

subdivision for the purpose of determining whether such subdivision is considered a Major Subdivision or Minor Subdivision in accordance with Section 2.2.A.143 of the SALDO. All subdivision plans shall include a note specifying that plans for the subject lot, tract or parcel of land submitted within sixty (60) months of the recording of such plan shall be considered to be inclusive as though the plans were submitted as one plan. Such note shall be acceptable to the Township Solicitor and the Township Engineer. All tract size requirements applicable to a particular use prior to any subdivision of a lot, tract or parcel of land recorded within sixty (60) months prior to submission of a new plan shall be applicable to any such new plan.

Section 403 Home Owners' Associations and Unilateral Declarations

- A. A Home Owners' Association may be established to own property, protect community interests and do all those other things traditionally done by such associations and legally permitted of such associations.
- B. A landowner may record of record unilateral declarations of restrictions and covenants restricting future owners of the landowner's property in ways that are legally and traditionally accomplished by such declarations.
- C. No Home Owners' Association or unilateral declaration of restrictions and covenants may in any way infringe upon or restrict the full exercise of any landowner's religion; abridge the freedom of speech; or the right of people to peaceably assemble, all as protected by the First Amendment to the United States Constitution.

Section 404 (Reserved for Future Use)

Section 405 Use Regulations

A. Agricultural Uses

A1 General Farming

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; the products of poultry and bee-raising and all buildings (barns, sheds, silos, etc.) associated with this use. All facilities shall meet the requirements of the Act of May 20, 1993 (P.L. 12, No. 6) known as the Nutrient Management Act. Any agricultural operation meeting the definition of CAFO shall be an A3 (hereinafter defined) use.

- A. Minimum lot area: 1.8 acres.
- B. Any building or structure used for the keeping or raising of bees, livestock, horses, or poultry shall be situated not less than one hundred (100) feet from any street line or property line.
- C. Silos shall not be located less than 1.25 times the height of the silo from any street line or property line.
- D. Any building or structure, including a single family detached dwelling, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
- E. Maximum impervious surface: 3 percent for greenhouses on prime agricultural soils.
- F. Riding stables, livery, or boarding stables and commercial dog kennels are not included under this use.
- G. Retail sales shall meet the requirements of Use A7 Agricultural Retail.
- H. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling

- I. This use does not include the making of compost and/or mulch using materials from off site but does include the making of compost or mulch from materials that are the on-site byproduct of the General Farming use.
- J. This use does not include any separately defined use.
- K. No "Game" or "Wildlife" (as defined in 34 Pa. C.S.A. Section 102, "The Game and Wildlife Code") or "Exotic Wildlife" (as defined in 34 Pa. C.S.A. Section 2961), "The Game and Wildlife Code") may be kept except in accordance with the provisions of the Game and Wildlife Code of Pennsylvania 43 Pa. C.S.A. Section 101, et. seq. and the regulations adopted pursuant thereto.
- L. Livestock, poultry, and fur-bearing animals kept as pets without the intent of pecuniary gain through the boarding, sale or breeding of such livestock, poultry, fur-bearing animals or the products thereof, shall not be subject to the dimensional requirements of paragraphs A1.A and A1.B hereof.

A2 Nursery

The outdoor raising of plants, shrubs and trees for sale and transplantation.

- A. Minimum lot area: 1.8 acres.
- B. Any building or structure, shall meet the yard, lot width, and setback requirements for the applicable zoning district for Use B1 Detached Dwelling.
- C. Retail sales shall meet the requirements of Use A7 Agricultural Retail.
- D. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling.
- E. In the VC-2 District, parking for this Use shall be limited to four (4) parking spaces and retail sales shall be limited to 1,000 square feet.

A3 Intensive Agriculture and CAFOs

Commercial greenhouses; mushroom houses; feedlots; confinement livestock or poultry operations taking place in structures or closed pens; animal "finishing" facilities; slaughterhouses. All facilities shall meet the requirements of the Act of May 20, 1993 (P.L. 12, No. 6) known as the Nutrient Management Act.

- A. Minimum lot area: 50 acres for feedlot, livestock or poultry operations, animal finishing facilities and slaughterhouses, or any other animal operation; 10 acres for all other permitted operations
- B. Any building or structure used for the keeping, servicing or raising of livestock, horses or poultry shall be situated not less than two hundred (200) feet from any street line or property line.
- C. Any building or structure, other than noted in (B) above, shall meet the lot width, yard and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
- D. Maximum impervious surface: 10 percent
- E. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling
- F. Retail sales shall meet the requirements of Use A7 Agricultural Retail.
- G. Feedlots, pens and confinement areas shall not be situated less than one hundred feet from any stream or swale.

- H. Priority should be given to keeping the best quality soils open and free of structures. Structures and impervious areas must be placed on the lowest quality soils on the site.

A4 Forestry

The management of forests and timberlands when practice in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting, and selling trees for commercial purposes which does not involve any land development.

A. Purpose.

In order to preserve forests and the environmental and economic benefits they provide, it is the policy of the Township of Buckingham to encourage the owners of forest land to continue to use their land for forestry purposes, including the long-term production of timber, recreation, wildlife and amenity values. The timber harvesting regulations are intended to further this policy by (1) promoting good forest stewardship; (2) protecting the rights of adjoining property owners; (3) minimizing the potential for adverse environmental impacts; and (4) avoiding unreasonable and unnecessary restrictions on the right to practice forestry.

B. Definitions:

Felling: the act of cutting a standing tree so that it falls to the ground.

Landing: a place where logs, pulpwood or firewood are assembled for transportation to processing facilities.

Litter: discarded items not naturally occurring on the site such as tires, oil-cans, equipment parts, and other rubbish.

Lop: to cut tops and slash into smaller pieces to allow the material to settle close to the ground.

Operator: an individual, partnership, company, firm, association, or corporation engaged in timber harvesting including the agents, subcontractors, and employees thereof.

Landowner: an individual, corporation, company, firm, association, or partnership that is in actual control of forest land where such control is based on legal or equitable title or on any other interest entitling the holder to sell or otherwise dispose of any or all of the timber on such land in any manner and any agents thereof acting on their behalf, such as forestry consultants, who set up and administer timber harvesting.

Pre-commercial timber stand improvement: a forest practice, such as thinning or pruning, which results in better growth, structure, species composition, or health for the residual stand but which does not yield a net income to the landowner, usually because any trees cut are of poor quality, too small, or otherwise of limited marketability or value.

Skidding: dragging trees on the ground from the stump to the landing by any means.

Slash: woody debris left in the woods after logging, including logs, chunks, bark, branches, uprooted stumps, and broken or uprooted trees or shrubs.

Stand: any area of forest vegetation whose site conditions, past history and current species composition are sufficiently uniform to be managed as a unit.

Timber harvesting, tree harvesting or logging: The process of cutting down trees and removing logs from the forest for the primary purpose of sale or commercial processing into wood products. Clear cutting or selective cutting of forest lands for a land use change is excluded from this definition.

Top: the upper portion of a felled tree that is unmarketable because of small size, taper, or defect.

C. Preparation of Forestry/Logging Plan:

1. Notification of commencement or completion. For all forestry and timber harvesting operations that are expected to exceed one acre, the landowner shall notify the Township at least ten (10) business days before the operation commences and within five business days before the operation is complete. No timber harvesting shall occur until the notice has been provided. Notification shall be in writing and shall specify the land on which harvesting will occur, the expected size of the harvest area, and, as applicable, the anticipated starting or completion date.

2. Logging plan - A logging plan shall be prepared for every property where timber harvesting is to occur. No timber harvesting shall occur until the plan has been prepared. The provisions of the plan shall be followed throughout the operation. The plan shall be available at the harvest site at all times during the operation and shall be provided to the Township upon request.
3. Responsibility for compliance. The landowners and the operator shall be jointly and severally responsible for complying with the terms of the logging plan.

D. Forestry/logging Plan:

1. Minimum requirements. As a minimum, the logging plan shall include the following:
 - a. Design, construction, maintenance, and retirement of the access system including haul roads, skid roads, skid trails, and landing;
 - b. Design, construction, and maintenance of water control measures and structures such as culverts, broad-based dips, filter strips, and water bars;
 - c. Design, construction, and maintenance of stream and wetland crossings;
 - d. The general location of proposed operation in relation to municipal and state highways including any access to those highways;
 - e. Copies of all required permits shall be submitted as an appendix to the plan;
 - f. Proof of current general liability and/or workers compensation insurance;
 - g. Proof of PennDOT highway occupancy permit or Township driveway permit for temporary access, as applicable; and
 - h. Copy of Bucks County Conservation District "Letter of Adequacy" for the proposed erosion control facilities, including associated plans, reports and other permits as required.
2. Map - Each forestry/logging plan shall include a site map containing the following information:
 - a. Site location and boundaries, including both the boundaries of the property on which the timber harvesting will take place and the boundaries of the proposed forest area within that property;
 - b. Significant topographic features related to potential environmental problems;
 - c. Location of all earth disturbance activities such as roads, landings, and water control measures and structures;
 - d. Location of all crossings of waters of the Commonwealth; and
 - e. The general location of the proposed operation to municipal and state highways including any access to those highways.
3. Compliance with state law - The forestry/logging plan shall address and comply with the requirements of all applicable state laws and regulations including but not limited to the following:
 - a. Erosion and sedimentation control regulations contained in 25 Pennsylvania Code Chapter 102, promulgated pursuant to the Clean Streams Law (35 P.S. §§ 691.1, et. seq.);
 - b. Stream crossing and wetlands protection regulations contained in 25 Pennsylvania Code, Chapter 105, promulgated pursuant to the Dam Safety and Encroachments Act (32 P.S. §§ 693.1, et. seq.)
 - c. Stormwater management plans and regulations.
4. Compliance with Federal Laws and Regulations - The forestry/logging plan shall address and comply with the requirements of all applicable federal laws and regulations including but not limited to the Best Management Practices as set forth in 33 CFR 323.4[a][6][i-xv].
5. Compliance with Township ordinances - The forestry/logging plan shall verify compliance with the stormwater management ordinances of the Township.

E. Forest Practices - The following requirements shall apply to all forestry/timber harvesting operations in the Township:

1. Felling or skidding in or across any public thoroughfare is prohibited without the express written consent of the Township or PennDOT, whichever is responsible for the maintenance of the road.
2. No tops or slash shall be left within 25 feet of any public road or private road or on any property adjoining the site where forestry is occurring.

3. Litter resulting from timber harvesting shall be removed from the site prior to operator vacating the site.
 4. Any soil, stones, or debris carried onto public or private roadways must be removed immediately.
 5. No forestry or logging shall occur on areas with slopes of 16 percent or greater.
 6. When the harvest is complete, dirt roads used by trucks and skid roads used to drag logs from the woods to the loading area must be graded approximately to original contours and must be seeded and mulched to establish stable groundcover.
 7. Riparian buffers - No logging or timber harvesting may take place within 50 feet of the bank of any stream, named or unnamed, that appears on the USGS maps.
 8. No forestry/timber harvesting operation is permitted within a distance from any property line adjoining property in residential or commercial use, with structures thereon devoted to that use, that is 1.25 times the height of tallest tree whose height is equal to or greater than its distance from the property line. (Nothing in this provision shall prevent the removal of a diseased or dying tree within such distance).
- F. Financial security shall be established in a manner acceptable to the Township to guarantee repair of all damage that may occur to public streets due to forestry/logging operations (67 Pennsylvania Code, Chapter 189) and to guarantee compliance with erosion and sedimentation control plans, compliance with stormwater management plans and restoration of the site upon completion of logging operations.

A5 Riding Academy

Riding stable, livery or, boarding stable for horses:

- A. Minimum lot area: ten (10) acres.
- B. Any building or structure used for the keeping, servicing, or raising of horses shall be situated not less than one hundred (100) feet from any street line or property line.
- C. Any building or structure, other than noted in B. above, shall meet the lot width, yard, and setback requirements for Use B1 Detached Dwelling for the applicable zoning district.
- D. Maximum impervious surface: 10 percent.
- E. Accessory dwelling units shall meet the requirements of Use A8 Accessory Farm Dwelling.
- F. Parking: One (1) off-street parking space for every three (3) persons present at the facility when it is filled to capacity.

A6 Kennel

The keeping or boarding of animals for a fee shall constitute a kennel. In addition to the principal use, the kennel may include as accessory uses training, grooming, or breeding. The following requirements shall be met:

- A. Minimum lot area: 10 acres.
- B. No building or structure used for the keeping, servicing, or raising of animals shall be located closer than two hundred (200) feet to any lot line.
- C. All animals shall be maintained in enclosed buildings and runs enclosed by fences designed and constructed so as to prohibit the animals from escaping from the fenced area. As used herein, the term "run" shall mean any outside area where animals are permitted to exercise without being under the physical control of a handler. No run shall be closer than 150 feet to any lot line.

- D. All areas used for exercising and training of animals shall be enclosed by a fence not less than 6 feet in height or of such height as to prevent dogs from escaping from the fenced area. The fence shall be no closer than 20 feet from any lot line. This area shall **not** be used as a run as described in subsection (C) above.
- E. All training shall be under direct control of the owner or handler.
- F. The kennel use, including all runs, shall be screened along the exterior perimeter from adjoining residential uses by a double row of evergreen plantings that serve to screen noise and create a visual and physical barrier. Evergreens shall be a minimum of 6 feet in height.
- G. All dogs unaccompanied by a handler must be kept indoors between 10:00 PM and 7:00 AM.
- H. Maximum impervious surface ratio: four (4) percent.
- I. One B1 single family detached dwelling unit is permitted on the lot with the A6 Kennel use and shall meet the following requirements:
 - 1. Minimum lot width at building setback line: 150 feet
 - 2. Minimum yards:

Front	50 feet
Side (each)	30 feet
Rear	50 feet
- J. All kennels shall be licensed under the Dog Law Act of 1982, P.L. 784 - 255.
- K. Parking: one (1) off-street parking space for each employee plus one (1) space for each ten (10) animals in capacity, except if the kennel is also used for animal training in which case one (1) space shall be provided for each three (3) animals.

A7 Agricultural Retail

The retail sales of agricultural products to the public at roadside stands or other structures:

- A. Agricultural retail is an accessory use that shall be clearly subordinate to primary uses A1, A2, or A3 and on those properties within an Agricultural Security District.
- B. Fifty percent (50%) or more of the products sold must have been raised or grown by the owner of the farm on which the retail stand is located.
- C. The maximum floor area shall be limited to two thousand (2,000) square feet for agricultural retail uses related to agricultural uses A1, A2 and A3.
- D. Agricultural retail uses related to uses A1, A2 and/or A3, which are located in permanent buildings, or structures shall meet the following yard and setback requirements:
 - 1. Minimum lot area – 1.8 acres.
 - 2. Any building or structure, including a single family detached dwelling, shall meet the lot width, yard and setback requirements of Use B1 Detached Dwelling for the applicable zoning district.
- E. Temporary farm stands or buildings of 150 square feet or less for the seasonable sale of farm produce may be located within the required front yard.
- F. Parking: one (1) off-street parking space for each one hundred (100) square feet of sales area.

A8 Accessory Farm Dwelling

Detached dwelling unit for the sole use of the property owner, immediate family members of the property owner and persons engaged in agricultural employment on the property. Immediate family members shall be limited to parents, grandparents, siblings, sons and daughters.

- A. An Accessory Farm Dwelling is an accessory dwelling unit use that shall be clearly subordinate to primary uses A1, A2, A3, A5 or A6.
- B. Minimum lot area per dwelling unit: 1.8 acres in addition to the minimum lot area required for the primary agricultural use.
- C. Maximum density: 1 unit per 25 acres.
- D. Accessory farm dwelling shall meet the minimum yard and setback requirements of Use B1 Detached Dwelling, from any street line or property line and between other farm units on the property. Applications for zoning permits or for subdivision shall show the location of the proposed dwelling units.
- E. Parking: two (2) off-street parking spaces per dwelling unit.

A9 Farm Support Facility

A commercial grain or commercial feed mill; facility for the warehousing, sale or service of agricultural equipment, vehicles, feed or supplies:

- A. Minimum lot area: two (2) acres.
- B. Maximum impervious surface ratio: forty (40) percent.
- C. The lot shall have frontage on and take access from an arterial or a major collector highway as designated in the Buckingham Township Zoning Ordinance.
- D. No area for the storage or processing of manure shall be situated less than two hundred (200) feet from any street or property line.
- E. Parking: One (1) off-street parking space for every five hundred (500) square feet of gross floor area plus one (1) space for each vehicle normally used in the farm support facility operations.

A10 Accessory Farm Business

An accessory farm business is a revenue-generating venture sympathetic to, the principal agricultural or nursery use that is conducted on the land in addition to, but as an accessory to, the principal agricultural or nursery use. The use of the farm for educational tours, seasonal festivals related to products grown on the farm, craft fairs, hayrides, and horse shows shall constitute accessory farm businesses.

- A. The following requirements apply to Accessory Farm Businesses:
 - 1. The purpose of these regulations is to encourage the continuation of farming and the preservation of farmland in Buckingham Township by allowing working farmers to market their products and services directly to the public as an accessory use and in a manner that is compatible with the rural/residential character of the Township and by limiting commercial activities and uses to commercial districts;
 - 2. This Ordinance section does not prevent or regulate the sale of farm produce grown on properties within the Township's Agricultural Security District where such retail sale is permitted under Pennsylvania Act 43 which requires that a minimum of fifty percent of the products sold shall be grown on the farm on which the retail sale occurs;

3. The owner of the property on which a farm business use is proposed must operate any farm business activity directly and may not subcontract to any person or entity to operate a business on the farm. In the case of joint, partnership, or corporate ownership, one of the parties who shall hold at least 51 percent interest in the ownership of the farm business must operate the farm business and may not subcontract to any person or entity to operate a business on the farm;
 4. All farm businesses shall meet the requirements for water supply, sewage disposal, and rest room facilities of the Bucks County Health Department and any other agency with jurisdiction; and
 5. The Accessory Farm Business is permitted as an accessory use only. If any of the conditions to which the use is subject cease to be met, then the accessory Farm Business Use shall also cease.
- B. In addition to complying with subsections A.1 through A.6 above, an accessory Farm Business is subject to the following additional requirements:
1. Minimum lot area required – 25 contiguous owned acres.
 2. The accessory farm uses permitted are limited to: educational tours, seasonal festivals related to products grown on the farm, craft fairs, hayrides, and horse shows.
 3. No activity or event or structure used for an activity or event shall be located within 150 feet of a right-of-way line or property line, except for parking areas that may be located within 50 feet of a right-of-way line or property line.
 4. No activity or event shall continue past 9:00 p.m. Sunday through Thursday and past 11:00 pm Friday and Saturday.
 5. The following types of activities shall not be permitted:
 - a. Outdoor concerts or amplified sounds which exceed or would exceed the decibel (dBA) limits for residential districts as set forth in Section 3017 of this Ordinance;
 - b. Mechanical rides or amusements; and
 - c. Flea markets;
 6. Uses are subject to the following regulations on frequency and duration:
 - a. Educational Tours – An annual permit is necessary to operate education tours. This permit shall specify the number of days per year that educational tours will take place on the farm;
 - b. Halloween hayrides – A permit shall be required. Halloween hayrides may operate from the first Saturday in October through October 31;
 - c. Seasonal Festivals, Craft Fairs, or Horse Shows – A permit shall be required. A total of no more than nine (9) such events shall be permitted per farm per calendar year. A single festival shall not exceed four (4) days in duration;
 7. Parking for Farm Businesses: Off-street parking areas shall be provided in designated areas to accommodate all attendees at any special event, seasonal festival, craft fair, hayride, or other permitted event. Driveways from public roads to parking areas shall have a paved apron at the entrance which is a minimum of one hundred (100) feet in length from the edge of paving and as well as a gravel tire-cleaning area fifty (50) feet in length. Parking areas shall be adequately screened [See Section 3104(B)].
 8. A traffic control plan and a parking control plan must be submitted to and approved by the Township Police Department prior to receiving a permit for events other than educational tours. Two road connections are required to allow for emergencies.
 9. Access to the farm to be used for Halloween hayrides, Seasonal Festivals, or Craft Fairs must be from an arterial or collector road.
 10. Lighting – No permanent outdoor lighting shall be installed or illuminated for special events; temporary lighting may be used for special events for the duration of the event only and may not shine or produce glare, as defined and regulated by Section 3016 and 3022 of this ordinance, on adjacent properties. All event-related lighting is to be turned out 30 minutes after the event has concluded.
 11. Signs – A total of 32 square feet of sign area shall be permitted. The sign area may be divided into no more than two signs. The signs may be put in place no more than two weeks prior to the event and must be removed within five days of the conclusion of the event. No more than 32 square feet of sign area for the farm entertainment use shall be permitted at any time on any one property. No internally lighted

signs or portable signs on wheels shall be permitted. The signs must have a sign permit and shall be subject to all applicable requirements of Article 32, Signs. No off-premises signs are permitted.

B. Residential Uses

B1 Detached Dwelling

A single detached dwelling unit on an individual lot with private yards on all sides of the house. Detached dwellings may include dwellings constructed on the lot, prefabricated dwellings, manufactured dwellings, modular dwellings, and mobile homes.

- A. If the dwelling is a mobile or manufactured home, the dwelling shall be placed on concrete or masonry footings and shall be secured as required by the most current applicable Building Code(s).
- B. Parking: two (2) off-street parking spaces in addition to any spaces within a garage.
- C. Parking-Group Home: two (2) off-street parking spaces for each resident.

B2 Townhouse and Twins

A dwelling unit, attached to another from ground to roof, having individual outside access. A row of attached townhouses shall not exceed eight (8) dwelling units and the number of units in a row or group of attached townhouses shall average no more than six (6) in any townhouse development.

A. Dimensional Standards:

Minimum lot area per dwelling unit	2000 sq. ft.
Minimum lot width at building setback line	24 ft.
Maximum building coverage on lot	30 percent
Maximum impervious surface on lot	50 percent
Minimum building setback	
from street	20 ft. if driveway and parking are located on lot in front yard; 10 ft. if no driveway or parking in front yard.
from common parking area	10 ft.
Minimum garage setback	25 ft. from street line
Minimum rear yard	30 ft.
Minimum building spacing	30 ft.

- B. Minimum setback of all buildings and structures from the perimeter of the site: 75 feet.

C. Off-Street Parking Requirements:

1. Minimum number of spaces: Two (2) off-street spaces for each dwelling unit, in addition to any spaces contained within a structure.
2. An additional one (1) space per dwelling unit of overflow off-street parking shall be required.

B3 Apartment, Duplex or Multi-family

A dwelling designed and occupied exclusively as a residence and containing two or more dwelling units that may have individual outside entrances or unit entrances from a common entryway.

ARTICLE 5 AG-1 AGRICULTURAL -1 DISTRICT

Section 500 Purpose

- A. The AG-1 Agricultural District is intended to promote the preservation of agriculture as the primary use of land. Limited residential uses are permitted as well as agricultural uses. The standards and densities are intended to provide a positive incentive for the preservation of farmland and large amounts of open space through the use of development types that preserve open space and through the use of TDRs that may be sold from parcels in this district and transferred to other parcels in the Township.
- B. A building or structure may be erected or altered to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 501 Permitted Uses

- A. Uses Permitted By Right - Any of the following uses shall be permitted, provided that the regulations of this Ordinance have been met:

- A1 General Farming
- A2 Nursery
- A4 Forestry
- A5 Riding Academy
- A6 Kennel
- A7 Agricultural Retail
- A8 Accessory Farm Dwelling
- A9 Farm Support Facility
- B1 Detached Dwelling
- B5 Large Lot Single Family Dwelling
- B6 Life Care/Full Care Facility
- B9 Accessory Home Occupations
 - Class I - Home Office
 - Class II - Traditional Home Occupation
 - Class III - Family Day Care
 - Class V - Lawn Care Service
- B10 Residential Accessory Building
- B11 Garage or Yard Sales
- B13 Preservation Subdivision
- B14 Living Community
- C1 Place of Worship
- C2 School
- C5 Municipal Recreational Facility
- C7 Golf Course
- C13 Cemetery
- C14 Municipal Building
- D2 Veterinary Office
- E18 Cottage Development or Private Camp
- E22 Bed and Breakfast
- E27 Farm Equipment Sales and Repair
- F2 Emergency Services
- H1 Nonresidential Accessory Building
- H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

- A3 Intensive Agriculture
- A10 Accessory Farm Business
- F1 Utilities
- H5 Wind Energy Conversion System
- H6 Air Landing Strip
- H11 Personal Wireless Facilities

Section 502 Area and Dimensional Requirements

A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply. For uses B13 and B14, the dimensional requirements are stated in Section 405, Use Regulations, shall apply except that Use B14 shall provide pedestrian access across adjoining streets.

1. Use B1 - Single Family Detached Dwelling, applicable for B1 uses in AG-1 districts except for overlay districts subject to the provisions of subsections 2, 3, 4, or 5 below:

Maximum tract size	10 acres
Minimum lot area	1.8 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	15 percent
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	20 percent
Maximum impervious surface per tract	20 percent
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

a. The B-1 single family detached dwelling use is also permitted on tracts of any size greater than 10 acres, however, the minimum lot area shall be 5 acres. All other dimensional requirements remain unchanged.

b. For land subject to a permanent preservation easement, whether for agricultural, open space or other purposes, where an additional B-1 single family detached dwelling use is permitted by the preservation easement, the minimum lot area of 1.8 acres shall apply, regardless of the size of the tract.

2. Windsor Square Overlay District – The area of the Windsor Square Overlay District is the Windsor Square Major Subdivision which created 51 residential lots from Tax Parcel Number 6-18-1-2 located at the intersection of Forest Grove Road and Upper Mountain Road as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Windsor Square Overlay District, the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	10,000 sq. feet
Maximum impervious surface on lot	45 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	50 percent
Minimum yards	
Front	25 feet * **
Side (each)	5 feet
Rear	25 feet

Garage (Front) 25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** Lots in the Windsor Square Overlay District with front yard setbacks of 15 feet as of the date of enactment of this ordinance amendment shall be required to have a 15 feet front yard setback.

3. Devonshire One Overlay District - The Devonshire One Overlay District is that area constituting Phases 1, 2, 3, and 4 of the Devonshire Estates Major Subdivision which created 215 residential lots from Tax Parcel Numbers 6-16-24 and 6-17-86 adjacent to the intersection of Forest Grove Road and Swamp Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Devonshire One Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area 14,000 sq. feet

Maximum impervious surface on lot 35 percent

Maximum impervious surface on lot after issuance of the initial occupancy permit 40 percent

Minimum yards

Front 25 feet *

Side (each) 10 feet

Rear 40 feet **

Garage (Front) 25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** The rear yard setback requirement is increased under the following conditions to the following minimum distances:

For lots whose rear yards either:

(i) border the Devonshire One Overlay District boundary where the boundary is not coincident with the Devonshire Two Overlay District boundary, or

(ii) border open space that is directly between their rear yards and the Devonshire One Overlay District boundary where the boundary is not coincident with the Devonshire Two Overlay District boundary,

the rear yard setback shall be the greater of:

(i) 40 feet from the rear property line; or

(ii) 75 feet from the Overlay District boundary.

For lots whose rear yards either border Old York Road, or border open space that is directly between their rear yards and Old York Road, the rear yard setback shall be the greater of: (i) 40 feet from the rear property line; or (ii) 100 feet from Old York Road.

4. Devonshire Two Overlay District - The Devonshire Two Overlay District is that area constituting Phase 5 of the Devonshire Estates Major Subdivision which created 215 residential lots from Tax Parcel Numbers 6-17-24 and 6-17-86 located adjacent to the intersection of Forest Grove Road and Swamp Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Devonshire Two Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area 6,000 sq. feet

Maximum impervious surface on lot 35 percent

Maximum impervious surface on lot after issuance of the initial occupancy permit 40 percent

Minimum yards

Front 20 feet *

Side (each)	5 feet minimum; 15 feet aggregate
Rear	25 feet **
Garage (Front)	25 feet

* Corner lots are only required to have one "Front Yard." The yard adjacent to the side street shall have a 10 feet wide setback. Houses on corner lots shall face the roadway along which the front yard setback is measured.

** The rear yard setback requirement is increased under the following conditions to the following minimum distances:

For lots whose rear yards either:

- (i) border the Devonshire Two Overlay District boundary, or
- (ii) border open space that is directly between their rear yards and the Devonshire Two Overlay District boundary,

the rear yard setback shall be the greater of:

- (i) 25 feet from the rear property line; or
- (ii) 75 feet from the Overlay District boundary.

For lots whose rear yards either border Old York Road, or border open space that is directly between their rear yards and Old York Road, the rear yard setback shall be the greater of: (i) 40 feet from the rear property line; or (ii) 100 feet from Old York Road.

5. Upper Mountain Overlay District - The Upper Mountain Overlay District is that area which created 118 residential lots from Tax Parcel Number 6-10-224 and 6-10-226-2 located adjacent to Upper Mountain Road approximately 1000 feet southwest of its intersection with Durham Road and as set forth on the Buckingham Township Zoning Map appended to this Ordinance. Within the Upper Mountain Overlay District, the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	15,000 sq. feet
Minimum lot width at street line	25 feet
Minimum lot width at Building Setback Line	100 feet
Maximum impervious surface on lot	35 percent
Maximum impervious surface on lot after issuance of the initial occupancy permit	35 percent
Minimum yards	
Front	25 feet
Side (both)	10 feet
Rear	40 feet

6. Mill Creek Overlay District - The Mill Creek Overlay District is that area which created sixty-nine (69) B-5 detached dwelling lots, three (3) utility lots, and a 16.829-acre parcel for the existing Farmstead (Lot No. 70) from Tax Parcel Numbers 6-23-1, 6-23-4, 6-23-13, 6-23-13-5, 6-23-14, and 6-23-17 located adjacent to Dark Hollow Road, Forest Grove Road and Smith Road. The existing Farmstead (Lot No. 70) is excluded from the Mill Creek Overlay District, but all other lots are included. Within the Mill Creek Overlay District the following provisions shall apply to Use B1 - Single Family Detached Dwelling:

Minimum lot area	25,000 Sq. Ft.
Minimum lot width at Building Setback Line	100 ft.
Maximum impervious surface on lot	20 % or 8,000 Sq. feet, whichever is less
Maximum impervious surface on lot after issuance of the initial occupancy permit	24 % or 8,000 Sq. feet, whichever is less

Minimum front yard	35 Ft.
Minimum side yards	10 feet minimum; 30 feet aggregate
Minimum rear yard	50 ft.

7. Use B6 Life Care or Full Care Facility - Requirements for Life Care or Full Care Facility
 - a. The requirements of Section 405.B6, shall apply, in addition to the following requirements:
 - i. Use B6 must take access from and have at least 100 feet of lot frontage along an arterial road;
 - ii. For each 1000 square feet of building area proposed for the Life care/Full care facility, one (1) transferable development right shall be required to be transferred to the site of the facility, with the minimum number of TDRs transferred to be 20 for any facility, regardless of size.
8. Use C13 Cemetery – Requirements for Cemetery:
 - a. Use C13 in the AG1 District may not include the use of mausoleums or columbaria;
 - b. No grave markers greater than four (4) feet in height from the grade of the surrounding ground shall be used.
9. All other permitted uses, other than those listed above and Personal Wireless Facilities located in Communications Overlay Districts 1 and 3:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

Section 503 Open Space Regulations in AG-1 District

- A. The primary purpose of open space preservation in the AG-1 district is the preservation of farmland, and developments shall be designed to preserve open space for farming use unless otherwise permitted by the Board of Supervisors. The following regulations apply to all uses which have open space required:
 1. Farmland shall be defined as those areas of agricultural soils classified as prime farmland and additional farmland of statewide importance by the "Important Farmland Survey," Soil Conservation Service (now Natural Resource Conservation Service), as revised November 1983. Farmland shall also be defined as those areas of agricultural soils classified as farmland of local importance under the aforesaid survey. Open space shall be set aside to include Class I, II, and III agricultural soils.
 2. All farmland to be set aside as open space shall be determined by the Buckingham Township Board of Supervisors to be feasible for farmland preservation. Open space areas shall be in large areas contiguous where possible to open space or farmland on surrounding parcels. At least one-half of the required open space area shall be contained in a single open space parcel for farming.
 3. All farmland to be open space shall be of a farmable shape so as to be suitable for the convenient use of modern farm equipment and machinery and shall be a minimum of 200 feet in width in all directions.
 4. All farmland to be set aside shall be provided with suitable access, including frontage or access to a public road so as to be accessible for farm equipment.
 5. All farmland to be set aside shall be considered to be resource-protected land.
 6. Additional open space requirements of Article 31 shall be met.

ARTICLE 6 AG-2 AGRICULTURAL - 2 DISTRICT

Section 600 Purpose

- A. The AG-2 Agricultural Districts intended to promote the preservation of agriculture as the primary use of undeveloped land. Limited residential uses are permitted as well as agricultural uses. The standards and densities are intended to provide a positive incentive for the preservation of large amounts of open space through the use of development types that preserve open space and through the use of transfer of development rights that may be sold from parcels in this district and transferred to other parcels in the Township.
- B. A building or structure may be erected or altered, to be used either in whole or in part and a lot may be used or occupied for any of the following uses and no other, provided that such uses, buildings, or structures shall comply with such regulations as yard, lot sizes, lot width, building area, heights, impervious surfaces, easements, buffer yards, off-street parking and other requirements as specified by this Ordinance.

Section 601 Permitted Uses

- A. Uses Permitted By Right - Any of the following uses shall be permitted, provided that the regulations of this Ordinance have been met:

- A1 General Farming
- A2 Nursery
- A4 Forestry
- A5 Riding Academy
- A6 Kennel
- A7 Agricultural Retail
- A8 Accessory Farm Dwelling
- A9 Farm Support Facility
- B1 Detached Dwelling
- B5 Large Lot Single Family Dwelling
- B9 Accessory Home Occupations
- Class I - Home Office
- Class II - Traditional Home Occupation
- Class III - Family Day Care
- Class V - Lawn Care Service
- B10 Residential Accessory Building
- B11 Garage or Yard Sales
- B13 Preservation Subdivision
- B14 Living Community
- C1 Place of Worship
- C2 School
- C5 Municipal Recreational Facility
- C7 Golf Course
- C10 Day Care Center
- C14 Municipal Building
- D2 Veterinary Office
- E22 Bed and Breakfast
- E27 Farm Equipment Sales and Repair
- F2 Emergency Services
- H1 Nonresidential Accessory Building
- H3 Temporary Structure or Use

B. Uses Permitted by Conditional Use:

A10	Accessory Farm Business
F1	Utilities
H5	Wind Energy Conversion System

Section 602 Area and Dimensional Requirements

- A. All uses shall comply with the area and dimensional requirements listed in this section, unless a greater area or dimensional requirement is stated in Section 405, Use Regulations, for the specific use, in which case the requirements of Section 405 shall apply. For uses B13 and B14, the dimensional requirements are stated in Section 405, Use Regulations, shall apply, except that Use B14 shall provide pedestrian access across adjoining streets.

1. Use B1 - Single Family Detached Dwelling:

Maximum tract size	10 acres
Minimum lot area	1.8 acres
Minimum lot width at building setback line	150 feet
Maximum impervious surface per lot	15 percent
Maximum impervious surface permitted per lot after the issuance of the initial occupancy permit	20 percent
Maximum impervious surface per tract	20 percent
Minimum yards	
Front	50 feet
Side (both)	30 feet
Rear	50 feet

a. The B-1 single family detached dwelling use is also permitted on tracts of any size greater than 10 acres, however, the minimum lot area shall be 5 acres. All other dimensional requirements remain unchanged.

b. For land subject to a permanent preservation easement, whether for agricultural, open space or other purposes, where an additional B-1 single family detached dwelling use is permitted by the preservation easement, the minimum lot area of 1.8 acres shall apply, regardless of the size of the tract.

2. All other permitted uses, other than those listed above and Personal Wireless Facilities located in Communications Overlay Districts 1 and 3:

Minimum lot area	2 acres
Minimum lot width at building setback line	200 feet
Maximum building coverage	10 percent
Maximum impervious surface coverage	20 percent
Minimum yards	
Front	75 feet
Side (both)	40 feet
Rear	75 feet

Section 603 Open Space Regulations in AG-2 District

- A. The primary purpose of open space preservation in the AG-2 district is the preservation of farmland, and developments shall be designed to preserve open space for farming use unless otherwise permitted by the Board of Supervisors. The following regulations apply to all uses which have open space required:

1. Farmland shall be defined as those areas of agricultural soils classified as prime farmland and additional farmland of statewide importance by the "Important Farmland Survey," Soil Conservation Service (now Natural Resource Conservation Service), as revised November 1983. Farmland shall also be defined as those areas of agricultural soils classified as farmland of local importance under the aforesaid survey. Open space shall be set aside to include Class I, II, and III agricultural soils.
2. All farmland to be set aside as open space shall be determined by the Buckingham Township Board of Supervisors to be feasible for farmland preservation. Open space areas shall be in large areas contiguous where possible to open space or farmland on surrounding parcels. At least one-half of the required open space area shall be contained in a single open space parcel for farming.
3. All farmland to be open space shall be of a farmable shape so as to be suitable for the convenient use of modern farm equipment and machinery and shall be a minimum of 200 feet in width in all directions.
4. All farmland to be set aside shall be provided with suitable access, including frontage or access to a public road so as to be accessible for farm equipment.
5. All farmland to be set aside shall be considered to be resource-protected land.
6. Additional open space requirements of Article 31 shall be met.