

*Township of New Britain, PA
Thursday, August 19, 2021*

Chapter 27. Zoning

Part 3. USE DEFINITIONS AND REGULATIONS

§ 27-300. Applicability of Regulations.

[Ord. 8/14/1995, § 300; as amended by Ord. 00-12-02, 12/20/2000, § 4]

- a. Except as provided by law or in this chapter, in each district no building, structure or land shall be used or occupied except for the purposes permitted in § **27-305** and for the zoning districts so indicated in Parts 4 through 20. On any property, parcel or tract of land, only one principal use and principal structure shall be permitted unless otherwise stated in this chapter.
- b. The Zoning Officer shall determine the use and associated set of applicable regulations under which each application shall be reviewed.
- c. Land to be or previously preserved as open space, either by virtue of the transfer of development rights, easement purchase, fee simple purchase or any other means, cannot be used to satisfy in whole or in part any open space or recreation land requirements for another development or use nor shall it be used to meet the minimum lot area or yard requirements for any other use or for any other purpose that would support or serve development.

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Part 3. USE DEFINITIONS AND REGULATIONS

§ 27-305. Use Definitions and Regulations.

[Ord. 8-14-1995, § 305; as amended by Ord. 00-01-01, 1/24/2000, Art. I; by Ord. 00-07-01, 7/10/2000, Art I-II; by Ord. 00-12-02, 12/20/2000, § 5; by Ord. 01-05-03, 5/21/2001, Art. III; by Ord. 02-05-01, 5/6/2002, Art I; by Ord. 03-04-01, 4/14/2003, Art. I; by Ord. 200507-02, 7/11/2005; by Ord. 2005-08-01, 8/8/2005; by Ord. 2007-04-01, 4/26/2007; by Ord. 2008-02-02, 2/25/2008; by Ord. 2008-03-01, 3/10/2008; by Ord. 2008-09-01, 9/8/2008; by Ord. 2008-09-02, 9/22/2008; by Ord. 2010-05-01, 5/10/2010, Art. I; by Ord. 2010-07-02, 7/12/2010, § I; by Ord. 2011-04-03, 4/11/2011, § 1; by Ord. 2011-04-04, 4/11/2011, §§ 1, 2; by Ord. 2011-09-02, 9/19/2011, Art. I; by Ord. 2013-04-01, 4/8/2013, Arts. III, IV; and by Ord. 2014-01-01, 1/6/2014, Art. II]

A. Agricultural Uses.

A1. General Farming.

- a. Definition. The production of agricultural, horticultural, arboricultural, viticultural and dairy products; the keeping of livestock, poultry and the products thereof; the raising of fur bearing animals and the products thereof; and bee raising. All buildings (barns, shed, silos, etc.) associated with this use.
- b. Regulations.
 1. Minimum lot area: three acres.
 2. Any building or structure used for the keeping or raising of bees, livestock, horses or poultry shall be situated not less than 100 feet from any street line or property line.
 3. Silos shall be situated not less than 1 1/4 times the height of the silo from any street line or property line.
 4. Any building or structure, other than noted in Subsections b.2 and b.3 above, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
 5. Maximum impervious surface ratio: 3%.
 6. Riding academies, livery or boarding stables and commercial dog kennels are not included under this use.
 7. Retail sales shall meet the requirements of Use A3 Agricultural Retail.

A6. Nursery.

- a. Definition. The raising of plants, shrubs and trees for wholesale use.
- b. Regulations.
 1. Minimum lot area: two acres.
 2. Any building or structure including greenhouses shall meet the yard, lot width and setback requirements for the applicable zoning district for Use B1 Detached Dwelling.
 3. Maximum impervious surface ratio: 20%.
 4. All products sold shall be grown on the premises.
 5. No retail sales shall be permitted, except for the seasonal sale of Christmas trees.

A7. Garden Center.

- a. Definition. The retail sale of floral items, flowers, plants, shrubs and trees in the field or indoors. This includes the sale of related accessory items for lawn and garden decoration or care.
- b. Regulations.
 1. Lot Area. A lot area of not less than five acres shall be provided.
 2. Maximum Building Coverage.
[Amended by Ord. No. 2018-10-04, 10/1/2018]
 - (a) Garden center: 15,000 square feet.
 - (b) Nursery production facilities (including greenhouses and any seasonal shelter which is impervious, such as overwintering structures): 20,000 square feet.
 3. Impervious Surface. Not more than 20% of the area of any lot, excluding the ultimate right-of-way and stabilized drives between nursery beds, shall be covered by impervious surfaces. Driveways and parking areas used to service retail customers shall be paved.
 4. Building Height. No building or structure shall exceed 2 1/2 stories, or 35 feet, whichever is less.
 5. Access. Ingress to the site and egress from the site shall be provided directly from an arterial or collector road as defined in the Township Subdivision and Land Development Regulations [Chapter 22].

A8. Farm Support Facility.

- a. Definition. A commercial grain or commercial feed mill facility primarily for the warehousing, sale and service of agricultural feed, supplies and tools.
- b. Regulations.
 1. Minimum lot area: two acres.
 2. Maximum impervious surface ratio: 40%.

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Part 14. C-3 COMMERCIAL DISTRICT

§ 27-1401. Uses Regulations.

[Ord. 8-14-1995, § 1401; as amended by Ord. 01-05-03, 5/21/2001, Art. II; and by Ord. 2011-09-02, 9/19/2011, Art. III]

- a. Uses Permitted by Right.
[Amended by Ord. 2015-09-06, 9/21/2015; and by Ord. 2016-05-01, 5/16/2016]

- A1 General Farming
- A2 Crop Farming
- A5 Commercial Forestry
- A6 Nursery
- A7 Garden Center
- B7 Apartment Building
[Ord. 2011-09-02]
- C6 Adult Day Care
- D1 Nursery School/Day-Care Center
- E1 Public Recreational Facility
- E2 Private Recreational Facility
- E4 Non-Household Swimming Pool
- E5 Private Club
- E7 Community Center
- F1 Municipal Building
- F6 Business Campus
- I1 Medical Office
- I2 Veterinary Office
- I3 Professional Office
- I4 Medical and Pharmaceutical Sales Office
- J5 Funeral Home/Mortuary
- J15 Motel — Hotel
- J28 Office Supplies and Equipment Sales and Service
- J29 Package Delivery Service
- J30 Photocopying Service

- K3 Wholesale Business, Wholesale Storage, and Warehousing
- K4 Printing
- K18 Flex Space
- L General Accessory Uses and Structures:
 - L1 Nonresidential Accessory Building
 - L3 Temporary Structure
 - L4 Temporary Community Event
 - L9 Off-Street Parking
 - L10 Signs
 - L12 Cafeteria
 - L13 Training Center

b. Uses Permitted by Special Exception.

- C5 Drug and Alcohol Rehabilitation Center
- D2 College, Primary or Secondary School
- D3 Commercial Trade School
- F2 Emergency Service Center
- F3 Recycling Collection Center
- F4 Place of Worship
- G2 Terminal
- L8 Nonresidential Radio & TV Tower, Masts, Aerials, etc.

c. Uses Permitted by Conditional Use.

[Amended by Ord. 2015-09-06, 9/21/2015; and by Ord. No. 2018-10-04, 10/1/2018]

- B3/B5 Twins and Towns Mixed Community (see § 27-1403)
- C1 Hospital
- C2 Nursing Home
- C3 Personal Care Center
- F7 Commercial Campus
- J3 Service Business
- L2 Outside Storage or Display
- L11 Helistop
- L14 Nonresidential Solar Energy System