

ORDINANCE NO. 2017-003

AN ORDINANCE AMENDING CHAPTER 160 OF THE HILLTOWN TOWNSHIP CODE OF ORDINANCES TO DELETE MOBILE HOME AS A SEPARATE USE; ADD A DEFINITION FOR LOT SIZE; AND REVISE REQUIREMENTS FOR DECK AND POOL SETBACKS, NONCOMMERCIAL SWIMMING POOLS, ACCESSORY FAMILY RESIDENCE, SOLAR ENERGY SYSTEM, SITE CAPACITY CALCULATIONS, TABLE OF PERFORMANCE STANDARDS AND NON-RESIDENTIAL MINIMUM LOT WIDTH REQUIREMENTS.

The Hilltown Township Board of Supervisors upon review by the Bucks County Planning Commission and Hilltown Township Planning Commission hereby enacts and ordains the following Ordinance:

**Article I Section 160-11 Definitions** is revised to add the following definition:

LOT SIZE - (See "Area, lot")

**Article II Section 160-23 B(2), Mobile Home** is deleted.

**Article III Section 160-23 (2) I2 Residential Accessory Structures and Uses (a) [3]** is revised to read as follows:

- [3] Decks and patios are permitted in side and rear yard areas and may be located no closer than ten feet from any lot line, except for a side party wall lot line of attached dwellings in which case the deck or patio may extend to the side party wall lot line. A fence six feet in height, and extending the length of the deck or patio along the side party wall lot line, and attached to the deck or patio is permitted. No part or portion of any deck or patio is permitted within the front yard.

**Article IV Section 160-23.I(2)(b)[3], Accessory Family Residence** is revised to read as follows:

- [3] The use shall be part of the principal residence or may be contained in an accessory structure. The use must meet all emergency means of egress requirements of Hilltown Township's adopted Building Code.

**Article V Section 160-23 (2) I11, Noncommercial swimming pool**, first paragraph is revised to read as follows:

- (11) [1] Noncommercial Swimming Pool. A water-filled enclosure, permanently constructed or portable, having a depth of more than 24 inches below the finished grade, or an above-surface pool, having a depth of more than 24 inches above finished grade, designed, used and maintained for swimming and bathing. For the purposes of this Ordinance, swimming pool shall include all associated patio, deck, sliding boards, ladders, stairs, ramps, wading pool, and equipment and appurtenances thereto.

**Article VI Section 160-23 I(21)(b)(2), Solar Energy System** is revised to read as follows:

- (2) Roof Mounts. Any roof-mounted solar panels subject to the provisions of this Section shall be permitted in the zoning districts identified within the Table of Use Regulations for I21 Solar Energy System as an accessory use in accordance with the following:
- [a] Permitted roof mounted solar panels shall include integrated solar panels as the surface layer of the roof structure with no additional apparent change in relief or projection (the preferred installation), or separate flush-mounted solar panels attached to the roof surface.
- [b] Integrated or separate flush-mounted solar panels may be located on any roof face, so long as the mounting system is hidden and the projection above the plane of the supporting roof is not greater than nine (9) inches; otherwise such system shall only be located on a rear or side-facing roof, as viewed from any adjacent street, unless such installation is proven to be ineffective or impossible.

Front-facing installation of systems with a projection greater than nine (9) inches above the plane of the supporting roof may be permitted only by conditional use in accordance with the following provisions:

Applicant must indicate valid reasons as to why this is the only effective or possible means for utilizing solar energy on the property. The removal of potential obstructions such as interceding vegetation shall not be sufficient cause for permitting a front-facing installation. Such information shall be certified by a professional deemed qualified by Hilltown Township and reviewed by the Hilltown Township Engineer and any other Township professional that the Board of Supervisors deems necessary.

- (c) No roof-mounted array shall exceed thirty-five (35) feet in height.

Article VII Section 160-25 A.(2), Site Capacity Calculations is revised to read as follows:

NOTES: <sup>1</sup>Woodland protection standards are reduced to 40% within the CR-1 District.

Article VIII Section 160-26. Table of Performance Standards is revised to read as follows:

**Township of Hilltown  
Table of Performance Standards – Bulk and Area\***

1	2	3	4	5	6	7	8	9
District	Use	Minimum open space ratio	Maximum density (DU/AC) (refer note <sup>6</sup> and <sup>7</sup> )	Development Plan Maximum impervious surface ratio <sup>4</sup>	Minimum site area (square feet (sf) or acre (ac))	Minimum lot area	Individual Lot Maximum Impervious surface ratio <sup>4</sup>	Maximum height (feet)
RR	Single-family	none	0.75 <sup>b</sup>	0.12 <sup>b</sup>	50,000 sf	50,000 sf <sup>1</sup>	0.15	35
	CMD	0.65	1.75 <sup>f</sup>	0.25	10 ac	20,000 sf <sup>2,B</sup>	0.25	35
	S.F. cluster	0.55	1.45 <sup>f</sup>	0.20	20 ac	30,000 sf <sup>2</sup>	0.20	35
	Other uses	-	-	0.35	See Principal Uses Permitted			35
CR-1	Single-family	none	1.2 <sup>b</sup>	0.14 <sup>b</sup>	30,000 sf	30,000 sf <sup>2</sup>	0.20	35
	S.F. cluster	0.40	2.25 <sup>f</sup>	0.20 <sup>b</sup>	5 ac	10,000 sf <sup>2</sup>	0.42	35
	Perf. Subd.	0.50	5.0 <sup>f</sup>	0.35 <sup>b</sup>	5 ac	- <sup>2,3</sup>	0.55	35
	Other uses	-	-	0.35	See Principal Uses Permitted			35
CR-2	Single-family	None	0.75 <sup>b</sup>	0.12 <sup>b</sup>	50,000 sf	50,000 sf <sup>1</sup>	0.15	35
	S.F. cluster Opt. 1	0.55	1.65 <sup>f</sup>	0.25	10 ac	30,000 sf <sup>3</sup>	0.25	35
	S.F. cluster Opt. 2	0.65	2.15 <sup>f</sup>	0.35	10 ac	20,000 sf <sup>3</sup>	0.35	35
	CMD	0.70	2.20 <sup>f</sup>	0.40	20 ac	10,000 sf <sup>2,B</sup>	0.40	35
	Other uses	-	-	0.35	See Principal Uses Permitted			35
VC	Single-family	None	1.8 <sup>b</sup>	0.26	20,000 sf	20,000 sf <sup>2</sup>	0.26	35
	Single-family	None	0.75 <sup>b</sup>	0.12 <sup>b</sup>	50,000 sf	50,000 sf	0.15	35
	Perf. Subd.	0.45	5.0 <sup>f</sup>	0.35	5 ac	- <sup>2,3</sup>		35
	Traditional Neighborhood Development	0.20	6.0	0.70	5 ac	**		35
	Other uses	-	-	0.65	50,000 sf	20,000 sf <sup>B</sup>		35
AQRC	AQR Community	0.40	2.5 <sup>f</sup>	0.35	100 ac	9,600 ft. <sup>2</sup>		35
	Single Family Detached	-	0.75 <sup>b</sup>	0.12 <sup>b</sup>	1.5 ac	50,000 ft. <sup>1</sup>	0.15	35
	Other uses	-	-	0.35	See Principal Uses Permitted			35
	MHP	Mobile home park	0.30	4.5 <sup>f</sup>	0.27	20 ac	7,500 sf <sup>2</sup>	0.27
PC-1	All uses	-	-	0.70	20,000 sf	20,000 sf <sup>2</sup>	0.70	35
PC-2	All uses	-	-	0.70	50,000 sf	50,000 sf <sup>2</sup>	0.70	35
LI & HI	All uses	-	-	0.60	2 ac	2 ac <sup>2</sup>	0.60	35

\*Unless a more restrictive requirement is indicated in ZO Section 160-23.

\*\*In accordance with requirements of Section 160-23 B.10.

- Notes:
- <sup>1</sup> Each lot must be served with public water provided by a municipal authority. For lots not served with public water, the minimum lot area is three (3) acres unless the proposed subdivision is a minor subdivision.
  - <sup>2</sup> Each lot must be served by public water and sewer provided by a municipal authority.
  - <sup>3</sup> As required by §160-23B (4).
  - <sup>4</sup> No new lot may be created within any zoning district which exceeds the maximum impervious surface ratio due to existing and/or proposed impervious surface.
  - <sup>5</sup> Maximum impervious surface ratio for subdivision plan design. After issuance of a use and occupancy permit for the dwelling, the property owner is permitted a maximum impervious surface ratio included in Column 8 of this table.
  - <sup>6</sup> Density is determined by dividing the number of dwelling units by the Base Site Area (refer Section 160-25.B).
  - <sup>7</sup> Density is determined by dividing the number of dwelling units by the Net Buildable Site Area (refer Section 160-25.A).
  - <sup>8</sup> Environmentally sensitive lands to be preserved may be privately owned and included within individual lots exclusive of the minimum required lot area, but shall be permanently protected via recordation of a conservation easement.
  - <sup>9</sup> Each lot must be served by public sewer provided by a municipal authority.

**Article IX Section 160-27. Nonresidential minimum yard and lot width requirements** is revised to read as follows:

**§160-27. Nonresidential minimum yard and lot width requirements.**

The following standards apply in the district specified:

**Minimum Yard and Lot Width Requirements**  
Yard (feet)

District	Yard (feet)			Minimum Lot Width (feet)
	Front	Side	Rear	
LI & HI	50	30 <sup>1</sup>	50 <sup>1</sup>	200
PC-1 & PC-2	50	15	50	100
VC	50	30	50	150 <sup>2</sup>
Other uses in all other districts	50	30	50	150

**NOTES:**

- <sup>1</sup> The minimum yard abutting a residential district shall be 100 feet.
- <sup>2</sup> Minimum lot width is 100 feet when lot is served by public sewer.

**Article X Section 160-28. Environmental Performance Standards paragraph D. Forest** is revised to read as follows:

D. Forest (Woodlands). No more than 20% of any forest may be cleared or developed within the RR, CR-2, VC, MHP, Q and AQRC Zoning Districts. The remaining 80% shall be permanently protected and undeveloped except as permitted pursuant to an approved zoning permit for Use A4, Forestry. Within the CR-1, LI, HI, PC-1 and PC-2 not more than 60% of any forest may be cleared or developed. The remaining 40% shall be permanently protected and undeveloped except as permitted pursuant to an approved permit for Use A4, Forestry.

**Article XI Repealer**

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

**Article XII Severability**

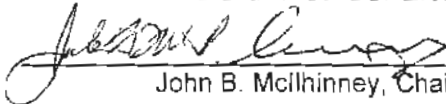
If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Hilltown Township, that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included therein.

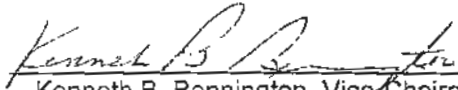
**Article XIII Effective Date**

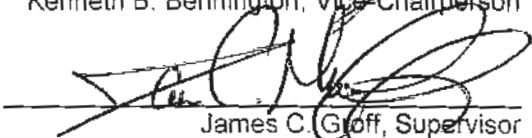
This Ordinance shall be effective five (5) days after enactment.

SO ENACTED AND ORDAINED this 22<sup>nd</sup> day of May, 2017

**HILLTOWN TOWNSHIP  
BOARD OF SUPERVISORS**

  
John B. McIlhinney, Chairperson

  
Kenneth B. Bennington, Vice-Chairperson

  
James C. Goff, Supervisor