

*Newtown Area Joint Municipal Zoning Ordinance
Monday, November 1, 2021*

Article VIII. Use Regulations

§ 803. Use Regulations.

[Amended effective 5/13/2002 by JMZO Ord. 2002-05, § 1; adopted 5/8/2002. Amended effective 11/25/2002 by JMZO Ord. 2002-1, Article III; adopted 11/20/2002. Amended effective 12/16/2002 by JMZO Ord. 2002-12, § 1; adopted 12/11/2002. Amended effective 11/25/2002 by JMZO Ord. 2002-13, §§ I and II; adopted 11/20/2002. Amended effective 12/15/2003 by JMZO Ord. 2002-10, §§ A, B; adopted 12/10/2003. Amended effective 6/28/2004 by JMZO Ord. 2004-5, § 11; adopted 6/23/2004. Amended effective 8/28/2004 by JMZO Ord. 2004-14, §§ 12 - 14; adopted 8/23/2004. Amended effective 4/18/2005 by JMZO Ord. 2004-17, §§ 01 - 03; adopted 4/13/2004. Amended effective 3/28/2005 by JMZO Ord. 2004-18, Art. I; adopted 3/23/2005. Amended effective 6/10/2006 by JMZO Ord. 2006-01, §§ I - III; adopted 6/5/2006. Amended effective 8/14/2006 by JMZO Ord. 2006-07, § 01; adopted 8/9/2006. Amended effective 10/2/2006 by JMZO Ord. 2006-09, § XI; adopted 9/27/2006. Amended effective 8/14/2006 by JMZO Ord. 2006-12, § I; adopted 8/9/2006. Amended effective 12/23/2006 by JMZO Ord. 2006-13, § 1; adopted 12/18/2006. Readopted effective 6/23/2007 by JMZO Ord. 2007; adopted 6/18/2007. Amended effective 5/7/2007 by JMZO Ord. 2006-04, §§ 1 and 2; adopted 5/2/2007. Amended effective 10/29/2007 by JMZO Ord. 2006-05, § 1, 2, and § 3; adopted 10/24/2007. Amended effective 7/23/2007 by JMZO Ord. 2006-06, § 2; adopted 7/18/2007. Amended effective 7/23/2007 by JMZO Ord. 2006-20, § 7; adopted 7/18/2007. Amended effective 6/16/2008 by JMZO Ord. 2007-05, §§ 01, 02; adopted 6/11/2008. Amended effective 10/11/2008 by JMZO Ord. 2008-08, § 01; adopted 10/6/2008. Amended effective 12/22/2008 by JMZO Ord. 2008-09, § 02; adopted 12/17/2008. Amended effective 9/27/2010 by JMZO Ord. 2010-02, § 03; adopted 9/22/2010.]

- A. Principal Agricultural Uses. Agriculture is an ever-evolving industry. It is the intention of this Section to allow all normal agricultural operations including, but not limited to, the following:

A-1. Agriculture and Horticulture. Agriculture and horticulture shall include uses such as tilling of soil; raising of livestock, horses, or poultry; growing trees, shrubs, flowers, or vegetables; and related farmhouses and usual farm buildings, provided:

1. Farm Unit. Single-family detached dwelling for the sole use of individuals, and their immediate families, engaged in agricultural employment on the same site, or for the immediate family of the landowner. This use is subject to the following provisions:
 - a. One dwelling unit per full time employee is permitted, at a net density of 0.033 dwelling units per acre, with a maximum of three dwelling units per 100 acres.
 - b. One dwelling unit per immediate family member is permitted, at a net density of 0.04 dwelling units per acre, with a maximum of four dwelling

2. No animal shelter or runway shall be located closer than 300 feet to any residential building other than the owner's.
3. The total number of dogs on the property shall not exceed five dogs per acre, excluding dogs under six months old.
4. Parking. No less than one off-street parking space for each employee plus (1) space for each eight animals in capacity except for training where one space shall be provided for each three animals.

A-6. Commercial Nursery and Greenhouse. The growing of plants, shrubs, or trees, either from seed or from immature plants that are raised to marketable size.

1. This use does not include a retail garden center. A retail garden center shall be considered to be use E-1 or E-2 and shall meet the zoning requirements for use E1 or E2, whichever is applicable.
2. Commercial Nursery uses shall meet the following requirements:
 - a. Minimum lot size: three acres.
 - b. Maximum impervious surface: 10%.
 - c. All structures and buildings shall meet the yard and setback requirements for the use B-1 for the district in which the nursery is located.
 - d. Sales of items grown at the nursery shall be conducted in accordance with H-15.A, Roadside Stands for Sale of Agricultural Products Grown on Site.
 - e. For nursery uses on lots of 10 acres or more, the use is eligible for additional accessory use H-15.B., Agricultural Sales of Farm Products, provided that all the requirements of use H-15.B are met.
 - f. Parking shall be provided in designated areas. Driveways shall be paved and shall include a tire-cleaning area at the entrance to the nursery if the parking area is not paved.
3. Commercial Greenhouse uses shall meet the following requirements:
 - a. Minimum lot size: five acres.
 - b. Greenhouses include any structure for indoor or enclosed growing of plants, including permanent buildings, hoop houses, and temporary enclosures.
 - c. Maximum impervious surface: 10%.
 - d. Sales of items grown shall be conducted in accordance with H-15.A, Roadside Stands for Sale of Agricultural Products Grown on Site.
 - e. For greenhouses uses on lots of 10 acres or more, a Township approved stormwater management plan is required. All stormwater management facilities as required by the stormwater management plan and the installation of the same shall meet applicable Township standards.

B. Residential Uses.

B-1.