

TOWNSHIP OF WARMINSTER
BUCKS COUNTY, PENNSYLVANIA

ORDINANCE NO. 777

AN ORDINANCE OF THE TOWNSHIP OF WARMINSTER, BUCKS COUNTY, PENNSYLVANIA, PROVIDING FOR COMPREHENSIVE AMENDMENTS TO THE WARMINSTER TOWNSHIP ZONING ORDINANCE, AS AMENDED, REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors of Warminster Township, Bucks County, Pennsylvania, has enacted the Warminster Township Zoning Ordinance, which is codified in Chapter 27 of the Code of Ordinances of Warminster Township; and

WHEREAS, the Board of Supervisors has determined that it is in the best interests of Warminster Township to revise the Zoning Ordinance in order to revise definitions of terms used in the Zoning Ordinance; to revise setback and buffer yard requirements and permitted activities within setbacks; to provide necessary changes for transit-oriented development; to revise the general regulations applicable to all uses and districts; and to revise regulations pertaining to off-street parking, sightlines, lighting, fences and environmental standards; to relocate provisions that are more appropriate to the Subdivision and Land Development Ordinance; to provide for standardized fees-in-lieu for open space and/ or recreation areas; and to make editorial and clarifying amendments throughout the Zoning Ordinance;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, Chapter 27-Zoning of the Township of Warminster is amended to read as follows:

Section 1. Section 27-1712 is amended to read as provided for in Exhibit "A" which is attached hereto and incorporated herein by reference.

Section 2. Section 27-1766 is amended to read as provided for in Exhibit "B" which is attached hereto and incorporated herein by reference.

Section 3. Section 27-1793 is amended to read as provided for in Exhibit "C" which is attached hereto and incorporated herein by reference.

Section 4. Section 27-1794 is amended to read as provided for in Exhibit "D" which is attached hereto and incorporated herein by reference.

Section 5. Section 27-2006 is amended to read as provided for in Exhibit “E” which is attached hereto and incorporated herein by reference.

Section 6. Section 27-2012 is deleted in its entirety.

Section 7. Section 27-2013 is amended to read as provided for in Exhibit “F” which is attached hereto and incorporated herein by reference.

Section 8. Section 27-2014 is amended to read as provided for in Exhibit “G” which is attached hereto and incorporated herein by reference.

Section 9. Section 27-2015 is amended to read as provided for in Exhibit “H” which is attached hereto and incorporated herein by reference.

Section 10. Section 27-2016 is amended to read as provided for in Exhibit “I” which is attached hereto and incorporated herein by reference.

Section 11. Section 27-2018 is amended to read as provided for in Exhibit “J” which is attached hereto and incorporated herein by reference.

Section 12. Section 27-2019 is amended to read as provided for in Exhibit “K” which is attached hereto and incorporated herein by reference.

Section 13. Section 27-2020 is amended to read as provided for in Exhibit “L” which is attached hereto and incorporated herein by reference.

Section 14. Section 27-2103 is amended to read as provided for in Exhibit “M” which is attached hereto and incorporated herein by reference.

Section 15. Section 27-2101 is amended to read as provided for in Exhibit “N” which is attached hereto and incorporated herein by reference.

Section 16. Section 27-2105 is deleted in its entirety.

Section 17. Section 27-2200 is amended to read as provided for in Exhibit “O” which is attached hereto and incorporated herein by reference.

Section 18. Severability.

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provisions hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts of provisions of this Ordinance or prior Ordinances. It is hereby declared to be the intent of the Warminster Township Board

of Supervisors that this Ordinance would have been adopted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included.

Section 19. Effective Date.

This Ordinance shall become effective five (5) days after the date of enactment, listed below.

ORDAINED AND ENACTED by the Board of Supervisors of Warminster Township this 5th day of September 2024.


Attest:



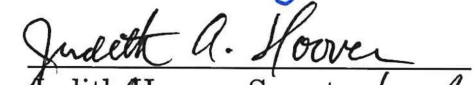
Tom Scott,
Township Manager



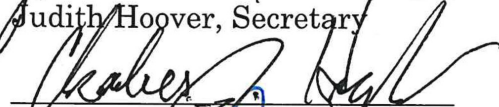
Katherine Frescatore, Chair



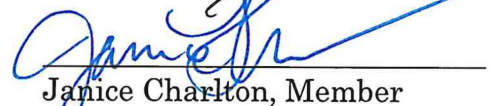
Kenneth Hayes, Vice Chair



Judith Hoover, Secretary



Chuck Heybach, Treasurer



Janice Charlton, Member



EXHIBIT "A"

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§ 27-1712 Use 10, transit-oriented development (TOD).

[Ord. No. 762, 5/7/2020]

1. Purpose and intent. The intent of the Township in permitting development pursuant to this section is as follows:
 - A. To provide for an intensity and type of residential land use that is compatible with and supportive of the use of public transportation.
 - B. To recognize the publications of the Delaware Valley Regional Planning Commission (DVRPC) that support transit-oriented development around rail facilities that encourage use of public transit opportunities.
 - C. To encourage redevelopment of obsolete or vacant properties which are strategically located in close proximity to fixed-rail passenger stations.
 - D. To provide for flexibility in lot sizes, setbacks, and other area and bulk requirements so that imaginative and innovative designs can be developed.
 - E. To encourage mixed-use development consistent with traditional neighborhood design.
 - F. To ensure that mixed-use development is consistent in character in its residential and nonresidential components.
 - G. To encourage the provision of a pedestrian environment and to promote a pedestrian orientation of buildings and streets.
 - H. To encourage development that includes open and recreational spaces as focal points.
2. Use regulations. TOD development shall be permitted on those tracts within 1,000 feet of an existing or proposed commuter rail station and/or support parking lot for such station when authorized as a conditional use by the governing body. The following uses are permitted when authorized as a conditional use:
 - A. Multifamily dwelling.
 - B. Single-family attached dwelling (townhouse) (Use 5), provided that no single building may consist of more than 12 dwellings.
 - C. Mixed-use buildings, provided the uses within such buildings are individually permitted elsewhere in this section.
 - D. Business or professional office (Use 25) or governmental office (Use 51).
 - E. Retail and consumer service uses; retail shops and stores (Use 27); service businesses (Use 28); banks and savings and loan associations (Use 29); restaurants (Use 30) (provided that takeout service shall be permitted).
 - F. Day-care center (Use 17) (except that nursery school or kindergarten shall not be permitted).
 - G. Parking facilities, including structured parking, to serve the TOD development.

H. Playgrounds, parks, tot-lots, community centers, clubhouse, recreation center, swimming pools, plazas and open spaces to serve the residents of the TOD development.

I. Accessory uses as follows:

- (1) Guard house and/or entrance gates, management office, garage for storage of vehicles or maintenance equipment and materials.
- (2) No-impact home-based business (Use 70).
- (3) Clubhouse, including fitness center, activity rooms, kitchen, craft or card rooms, lounges or similar facilities limited to use by residents of the TOD and their invited guests.
- (4) Covered walks and passenger shelters.
- (5) Uses and structures customarily incidental to a permitted use.

J. Forestry uses in accordance with Section 603(f) of the Municipalities Planning Code, 53 P.S. § 10603(f).

3. Development standards.

A. General.

- (1) A portion of a TOD tract must be within 1,000 feet of an existing or proposed commuter rail station and/or support parking lot for such station. The 1,000 feet shall be measured from the nearest property line of the TOD to the nearest property line of the commuter rail station property.
- (2) Tract area. The minimum gross area of the tract shall be ~~15~~5 acres.
- (3) Tract width. The minimum tract width at any point shall be 250 feet, with a minimum of 250 feet of frontage along an arterial street, as designated in the Warminster Township Comprehensive Plan 2004 Update.
- (4) Water and sewer. TOD developments shall be serviced by public water and sewer.
- (5) The tract to be developed shall be in one ownership or shall be the subject of an application filed jointly by the owners of the entire tract under consideration.
- (6) TOD developments shall be designed to be compatible in their residential and nonresidential components in terms of architecture, building materials, massing and scale.

B. Density, mix and tract-wide area and bulk requirements.

- (1) The maximum residential density for a TOD development shall not exceed 14 dwelling units per gross acre measured over the entire TOD tract.
- (2) All TOD developments shall provide a mix of residential uses, nonresidential uses and open space. The area devoted to residential uses shall be no less than 70% of the gross building square footage. The area devoted to nonresidential uses shall be no less than 30% of the gross building square footage.
- (a) Where there exists a retail or commercial center which is contiguous and which is provided with pedestrian link(s) to the TOD tract, then the sum of both tracts may be utilized in determining the area devoted to nonresidential uses, provided that all parcels are subject to an approved pedestrian link and streetscape beautification plan. An appropriate declaration shall be recorded identifying all relationships

and restrictions between the parcels. In no event shall this option count for more than 1/2 of the required nonresidential component.

- (3) The area devoted to open space shall be no more than 30% and no less than 20% of the total tract area.
 - (a) A distinct calculation shall also be required for common open space uses. See § 27-2102 herein for method of calculating the area and location of required common open space uses.
- (4) Building and impervious coverage. The maximum building coverage shall not exceed 30% of the tract area. The total impervious surfaces, including buildings, shall not exceed 70% of the tract area.
- (5) Tract setback requirements:
 - (a) External roads. Buildings shall be set back a minimum of 100 feet, and parking areas shall be set back a minimum of 65 feet from external road rights-of-way.
 - (b) Parking situated within the 100-foot front yard shall be provided with a wall, hedge or earthen mounds to a minimum height of three feet, six inches positioned between the edge of paving and the adjacent road frontage.
 - (c) Other external property lines. Buildings shall be set back a minimum of 50 feet. Parking shall be set back a minimum of 25 feet, although this shall be reduced to five feet for parking where properties abut railroad tracks, rail passenger station property, or a nonresidential district.
 - (d) No building or structure of any kind or parking facility shall be located closer than 50 feet to any side or rear property line adjacent to a residential district unless it abuts railroad tracks, in which case a minimum of 25 feet setback shall be provided.
- (6) Building height. The maximum height of any building or other structure erected or used for any purpose herein shall be not more than 40 feet.

C. Residential and mixed-use building regulations.

- (1) No individual building containing only dwellings shall contain more than 20 dwelling units or exceed a total length of 200 feet.
- (2) No individual building used for nonresidential purposes on at least one floor shall exceed a total length of 300 feet.
- (3) Building spacing. The minimum horizontal distance between facing walls of any two buildings or one building with facing walls shall be:
 - (a) Fifty feet where two facing walls both contain a window or windows.
 - (b) Thirty feet where two facing walls are both less than 75 feet in length, regardless of whether or not windows are present.
 - (c) Forty feet for conditions not listed above.
- (4) Architectural design guidelines.
 - (a) The standards set forth in Subsection 3D(2)(d) and (e) of this section shall apply to all residential buildings.

D. Nonresidential uses, including commercial and nonresidential parking areas.

- (1) Buildings containing nonresidential uses shall comply with the following:
 - (a) The maximum floor area ratio shall be 75% of the area designated to include retail, consumer services or office land uses.
 - (b) No single nonresidential use shall exceed 10,000 square feet.
 - (c) For purposes of this district, separate buildings are encouraged to be attached by roofs or canopies in order to create covered sidewalks and outdoor gathering/seating areas.
- (2) Architectural design and location guidelines.
 - (a) Location. All nonresidential uses and associated parking shall be generally located on a portion of the tract that is either generally centered in the tract or closest to the external roadways. Parking areas shall be screened from public street frontage to a height of not less than 30 inches using a wall or evergreen hedge.
 - (b) Building orientation and entrance. Front facades of nonresidential buildings shall generally be oriented toward an internal street or driveway.
 - (c) Building spacing. The distance between two or more buildings shall be a minimum of 30 feet or no less than the height of the taller building, whichever is greater, unless the buildings are attached by a roof, in which case the spacing may be reduced to 20 feet.
 - (d) Walls and windows.
 - 1) Blank walls shall not be permitted along any exterior wall facing an internal or external street or driveway.
 - 2) Windows, dropped rooflines or architectural columns or variations greater than three feet from the wall surface or changes in wall materials shall be considered acceptable options to comply with the blank wall requirement.
 - 3) The ground floor of any retail use wall facing a street or driveway shall contain windows in accordance with the following:
 - a) Front facades shall consist of at least 30% but not more than 75% window area.
 - b) Reflective glass in windows is not permitted.
 - (e) Roofs. All buildings shall have pitched primary roofs with a pitch of at least six vertical inches to every 12 horizontal inches. Pitched parapet roofs shall be provided with a pitch of at least five vertical inches to every 12 horizontal inches.
 - (f) Building presentation. All buildings shall provide architectural features, which shall be designed with a single unifying architectural theme and shall incorporate natural materials, neutral or pastel colors, pitched roofs, and mullioned windows. The use of porches, entrance porticos, dormers, cupolas, and other architectural details is encouraged and shall be included where appropriate. Parking lots, landscaping, and signage shall be designed to complement the architectural design.
- E. Pedestrian and transit-oriented design elements.
 - (1) Sidewalks or other walkways as deemed acceptable to the Township Board of Supervisors shall be provided along all internal streets and external streets.

- (2) Convenient pedestrian connections shall be provided from all building entrances to parking areas, open space and recreational areas, the residential uses on the tract and to the nonresidential component of the TOD tract.
 - (3) Sidewalks or walkways shall connect to existing sidewalks on abutting tracts.
 - (4) All sidewalks and walkways providing primary connections to off-tract trails and/or nonresidential uses shall be a minimum of five feet in width.
 - (5) Site amenities, such as bicycle racks, benches, and trash receptacles, shall be provided in appropriate locations.
 - (6) A walkability plan shall be provided, which shall consist of a system of sidewalks and trails which shall:
 - (a) Connect all land use sections of the tract.
 - (b) Provide access along or adjacent to existing street frontage to adjacent uses.
 - (c) Provide a continuous link to adjacent public transit facilities.
 - (7) Internal streets, alleys, and aisleways for TOD development.
 - (a) Interior streets and parking aisleways which provide for two-way vehicular movement shall have a minimum width of 25 feet.
 - (b) Alleys shall have a minimum width of 20 feet.
 - (c) Interior streets and parking aisleways which provide for only one-way vehicular movement shall have a minimum width of 15 feet.
 - (8) Access with external streets.
 - (a) Each TOD property shall provide not more than two points of vehicular access per street frontage.
 - (b) Access points shall be separated by a minimum of 150 feet and shall be aligned with existing roads or driveways where practicable.
- F. Parking. Due to the transit-oriented nature of the TOD development, a reduced demand for parking is anticipated. Parking requirements are as follows:
- (1) Retail commerce, service businesses, banks and savings and loan associations: five spaces per 1,000 square feet of floor area.
 - (2) Offices: four spaces per 1,000 square feet of floor area.
 - (3) Restaurants (Use 30): as required in § 27-2200, Subsection 1U.
 - (4) Residential: two spaces per dwelling unit (which may include one garage space), plus 1/2 space per dwelling for visitor/overflow.
 - (5) General standards.
 - (a) Parking areas shall be interconnected and cross-easements provided to ensure that shared use is provided.
 - (b) Where the applicant can demonstrate that different nonresidential uses have differing peak parking

demand periods or that other parking is available for the use, the Board of Supervisors may authorize, as part of the conditional use approval, shared parking such that the total number of spaces provided is less than the sum of the requirements of the individual uses. In no case shall this result in a total reduction of parking provided of more than 25% of that required on a nonshared basis.

- (c) On-street parallel parking may be used to meet up to 30% of the parking requirements for all uses.
 - (d) Off-street parking and garages should be designed such that vehicular access does not dominate the primary internal driveway(s) or existing external streetscape. The main internal drive is the primary connecting access cartway that connects the internal driveways and parking lots to the external street system.
- G. Loading and trash disposal.
- (1) Such areas shall be provided as needed for all nonresidential uses. Section 27-2203 of this chapter shall not apply to individual retail or office uses of less than 4,000 square feet of floor area.
 - (2) Such areas shall be concealed where practicable and shall be acoustically and visually screened from view from public streets and residential land uses.
- H. Landscaping and buffering.
- (1) Landscaping, including street trees and parking lot landscaping, shall be provided in accordance with the requirements of § 22-523 of Chapter 22, Subdivision and Land Development.
 - (2) Residential elements of the TOD shall be provided with a minimum ten-foot-wide buffer strip or fence to a minimum height of six feet when adjacent to nonresidential uses outside of the TOD District.
 - (3) TOD property lines adjacent to residential land uses shall be provided with a screen buffer.
 - (4) Yard areas contiguous to adjacent internal streets not utilized for driveways shall be provided with not less than a fifteen-foot setback of lawns and landscaping, exclusive of sidewalks.
- I. Common open space. A minimum of 5% of the gross tract area shall be used for common open space and recreational activities for the use of the residents of the TOD and shall be in accordance with the following standards:
- (1) Common open space for the purposes of determining compliance with this section may include central open space, plazas, active recreation areas, such as pools, walking paths, and tennis courts, formal landscape gardens, and gathering or gateway areas along or adjacent to the pedestrian link to public transit. Stormwater management facilities, individual lots for residential land uses, if provided, parking lots and driveways shall not be counted as common open space.
 - (2) The common open space requirement shall be calculated on an overall tract basis, but the required common open space areas of a tract may be provided in total or in part within either the residential or nonresidential land use portion of the tract.
 - (3) At least 50% of the required common open space shall be provided in the form of one or more central spaces, which shall meet any one or more of the following design options:
 - (a) Village green or plaza. Each village green or plaza shall:
 - 1) Be at least 10,000 square feet in size.
 - 2) Have an average width of at least 75 feet.

- 3) Be surrounded along at least 45% of its perimeter by roads or common parking areas or by nonresidential or residential buildings with front facades facing the village green or plaza.
- 4) Include decorative paved surfaces for pedestrian purposes, such as walking, gathering or sitting.
- (b) Recreation center, clubhouse or similar active or passive recreation area.

J. Lighting.

- (1) Lighting shall be provided at intersections along all perimeter public streets, at regular intervals along interior streets and interior walkways and parking areas at spacing sufficient to provide illumination of not less than one footcandle at ground surface.
- (2) Lighting standards shall be traditional in design and consistent in style within both the residential and nonresidential areas of the TOD tract.
- (3) Residential lighting standards shall be provided with a maximum height of 14 feet, measured to the top of the light fixture.
- (4) Nonresidential lighting standards shall be provided with a maximum height of 20 feet, measured to the top of the light fixture. Fixtures shall be provided with a residential cutoff when adjacent to residential land uses within and adjacent to the TOD tract.
- (5) Section 22-524 of Chapter 22, Subdivision and Land Development, shall apply unless specifically waived or modified by the Township Board of Supervisors.

K. Signage. The following signs shall be permitted:

- (1) One freestanding development name sign at each street entrance, not greater than 40 square feet and not higher than eight feet above ground elevation, measured to the highest elevation of the sign.
- (2) One facade, projecting or awning sign is permitted, not greater than 20 square feet each, for each nonresidential business or use.
- (3) Directional signs, not greater than four feet each and not greater than one per acre of tract area.
- (4) Two directory signs limited to names and address of uses on the premises, not greater than 16 square feet each.
- (5) Signs are permitted to be externally illuminated only. No LED external signs are permitted.
- (6) Signs permitted in § 27-2303, Subsection 1, shall be permitted in the residential land use components of the TOD.

L. In the event that a portion or all of a TOD is changed to a condominium form of ownership, the condominium association documents shall be submitted to and approved by the Township Solicitor.

M. The open space standards of § 27-2102 shall not apply to a development in the TOD District. The minimum open space required shall be determined by the open space and common open space uses provided herein.

N. If the forest disturbance provision of this chapter cannot be met, mitigation of any excess clearance of forested areas would be permitted.

4. Application for approval.

- A. The TOD shall be permitted as a conditional use, and application shall be made for such approval in accordance with the provisions of Part 25 of this chapter.
- B. Such applications shall be accompanied by a conditional use plan showing the relationship among the various components of the proposed development. The conditional use plan shall be prepared at a scale appropriate to the size of the property and in sufficient detail to demonstrate that the plan complies with the requirements of this chapter. The conditional use plan shall be conceptual in nature and shall not be required to meet the provisions of a preliminary subdivision or land development plan. The conditional use plan shall include the following elements:
- (1) An existing features plan, which shall indicate the tract size, outbounds of the tract, topography, wetlands, woodlands, floodplains, recorded easements and rights-of-way and any other significant physical or man-made features existing on the tract.
 - (2) A general land use plan, which shall indicate the general locations of all land uses included on the tract. The total number and type of dwelling units and the amount of nonresidential square footage shall be provided. The residential density and the overall tract intensity (building and impervious coverage) shall be provided. The plan shall indicate the location, size and height of proposed buildings within the development, the location and amount of common open space, along with any proposed recreational facilities, such as but not limited to pedestrian pathways, community greens, community centers, etc.
 - (3) Conceptual architectural renderings showing the general design, scale and materials of residential and nonresidential buildings within the TOD development.
 - (4) A conceptual utility plan shall be included, which shall indicate the proposed location of sanitary sewer and waterlines, along with a narrative indicating the feasibility of such facilities. The plan shall also show the approximate areas needed for stormwater management.
 - (5) A traffic study shall be submitted, which analyzes the likely impacts of the proposed development at the locations of vehicular access into the tract to be developed and makes traffic improvement recommendations in accordance with standard traffic engineering procedures.
- C. An applicant for a conditional use shall have the burden of establishing:
- (1) That the application falls within the provision of this chapter which accords the applicant the right to seek a conditional use.
 - (2) That the allowance of the conditional use will not be contrary to the public interest.
 - (3) Credible evidence relating to the above, as well as any specific criteria established for the conditional use within the district allowed.
 - (4) That the application shall be suitable in terms of effects on highway traffic and safety, including the arrangement for access and interior circulation to protect streets from undue congestion and hazard. When required by the Township, a traffic impact report shall be prepared, at the applicant's expense, to demonstrate the impact of the proposal on the levels of service of adjoining street frontages and intersections along major highways within 1,000 feet of the property. If required as a condition of approval by the Board of Supervisors, the applicant shall be required to implement required traffic and transportation improvements and/or detail the source for these improvements and coordinate the phasing of the proposed development with those highway intersection improvements deemed appropriate by the Township.

EXHIBIT "B"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

**§ 27-1766 Use 64, railway/transportation station.
[Ord. No. 762, 5/7/2020]**

1. Railway/transportation station: a terminal limited to a railroad station or bus station providing passenger transportation services to the general public.

A. Railway/transportation stations with a five (5) acre (net) lot area:

(1). Multi-family dwelling units are permitted with the following restrictions.

a. Maximum of eight (8) dwelling units per acre.

b. Maximum of three (3) stories in height.

(2). Retail shops (Use 31), Service businesses (Use 35), and/or Restaurants (Use 37) are permitted with the following restrictions.

a. Limited to one (1) facility per 2.5 acres.

B. Parking.

(1). Required off-street parking is reduced to 80% otherwise necessary per the Zoning Ordinance for Railway/transportation incorporating any additional uses permitted by the following section § 27-1766.1.A.

EXHIBIT "C"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

§ 27-1793 Use 91, accessory in-law dwellings.
[Ord. No. 762, 5/7/2020]

1. Accessory in-law dwellings are permitted as accessory uses only for use in a single-family detached dwelling.
 - A. The minimum lot area for the use in the district of 9,000 SF in which the dwelling is located is required for the principal dwelling in order to be eligible to add an accessory in-law dwelling.
 - B. A permit from the Bucks County Department of Health or other governmental agency with jurisdiction shall be required. Such permit shall indicate that the property can be served by either public sewers or by an adequate on-lot septic system prior to the issuance of a zoning permit.
 - C. Only one accessory in-law dwelling shall be allowed per lot. The accessory dwelling shall only be used as an in-law dwelling and shall not be used as a rental unit.
 - D. Accessory in-law dwellings shall be part of the principal residence or may be contained in an existing accessory structure such as a garage, provided that the garage or other structure is located within the building envelope for the district. No new separate structures on the same lot with the principal residence shall be permitted to be constructed for this use unless the principal use is located on a lot which has a lot size which is 1.5 times the minimum lot size required for that use in the district within which the principal residence is located.
 - E. Accessory in-law dwellings shall not be located in cellar or basement areas (an area having 1/2 or more of its floor-to-ceiling height below the average level of the adjoining ground), except where at least one wall of the accessory in-law dwelling is at grade level, with direct access to the outside from the accessory in-law dwelling.
 - F. There shall be no changes to the exterior of the residence which suggest that the dwelling unit is other than a single-family detached dwelling or which otherwise detract from the single-family character of the neighborhood.
 - G. The height of the accessory building to be used for the accessory in-law dwelling shall not exceed the height of the principal dwelling.
 - H. Occupancy of such use shall include only relatives of the family occupying the principal residence.

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EXHIBIT "D"

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**§ 27-1794 Use 92, accessory drive-through facility.
[Ord. No. 762, 5/7/2020]**

1. A drive-through facility is any vehicle-related commercial facility where a service is provided or goods, food, or beverages are sold to the operator of or passengers in a vehicle, without the necessity of the operator or passengers disembarking from the vehicle. Any facility which proposes a drive-through or drive-up window as an accessory facility to a retail, service, financial, restaurant, or other use where customers are served in their vehicles shall be subject to the following requirements.

2. Location standards.

- A. Frontage requirements. The minimum lot frontage on at least one street shall be 150 feet for all principal uses with accessory drive-through facilities to ensure adequate room for access drives.
- B. Drive-through facilities shall abut only arterial streets or community collector streets. Access shall not be taken from local streets.
- C. Drive-through facilities shall not be located across the street from residential zoning districts unless separated by an arterial street.
- D. Drive-through facilities are not permitted on sites abutting schools, parks, playgrounds, libraries, and churches, and other public and semipublic uses which have substantial pedestrian traffic.

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3. The design standards for an accessory drive-through facility are found in Chapter 22 Subdivision and Land Development - §22-511 Accessory drive-through facilities.

~~3. General standards. A drive-through facility is subject to the following standards:~~

- ~~A. Drive-through canopy height. The total height for any overhead drive-through canopy shall not exceed 15 feet.~~
- ~~B. To minimize the impacts of drive-through facilities located adjacent to residential uses, hours of operation shall be set as a condition of approval of the use.~~
- ~~C. A bypass lane/escape lane shall be provided for all drive-through facilities, which shall be separate from the drive-through lanes and parking lanes or parking spaces.~~
- ~~D. A stacking lane for vehicles awaiting service in the drive-through lane shall be provided for each drive-through window and shall be separated from other traffic circulation on the site.~~
- ~~E. The drive-through facility shall be designed so there will be no pedestrian/vehicle conflicts.~~
- ~~F. The drive-through lanes shall not be the sole ingress and egress to the site.~~

4. ~~Stacking distance.~~

- ~~A. A stacking area, separated from other traffic circulation on the site, is to be provided for vehicles waiting for service in the drive-through lane.~~
- ~~B. The stacking distance shall be as follows:~~

Minimum Lane Length per Menu Board

Use	(feet)
Eating place	132
Bank	132
Car wash	220
Dry cleaner	44
Pharmacy	154
Other uses	132

EXHIBIT "E"

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§ 27-2006 Bufferyards.
[Ord. No. 762, 5/7/2020]

1. A completely planted visual barrier or landscape screen of sufficient density and height to constitute an effective screen shall be provided and maintained, in accordance with the requirements set forth in § 22-523, Landscape improvements, of Chapter 22, Subdivision and Land Development, in the following locations:
 - A. Between any nonresidential district and any residential district or residential use;
 - B. Between any multifamily residential use or mobile home park use and any other residential district or residential use; or
 - C. For any other use required by Part 17, Use Regulations, to provide a buffer.
2. The buffer shall be planted along the property lines and may be located within the required side or rear yard setbacks. Additional plantings may not be required where existing planting, topography, or man-made structures are deemed acceptable for screening purposes by the Board of Supervisors.
3. The bufferyard shall be measured from the district boundary line or from the near street line where a street serves as the district boundary line.
4. The bufferyard may be coterminous with required front, side or rear yards, and, in case of conflict, the larger yard requirements shall apply.
5. No structure, manufacturing or processing activity, or storage of materials shall be permitted in the bufferyard, except driveways as necessary to provide access to the lot.

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EXHIBIT "F"

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§ 27-2013 ~~Yard~~ **Building Spacing** requirements for nonresidential buildings on same lot.
[Ord. No. 762, 5/7/2020]

Where two or more main buildings for other than residential uses are proposed to be built upon property, ~~in one ownership, front, side and rear yards are required only at lot lines abutting other property,~~ the distance at the closest point between any buildings shall not be less 60 feet.

EXHIBIT "G"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

**§ 27-2014 Front yard requirements.
[Ord. No. 762, 5/7/2020]**

1. An open space of at least the specified depth shall be provided between the street line or lines and the nearest point of any building or structure.
2. Where other requirements of this chapter or Chapter **22**, Subdivision and Land Development, require a larger front yard setback, the larger dimension shall apply.
3. Projections into front yards. Ground-story bays and porches not over half the length of the front wall may project into any front yard 3 1/2 feet. Chimneys, flues, columns, sills, and ornamental features may project not more than one foot and cornices and gutters not more than two feet over a required front yard.
4. Fences and terraces in front yards. Front yard requirements shall not apply to fences, hedges, or walls less than three feet high above the natural grade in the required front yard nor to terraces, steps, uncovered porches, or other similar features not over three feet high above the level of the floor of the ground story. However, a fence greater than four feet may be installed within a nonresidential zoning district or on a property that has a nonresidential use, provided the fence is installed a minimum 15 feet from the ultimate right-of-way.
- ~~5. Driveways in front yards shall be no closer than five feet from the property line. Shared driveways may not be for greater than two dwelling units and the outer most edges must be no closer than five feet from both dwelling units' property lines.~~
- ~~6. Driveways for nonresidential properties shall meet all requirements under § **22-510**.~~
- ~~75.~~ Front yard reduction. When there is an existing building on each of two lots adjacent on either side to a lot on which a proposed building is to be erected, where both such existing buildings have an alignment nearer to the street than the required front depth elsewhere specified in this chapter, and when both such existing buildings are within 100 feet of the proposed building, the average of the existing front yard depths of such adjacent lots shall be the minimum required front yard depth of the lot on which the proposed building is to be erected.

EXHIBIT "H"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

**§ 27-2015 Side yard requirements.
[Ord. No. 762, 5/7/2020]**

1. Where a minimum width of side yard is specified, no building or structure shall be erected within the specified distance from either side lot line, except as permitted by this chapter and subject to applicable provisions of Chapter 22, Subdivision and Land Development, of the Township Code.
 - A. Projections into side yards. Bays, balconies, chimneys, flues, and fire escapes may project into a required side yard not more than 1/3 of its width and not more than four feet in any case. Ground-story bays and porches not over half the length of the sidewall may project into any side yard 3 1/2 feet.
 - B. Fences, decks, and terraces in side yards. Side yard requirements shall not apply to fences, hedges, or walls less than six feet high above the natural grade nor to terraces, steps, uncovered porches, or other similar features not over three feet high above the floor of the ground story.
2. A minimum side setback of five feet shall be provided for all residential driveways. Nonresidential driveways and residential driveways for more than five vehicles shall be set back a minimum of 15 feet.
3. Shared driveways may not be for greater than two dwelling units and the outer most edges must be no closer than five feet from both dwelling units' property lines.

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EXHIBIT "I"

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§ 27-2016 Rear yard requirements.
[Ord. No. 762, 5/7/2020]

1. No building or structure shall be built within the minimum depth from the rear lot line specified, except as provided by this chapter and subject to applicable provisions of Chapter 22, Subdivision and Land Development, of the Township Code.
 - A. Rear yard requirements for triangular lots. In the case of a triangular lot with no rear lot line, the distance between any point on the building and corner of the lot farthest from the front lot line shall be at least twice the minimum depth specified in the applicable district regulations.
 - B. Fences, decks, and terraces in rear yards. Rear yard requirements shall not apply to fences, hedges, or walls less than six feet high above the natural grade nor to terraces, steps, uncovered porches, or other similar features not over three feet high above the floor of the ground story.
2. No driveway shall be located within the rear yard setback.

EXHIBIT "J"

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§ 27-2018 Fences.

[Ord. No. 762, 5/7/2020]

1. No fence shall be erected in Warminster Township without the issuance of a permit from the Warminster Department of Licenses and Inspections and the payment of any applicable fee as set forth in the Township's fee schedule.
 - A. Permits are required when replacing more than 25% of an existing fence.
 - B. Permits are required for the installation of all new fencing greater than one section of fence eight feet or larger in length.
2. Prior to the issuance of a permit, a plan depicting the proposed fence, as well as the height, location on the property and materials of the proposed fence, shall be submitted with the applicable permit application to the Warminster Department of Licenses and Inspections.
3. No fence shall be erected in a front yard unless such fence is located a minimum of 15 feet from the outside of the legal right-of-way.
 - A. No fence exceeding a height of four feet shall be erected in the front yard. However, a fence greater than four feet may be installed in a nonresidential zoning district or on a property with a nonresidential use, provided the fence is installed a minimum 15 feet from the Ultimate Right-of-Way.
 - B. No fence shall be erected in the front yard that is less than 50% open.
4. No fence exceeding a height of six feet for residential or ten feet for non-residential shall be erected, unless otherwise permitted under this chapter.
5. Fences must be erected so that the finished side of the fence is away from the property and any structures.
6. Property owners shall maintain the area between the fence and their property line.

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EXHIBIT "K"

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§ 27-2019 Special setbacks.
[Ord. No. 762, 5/7/2020]

1. Setbacks from resource-protected lands. On lots which include lands with resource restrictions, including floodplains, forest, streams, lakes and ponds, steep slopes and wetlands, the minimum building setback shall be the limit of the resource-protected lands rather than from the lot lines when the boundary of the resource-protected lands exceed the minimum building setback measured from the lot lines.
2. Setbacks from York Road and Street Road. This subsection shall apply to all uses with lot frontage on Street Road and York Road and shall apply whenever an application for land development, subdivision, zoning permit or a building permit is made.
 - A. Setback from the street line for all buildings and structures, with the exception of bus shelters and benches associated with an established bus stop, shall be a minimum of ~~40~~50 feet.
 - (1) All seasonal and holidays sales (Use 32) are exempt from this section and must follow the setbacks as outlined in § 27-1734.
 - B. Setback from the street line for parking areas shall be a minimum of 50 feet, provided appropriate landscaping and screening is provided in accordance with Chapter 22, Subdivision and Land Development.

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EXHIBIT "L"

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§ 27-2020 Lighting.
[Ord. No. 762, 5/7/2020]

1. General standards. Outdoor lighting for all residential and nonresidential uses shall be designed to minimize undesirable off-premises effects.
 - A. No use shall produce glare off the premises by illumination originating on the premises. "Glare" is defined as the sensation produced by light within the visual field that is sufficiently greater than the light to which the eyes are adapted and which causes annoyance, discomfort, or loss in visual performance or visibility for any period of time, no matter how short in duration.
 - B. No bare or direct light source shall be visible beyond the lot lines. All ~~sight and area lights shall emit zero uplight, as defined by the IES Backlight/Uplight/Glare (B.U.G.) rating, have a full cutoff fixture, which is defined as a light fixture with a light distribution pattern that results in no light being projected at or above a horizontal plane located at the bottom of the fixture.~~ This applies to all pole-mounted lights, building-mounted lights, sign lights, walkway lights, and any other type of illumination. No light shall shine directly into windows or onto streets and driveways off the premises. These standards shall not apply to holiday lights that are temporarily displayed during holiday seasons.
2. Types of pole-mounted lights permitted. Lighting shall be provided outside the historic districts by fixtures with a height above finished grade not more than the height specified in Chapter 22, Subdivision and Land Development. Height shall be measured from the ground to the uppermost point of the light fixture. Light fixtures shall be fully shielded fixtures where the light source is not visible from the property line.
3. Lighting plan required. Any outdoor lighting, such as pole-mounted, building, sign, canopy, or sidewalk illumination, and driveway lights, shall be shown on the lighting plan in sufficient detail to allow determination of the effects to adjacent properties, traffic safety and overhead sky glow.
4. Light at the property line. Illumination from light originating on the site shall comply with § 22-524 of Chapter 22, Subdivision and Land Development. All lighting applications not subject to the formal subdivision and land development process shall be reviewed by the Zoning Officer for compliance with § 22-524.

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EXHIBIT "M"

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§ 27-2103 Environmental standards.
[Ord. No. 762, 5/7/2020]

1. The developer shall determine what environmental or natural features are present on the lot and shall meet the following standards of environmental protection. For any lot proposed for development to which the provisions of Chapter 22, Subdivision and Land Development, do not apply, the environmental standards of this section shall apply. Site alterations, including regrading the existing topography, filling lakes, ponds, marshes or floodplains, clearing vegetation or altering watercourses prior to the submission of plans for development, shall be a violation of this chapter. Where alterations occur, restoration of the lot to its original condition shall be required. The provisions of this section shall apply to all zoning districts, including nonresidential districts. For any lot proposed for development subject to Chapter 22, Subdivision and Land Development, such lot shall not be subject to the provisions of this section but rather shall meet the environmental standards set forth in Chapter 22, Subdivision and Land Development.

A. Floodplains. All such lands shall remain as permanent open space, except that roads may cross the floodplain where design approval is obtained from the Pennsylvania Department of Environmental Protection.

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B. Steep slopes. In areas of steep slopes, i.e., those above 8%, the following standards shall apply:

(1) Eight percent to 15%. No more than 40% of such areas shall be developed and/or regraded or stripped of vegetation.

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(2) Fifteen percent to 25%. No more than 30% of such areas shall be developed and/or regraded or stripped of vegetation.

(3) Twenty-five percent or more. No more than 15% of such areas shall be developed and/or regraded or stripped of vegetation.

C. Woodlands. The following standards shall apply to woodlands.

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(1) Woodlands in environmentally sensitive areas. No more than 15% of woodlands located in environmentally sensitive areas shall be altered, regraded, cleared or built upon. Environmentally sensitive areas shall include floodplains, steep slopes, wetlands, wetland margins and riparian buffers. [Amended by Ord. 726, 7/23/2015]

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(2) Other woodland areas. No more than 30% of woodlands which are not located in environmentally sensitive areas (as defined above) shall be altered, regraded, cleared or built upon.

(3) In addition to woodlands, any tree over 24 inches caliper shall be protected 100%, whether located within the woodland areas or standalone.

Forest. No more than 30% of such forests may be cleared or developed. The remaining 70% shall be maintained as permanent open space.

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D. Lakes, ponds, wetlands or watercourses. These areas shall be left as permanent open space. No development, filling, piping or diverting shall be permitted except for required roads.

E. Riparian buffer. No land disturbance shall be permitted within any riparian buffer except as permitted below. The measurement of the riparian buffer shall extend a minimum of 100 feet from

each defined edge of an identified watercourse or surface water body at bankfull flow or level or shall equal the extent of the 100-year floodplain, whichever is greater. The buffer area will consist of two distinct protection zones.

(1) Zone 1. This buffer area will begin at the edge of the identified waterway (which includes wetlands and intermittent watercourses) and occupy a margin of land with a minimum width of 50 feet, measured horizontally on a line perpendicular to the edge of water at bankfull flow.

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(a) Open space uses that are primarily passive in nature may be permitted in Zone 1, including:

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1) Open space uses such as wildlife sanctuaries, nature preserves, forest preserves, fishing areas, passive areas for public or private parklands, and reforestation.

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2) Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks County Conservation District and a nutrient management plan in accordance with state requirements, if applicable.

3) Regulated activities permitted by the Pennsylvania Department of Environmental Protection and the Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or waterlines, and utility transmission lines), provided that any disturbance is offset by riparian corridor improvements as approved by the Township.

4) Vegetation management in accordance with a stream bank stabilization plan or an approved landscape or open space management plan.

(b) Runoff or wastewater to be buffered or filtered by Zone 1 will be limited to sheet flow or subsurface flow only. Concentrated flows must be converted to sheet flow or subsurface flows prior to entering Zone 1.

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(2) Zone 2. This buffer zone will begin at the outer edge of Zone 1 and occupy a minimum width of 50 feet in addition to Zone 1. However, where the width of the 100-year floodplain extends greater than 100 feet from the waterway, Zone 1 shall remain a minimum of 50 feet and Zone 2 shall extend from the outer edge of Zone 1 to the outer edge of the 100-year floodplain. Uses permitted in this buffer area include open space uses that are primarily passive in nature, including:

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(a) Open space uses such as wildlife sanctuaries, nature preserves, forest preserves, passive areas for public or private parklands, recreational trails and reforestation.

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(b) Customary agricultural practices in accordance with a soil conservation plan approved by the Bucks County Conservation District.

(c) Regulated activities permitted by the Pennsylvania Department of Environmental Protection and the Township for stream or wetland crossing or other encroachment (i.e., farm vehicle and livestock, recreational trails, roads, sewer or waterlines, and utility transmission lines), provided that any disturbance is offset by riparian corridor improvements as approved by the Township.

(d) Recreational activities or uses not involving impervious surfaces such as ball fields or golf courses.

(e) Naturalized stormwater management facilities, provided the entire facility is located a minimum of 50 feet from the defined edge of the identified watercourse and situated outside

the 100-year floodplain.

- (3) Prohibited uses. Any use or activity not authorized within Subsection 1A or B above shall be prohibited within the riparian buffer. The following activities and facilities are specifically prohibited:

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- (a) Clear-cutting of trees and other vegetation.
- (b) Selective cutting of trees and/or the clearing of other vegetation, except where such clearing is necessary to prepare land for a use permitted under Subsection 1A or B above or where removal is necessary as a means to eliminate dead, diseased or hazardous trees. Removal is subject to revegetation by native plants that are most suited to the riparian corridor.
- (c) Storage of any hazardous or noxious materials.
- (d) Roads or driveways, except as permitted as corridor crossings by the Pennsylvania Department of Environmental Protection and the Township.
- (e) Parking lots.
- (f) Subsurface sewage disposal areas.

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- (4) Revegetation of riparian area. In cases where a major subdivision or land development is proposed, replanting of the riparian corridor shall be required where there is little or no existing streamside vegetation. Native vegetation approved by the Township must be used in replanting efforts. Three layers of vegetation are required when replanting the riparian corridor. These layers include herbaceous plants that serve as ground cover, understory shrubs, and trees that form an overhead canopy. The revegetation plan shall be prepared by a qualified professional such as a landscape architect or engineer and shall comply with the following minimum requirements, unless modified by the Board of Supervisors upon recommendation of the Planning Commission:

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- (a) Ground cover. Ground cover consisting of a native seed mix extending a minimum of 25 feet in width from the edge of the stream bank must be provided along the portion(s) of the stream corridor where little or no riparian vegetation exists. Appropriate ground cover includes native herbs and forbs, exclusive of noxious weeds as defined by the Pennsylvania Department of Agriculture. This twenty-five-foot-wide planted area shall be designated on the plan as a no mow zone and shall be left as natural cover except in accordance with the maintenance instructions stated on the plan.
- (b) Trees and shrubs. These planting layers include trees that form an overhead canopy and understory shrubs. Overstory trees are deciduous or evergreen trees that include oak, hickory, maple gum, beech, sycamore, hemlock, pine and fir. Evergreen and deciduous shrubs should consist of elderberry, viburnum, azalea, rhododendron, holly, laurel and alders. These plants shall be planted in an informal manner, clustered within Zone 1 of the riparian buffer as indicated in this Subsection 1E(4). These plants shall be provided at a rate of at least one overstory tree and three shrubs for every 20 linear feet of waterway.
- (c) Exceptions. These planting requirements shall not apply to existing farm fields located within the riparian buffer if farming operations are to be continued and the required nutrient management plan is met.

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EXHIBIT "N"

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§ 27-2101 Definitions.

[Ord. No. 762, 5/7/2020]

1. As used in this Part 21, the following terms shall have the meanings indicated:

FLOODPLAINS

Any areas of Warminster Township, classified as special flood hazard areas (SFHAs) in the Flood Insurance Study (FIS) and accompanying Flood Insurance Rate Maps (FIRMs) dated March 16, 2015, and issued by the Federal Emergency Management Agency (FEMA) or the most recent revision thereof, including all digital data developed as part of the FIS and areas abutting streams and watercourses where the base flood elevation has not been delineated by an FIS but is inundated by the base flood.

FORESTWOODLANDS

Areas, groves or stands of mature or largely mature trees (i.e., greater than six inches in caliper) covering an area greater than 1/4 acre; or groves of mature trees (greater than 12 inches in caliper) consisting of more than 10 trees.~~Areas, groves or stands of mature or largely mature trees (i.e., greater than six inches in caliper) covering an area greater than 1/4 acre; or groves of mature trees (greater than 12 inches in caliper) consisting of more than 10 trees.~~

LAKES AND PONDS

Natural or artificial bodies of water which retain water year round. Artificial ponds may be created by dams or may result from excavation. The shoreline of such water bodies shall be measured from the maximum condition rather than the permanent pool if there is any difference.

STEEP SLOPES

Areas where the average slope exceeds 8%.

WETLANDS

Areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that, under normal circumstances, do support, a prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs and similar areas.

EXHIBIT "O"

The following Code does not display images or complicated formatting. Codes should be viewed online. This tool is only meant for editing.

Part 22 Off-Street Parking and Loading

§ 27-2200 Off-street parking space requirements.
[Ord. No. 762, 5/7/2020]

1. Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each use established, erected, enlarged or altered for any of the following purposes in any district. Where the computation of required parking space results in a fractional number, it shall be rounded up to the next higher number. Handicap parking shall be required in accordance with applicable law, including the Americans With Disabilities Act, as amended.

A. Agriculture: no required parking unless there is retail sale of farm products, in which case adequate off-road parking shall be provided for patrons.

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B. Lawn and garden center: one space per 1,000 square feet of gross floor area.

C. Uses 3, 4, 5, 6, 7, 9, all residential uses except mobile home park (Use 8) and transit-oriented development (Use 9) (see use regulations in Part 17): two spaces per dwelling unit. Garage spaces do not count as required parking spaces.

D. Place of worship: one off-street parking space for each 150 square feet provided for patron use in the main assembly area.

E. Public or private school:

(1) Kindergarten, elementary and middle school: one space for every teacher and employee, plus one space per every three classrooms.

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(2) High school: one space for every teacher and employee, plus one space per every 10 students of school capacity. Additional parking shall be required to accommodate special events, athletic meets, and other school activities. The amount shall be determined in consultation with the Board of Supervisors.

(3) College, university, or trade school: One space for each faculty member and employee, plus one space per 10 students of building capacity.

F. Library or museum: one space per 500 square feet of gross floor area available for patron use.

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G. Public recreational facility: to be determined by the Board of Supervisors based on facility use and design.

H. Fitness Center: one space per every 200 square feet of gross floor area.

I. Golf course: one off-street parking space per four people of total capacity, which is defined as the total for all uses based on the maximum capacity of the course, plus capacity of the restaurant.

J. Private club or lodge: one space for each 100 square feet of total floor area.

K. Community center: one space for each 100 square feet of total floor area.

- L. Day-care center and adult day care: one space for each teacher, administrator, and maintenance employee, plus one space for every five persons receiving care which can be accommodated at the center.
- M. Hospital campus: one space for each bed or treatment space in the facility.
- N. Nursing home/personal care facility: one space for every three beds.
- O. Sober living facility (Use 25): a minimum of three spaces per facility. Garage spaces do not count as required parking spaces. One additional off-street parking space shall be provided for each nonresident staff person. One additional off-street parking space shall be provided for each additional two residents over five, unless demonstrated that such individuals are incapable or not permitted to operate a motor vehicle during the period of residency.
- P. Alternative therapy provider/massage therapy center (Use 27, 28): one space per 250 square feet of gross floor area.
- Q. Day Spa (Use 45): one space per every 400 square feet of gross floor area.
- R. Medical/dental/veterinarian office or clinic: one space per 250 square feet of gross floor area.
- S. Business, professional, or governmental offices: one space for each 300 square feet of gross floor area.
- T. All retail and consumer service uses, except for those uses where another parking requirement is specified: one space per 250 square feet of gross floor area.
- U. Restaurant: one off-street parking space per 250 square feet of gross floor area. If the use is takeout only and provides no seating, the parking requirement for retail use shall be met.
- V. Tavern and hookah bar/lounge (Use 38, 39): one off-street parking space for every three seats or one off-street parking space per 250 square feet of gross floor area, whichever is greater.
- W. Mortuary or funeral home: one space for each 200 square feet of gross floor area used or intended to be used in the operation of the establishment.
- X. Hotel: one off-street parking space for each rental room or suite.
- Y. Bed-and-breakfast: one off-street parking space for each rental room or suite. If special events are permitted, parking to accommodate attendees, at a rate of one space per every two attendees of capacity, shall be provided.
- Z. Indoor commercial entertainment and adult business: one space for each 200 square feet of gross floor area.
- AA. Outdoor private recreation: one space for each five persons of total capacity.
- BB. Kennel: one space for every 10 animals of capacity in the kennel.
- CC. Motor vehicle fueling station: one off-street parking space for every 100 square feet of gross floor area devoted to convenience commercial sales, plus two off-street parking spaces for each service bay. Off-street parking spaces shall not be part of, nor interfere with, access to fueling pumps.
- DD. Car wash: one space per employee on duty at any one time, not counting those spaces required for a car wash for a stacking area.

EE. Sale or rental of automobiles: one off-street parking space for each 100 square feet of interior sales area, plus six spaces for each service bay. Spaces within service bays or showrooms shall not count as required parking spaces. These spaces shall be differentiated on all plans submitted for review and approval.

FF. Motor vehicle sales: one off-street parking space for each 100 square feet of interior sales area, plus six spaces for each service bay. Spaces within service bays or showrooms shall not count as required parking spaces. These spaces shall be differentiated on all plans submitted for review and approval.

GG. Motor vehicle repair garage: one off-street parking space for every 200 square feet of gross floor area devoted to retail activities, plus six off-street parking spaces for each service bay, plus one space for each employee. Spaces within service bays shall not be used to meet off-street parking requirements.

HH. Emergency services: for uses with a community room or training room, one space for every four persons of capacity.

II. Medical marijuana dispensary (Use 61): one space per 250 square feet of gross floor area.

JJ. Municipal uses. Off-street parking shall be determined by the Board of supervisors based on anticipated use for the type of facility involved.

KK. Railway/transportation station: off-street parking spaces as the Board of Supervisors shall determine adequate to serve customers, patrons, visitors, employees and vehicles normally parked on the premises.

LL. Truck terminal: off-street parking spaces as the Board of Supervisors shall determine adequate to serve customers, employees, visitors, and vehicles normally parked on the premises.

MM. Trade or professional school: one off-street parking space per faculty member and employee, plus one space per five students expected to be present at a time.

NN. Equipment rental or motor vehicle leasing: one space per 250 square feet of gross floor area.

OO. All industrial uses: one space per 3,000 square feet of gross floor area.

PP. No-impact home-based business: no additional parking required.

QQ. Accessory office: three off-street parking spaces in addition to spaces otherwise required.

RR. Banquet and catering facility: 25 spaces per every 1,000 square feet of gross floor area.

§ 27-2201 Modification of parking requirements.

[Ord. No. 762, 5/7/2020]

1. In order to prevent the establishment of a greater number of parking spaces than is actually required to serve the needs of nonresidential uses, the Board of Supervisors may permit a reduction of parking space if the following conditions are satisfied:
 - A. The design of the parking lot, as indicated on the land development plan, must designate sufficient space to meet the parking requirements of this chapter. The plan shall also illustrate the layout for the total number of parking spaces.
 - B. The reduction shall provide for the establishment of not less than 70% of the required number of parking

spaces, as specified in this chapter.

- C. The balance of the parking area reserved shall not include areas for required bufferyards, setbacks, or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land or other requirements of this chapter. The developer shall provide a landscaping plan for the reserved area with the land development plan.
- D. The developer shall enter into a written agreement with the Board of Supervisors guaranteeing that the additional parking spaces shall be provided at the developer's or owner's expense should it be determined that the required number of parking spaces are necessary to satisfy the need of the particular land development. This decision shall be made at the sole discretion of the Board of Supervisors.
- E. At the time of the above-stated agreement, the developer or owner shall post securities to cover the cost of installing the required parking. The Board of Supervisors shall determine if the additional spaces shall be provided by the developer or if the area shall remain as open space.

§ 27-2202 Existing parking; shared parking; location of spaces; maintenance requirements.
[Ord. No. 762, 5/7/2020]

- 1. Existing parking. Structures and uses in existence at the date of adoption of this chapter shall not be subject to the requirements of this Part 22 so long as the kind or extent of use is not changed and provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.
- 2. Conflict with other uses. No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.
- 3. Shared parking. Two or more uses may provide for required parking in a common parking area if the total space provided is not less than the sum of the spaces required for each use individually. However, the number of spaces required in a common parking facility may be reduced below this total if it can be demonstrated to the Township that the hours or days of peak parking needed for the uses are different and that a lower total will provide adequately for all uses served by the facility. Shared parking will be permitted under the following circumstances:
 - A. The uses subject to shared parking must be either part of a single lot, such as an office park, industrial park, or mixed-use development; or the uses must be on lots that are physically adjacent to each other, with cross-easements or other arrangements that allow for shared driveways and shared parking.
 - B. Owners or applicants for all uses proposing to use the shared parking arrangement must provide written agreements, in a form acceptable to the Township, outlining the terms of the shared parking arrangement.
 - C. Authority for shared parking shall be pursuant to conditional use approval granted by the Board of Supervisors.
- 4. Location of parking spaces. Required off-street parking spaces shall be on the same lot or premises with the principal use served. If this requirement cannot be met, then the size or capacity of the proposed use must be reduced so that all parking requirements can be met.
 - A. Parking spaces should be no closer than 10 feet from the property line in any direction.
- 5. Off-site parking. Parking may be provided off site in accordance with the following requirements and only if approved as a conditional use by the Board of Supervisors:

- A. The applicant shall provide an agreement, in writing, that the parking spaces are available and secured by lease or license, or the applicant shall provide proof of the availability of the required parking spaces which are not needed to meet the requirements of another use which can be used for parking purposes by the applicant.
- B. This option may be used to meet up to 50% of the parking requirement.
- C. The use for which off-site parking is provided shall be discontinued immediately upon loss of parking arrangements. Renewal of the lease or license shall be provided to the Township annually.
- D. Off-site parking space arrangements are permitted only where the off-site parking is located no more than 200 feet from the property line of the use it serves and only for nonresidential uses; or, in the case where safe, protected pedestrian pathways are provided, the distance may be extended to 300 feet from the property line.
- 6. Maintenance of parking areas. All parking areas shall be graded, surfaced with asphalt or other suitable material, and drained to the satisfaction of the Township to the extent necessary to prevent dust, erosion, and/or flow across streets or other property. All off-street parking spaces shall be marked so as to indicate their location.

§ 27-2203 Off-street loading.
[Ord. No. 762, 5/7/2020]

Suitable and safe off-street loading shall be provided for every facility where the use exceeds 6,000 square feet. Loading docks, truck accessways, clearances, and turning radii shall be shown on all land development or zoning permit applications. If it is determined that the use will be served by trucks for loading and unloading, then loading spaces on the site shall be provided in accordance with need. No on-street loading or unloading is permitted.

§ 27-2204 Regulations for parking tractor-trailers, commercial vehicles, and major recreational equipment.
[Ord. No. 762, 5/7/2020]

- 1. No tractor-trailer truck or trailer from a tractor-trailer truck shall be stored or parked for more than 48 hours ~~within any seven-consecutive-day period~~ within the R-1, R-2, R-3, R-4, CCRC, CCRC-2, or AQC Zoning Districts unless it is stored within a completely enclosed building or is located at least 100 feet from the property line.
- 2. No commercial vehicle or part thereof having a gross weight of more than 20,000 pounds or in excess of 18 feet in length shall be stored or parked on a parcel of land within the R-1, R-2, R-3, R-4, CCRC, CCRC-2, or AQC Zoning Districts for more than 48 hours within any seven-consecutive-day period unless it is stored within a completely enclosed building or is located at least 100 feet from the property line.
- 3. Major recreational equipment, including, but not limited to, boats and boat trailers, travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, or similar equipment, shall not be parked or stored on any public street ~~within the R-1, R-2, R-3, R-4, CCRC, CCRC-2, or AQC Zoning Districts for more than 48 hours within any seven-consecutive-day period, without a valid license plate and registration, in so far as, such equipment does not pose a traffic safety concern as determined by the Warminster Township Police Department or the Warminster Township Zoning Officer. All such major recreational equipment may be parked or stored on an approved lot, provided it is located as follows:~~
 - A. Within a carport;

- B. Within a completely enclosed building;
- C. Within the side or rear of a lot, but no closer than five feet to a property line;
- D. Within the front yard provided that the major recreational equipment is located as follows:
 - (1) Located on a paved or modified/crushed stone driveway.
 - (2) Recreation equipment parked in the front yard may not cause ingress and egress sight line and safety issues for adjacent properties' driveways as determined by the Warminster Township Police Department or the Warminster Township Zoning Officer.
- E. No more than two major recreational equipment items may be located on the exterior of a parcel. Any additional equipment must be located in a completely enclosed structure.
- F. On a nonresidential lot that has been previously approved for storing major recreational equipment.
- 4. No construction equipment or commercial vehicles shall be stored in the front yard.
- 5. Major recreational equipment is permitted as an accessory use of a single-family detached dwellings and two family attached dwellings.
- 6. No such equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot or in any location not approved for that lot.