of any operation exceed the decibel levels shown below for the district indicated. These standards do not apply to the operation of motor vehicles or other transportation facilities, operations involved in the construction or demolition of structures or emergency alarm signals. The maximum permissible sound-pressure levels for smooth and continuous noise shall be as follows.

(a) Residential and institutional districts: 55 decibels.

- (b) Commercial districts: 60 decibels.
- (c) Industrial districts: 65 decibels.
- (2) If the noise is not smooth and continuous or is radiated between 10:00 p.m. and 7:00 a.m., one or more of the corrections below shall be added to or subtracted from each of the decibel levels given above.

Type of Operation or Character of Noise  
 Corrections in Decibels

Noise occurs between the hours of 10:00 p.m. and 7:00 a.m.  
 -3

Noise is of periodic character (hum, scream, etc.), or is of impulsive character (hammering, etc.)  
 -5

(3) No noise from recordings, loudspeakers or public address systems shall be allowed which interferes with the reasonable enjoyment of adjacent residential properties.

C. Glare and heat. Any operation producing intense glare or heat shall be performed within an enclosed building or behind an adequate shielding in such a manner as not to create a nuisance to those working or living in the area.

D. Radioactivity or electrical disturbance. There shall be no activities which emit dangerous radioactivity at any point. There shall be no electrical disturbance, except for domestic household appliances, adversely affecting the operation at any point of any equipment other than that of the creator of such disturbance. If any use is proposed which incorporates the use of radioactive material, equipment or supplies, such use shall be in strict conformity with Title 25 of the Pennsylvania Department of Environmental Resources Rules and Regulations.

E. Outdoor storage and waste disposal.

(1) All outdoor storage facilities for fuel, raw materials and products and all fuel, raw materials and products stored outdoors shall be enclosed by a fence adequate to provide security for the property. Storage of flammable materials and fuels shall meet the standards of the National Fire Protection Association and, if stored below ground, the standards of the Department of Environmental Resources for underground storage tanks. All underground storage tanks shall have a permit from the state. Such facilities shall be made aesthetically pleasing to the community. All such facilities shall be landscaped.

(2) No materials or wastes shall be deposited upon a lot in such form or manner that may be transferred off the lot by natural causes or forces. Dikes must be constructed around aboveground liquid storage facilities to preclude such transference in the event of failure of the facility.

(3) All materials or wastes which might cause flames or dust or which constitute a fire hazard or which may be edible or otherwise attractive to rodents or insects shall be stored outdoors only in enclosed containers adequate to eliminate such hazards.

F. Industrial waste and sewage. No use shall be conducted in such a way as to discharge any treated or untreated sewage or industrial waste into any reservoir, lake or watercourse or discharge any untreated sewage or industrial waste into any stream. All methods of industrial waste treatment and disposal shall be approved by the Township, the Pennsylvania Department of Environmental Resources and/or the Bucks County Health Department.

G. Electrical, diesel, gas or other power. Every use requiring power shall be so operated that the service lines, substation, etc., shall conform to the highest safety requirements known, shall be so constructed and installed so as to be an integral part of the architectural features of the plant or, if visible from abutting residential properties, shall be concealed by evergreen planting.

H. Soil erosion and sedimentation control. Editor's Note: See Ch. 145, Soil Erosion and Sediment Control. All earthmoving activities must be in compliance with the regulations of the Pennsylvania Department of Environmental Resources and the Soil Conservation Service regulations and must be undertaken in accordance with a Soil Erosion and Sedimentation Control Plan submitted for the earthmoving activity which meets the stan-

dards set forth in Chapter 153, Subdivision and Land Development, and Chapter 145, Soil Erosion and Sediment Control, and other regulatory agency requirements. [Amended 11-4-1991 by Ord. No. 208]

I. Utilities. All public utility lines and similar facilities servicing any proposed development and its area shall be installed underground.

§ 175-27. Environmental protection standards. [Amended 9-19-1989 by Ord. No. 193; 9-19-1989 by Ord. No. 195; 6-1-1993 by Ord. No. 229; 12-16-1997 by Ord. No. 268]

A. The purpose of this section is to protect the natural resources of the environment by preserving woodlands, trees, watercourses, wetlands, slopes and floodplains. These regulations apply to all zoning districts and all uses in the Township.

B. Identification of lands with natural resources; mapping.

(1) The applicant for a subdivision or land development or building permit shall identify all natural resources on a lot when submitting an application for a subdivision, land development or building permit. This inventory shall include the following resources: floodplains, ponds, wetlands, shorelines, steep slopes, forests or woodlands, trees over six inches in caliper and all soil types.

(2) The applicant shall incorporate the natural resource protection ratios in the subdivision, land development or building permit as they apply. Each resource is defined and a resource protection ratio is set for each resource. Site alterations, regrading, filling or clearing of vegetation prior to approval of final plan is prohibited.

(3) The maps and accompanying calculations shall be submitted and shall include the following information:

(a) A site plan which illustrates all natural resources on the site and the proposed use on the site.

(b) All encroachments and disturbances necessary to establish the proposed use on the site.

(c) Calculations which indicate the area of the site with natural resources; the area of natural resources that would be disturbed or encroached upon; and the area of the site which must be left undisturbed to protect resources under the terms of this chapter.

C. Determination of required open space.

(1) For uses which have a required minimum open space ratio, the amount of open space shall be calculated as follows:

$\text{Total area of site to be developed} \times \text{open space ratio required by ordinance} = \text{area of open space required}$

(2) If the requirements for natural resource protection would result in a larger area being left open, then the resource protection requirements shall be met and a larger area shall be left as open space.

D. Natural resources to be protected and required protection ratios.

(1) Floodplains.

(a) Floodplains include all lands within the one-hundred-year floodplain, as defined by the Doylestown Township Flood Insurance Rate Map and by the provisions of Article XIX of this chapter.

(b) Resource protection ratio for floodplain: 100%. No structures, filling, piping, diverting or stormwater detention basins shall be permitted within the Floodplain District.

(2) Ponds (natural or man-made) and pond shorelines.

(a) Natural or man-made water areas, including retention or detention basins of 20,000 square feet or greater and all areas within 50 feet of the edge of the water measured from the mean water level.

(b) Resource protection ratio for ponds and pond shorelines: 100%. No development, filling, piping or diverting shall be permitted.

(3) Wetlands, waters of the commonwealth, and waters of the United States.

(a) Those areas of lands defined as wetlands in either the United States Army Corps of Engineers Technical Report Y87-1, Corps of Engineers Wetlands Delineation Manual; or the United States Environmental Protection Agency Wetlands Identification Delineation Manual, Volume I, Rational, Wetland Parameters, and Overview of Jurisdictional Approach, Volume II, Field Methodology, as most recently updated or modified; or the Pennsylvania Department of Environmental Resources Wetlands Identification and Delineation, Chapter 105, Dam Safety



and Waterways Management Rules and Regulations, as most recently updated or modified. Where a difference between the foregoing criteria exist; the most restrictive criteria will be used in any particular case. For the purposes of this definition and for its application to this chapter, most restrictive criteria shall mean the criteria which causes the preservation of the most extensive area of wetlands.

(b) Resource protection ratio for wetlands, waters of the commonwealth, and waters of the United States: 100%. No filling, clearing, grading or development is permitted except where approval is granted by the Pennsylvania Department of Environmental Protection and the United States Army Corps of Engineers.

(4) Streams and watercourses. Streams and watercourses shall be one-hundred-percent protected and shall remain as open space.

(5) Woodlands.

(a) Woodlands: areas of mature trees as defined by this chapter and the associated intermediate layers in these areas, including the understory shrubs and smaller trees, the ground layer of herbaceous plants and the forest floor.

(b) Resource protection ratio for woodlands: 50% of woodlands shall remain totally undisturbed as resource protected land and shall be protected during construction from root compaction by equipment and materials, mechanical damage or change in grade level.

(6) Steep slopes.

(a) Areas of land where the slope is equal to or exceeds 15%.

(b) Resource protection ratio for steep slopes: [Amended 10-27-2000 by Ord. No. 294]

[1] Slope of 15% to 24%: 60% shall remain as resource-protected land. No more than 40% of the total of all such areas shall be developed and/or regraded; provided, however, that areas of less than 2,000 square feet of contiguous area shall not be subject to this restriction.

[2] Slope of 25% plus: 85% shall remain as resource-protected land. No more than 15% of the total of all such areas shall be developed and/or regraded; provided, however, that areas of less than 1,000 square feet of contiguous area shall not be subject to this restriction.

(7) Riparian Corridor Conservation District lands. [Added 8-7-2001 by Ord. No. 302]

(a) Riparian Corridor Conservation District lands include all lands within 75 feet of an identified waterway at bankfull flow or equal to the extent of the one-hundred-year floodplain, and subject to the provisions of Article XIXA of this chapter.

(b) Resource protection ratio for Riparian Corridor Conservation District lands: 100%, except as permitted in Article XIXA of this chapter.

E. Net buildable site area and impervious surface ratio.

(1) Net buildable site area is calculated for the purpose of determining allowable impervious surface and land permitted to be developed. Net buildable site area equals total lot area contained in the subdivision or land development application:

(a) Minus ultimate rights-of-way of existing streets;

(b) Minus land which is not contiguous or which is separated from the site by a road or railroad;

(c) Minus land shown on previous subdivision or land development plans as reserved for open space or other uses which restrict it from development;

(d) Minus all land restricted by easements or covenants; and

(e) Minus land required to be left open for resource protection or to meet minimum open space requirements of this chapter.

(2) Impervious surface permitted to be developed = net buildable site area x impervious surface ratio required by this chapter.

§ 175-28. Maintenance and ownership of open space and recreation areas.

A. Recorded plans and deeds shall indicate that there shall be no additional development in areas designated for open space or recreation except as is consistent with the furthering of recreation, conservation or aesthetic purposes.

B. Methods of conveyance.

- (1) Dedication in fee simple to the Township. The Township may, at the sole discretion of the Board of Supervisors, accept any portion or portions of open space or recreation areas, provided that:
  - (a) It is determined by the Township Planning Commission and Park and Recreation Board that the land is suitable and will serve the general public and is readily accessible to the general public.
  - (b) The Township agrees to and has access to maintain the land.
  - (c) The title is conveyed to the Township without cost.
- (2) Conveyance to a conservancy, corporation, association, funded community trust, condominium or other legal entity, provided that:
  - (a) The terms of the conveyance shall guarantee continued use of the land for the intended purposes in perpetuity.
  - (b) Proper maintenance and continued funding for maintenance must be guaranteed.
  - (c) The corporation or association shall be responsible for liability insurance, taxes and recovery from loss sustained by casualty, condemnation or otherwise.
  - (d) The corporation or association shall not be dissolved nor shall it dispose of the open space except to another similar organization established to own and maintain the open space. The corporation or association must first offer to dedicate the open space to the Township at no cost before such sale or disposition of the open space.
- (3) Conveyance of restrictive covenants, conservation easements or other legal devise to the Township or to a conservancy, corporation, funded community trust or other legal entity. Open space may be part of fee simple lots with covenants or easements, provided that:
  - (a) The terms of the agreement guarantee the continued use of the land for the preservation of open space.
  - (b) Each owner of the open space shall be responsible for liability insurance, taxes, recovery of loss sustained by casualty, condemnation or otherwise and the general maintenance thereof.
  - (c) Including open space within fee simple, lots shall only be permitted by the Board of Supervisors at its sole and absolute discretion. [Added 9-19-1989 by Ord. No. 194]

§ 175-30. Use of historic structures. Editor's Note: See Ch. 102, Historic Districts.

In order to encourage the continued use of historic resources and facilitate their appropriate reuse and to regulate the use of places having unique historical or patriotic interest or value, the following regulations are established.

- A. Eligibility: Historic Resources List and Map. The Township shall maintain an official list of historic resources and a map of the structures on the list, Editor's Note: The Historic Resources List and Map are on file in the Township offices. which shall be limited to the following:
  - (1) All structures listed in the National Register of Historic Places.
  - (2) All structures on the official list of historic resources as compiled by the Bucks County Conservancy and approved by the Township Board of Supervisors.
- B. Overlay concept. The Historic Resources Map shall be deemed an overlay on any zoning districts enacted to regulate the use of land in the Township. Should the Historic Resources Map be revised as a result of legislative or administrative action or judicial decision, the zoning requirements and other regulatory measures applicable to the properties in question shall be those of the underlying zoning district without consideration of this section.
- C. Additional use opportunities.
  - (1) In addition to the uses permitted by right or conditional use in the various zoning districts as established by this chapter, each historic resource shall be eligible for additional use opportunities as described herein. These use opportunities shall be in addition to any use currently being made of the property, subject to the standards and procedures contained in applicable sections of this chapter and the additional requirements set forth below: [Amended 12-16-2003 by Ord. No. 315]

Use Permitted by Special Exception in These Districts

B-10 Residential conversion	R-2b, R-4, C-1
B-12 Guesthouse/ bed-and-breakfast	R-1a, R-1, R-2, R-2a, R-2b, R-4, C-1, C-2, I
C-4 Library or museum	R-2, R-2b, R-4, C-3
D-1 Office	R-2, R-2a, R-2b, R-4, I

(2) Uses which may be permitted as additional uses shall be subject to the following considerations:  
[Amended 12-16-2003 by Ord. No. 315]

- (a) No historic resource may be enlarged beyond what is minimally necessary to accommodate the additional use.
  - (b) The granting of the conditional use shall be deemed by the Board of Supervisors to be necessary to the preservation of the historic resource.
  - (c) The granting of the conditional use shall be deemed by the Board of Supervisors to have minimal detrimental effects on neighboring properties.
- (3) Design standards. Any proposed rehabilitation, alteration or enlargement of an historic resource shall be in substantial compliance with the United States Department of Interior's Standards for Rehabilitation, as listed below:
- (a) Every reasonable effort shall be made to provide compatible use for a property which requires minimal alteration of the building, structure or site and its environment or to use a property for its originally intended purpose.
  - (b) The distinguishing original qualities or character of a building or structure and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
  - (c) All buildings and structures shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
  - (d) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building or structure shall be treated with sensitivity.
  - (e) Deteriorated architectural features should be repaired rather than replaced, wherever possible, using materials which match the original materials in design, color, texture and appearance.
  - (f) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood and environment. Editor's Note: Original § 515, Special site plan review and procedural requirements, which followed this section was repealed 9-19-1989 by Ord. No. 195.

ARTICLE XIX Floodplain District

§ 175-92. Purpose.

The purpose of these provisions is to prevent the loss of property and life, the creation of health and safety hazards, the disruption of commerce and governmental services, the extraordinary and unnecessary expenditure of public funds for flood protection and relief and the impairment of the tax base by:

- A. Regulating uses, activities and developments which, acting alone or in combination with other existing or future uses, activities and development, will cause unacceptable increases in flood heights, velocities and frequencies.

- B. Restricting or prohibiting certain uses, activities and development from locating within areas subject to flooding.
- C. Requiring all those uses, activities and development that do occur in flood-prone areas to be protected and/or floodproofed against flooding and flood damage.
- D. Protecting individuals from buying lands and structures which are unsuited for intended purposes because of flood hazards.

§ 175-93. Warning and disclaimer of liability.

- A. The degree of flood protection sought by the provisions of this chapter is considered reasonable for regulatory purpose and is based on acceptable engineering methods of study. Larger floods may occur on rare occasions. Flood heights may be increased by man-made or natural causes, such as ice jams and bridge openings restricted by debris. This chapter does not imply that areas outside the floodplain districts or that land uses permitted within such districts will be free from flooding or flood damages.
- B. This chapter shall not create liability on the part of Doylestown Township or any officer or employee thereof for any flood damages that result from reliance on this chapter or any administrative decision lawfully made thereunder.

§ 175-94. Districts.

- A. Basis of districts. The various floodplain districts shall include areas subject to inundation by waters of the one-hundred-year flood. The basis for the delineation of these districts shall be the Flood Insurance Study prepared by the Federal Insurance Administration (FIA), dated March 1978.
  - (1) The Floodway District (FW) is delineated for the purposes of this chapter using the criteria that a certain area within the floodplain must be capable of carrying the waters of the one-hundred-year flood without increasing the water surface elevation of that flood more than one foot at any point. The areas included in this district are specifically defined in the Floodway Data Table of the above-referenced Flood Insurance Study and shown on the Flood Boundary and Floodway Map.
  - (2) The Flood Fringe District (FF) shall be that area of the one-hundred-year floodplain not included in the Floodway District. The basis for the outermost boundary of this District shall be the one-hundred-year flood elevations contained in the flood profiles of the above-referenced Flood Insurance Study (FIS) and as shown on the Flood Boundary and Floodway Map.
  - (3) The General Floodplain District (FA) shall be that floodplain area for which no detailed flood profiles or elevations are provided. Such areas are shown on the maps accompanying the FIS prepared by the FIA.
    - (a) In determining the necessary elevations for the purposes of this chapter, other sources of data may be used, such as:
      - [1] United States Army Corps of Engineers floodplain information reports.
      - [2] United States Geological Survey flood-prone quadrangles.
      - [3] United States Department of Agriculture Soil Conservation Service county soil surveys (alluvial soils).
      - [4] Known high-water marks from past floods.
      - [5] Other sources.
    - (b) Where the specific one-hundred-year flood elevation cannot be determined for this area using sources of data, then the applicant for the proposed use, development and/or activity shall determine this elevation in accordance with hydrologic and hydraulic engineering techniques. Hydrologic and hydraulic analyses shall be undertaken only by professional engineers or others of demonstrated qualifications, who shall certify that the technical methods used correctly reflect currently accepted technical concepts. Studies, analyses, computation, etc., shall be submitted in sufficient detail to allow a thorough technical review by the Township.
- B. Overlay concept.
  - (1) The floodplain districts described above shall be considered as overlays to the existing underlying districts as shown on the Official Zoning Ordinance Map and, as such, the provisions for the floodplain districts shall serve as a supplement to the underlying district provisions.
  - (2) Where there happens to be any conflict between the provisions or requirements of any of the floodplain

districts and those of any underlying district, the more restrictive provisions and/or those pertaining to the floodplain districts shall apply.

(3) In the event that any provision concerning a floodplain district is declared inapplicable as a result of any legislative or administrative actions or judicial discretion, the basic underlying district provisions shall remain applicable.

#### § 175-95. Boundaries; map.

The boundaries of the floodplain districts are established as part of the Official Zoning Map of Doylestown Township, which is declared to be a part of this chapter and which shall be kept on file at the Doylestown Township offices.

#### § 175-96. District boundary changes.

The delineation of any of the floodplain districts may be revised by the Doylestown Township Board of Supervisors where natural or man-made changes have occurred and/or more detailed studies conducted or undertaken by the United States Army Corps of Engineers, the Delaware River Basin Commission or another qualified agency or individual document the notification for such changes. However, prior to any such change, approval must be obtained from the Federal Insurance Administration (FIA).

#### § 175-97. Interpretation of district boundaries.

Initial interpretations of the boundaries of the floodplain districts shall be made by the Zoning Officer. Should a dispute arise concerning the boundaries of any of the districts, the Zoning Hearing Board shall make the necessary determination. The person questioning or contesting the location of the district boundary shall be given a reasonable opportunity to present his case to the Board and submit his own technical evidence if he so desires.

#### § 175-98. District use regulations.

A. All uses, activities and development occurring within any floodplain district shall be undertaken in strict compliance with the provisions of this chapter and with all other applicable codes and ordinances such as Chapter 65, Building Construction, and Chapter 153, Subdivision and Land Development.

B. No hazardous or toxic substances may be stored or used within any floodplain district.

C. Under no circumstances shall any use, activity and/or development adversely affect the capacity of the channels or floodways of any watercourse, drainage ditch or any other drainage facility or system.

D. Prior to any proposed alteration or relocation of any stream, watercourse, etc., within the municipality, a permit shall be obtained from the Department of Environmental Resources, Dams and Encroachment Division. Further, notification of the proposal shall be given to all affected adjacent municipalities. Copies of such notification shall be forwarded to both the Federal Insurance Administration and the Pennsylvania Department of Community Affairs.

#### § 175-99. Development which may endanger human life.

A. The provisions of this section shall be applicable, in addition to any other applicable provisions of this chapter or any other ordinance, code or regulation.

B. In accordance with the Pennsylvania Flood Plain Management Act Editor's Note: See 32 P.S. § 679.101 et seq. and the regulations adopted by the Department of Community Affairs as required by the Act any new or substantially improved structure which will be used for the production or storage of any of the following materials or substances or which will be used for any activity requiring the maintenance of a supply (more than 550 gallons or other comparable volume or any amount of radioactive substances) of any of the following materials or substances on the premises shall be subject to the provisions of this section, in addition to all other applicable provisions:

- (1) Acetone.
- (2) Ammonia.
- (3) Benzene.
- (4) Calcium carbide.
- (5) Carbon disulfide.
- (6) Celluloid.
- (7) Chlorine.
- (8) Hydrochloric acid.
- (9) Hydrocyanic acid.
- (10) Magnesium.
- (11) Nitric acid and oxides of nitrogen.
- (12) Petroleum products (gasoline, fuel oil, etc.).
- (13) Phosphorus.
- (14) Potassium.
- (15) Sodium.
- (16) Sulphur and sulphur products.
- (17) Pesticides, including insecticides, fungicides and rodenticides.
- (18) Radioactive substances, insofar as they are substances not otherwise regulated.

C. Within any Floodway District (FW), any structure of the kind described in Subsection B above shall be prohibited.

D. Where permitted within any Flood Fringe District (FF) or General Floodplain District (FA):

(1) Any structure of the kind described in Subsection B above shall be:

(a) Elevated or designed and constructed to remain completely dry up to at least 1 1/2 feet above the one-hundred-year flood; and

(b) Designed to prevent pollution from the structure or activity during the course of a one-hundred-year flood.

(2) Any such structure or part thereof that will be built below the regulatory flood elevation shall be designed and constructed in accordance with the standards for completely dry floodproofing contained in the publication Floodproofing Regulations, United States Army Corps of Engineers, June 1972, or with some other equivalent watertight standard.

E. Within any General Floodplain District (FA), any structure of the kind described in Subsection B above shall be prohibited within the area measured fifty (50) feet landward from the top-of-bank of any watercourse.

F. Except for a possible modification of the 1 1/2 foot free board requirements, no variance shall be granted for any of the other requirements of § 175-99.

#### § 175-100. Activities specifically prohibited.

The following activities and development are prohibited within the Floodplain District, and no variance shall be granted:

A. The commencement of any of the following activities or the construction, enlargement or expansion of any structure used or intended to be used for any of the following:

- (1) Hospitals.
- (2) Nursing homes.
- (3) Jails or prisons.

B. The commencement of or any construction of a new mobile home park or mobile home subdivision or substantial improvement to any existing mobile home park or mobile home subdivision.

#### § 175-101. Floodway District (FW).

In the Floodway District, no development shall be permitted except where the effect of such development on

flood heights is fully offset by accompanying improvements which have been approved by all appropriate local and/or state authorities as required above.

A. Permitted uses. In the Floodway District, the following uses and activities are permitted, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance, and provided that they do not require structures, fill or storage of materials and equipment.

- (1) Agricultural uses such as general farming, pasture, grazing, outdoor plant nurseries, horticulture, truck farming, forestry, sod farming, and wild crop harvesting.
- (2) Public and private recreational uses and activities such as parks, day camps, picnic grounds, golf courses, boat launching and swimming areas, hiking and horseback riding trails, wildlife and nature preserves, game farms, fish hatcheries, trap and skeet game ranges, and hunting and fishing areas.
- (3) Accessory residential uses such as yard areas, gardens, play areas, and pervious parking areas.
- (4) Accessory industrial and commercial uses such as yard areas, pervious parking and loading areas, airport landing strips, etc.

B. Uses permitted by special exception. The following uses and activities may be permitted by special exception, provided that they are in compliance with the provisions of the underlying district and are not prohibited by any other ordinance:

- (1) Structures except for mobile homes accessory to the uses and activities in Subsection A(1) above.
  - (2) Utilities and public facilities and improvements such as railroads, streets, bridges, transmission lines, pipelines, water and sewage treatment plants and other similar or related uses.
  - (3) Water-related uses and activities such as marinas, docks, wharves, piers, etc.
  - (4) Extraction of sand, gravel and other materials.
  - (5) Temporary uses such as circuses, carnivals and similar activities.
  - (6) Storage of materials (except as noted in § 175-99) and equipment, provided that they are not buoyant, flammable or explosive and are not subject to major damage by flooding, or provided that such material and equipment is firmly anchored to prevent flotation or movement and/or can be readily removed from the area within the time available after flood warning.
  - (7) Other similar uses and activities, provided that they cause no increase in flood heights and/or velocities.
- All uses, activities and structural developments shall be undertaken in strict compliance with the floodproofing provisions contained in all applicable codes and ordinances.

#### § 175-102. Flood Fringe District (FF).

In the Flood Fringe District, the development and/or use of land shall be permitted in accordance with the regulations of the underlying district, provided that all such uses, activities and/or development shall be undertaken in strict compliance with the floodproofing and related provisions contained in all applicable codes and ordinances.

#### § 175-103. General Floodplain District (FA).

A. In the General Floodplain District, no development, uses or activity (including fill, grading and/or substantial improvements to structures, etc.) shall be permitted unless the applicant for the proposed development, use or activity has demonstrated that the proposed undertaking, when combined with all other existing and anticipated development, uses and activities, will not increase the water surface elevation of the one-hundred-year flood than one foot at any point. The engineering principle, equal reduction of conveyance, shall be used to make the determination of increases in flood heights.

B. In the floodway portion of the district, no development shall be permitted except where the effect of such development on flood heights is fully offset by accompanying improvements. Only those uses and/or activities provided for in the Floodway District (FW) shall be permitted in the floodway portion of the district.

C. No hospital, nursing home, jail or mobile home park shall be constructed within the area measuring 50 feet landward from the top-of-bank of any watercourse.

ARTICLE XIXA Riparian Corridor Conservation District [Added 8-7-2001 by Ord. No. 302]

§ 175-103.1. Purpose.

In accordance with the purpose contained in Article I, § 175-2, of this chapter and the community development objectives contained in Article I, § 175-3, of this chapter, and in recognition of the fact that natural features contribute to the welfare of its residents, it is the purpose of this article to provide reasonable controls governing the restoration, conservation, disturbance and management of existing riparian corridors by establishing a designated Riparian Corridor Conservation District (District) specifically to:

- A. Reduce the amount of nutrients, sediment, organic matter, pesticides and other harmful substances that reach watercourses, wetlands, subsurface and surface water bodies by using processes, including filtration, deposition, absorption, adsorption, plant uptake and denitrification, and by improving infiltration, encouraging sheet flow and stabilizing concentrated flows.
- B. Improve and maintain the safety, reliability and adequacy of the water supply for domestic, agricultural, commercial, industrial and recreational uses along with sustaining diverse populations of aquatic flora and fauna.
- C. Regulate the land use, siting and engineering of all development, so as to be consistent with the intent and objectives of this ordinance, accepted conservation practices and to work within the carrying capacity of existing natural resources.
- D. Assist in the implementation of pertinent state laws concerning erosion and sediment control practices, specifically erosion control, of the Pennsylvania Clean Streams Law, Act 394, p.1. 1987, Chapter 102 of the Administrative Code (as amended October 10, 1980, Act 157 P.L.), Title 25, Editor's Note: See 35 P.S. § 691.1 et seq. and any subsequent amendments thereto, as administered by the Pennsylvania Department of Environmental Protection and the Bucks Conservation District.
- E. Conserve the natural features important to land or water resources (e.g., headwater areas, groundwater recharge zones, floodway, floodplain, springs, streams, wetlands, woodlands, prime wildlife habitats) and other features constituting high recreational value or containing amenities that exist on developed and undeveloped land.
- F. Work with the floodplain overlay district, the environmental protection standards and other ordinances that regulate environmentally sensitive areas to minimize hazards to life, property and riparian features.
- G. Conserve natural, scenic and recreation areas within and adjacent to riparian areas for the community's benefit.

§ 175-103.2. Definitions.

For purposes of this article only, the following words and phrases, when used, shall have the meanings attributed to same in this section unless the context clearly indicates otherwise:

**IDENTIFIED WATERWAY** — A body of water that has been identified for purposes of inclusion within the Riparian Corridor Conservation District. These include streams identified on the Official Riparian Corridor Map of Doylestown Township.

**RIPARIAN CORRIDOR CONSERVATION DISTRICT** — An overlay district consisting of areas surrounding identified waterways that intercept surface water runoff, wastewater, subsurface flow and/or deep groundwater flows from upland sources and function to remove or buffer the effects of associated nutrients, sediment, organic matter, pesticides or other pollutants prior to entry into surface waters. This area may also provide wildlife habitat, control water temperatures, attenuate flood flow and provide opportunities for passive recreation.



§ 175-103.3. Establishment and width determination of Riparian Corridor Conservation District.

A. Establishment.

(1) The Riparian Corridor Conservation District applies to the land adjacent to an identified waterway in Doylestown Township. The following watercourses or water bodies shall be considered an identified waterway in Doylestown Township: streams identified on the Official Riparian Corridor Map of Doylestown Township, which is a part of this chapter and which shall also be kept on file at the Doylestown Township offices.

(2) The Riparian Corridor Conservation Overlay District shall extend a minimum of 75 feet from the defined edge of an identified waterway at bankfull flow, or shall equal the extent of the one-hundred-year floodplain, whichever is greater. The District will consist of two distinct zones designated as:

(a) Zone One.

[1] This zone shall begin at each edge of an identified waterway and shall occupy a margin of land with a minimum width of 25 feet measured horizontally on a line perpendicular to the edge of water at bankfull flow. The width of Zone One may be required to extend beyond the minimum 25 feet depending upon existing topography, woodlands and other natural conditions. The Board of Supervisors or its appointed representative will make this determination.

[2] Where steep slopes (slopes of 25% or more) are located within 25 feet of an identified waterway, Zone One shall extend the entire distance of the steep slope area. If the distance of this steep slope area is greater than 75 feet, there will be no requirement for the establishment of Zone Two. If the distance is less than 75 feet, the width of Zone Two shall be adjusted so that the total corridor width (Zone One and Zone Two) will be 75 feet maximum, except as noted below in section § 175-103.3A(2)(b)[2].

(b) Zone Two.

[1] This zone will begin at the outer edge of Zone One and shall occupy a minimum width of 50 feet in addition to Zone One, up to a maximum combined width in Zones One and Two of 75 feet.

[2] Where the one-hundred-year floodplain extends greater than 75 feet from the waterway, Zone One shall remain a minimum of 25 feet from the outer edge of Zone One to the outer edge of the one-hundred-year floodplain.

B. Width determination. The developer, applicant or designated representative shall be responsible for the initial width determination of the riparian corridor and identifying this area on any plan that is submitted to the Township for subdivision, land development or other improvements that require plan submissions or permits. This initial determination shall be subject to review and approval by the Board of Supervisors or its appointed representative.

§ 175-103.4. Permitted uses.

The following uses are permitted, either by right or as a conditional use, in the Riparian Corridor Conservation District. However, within any corridor, no construction, development, use, activity or encroachment shall be permitted unless the activity will be developed and mitigated by measures outlined in an approved corridor management plan prepared and submitted in accordance with § 175-103.9A of this chapter.

A. Zone One.

(1) Uses permitted by right. Open space uses that are primarily passive in character shall be permitted to extend into the area defined as Zone One, including:

(a) Wildlife sanctuaries.

(b) Nature and forest preserves.

(c) Fishing areas.

(d) Passive areas of public and private parklands.

(e) Reforestation and planting of riparian plants, proper pruning and other plant maintenance.

(f) Streambank stabilization.

(2) Uses permitted by conditional use.

(a) Corridor crossings by driveways, recreational trails, roads and or railroads, provided that any disturbance is offset by corridor mitigation measures as outlined in § 175-103.9A(2)(b) of this chapter, and provided

the following requirements are met:

- [1] The width of the crossing is the minimum required for such access or as required by this article.
  - [2] The crossing is designed to cross the riparian corridor at a right angle or close to a right angle.
  - [3] Any proposed crossing of the riparian corridor is at least 1,000 feet, as measured along the length of the corridor, from any other crossing of the riparian corridor. Shorter distances from existing crossings on abutting properties may be permitted with approval from the Board of Supervisors.
  - [4] All crossings shall be capable of passing the 100-year flood event. Bridges shall be used in place of culverts when crossings would require a seventy-two-inch-or-greater diameter pipe. When culverts are installed, they shall consist of slab arch or box culverts and not corrugated metal pipe. Culverts shall also be designed to retain the natural channel bottom to ensure the passage of water during low flow or dry weather periods.
- (b) Corridor crossings by centralized sewer and water lines, and/or public utility transmission lines, provided that any disturbance is offset by corridor mitigation measures as outlined in § 175-103.9A(2)(b) of this chapter, and provided underground utility and pipe crossings are located at least three feet below the stream invert.
- (c) Selective cutting of extremely high economic value trees when the land will be reforested and removal is consistent with a long-term forest management plan prepared by a professional forester in accordance with the best management practices of the sustainable forestry initiative and the principles and criteria of the Forestry Stewardship Council, and in accordance with all other applicable municipal and state regulations.

**B. Zone Two.**

- (1) Uses permitted by right. The following uses, which are primarily passive in character, shall be permitted by right to extend into the area defined as Zone Two, including:
- (a) Open space uses, conducted in compliance with methods prescribed by Chapter 102 of Title 25 of the Pennsylvania Administrative Code, including:
- [1] Wildlife sanctuaries.
  - [2] Nature and forest preserves.
  - [3] Passive areas of public and private parklands.
  - [4] Recreational trails.
- (b) Reforestation and planting of riparian plants, proper pruning and other plant maintenance.
- (c) Agricultural uses, existing at the time of the adoption of this article, so long as they are conducted in compliance with the methods prescribed in Chapter 102 of Title 25 of the Pennsylvania Administrative Code.
- (2) Uses permitted by conditional use.
- (a) New agricultural uses in compliance with the methods prescribed by Chapter 102.4(a) of Title 25 of the Pennsylvania Administrative Code.
- (b) Corridor crossings by driveways, recreational trails, roads and or railroads, provided that any disturbance is offset by corridor mitigation measures as outlined in § 175-103.9A of this chapter, and provided the following requirements are met:
- [1] The width of the crossing is the minimum required for such access or as required by this article.
  - [2] The crossing is designed to cross the riparian corridor at a right angle or close to a right angle.
  - [3] Any proposed crossing of the riparian corridor is at least 1,000 feet, as measured along the length of the corridor, from any other crossing of the riparian corridor. Shorter distances from existing crossings on abutting properties may be permitted with approval from the Board of Supervisors.
  - [4] All crossings shall be capable of passing the 100-year flood event. Bridges shall be used in place of culverts when crossings would require a seventy-two-inch-or-greater diameter pipe. When culverts are installed, they shall consist of slab arch or box culverts and not corrugated metal pipe. Culverts shall also be designed to retain the natural channel bottom to ensure the passage of water during low flow or dry weather periods.
- (c) Corridor crossings by centralized sewer and water lines, and/or public utility transmission lines, provided that any disturbance is offset by corridor mitigation measures as outlined in § 175-103.9A of this chapter, and provided underground utility and pipe crossings are located at least three feet below the stream invert.
- (d) Centralized sewer and/or water lines and public utility transmission lines running along the corridor, provided that any disturbance is, at a minimum, offset by corridor mitigation measures. These lines shall be

located as far from Zone One as practical.

(e) Selective cutting of extremely high economic value trees when the land will be reforested and removal is consistent with a long-term forest management plan prepared by a professional forester in accordance with the best management practices of the sustainable forestry initiative and the principles and criteria of the Forestry Stewardship Council, and in accordance with all other applicable municipal and state regulations.

(f) Passive uses such as camps, campgrounds, picnic areas and golf courses; active recreation such as ball fields, playgrounds and courts, provided that these uses are designed in a manner that will not permit concentrated flow and that permanent structures are limited to playground equipment, backstops, fences, basketball hoops and nets, goal posts, scoreboards and bleachers.

(g) Naturalized stormwater management areas, provided that any disturbance is offset by corridor mitigation methods and that the entire basin shall be located no closer than 25 feet to the defined edge of the identified waterway.

#### § 175-103.5. Uses specifically prohibited.

Any use or activity not specifically authorized in § 175-103.4 shall be prohibited within the Riparian Corridor Conservation District. By way of example, the following activities and facilities are specifically prohibited:

A. Buildings and any other type of permanent structure, with the exception of recreational uses in Zone Two, specifically permitted in § 175-103.4.B(2)(f).

B. Minimum front, rear or side yards on private lots.

C. Roads and driveways, except where permitted as corridor crossings in compliance with § 175-103.4A(2)(a) or § 175-103.4B(2)(b).

D. Motor or wheeled vehicular traffic in any area except on a permitted corridor crossing.

E. Parking lots.

F. Clear-cutting of trees and other vegetation.

G. Removal of trees in excess of selective cutting, except where such removal is necessary as a means to eliminate dead, diseased or hazardous tree stands that jeopardize public safety or as a part of a reforestation program, provided that the removal and reforestation processes are approved by the Board of Supervisors or its appointed representative.

H. Removal or disturbance of vegetation in a manner that is inconsistent with erosion control and corridor protection.

I. Storage of any hazardous or noxious materials.

J. Use of fertilizers, pesticides, herbicides and/or any other chemicals in excess of prescribed industry standards or the recommendations of the Bucks Conservation District.

K. Subsurface sewage disposal areas.

L. Sod farming.

#### § 175-103.6. Nonconforming structures and uses.

Nonconforming structures or uses of land within the Riparian Corridor Conservation District shall be regulated under the provisions of Article XXI of this chapter. The following additional regulations shall also apply:

A. Existing nonconforming structures or uses within Zones One or Two that are not permitted under § 175-103.4 may be continued but shall not be permitted to have the existing building footprint or uses expanded or enlarged.

B. Discontinued nonconforming uses may be resumed any time within one year from such discontinuance but not thereafter when showing a clear indication of abandonment. No change or resumption shall be permitted that is more detrimental to the Riparian Corridor Conservation District, as measured against the intent and objectives under § 175-103.1, than the existing or former nonconforming use.

C. Agricultural uses which are following prescribed best management practices for crop rotation are not subject to one-year time frames.

§ 175-103.7. Boundary interpretation and appeals procedure.

- A. When a landowner or applicant disputes the zone (One or Two) boundaries of the riparian corridor or the defined edge of a waterway, the landowner or applicant shall submit evidence to Doylestown Township that describes the boundary, presents the landowner's or applicant's proposed boundary and presents all justification for the proposed boundary change.
- B. The Board of Supervisors, in consultation with its professionals, shall evaluate all material submitted and shall make a written determination of the riparian corridor boundaries with 45 days of the submission to the Township. A copy of this determination shall be submitted to the Board of Supervisors, the Planning Commission and the landowner or applicant.
- C. Any party aggrieved by any such determination or other decision or determination under this section may appeal to the Zoning Hearing Board under the provisions of § 175-139 of this chapter. The party contesting the location of the district boundary shall have the burden of proof in case of any such appeal.

§ 175-103.8. Inspection.

- A. Lands within the Riparian Corridor Conservation District or adjacent to an identified waterway will be inspected by a Township representative when:
- (1) A subdivision or land development plan is submitted for review and approval.
  - (2) A building permit is requested.
  - (3) A change or resumption of nonconforming use is proposed.
- B. The district may also be inspected periodically by a Township representative for compliance with an approved restoration, forestry or corridor management plan, excessive or potential problematic erosion, hazardous trees or at any time when the presence of an unauthorized activity or structure is brought to the attention of the Township officials.

§ 175-103.9. Riparian management.

- A. Corridor management plan. Within any riparian corridor area, no construction, development, use, activity or encroachment shall be permitted unless a corridor management plan is prepared, submitted and approved by the Board of Supervisors. The plan shall outline the specific strategies to be implemented which will mitigate the effects of the proposed development in accordance with best management practices and mitigation measures contained herein. The corridor management plan is subject to the following requirements, unless determined inapplicable by the Board of Supervisors:
- (1) Plan preparation and content.
    - (a) Plan shall be prepared by a landscape architect, engineer, planner or other qualified professional.
    - (b) Plan shall be submitted with the application for subdivision, land development or permit.
    - (c) Plan shall fully evaluate the effects of the proposed use on the riparian corridor.
    - (d) Plan shall include a sketch plan which identifies all existing conditions, including but not limited to the boundaries of Zones One and Two, identified watercourse, vegetation, one-hundred-year floodplain, soils, steep slopes, wetlands, woodlands and any existing structures or improvements. Photographs or a narrative may be included for clarity of conditions.
    - (e) The plans shall include a written analysis that identifies the applicant's goals for the proposed project, specifically for each portion of the property (Zone 1, Zone 2 and area outside the riparian corridor). A sketch plan of proposed improvements and mitigating efforts may be submitted as a portion of the plans.
    - (f) Outline and written description of all proposed activities. The description of each use should include the area and extent of use and/or encroachment, the Zone in which the uses is proposed, the areas to be disturbed and the areas to be mitigated.
    - (g) All proposed management techniques should be fully detailed to include:
      - [1] Timelines for proposed construction, mitigation, planting or other related activities.
      - [2] Short- and long-term maintenance, mitigation and improvement activities necessary for preservation of the corridor, including application of herbicides, removal of invasive plants, pruning, moving, etc.

- [3] Types, sizes, spacing and maintenance of newly planted trees, shrubs and ground covers.
- (2) Management, mitigation and restoration measures.
  - (a) Management practices. The following management practices shall be incorporated into the plan:
    - [1] Existing woody vegetation shall be preserved to the greatest extent possible. Removal of trees should be limited to diseased or invasive species. Disturbed areas resulting from the removal of invasive vegetation should be mulched and revegetated as soon as possible. Native vegetation should be used to revegetate areas along the corridor where there is little to no existing vegetation.
    - [2] Fallen branches and other organic material should be allowed to remain where it has fallen.
    - [3] Agricultural conservation practices such as crop rotation, contour plowing, conservation tillage, cover cropping, strip cropping, grassed waterways, diversion and terraces should be implemented.
    - [4] Fencing should be used to prevent livestock from standing in an identified waterway.
    - [5] An undisturbed vegetative strip should be maintained between cultivated fields or developed sites and the stream to filter sediments.
    - [6] Passive and active recreational activities should take place outside the natural vegetated corridor.
    - [7] Impervious surfaces should be reduced.
    - [8] Streambanks should be stabilized in accordance with A Streambank Stabilization and Management Guide for Pennsylvania Landowners, by the Pennsylvania Department of Environmental Resources.
  - (b) Mitigation efforts. Permitted uses that involve disturbance of vegetation within the riparian corridor shall be mitigated by at least one of the following methods:
    - [1] Increase the width of the corridor. The width of the buffer should increase in direct proportion to the size of the disturbed area. Steepness of surrounding slopes and the intensity of activities should also be considered. The following widths are considered the maximum width needed in order to attain the prescribed goal:
      - [a] Sediment control: 150 feet.
      - [b] Nutrient removal: 150 feet.
      - [c] Temperature control: 80 feet.
      - [d] Wildlife Habitat: 100 to 330 feet.
    - [2] There should be three distinct layers of vegetation within the riparian area. Should the area be void of one of these layers it should be planted with native vegetation appropriate for the area:
      - [a] Mature trees to form a canopy.
      - [b] Shrubs to provide an understory.
      - [c] Herbaceous plants to form a ground cover.
    - [3] Conversion to a more effective landscape can improve the effectiveness of a riparian buffer. The following are types of landscape listed in decreasing order of effectiveness:
      - [a] Woodland.
      - [b] Meadow.
      - [c] Shrub.
      - [d] Old field.
      - [e] Lawn.
      - [f] Pasture.
- B. Vegetation selection. To function properly, dominant vegetation included in the Corridor Management Plan shall be native to the area and suitable for the riparian corridor, All vegetation is subject to the review and approval of the Township's landscape architect. The following also apply:
  - (1) In Zone One, dominant vegetation shall be composed of a variety of native riparian tree and shrub species and appropriate plantings necessary for streambank stabilization.
  - (2) In Zone Two, dominant vegetation shall be composed of riparian trees and shrubs, with an emphasis on native species and appropriate plantings necessary to stabilize the soil.
  - (3) Disturbed areas shall be revegetated with riparian corridor plants, in compliance with the approved Corridor Management Plan.
  - (4) Areas that cannot be revegetated shall be restored in compliance with the approved Corridor Management Plan.