

**ORDINANCE NO. 96-3
AN ORDINANCE AMENDING THE
HILLTOWN TOWNSHIP ZONING ORDINANCE OF 1995
AS AMENDED, REVISING REQUIREMENTS FOR
BUFFER YARDS AND LAYOUT OF OPEN SPACE**

Preamble

The Hilltown Township Board of Supervisors, upon review by the Hilltown Township Planning Commission and the Bucks County Planning Commission, hereby adopts the following Ordinance amending the Hilltown Township Zoning Ordinance of 1995, as amended.

ARTICLE I

Section 509. Buffer Yards is hereby amended to read as follows:

509. Buffer Yards

Buffering serves to soften the outline of buildings, screen glare and noise, and create a visual and/or physical barrier between conflicting land uses.

1. The extent of buffering required shall be determined by the type of use proposed and the adjacent uses or streets surrounding the proposed development. The impact of the proposed use on adjoining properties is the basis for establishing buffer yard standards.

2. To determine the required buffer yard and planting schedule, a three step procedure shall be followed:

Step 1: Site Analysis and Determination of Buffer Yard Class

Step 2: Selection of the Planting Option for the Buffer Class

Step 3: Selection of the Plant Materials from the Plant Materials List

2.1 Site Analysis and Determination of Buffer Yard Class

For each property boundary, the applicant shall determine the adjacent land use or street classification. Land use information shall be determined by an on-site survey. Hilltown Township Subdivision Ordinance shall be utilized to determine street classifications (Refer Section 506)

The applicant shall match the proposed land use with the corresponding adjacent land use, Zoning District, or street classification for each property boundary. (Refer Tables 509.2.1.a., 509.2.1.b., and 509.2.1.c.) The letter indicates the buffer yard class.

2.2 Selection of the Planting Option for the Buffer Class

After determining the buffer class, the applicant shall select a planting option from Table 509.2.2.. For each buffer class, several planting options are available, one of which the applicant shall select to meet the buffer yard requirement for each boundary. The Planning Commission may consider an alternative planting option and/or use of solid fencing which shall have a screening capability equal to, or greater than, any of the available options.

The options included indicate the amount of plant material that is required per linear foot of property line. Plantings are not required to be aligned on property or right-of-way boundaries, but may be located on any appropriate portion of the buffer yard. Grouping of plant materials is encouraged, except where a solid screen is desirable.

2.3 Selection of Plant Materials from the Plant Materials List

Each planting option may utilize plant materials outlined in Section 510 of this Ordinance. The Planning Commission may permit other planting types if they are: hardy to the area; are not subject to blight or disease; and are of the same general character and growth habit as those listed in Section 510. Solid fencing may also be used when approved by the Planning Commission

**Table 509.2.1.a
BUFFER YARD CLASSIFICATIONS
ADJACENT LAND USE**

<u>PROPOSED LAND USE</u>	<u>ADJACENT LAND USE</u>								
	Agricultural (A)	Single-family (1)	Multi-family/Mobile(2)	Institutional (C)	Office (D)	Retail/Consumer (E)	Utilities/Community (F)	Light Industrial (G)	Heavy Industrial (H)
Agricultural (A)	-	-	-	-	-	-	-	-	-
Single-family (1)	-	-	A	-	-	-	-	B	B
Multi-family/Mobile (2)	-	A	-	A	A	A	A	D	D
Institutional (C)	-	C	C	-	-	A	A	B	B
Office (D)	-	C	C	A	-	-	-	A	A
Retail/Consumer (E)	-	C	C	A	A	-	-	A	A
Utilities/Community (F)	-	C	C	A	-	-	-	-	-
Light Industrial (G)	A	D	D	B	A	A	A	-	-
Heavy Industrial (H)	A	D	D	B	A	A	A	A	-

(1) Single Family include uses B1, B2, B3, B4.4.1, B4.4.2, B4.4.3, B4.4.5

(2) Multi-family/Mobile include uses B4.4.4, B4.4.6, B4.4.7, B4.4.8, B4.4.9, B4,4.10, B6

**TABLE 509.2.1.b
BUFFER YARD CLASSIFICATIONS
FOR VACANT LAND**

Adjacent Zoning District

Proposed Land Use	RR	CR1&2	VC	MHP	PC1&2	LI	HI
Agricultural (A)	-	-	-	-	-	-	-
Single-family (1)	-	-	-	A	A	A	A
Multi-family/Mobile(2)	A	-	B	A	A	A	A
Institutional (C)	A	A	-	-	-	-	-
Office (D)	C	C	-	-	-	-	-
Retail/Consumer (E)	C	C	-	-	-	-	-
Utilities/Community(F)	-	-	-	-	-	-	-
Light Industrial (G)	D	D	D	D	-	-	-
Heavy Industrial (H)	D	D	D	D	-	-	-

(1) Single-family include uses B1, B2, B3, B4.4.1, B4.4.2, B4.4.3, B4.4.5

(2) Multi-family/Mobile include uses B4.4.4, B4.4.6, B4.4.7, B4.4.8, B4.4.9, B4.4.10, B6

TABLE 509.2.1.c
BUFFER YARD CLASSIFICATIONS
PROPOSED OR ADJACENT ROADS

Proposed Land Use	Expressway	Arterial	Major Collector	Minor Collector	Local Access
Agricultural (A)	-	-	-	-	-
Single-family (1)	B	B	-	-	-
Multi-family/Mobile (2)	B	B	-	-	-
Institutional (C)	A	A	-	-	-
Office (D)	A	A	-	-	-
Retail/Consumer (E)	A	A	-	-	-
Utilities/Community (F)	-	-	-	-	-
Light Industrial (G)	A	A	A		
Heavy Industrial (H)	A	A	A		

(1) Single-family include uses B1, B2, B3, B4.4.1, B4.4.2, B4.4.3, B4.4.5

(2) Multi-family/Mobile include uses B4.4.4, B4.4.6, B4.4.7, B4.4.8, B4.4.9, B4.4.10, B6

**TABLE 509.2.2
PLANTING OPTIONS**

Class	Width (ft)	Option
A	25	(1) 1 canopy tree per 60 feet +1 evergreen per 60 feet
B	50	(1) 1 canopy tree per 40 feet +1 evergreen per 60 feet +1 hedge, hedgerow, or shrub per 20 feet
		(2) 1 canopy tree per 40 +1 hedge or shrub on boundary (3 feet centers)
		(3) 1 canopy tree per 40 feet +1 evergreen per 30 feet
C	50	(1) 1 evergreen per 30 feet +1 hedge or shrub on boundary (3 feet centers)
		(2) 1 evergreen per 25 feet +1 berm averaging 4 feet
		(3) 1 evergreen per 25 feet +1 hedgerow per 8 feet
D	25	(1) 1 hedgerow or hedge lot line (3 feet centers) +1 evergreen per 20 feet
		(2) 1 evergreen per 15 feet

3. The applicant shall not be required to install buffer yard plantings should existing vegetation, topography, or man-made structures be deemed acceptable for screening purposes by the Planning Commission.

ARTICLE II

Section 510. Plant Materials Table is hereby amended to read as follows:

510. Planting Material.

1. At the time of installation, the minimum trunk diameter of canopy trees measured at a height of six (6) inches above finished grade shall be two and one-half (2 1/2) inches.
2. Any plant material which does not survive shall be replaced by the developer. Financial security shall be posted with the Township in an amount equal to the estimated cost of trees and plantings, to be released eighteen (18) months from Township acceptance of the installation and satisfactory replacement of all dead plantings.
3. The following plant material is permitted for use as tree plantings when placement is within four (4) feet of curb, sidewalk, or asphalt surface:

- Acer campestre - Hedge Maple
- Acer plantanoides 'Erectum' - Erect Norway Maple
- Acer rubrum - Red Maple (all cultivars)
- Acer X freemanii 'Armstrong' - Armstrong Freeman Maple
- Carpinus caroliniana Tree Form - American Hornbeam
- Fraxinus pennsylvanica - Green Ash
- Prunus sargentii 'Columnaris' Tree Form - Columnar Sargent Cherry
- Pyrus calleryana - Callery Pear (including Bradford, Chanticleer Whitehouse)
- Gleditsia triacanthos - Honeylocust (thornless cultivars only)
- Tilia cordata - Littleleaf Linden
- Zelkova serrata - Japanese Zelkova

4. The following plant material is permitted for use as tree plantings when placement is greater than four (4) feet from curb, sidewalk, or asphalt surface.

- Acer rubrum - Red Maple (all cultivars)
- Acer platanoides - Norway maple
- Acer saccharum - Sugar maple (all cultivars)
- Fraxinus americana - White Ash (all cultivars)
- Fraxinus pennsylvanica - Green Ash
- Ginko biloba - Ginko (male only)
- Platanus x acerifolia - London Planetree
- Quercus acutissima - Sawtooth Oak
- Quercus imbricaria - Shingle Oak

5. In addition to plant material included in Section 510.3 and 510.4 above, the following may be utilized where required for buffer yards, detention basins, parking areas, open space planting, etc.

SMALL TREES

Acer buergerianum tree form - Trident Maple
Acer ginnala tree form - Amur Maple
Acer griseum tree form - Paperback Maple
Acer tataricum tree form - Tatarian Maple
Amelanchier laevis tree form - Serviceberry (all cultivars)
Carpinus betulus - European Hornbeam
Cercis canadensis tree form - Eastern Redbud
Cornus kousa tree form - Kousa Dogwood
Crataegus (many species) - Hawthorn (thornless only)
Magnolia x loebneri 'Merrill' - Merrill Magnolia
Malus 'Centzam' tree form - Centurion Crabapple
Malus 'Hargozam' tree form - Harvest Gold Crabapple
Malus 'Snowdrift' tree form - Snowdrift Crabapple
Malus 'Spring Snow' tree form - Springsnow Crabapple
Malus x zumi 'Calocarpa' tree form - Redbud Crabapple
Prunus serrulata tree form - Kwanzan oriental cherry
Pyrus betulifolia - Birchleaf Pear
Pyrus calleryana - Callery Pear (all cultivars)
Sorbus (many species/hybrids) - Mountain Ash
Syringa reticulata 'Ivory Silk' - Ivory Silk Japanese Tree Lilac

LARGE TREES

Acer nigrum - Black Maple
Acer saccharum - Sugar Maple (all cultivars)
Aesculus hippocastanum 'Baumannii' - Bauman Horse Chestnut
Aesculus x carnea 'Briotii' - Ruby Red Horse Chestnut
Betula nigra - River Birch
Liquidambar styraciflua - Sweetgum
Liriodendron tuliptree - Tuliptree
Magnolia acuminata - Cucumbertree
Ostrya virginiana tree form - American Hophornbeam
Quercus macrocarpa - Bur Oak
Quercus palustris - Pin Oak
Quercus phellos - Willow Oak
Quercus rubra - Northern Red Oak
Tillia americana - American Linden
Tillia tomentosa - Silver Linden

EVERGREENS (4 FEET HIGH MINIMUM)

Ilex opaca - American Holly
Picea abies - Norway Spruce
Picea omorika - Serbian Spruce
Picea pungens - Colorado Spruce
Pinus nigra - Austrian Pine
Pinus Strobus - White Pine
Pseudotsuga menziesli - Douglas Fir
Tsuga canadensis - Canada Hemlock

HEDGE (4 FEET HIGH MINIMUM)

Crataegus intricata - Thicket Hawthorn
Forsythia intermedia - Border Forsythia
Rhamnus fraxula columnaris - Tallhedge Buckthorn
Syringa chinensis - Chinese Lilac
Syringa vulgaris - Common Lilac
Viburnum dilatatum - Linden Viburnum
Viburnum dentatum - Arrowwood Viburnum

HEDGEROW (4 FEET HIGH MINIMUM)

Crataegus crus-galli - Cockspur Thorn
Crataegus phaenopyrum - Washington Hawthorn
Elaeagnus angustifolia - Russian Olive
Euonymus alatus - Winged Euonymus
Viburnum sieboldii - Siebold Viburnum
Viburnum tomentosum - Doublefile Viburnum

SHRUBS (3 FEET HIGH MINIMUM)

Juniperus virginiana - Upright Juniper
Phracantha lalandi - Laland Firethorn
Taxus capitata - Upright Yew
Taxus hicksi - Hicks Yew
Thuja occidentalis - American Arborvitae

SHRUBS (4 FEET HIGH MINIMUM)

Euonymus alatus - Winged Euonymus
Hamamelis vernalia - Vernal Witch Hazel
Hamamelis virginiana - Common Witch Hazel
Ilex verticillata - Winterberry
Rhamnus frangula - Glossy Buckthorn
Viburnum dentatum - Arrowwood Viburnum
Viburnum lantana - Wayfaring tree Viburnum

NOTE: Additional trees and other plant material and cultivars may be utilized when approved by the Township.

6. Plant Material Specifications:

- 6.1 Name of Plants: shall agree with the nomenclature of "Standard Plant Names" as adopted by American Joint Committee on Horticulture Nomenclature, 1942 edition as amended, size and grading standards shall conform to those specified by the American Association of Nurserymen in the latest edition of the "U.S.D.A. Standards for Nursery Stock." No substitutions shall be permitted except by written permission of the Township.
- 6.2 Quality: All plants shall be typical of their species or variety, and shall have normal, well-developed branches and vigorous fibrous root systems. All plants shall be nursery-grown unless otherwise stated; they shall have been growing under the same climate conditions as the municipality for at least two (2) years prior to date of planting. All

plants which are found unsuitable in growth or condition or which are not true to name shall be removed and replaced with acceptable plants.

- 6.3 Preparation of Plants: All precautions customary in good trade practice shall be taken in preparing plants for moving. All balled and burlapped plants shall be dug to meet or exceed the "U.S.D.A. Standards for Nursery Stock."
- 6.4 Delivery: Plants shall be packed, transported, and handled with utmost care to insure adequate protection against injury.
- 6.5 All plantings shall be able to survive soot, gas fumes, and salt. Trees which have low growing branches, gum or moisture which may drop on vehicles; blossoms, thorns, seeds or pods which may clog drainage facilities shall be avoided. The plantings chosen should be of sufficient size to be effective the first year they are planted.
7. Existing Vegetation: In cases where natural features on the site duplicate or essentially duplicate the requirements of the buffering provisions of this Ordinance, these requirements may be waived by the Board of Supervisors.

ARTICLE III

Section 511. General Buffer Yard Requirements is hereby amended to read follows:

511. General Buffer Yard Requirements

1. The buffer yard may be coterminous with required front, side, or rear yards and in case of conflict, the larger yard requirements shall apply.
2. All buffer yards shall be maintained and kept clean of all debris, rubbish, weeds, and tall grass in conformance with existing regulations.
3. No structure, manufacturing or processing activity, or storage of materials shall be permitted in the buffer yard; however, parking of passenger automobiles shall be permitted in the portion of the buffer yard exclusive of the exterior twenty-five (25) feet width.
4. Planting design: It is encouraged that plant materials in buffer yards be planted in natural clusters that will give privacy but do not block views or vistas. The exception shall be commercial or industrial uses bordering residential uses where a dense, visual screen is encouraged.
5. The buffer yard may be part of the open space area or individual lots.

6. Prior to the issuance of any Zoning Permit, complete plans showing arrangement of all buffer yards, the placement, species and size of all plant materials, and the placement, size, materials, and type of all fences to be placed in such buffer yard shall be reviewed by the Zoning Officer, Township Engineer, and/or Planning Commission (where applicable) to ascertain that the plans are in conformance with the terms of this Ordinance.

ARTICLE IV

Section 534. Layout of Open Space/Municipal Use Land in CR, RR, and VC Districts is hereby amended to read as follows:

534. Layout of Open Space/Municipal Use Land in CR, RR, and VC Districts.

1. The open space or municipal use area shall be laid out in accordance with the best principles of site design. It is intended that the open space shall benefit all residents with adequate greenways, walkways, and street access. Open space layout shall not include narrow or irregular pieces of land.
2. Recreation facilities shall be constructed on open space within detached clustered subdivisions and performance standard developments.
3. Recreation facilities shall be readily accessible to all development residents; or in the case of recreation facilities dedicated to the Township, shall be easily and safely accessible to the general public. At least one (1) side of the recreation area shall abut a street for a minimum distance of 50 feet for access of emergency and maintenance vehicles, and parking facilities where deemed necessary by the Township.
4. The configuration of recreation areas must be able to accommodate recreation activities proposed by the development plans. Required minimum area shall not include narrow or irregular pieces of land which are remnants from plotting and/or street and parking areas. Recreation areas shall not be traversed by utility easements unless said utilities are placed underground and no part of them or their supportive equipment protrudes above ground level.
5. Municipal use land may be situated where it best serves the health, safety, and welfare of the Township residents, provided that the other provisions of this Ordinance, including Section 501 Site Capacity Calculation are met. The open space is most needed in areas of highest density. The intent is to provide open areas as close to as many individual units as possible.

ARTICLE V

All ordinances or parts of ordinances which are inconsistent herewith are repealed to the extent of such inconsistency.

ARTICLE VI

If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, such infirmity shall not affect or impair the remaining provisions, sentences, clauses, sections, or parts of this Ordinance.

SO ORDAINED AND ENACTED THIS 23rd day of September, A.D., 1996

HILLTOWN TOWNSHIP BOARD OF SUPERVISORS






