

Appendix¹

No.	Document Description
1.	Proof of Publication in the Bucks County Courier Times on June 12, 2012 for Hearing on Zoning Ordinance No. 558
2.	Proof of Publication in the Bucks County Courier Times on August 14, 2012 and August 21, 2012 for Hearing on Zoning Ordinance No. 558
3.	Meeting Minutes from September 4, 2012 Hearing on Zoning Ordinance No. 558
4.	Zoning Ordinance No. 558 with Attached Zoning Map

¹ The Court received the documents contained in this Appendix from counsel for the Township on November 28, 2016. Counsel for the Township contemporaneously provided Mr. Sauers with these same documents.

Bucks County, SS.

LOWER SOUTHAMPTON TWP
ATTN: ARLEEN MCCAY, ZONING SECRE
FEASTERVILLE, PA 19053

Ad Content Proof

1-031802002
0006288285-01

**NOTICE
LOWER SOUTHAMPTON
TOWNSHIP PLANNING
COMMISSION MEETING**

2012 JUN 14 A 11: 25

RECEIVED
LOWER SOUTHAMPTON
TOWNSHIP

Notice is hereby given that the Planning Commission of Lower Southampton Township will hold a special public meeting on Thursday, June 21, 2012 at 7:30 p.m., in the Township Building, 1500 Desire Ave., Feasterville, PA to consider the following:

Special Planning Meeting for the review and recommendations of the Zoning Ordinance and Zoning map and Land Dev Ordinance (SALDO).

The Lower Southampton Township Planning Commission provides this notice as a public service. Any person with a disability requiring special accommodation to attend a meeting should notify the Township.

PLANNING COMMISSION
LOWER SOUTHAMPTON
TOWNSHIP

11 Jn 12

Laurie Clark being duly affirmed according to law, deposes and says that he/she is the Legal Billing Co-ordinator of the COURIER TIMES INCORPORATED, Publisher of The Bucks County Courier Times, a newspaper of general circulation, published and having its place of business at Levittown, Bucks County, Pa; that said newspaper was established in 1910; that securely attached hereto is a facsimile of the printed notice which is exactly as printed and published in said newspaper on

June 12, 2012

and is a true copy thereof; and that this affiant is not interested in said subject matter of advertising; and all of the allegations in this statement as to the time, place and character of publication are true.

Laurie Clark

LEGAL BILLING CO-ORDINATOR

COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Karen McGovern, Notary Public
Tullytown Boro, Bucks County
My Commission Expires Feb. 19, 2013
Member, Pennsylvania Association of Notaries

Karen McGovern
Affirmed and subscribed to me before me this
12th day of June 2012 A.D.

Bucks County, SS.

NOTICE TO THE RESIDENTS OF LOWER SOUTHAMPTON TOWNSHIP:

NOTICE is hereby given that the Board of Supervisors of Lower Southampton Township, Bucks County, Commonwealth of Pennsylvania, at their regular meeting on September 4, 2012, at 7:00 P.M. at the Lower Southampton Township Municipal Building, will conduct a public hearing on, and consider adoption of, the following Ordinance: AN ORDINANCE OF THE TOWNSHIP OF LOWER SOUTHAMPTON, PENNSYLVANIA, CONSTITUTING A COMPREHENSIVE AMENDMENT OF THE LOWER SOUTHAMPTON TOWNSHIP ZONING ORDINANCE, ORIGINALLY AS CONSOLIDATED BY ORDINANCE 202, AS AMENDED, AND AS CODIFIED IN THE CODE OF ORDINANCES OF LOWER SOUTHAMPTON TOWNSHIP, AND A COMPREHENSIVE REVISION OF THE LOWER SOUTHAMPTON TOWNSHIP ZONING MAP; REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

1. Pursuant to the Municipalities Planning Code, 53 P.S. §§ 10609, 10610, the following is a brief summary of the terms of the Ordinance, which will, if adopted, comprehensively amend the Lower Southampton Township Zoning Map and Lower Southampton Township Zoning Ordinance, Ord. 2, as consolidated by Ordinance 202, as amended (Chapter 27), as follows:

- Part 1 Title, Purpose and Interpretation - Purposes of ordinance, implementation of Comprehensive Plan, interpretation standards, severability clause; intent that the ordinance be considered valid in the event any portion or application thereof is found invalid or ineffective. Part 2 Definitions - Revised to clarify terms used in the ordinance; definitions added in accordance with new or updated sections of ordinance. Part 3 Classification of Areas - Consolidations implemented to reduce number of special purpose districts. Newly defined districts: R-1; R-2 (including Mixed Use); R-3; R-4; C-1; C-2; I (Industrial); ST (Business Technology); M (Municipal); TC (Town Center); Floodplain Conservation Overlay District; OPAS Overlay District (Off-Premises Advertising Sign Overlay). Part 4: R-1 District - Permitted uses, by right, by special exception and by conditional use, are revised; areadimensional requirements established. Part 5: R-2 District - Permitted uses, by right, by special exception and by conditional use, are revised; areadimensional requirements established. Part 6: R-3 District - Permitted uses, by right, by special exception and by conditional use, are revised; areadimensional requirements established. Part 7: R-4 District - Permitted uses, by right, by special exception and by conditional use, are revised; areadimensional requirements established. Part 8: C-1 Light Commercial District - New district. Permitted uses, by right, by special exception and by conditional use, are specified; areadimensional requirements established. Part 9: C-2 Heavy Commercial District - New district. Permitted uses, by right, by special exception and by conditional use, are specified; areadimensional requirements established. Part 10: Industrial District - New district. Permitted uses, by right, by special exception and by conditional use, are specified; areadimensional requirements established. Part 11: BT Business Technology District - New district. Permitted uses, by right, by special exception and by conditional use, are specified; areadimensional requirements established. Part 12: M Municipal District - New district. Permitted uses, by right, by special exception and by conditional use, are specified; areadimensional requirements established. Part 13: TC Town Center District - New district with flexible standards for a traditional Main Street environment for the community's unique identity, through retention and redevelopment of

lifting structures, creation of a walkable community, convenient parking, to promote Comprehensive Plan, including variety of permitted uses and design standards. Part 14 Use Regulations - Certain regulations for every use permitted by the ordinance, defining the categories of uses, including regulations for each defined use, cross-references other regulations in the ordinance. Part 15 Floodplain Conservation District - Declares intent to prevent harm to public from flooding and to comply with floodplain management requirements; defines terminology; includes application procedures and requirements, enforcement and appeal procedures and technical provisions, including design standards and procedures for variances. Part 16 OPAS Off-Premises Advertising Sign Overlay District - New overlay district to permit billboards in non-residentially zoned property within 50 feet of right-of-way for the PA Turnpike and providing regulations for billboards and standards for their construction and location. Part 17 General Requirements applicable to all uses and districts - Standards and regulations relating to noise, smoke, dust/fumes/vapors/gases, heat, vibrations, buffer yards, storage/waste disposal, lot area and minimum lot width and exceptions thereto, traffic visibility of corners, spacing of nonresidential buildings, front, side and rear yards, maximum height of buildings, fences, special setbacks, lightning bus shelters, and outdoor waste receptacles. Part 18 Open Space and Environmental Protection Standards - Provisions for protection of environmentally sensitive areas and adequate open space. Part 19 Off-Street Parking and Loading - Parking requirements, for uses; modification; general regulations; off-street loading for non-residential structures exceeding 10,000 square feet. Part 20 Signs - Definitions, applicability, permit requirements, administration, regulations for types of signs, construction, structure and illumination, general regulations, procedures and requirements for nonconforming signs; schedule of permitted signs, by district. Part 21 Nonconformities - Regulations for alteration/expansion of nonconforming structures, lots and uses; restoration of structures; abandonment; reversion to a nonconforming use; displacement of nonconforming use; nonconforming status following zoning district changes. Part 22 Administration - Duties, powers of Zoning Officer; enforcement notices; requires zoning permits for uses and structures; application requirements and fees for permits; establishes the life of a permit as 6 months; and standards for the grant of conditional uses. Part 23 Zoning Hearing Board - Administrative requirements; hearing requirements; jurisdictional authority; variance and special exception standards; expiration of approvals; refiling of applications; challenges to validity of ordinance or zoning map; permissible parties; deadline for applications; stay of proceedings; fees as established by Board of Supervisors. Part 24 Enforcement - Sets forth procedures for issuance of enforcement notices; allows for causes of action by any aggrieved party; and provides for judicial enforcement remedies. Part 25 Appeals and Amendments - Amendments, landowner curative amendments, and Township curative amendments. Proposed ordinance repeals inconsistent ordi-

LOWER SOUTHAMPTON TWP ATTN: ARLEEN MCCAY, ZONING SECRETARY FEASTERVILLE, PA 19053

1-031802002 0006318687-01

Laurie Clark being duly affirmed according to law, deposes and says that he/she is the Legal Billing Co-ordinator of the COURIER TIMES INCORPORATED, Publisher of The Bucks County Courier Times, a newspaper of general circulation, published and having its place of business at Levittown, Bucks County, Pa; that said newspaper was established in 1910; that securely attached hereto is a facsimile of the printed notice which is exactly as printed and published in said newspaper on

August 14, 2012 August 21, 2012

and is a true copy thereof; and that this affiant is not interested in said subject matter of advertising; and all of the allegations in this statement as to the time, place and character of publication are true.

Laurie Clark LEGAL BILLING CO-ORDINATOR GUILDFORD TOWNSHIP, PENNSYLVANIA Notarial Seal Karen McGovern, Notary Public Tullytown Boro, Bucks County My Commission Expires Feb. 19, 2013 Member Pennsylvania Association of Notaries

Affirmed and subscribed to me before me this 21st day of August 2012 A.D.

2012 AUG 27 5 12:47 LOWER SOUTHAMPTON TOWNSHIP

MINUTES OF THE SPECIAL MEETING OF THE LOWER SOUTHAMPTON TOWNSHIP BOARD OF SUPERVISORS HELD ON TUESDAY, SEPTEMBER 4, 2012 AT 7:00 PM IN THE ADMINISTRATION BUILDING, 1500 DESIRE AVENUE, FEASTERVILLE, PA 19053

Roll Call: John McMenamin
Joseph McFadden
Julia Newman
Keith Wesley
Ed Shannon

Staff: Ted Taylor, Township Manager
Michael Savona, Township Solicitor
Carol Drioli, Zoning Officer
Robert Butts, Finance Director
Wayne Kiefer, Township Engineer
Janet Hude, Township Secretary

John McMenamin called the meeting to order at 7:05 pm followed by the Pledge of Allegiance.

Mr. McMenamin noted that we are here this evening for an open hearing with the public on the changing of the Township's Zoning and Subdivision/Land Development (SALDO) Ordinances in response to the Township's Comprehensive Plan which was passed several years ago.

MOTION: Keith Wesley made a motion to open the hearing. Seconded by Joseph McFadden.
Motion passed with a vote of 5-0

Mr. Savona said this is the date, time and place advertised for a Public Hearing pursuant to the Municipality Planning Code (MPC) wherein the Township's Board of Supervisors will consider the adoption of the amended Lower Southampton Township's Zoning and Subdivision/Land Development Ordinances. This hearing is required as a part of the long process the Township must undergo in order to update its Land Development and Zoning Ordinances and for the purpose of the record we are going to introduce a number of exhibits and then give everyone a brief summary of the content of the Ordinances and ask for public comment.

Exhibits as follows:

- ✓ Exhibit #1 - Copy of the June 6th, 2012 Bucks County Planning Commission review letter providing comments on the draft Zoning & Subdivision/Land Development Ordinances.
- ✓ Exhibit #2 - Copy of a letter dated July 19th, 2012 re-submitting to the Bucks County Planning Commission and Lower Southampton Township Planning Commission revisions to the draft of both the Zoning & Subdivision/Land Development Ordinances for reconsideration pursuant to the MPC.
- ✓ Exhibit #3 - Copy of an August 1st, 2012 letter from the Bucks County Planning Commission providing comments on the revised draft amendments to the Zoning & Subdivision/Land Development Ordinances.
- ✓ Exhibit #4 - a letter dated August 13th, 2012 submitting copies of the draft Zoning & Subdivision/Land Development Ordinances to the Bucks County Law Library as required under the MPC.

- ✓ Exhibit #5 – a fax transmission from the Bucks County Law Library acknowledging receipt of the draft amendments dated August 17, 2012.
- ✓ Exhibit #6 – Affidavit of Publication of the Public Notices for the hearing being held tonight – as published in the Bucks County Courier Times on August 14th & 21st, 2012.
- ✓ Exhibit #7 – Copy of the Public Notice of the advertisement of the Zoning Ordinance amendment as advertised in the Bucks County Courier Times on August 14th & 21st, 2012.
- ✓ Exhibit #8 – Copy of the Public Notice of the advertisement of the Subdivision/Land Development Ordinance amendment as advertised in the Bucks County Courier Times August 14th & 21st, 2012.
- ✓ Exhibit #9 – Copy of the proposed Zoning Ordinance amendment draft version dated July 16th, 2012.
- ✓ Exhibit #10 – Copy of the draft Subdivision/Land Development Ordinance also dated July 16th, 2012.
- ✓ Exhibit #11 – Copy of the final revised proposed Zoning Map of Lower Southampton dated July 13th, 2012.

All these exhibits will be admitted and will be given to the Zoning Officer-Ms. Drioli-in a binder when the hearing is over this evening.

Mr. Savona said just by way of background – Lower Southampton Township adopted its first Zoning Ordinance – the Ordinance that is presently in effect in 1948. That Ordinance was amended numerous, numerous times over the intervening years since 1948 and there have been some 110-111 different zoning map amendments that have been adopted and approved by the Township in the intervening years from 1948 to present. Mr. Savona said Lower Southampton Township is a very different place now then it was in 1948 – the fact that the Township has changed and the nature of land use and the development of the Township has become much different and much more diverse than it was in 1948 necessitates that the Township take the opportunity to review and revisit the land use trends and the land development trends that have developed in the Township and craft appropriate regulations to govern future development so as to promote the goals that this Board set out for the development of the Township when the Comprehensive Plan was adopted. Mr. Savona said these two Ordinances are the final pieces of a process which this Board commenced when they began the process to revise and adopt a new Township wide Comprehensive Plan. These Ordinances have been written to implement the visions that were expressed in the Comprehensive Plan and hopefully will guide the Township's land use development and land use generally into the next 10, 15, 20 years. The Ordinances represent entirely new documents. Mr. Savona said in the beginning of this process the drafting committee, which consisted of myself, Carol Drioli, Zoning Officer and Wayne Kiefer, Township Engineer and intermittingly also participating in the drafting of the Ordinances were several members of the Supervisors. Mr. Savona said the Committee determined from the outset to try and rehabilitate the existing 1948 based Ordinance was not a viable task, so we began by throwing out those Ordinances and started to re-write the Zoning & Subdivision/Land Development regulations to meet current and modern regulatory trend and to function as a modern Zoning Ordinance and Subdivision/Land Development Ordinance. Mr. Savona said as a result everything about these Ordinances with some exceptions that we will go through in brief detail – are new. Mr. Savona said the Zoning Map likewise reflects an entirely new arrangement of zoning in many respects and is a reflection of a lot of the same zoning patterns in many respects. The most substantial differences that you will see reflected

on the map as the result of the work of the Committee in changing the regulations and changing the zoning recommendations for the Township are reflected not in the Residential areas. The Township's Residential Zoning pattern is not recommended to be changed, the Township's existing Ordinance has four distinct Residential Zoning Districts - all four of those Residential Zoning Districts are retained in the new Zoning Ordinance. Mr. Savona said there have been some adjustments with respect to some of the dimensional requirements such as setbacks, impervious surface, etc., but by in large the areas which were previously defined as R1, R2, R3 & R4 have not changed dramatically as a result of the new Zoning scheme. The neighborhoods in the Township are settled and well established, there are some areas where the Board has already provided for additional growth in Residential Zoning. This map does not disturb those zoning patterns or zoning trends, so again the nature of Residential Zoning in the Township will not change dramatically as a result of this Ordinance being adopted. Mr. Savona said what will change is the remainder of the Zoning Code where previously there were numerous, numerous - sometimes inconsistent or repetitive Commercial Zoning District or Business related Zoning Districts that did not provide for a systematic development of new businesses or re-development of existing commercial properties in the Township. Mr. Savona said those uses have been harmonized and recognized so that the new Ordinance presents only two strictly Commercial Districts and the map organizes those districts around center business corridors.

The following depicts the color coded Zoning Map (see attached) as Mr. Savona explained.

- ✓ Dark Green Area - depicted on the map are identified as they are in the Comprehensive Plan as the Center Business District" those areas are zoned for C-2 Heavy Commercial use
- ✓ Light Green Area - where existing commercial facilities located and ancillary to the Highway Commercial C-2 zoning - the light commercial areas are organized as exactly that - Light Commercial less intense, smaller commercial enterprise development areas.
- ✓ Dark Grey Shaded Area - the Industrial uses where they are spread out in different zoning districts now have all been re-organized into a Central Industrial District and those are primarily in areas where existing industrial development already exists.
- ✓ Light Grey Area - the new Business Technology District represents an opportunity for a mix of uses that are less intense than heavy industry but can blend or provide for a blending of both manufacturing and commercial uses in one zoning district reflective of modern business trends where many manufacturers do light manufacturing, computerized manufacturing, software & hardware manufacturing and have an office component or personnel component in the same location, blending those uses into a mixed type use district - made sense and provided an opportunity to further development - the commercial aspect of the Township in ways where it would not impact severely on the main commercial corridor moving for the potential for industrial type manufacturing, light type manufacturing away from the center business core - still allows for the development but keeps it out of the strongest flow of traffic through the Township.

Mr. Savona said finally we have introduced two other categories:

- ✓ Dark Blue Area - all of these properties are properties owned by the Township so they have been organized and given their own zoning designation as Municipal and the Municipal District accomplishes a couple of

- things - it allows some more flexibility to the Township in engaging in plan use also backs an inventory which is easily recognizable all the parcels that are actually owned by Lower Southampton Township.
- ✓ Light Blue Area - finally along Brownsville Road at the very extreme lower portion of the zoning map is an area which we refer to as the "Town Center District" - this area is perhaps an ambitious concept in rezoning but it is one that was contemplated by the Comprehensive Plan and it recognizes a desire by the Township to try to return that area of the Township - unique as it is with smaller commercial operations, businesses and buildings located along a more narrow corridor it represents an effort to try to foster redevelopment in that area in a way that allows for greater pedestrian access, re-configuration of the properties to allow for shared parking so that you can, hopefully, encourage smaller scale businesses to develop in clusters or together in a traditional Town Center type setting with additional provisions for enhanced esthetic features, clock towers, plantings, shrubberies, trees, and fencing, things that would restore a more walk-able town like character to that area. Again, noting this Ordinance is not going to require that everyone that owns property along Brownsville Road immediately change their property to meet these requirements but since this Ordinance is written for long term purpose the hope is that as those areas start to redevelop that they would redevelop in a way that's very different from the present arrangement which is often less commodious to pedestrian traffic, and frankly does not provide the same amenities that hopefully would develop in the wake of any redevelopment that occurs in that area.

Mr. Savona said there are a number of other less exciting and more or less required elements of the Ordinance we have updated completely the Flood Plain Conservation District regulations to meet current and required State standards. We have provided for an Overlay Zone for off-premise advertising signs, there is a lot of litigation in the Pennsylvania courts concerning the use of billboards or large of premise advertising signs and the best way to combat the threat of litigation over the placement of a billboard is to permit them, currently the Township's Ordinance does not - we have remedied that in the new Ordinance. Mr. Savona said we have created an Overlay that basically runs the length of the Turnpike and allows for placement of these signs where they would be functional for the owners but not a distraction or not anyway detract from any of the other commercial areas in the Township.

Mr. Savona said there are additional requirements which by enlarge are not dissimilar to what we cover under the current Ordinance - noise, smoke, dust fumes & vapors, buffer yards, storage & waste disposal, all of these rather mundane elements are all covered under the General Regulations. We have provided for Open Space and Environmental Protection Standards requiring Open Space areas where there is a new development and requiring protection of things like steep slopes, floodways, and wetlands. We have provided for new regulations concerning parking and loading and redefined the sign provision of the Ordinance with great input and participation from your Zoning Officer who wrangles with the sign regulations all the time, we have attempted to make the sign regulations fit the needs of the community in the way the old Ordinance did not. Mr. Savona said finally the Ordinance provides for continuation of any existing uses that are in effect at the time of adoption of this Ordinance - non-conforming uses are always permitted to continue and will not be disturb by the adoption of this Ordinance and there are provisions for Administration and for the continuation of the Zoning Hearing Board in the enforcement of the Zoning Ordinance. Mr. Savona said in a nut shell that is the essence of the Zoning Ordinance.

Mr. Savona said what he can tell the Board is that the big picture is when we redrew the Ordinance there was a push and we did our best to try and leave in the Zoning Ordinance what belonged in zoning and to remove from zoning those things which

were more land development relating to – for example parking, parking is required for any use, you need parking for commercial use so the fact that you require parking should be in the Zoning Ordinance along with the number of spaces – the design of the parking lots, how wide the drive isles should be, how wide the spaces should be, how many spaces can be in a row – generally speaking the development and design of the parking area is an issue that should be left to land development because the Board of Supervisors has a lot more flexibility to change the land development requirements, which would approve attainment from the land development requirements during any development process and developers and even simple commercial property owners are not forced to go to the Zoning Hearing Board for an expensive and lengthy process to get variances because they can't quite get the right width of their drive isle in their parking lot. Mr. Savona said those types of regulations and the separation of those common sense type principles from taking them out of the Zoning Ordinance and putting them into the Subdivision-Land Development Ordinance was a big, big concern during the drafting process of these Ordinances and that sag-ways as into the Subdivision-Land Development Ordinance.

Mr. Savona said the Subdivision-Land Development Ordinance, which is Chapter 22 of the Code is the means by which the Township implements the requirements in the Zoning Ordinance – zoning tells what you can do on a particular area of the Township – the Subdivision-Land Development Ordinance tells you how you can go about doing this. Mr. Savona said we have likewise completely re-written the terms and conditions of the Subdivision-Land Development Ordinance. The Subdivision-Land Development Ordinance represents a radical departure from the existing requirements in that we have attempted to re-organize the Ordinance requirements in the way that allows greater flexibility in the hands of the Board of Supervisors during land development process. Mr. Savona said all the nuts and bolts of the traditional Subdivision-Land Development Ordinance requirements are covered – the submission procedure that governs submissions of sketch plans, preliminary plans, and final plans – all of those requirements are still contained in the Ordinance. The plan requirements themselves such as the Design Standards for streets, sidewalks, cul-de-sacs & driveways, street signs, curbs, bridges and culverts – all of those issues are now covered under the Subdivision/Land Development Ordinance. There are provisions for Natural Resource Protection, provisions especially governing Mobile Home Parks and required improvements in any development including storm sewers, private sewers, street lights and monuments and then the required terms and conditions dealing with the Administration of the Ordinances – all of these things have been vetted by the Township Engineer, been reviewed extensively by the drafting committee and he believes the new Chapter 22 will provide an effective need by which to implement all of the things that are set forth in the land use controls that set out in the Zoning Ordinance. Mr. Savona said he believes the Ordinance is an effective and useful tool that has been written to allow this Board to move forward with the development goals that you established in your Comprehensive Plan. Mr. Savona said the Zoning Map represents the closest that we could come to implementing the recommendations of the Comprehensive Plan Committee – it represents forward thinking, means to develop the Township in the future, the Ordinance has allowed for a much more friendly environment in terms of use of property, the nature and class of uses has greatly expanded – this is a modern Ordinance that he thinks both your residential and commercial property owners alike will find much easier to use, much easier to exist under than under the old regulations. Mr. Savona said he believes the Ordinances that have been proposed, if you move forward and approve, will represent a huge watershed moment for the Township and will give you the opportunity to move development of Lower Southampton Township forward by leaps and bounds compared to the current code which was very restrictive and restrains a great deal of the development that you might otherwise be able to experience.

Mr. McMenemy thanked Mr. Savona for his overview of the two new Ordinances and noted that both Ordinances have been posted on the Web Site and at this time will open up to the public for their comments.

Dan Bachovin, 2039 Spring Avenue, noted that he reviewed the new Zoning Ordinance found it to be very comprehensive with one exception that he thought was missed and that is what has been known as "paper streets". There is no mention of paper streets in the new Ordinances this is important to him because his property is surrounded by two existing paper streets feels there should be something about them in the ordinances. Mr. Savona said the simple answer is that it is not covered by either the Zoning Ordinance or SALDO it is covered by the Second Class Township Code and explained why.

Jim Kates, 504 Orchard Lane, noted that he reviewed both Ordinances and he commends the Township Officials, Township Engineer and Mike Savona for a great job - it is fantastic. Mr. Kates said he was pleased that the Zoning Districts have a reasonable impervious surface restrictions, landscape regulations are clear specific and appropriate, the parking area landscaping are outstanding with landscaping parking islands and one tree per five parking spaces, planting requirements for stormwater facilities are a major improvement from previous standards. Mr. Kates said his only negative comment deals with the proposed Municipal District - the revised Township Master Plan recommended that a Recreation Zone be implemented for all Township Parks. Mr. Kates said he recognizes that the Municipal District allows the Supervisors more flexibility in use of it's properties and he would hope that in the future the Supervisors would consider a Recreation Zone for all parks so that they can be preserved for future generations, as it is proposed any of the parks can be used for utility operating facility, adult day care centers and/or any additional Municipal use deemed appropriate by the Board of Supervisors. Mr. Kates said he trusts and admires this Board but worries about the future Boards allowing uses for parks without the citizens input on the use of the parks. Thank you.

Bruce Offner, 229 Creekwood Drive, noted that the EAC said a great job looking at what you have done. Mr. Offner said he has one comment on Part 5 - Design Standards - Sub-Section 311 - #9 as it refers to canopy heights - he is assuming that the 15' there would be the total height of the structure - would like to know why the committee did not specifically use a minimum clearance especially for emergency vehicles - 10" minimum clearance for ambulances & 13'6" minimum clearance for some of the fire equipment - would appreciate consideration of this suggestion. Mr. Savona said it probably bears stating and comments are greatly appreciated - you kind of work these Ordinances in a vacuum - there are always some things that after the first year you find need to adjust or tweak and we will probably be tweaking the Ordinances next year.

Mr. McFadden said he had a question in reference to what Mr. Offner had to say - "During the development process the development of any building is actually subject to the approval of the Fire Marshal and he believes that would be caught as part of that, but in the interim until potentially this is a change with the tweaks he believes this is covered - discussion ensued.

Board Comments

Mr. McFadden noted that he had one or two points to make and he also wanted to reiterate what the public said about the quality of this product and what he believes is a clear improvement in the way this is going to work for the public for property and business owners alike. Mr. McFadden said he does have a couple of concerns and would like to propose a minor amendment - Part 15 - Duties & Responsibilities of Flood Plain Administrator - Paragraph 1508 - Subsection Paragraph D in the Zoning Ordinance. Mr. McFadden said Paragraph D says *"In the discharge of his/her duties the*

Flood Plain Administer shall have the authority to enter any building, structure, premise or development in the identified flood plain area upon presentation of proper credentials” he would like to propose an amendment to that to say “upon presentation of proper credentials and warrant” this way we assure we have due process for entering a person’s property.

Mr. McFadden said he would like a clarification on the SALDO – Paragraph 720 – Subsection 3 this is in relationship to Responsibility of Mobile Home Park – *“the Park Management shall give the Lower Southampton Township Zoning Officer or his/her designee free access to all Mobile Home sites, service buildings and other service facilities for the purpose of inspections”* just want clarification that mobile home sites does not include entry into a person’s home – Mr. Savona said that is correct.

Mr. Shannon commented that how nice it was done.

Ms. Newman said it was very efficient if not a lengthy process and she appreciates what was done and thank you for addressing the parking issues and getting them moved to SALDO.

Mr. Wesley said he has to ditto them.

Mr. McMenemy said the comment that he would like to make is just for the public to know that the Board of Supervisors did have a work session and we had some things that came up and were given back to Mr. Savona to change, there were also some items that came back from the Bucks County Planning Commission – changes had to be made on those comments, so it has been a steady work in progress and he does want to comment Mr. Kiefer, Ms. Drioli and Mr. Savona for putting in the time and hours. Mr. McMenemy also noted that some of the Board members had sat in on various sessions and seen the amount work that was put into this. Mr. McMenemy said like Mr. Savona said it is not perfect as it is and there will probably be some amendments as time goes by but overall it is really a big step forward for the Township and we do appreciate the input that was given from the public and various committees.

Mr. Savona said there being no further comments from the Board or public it is in order to entertain a motion to close the hearing.

MOTION: Joseph McFadden made a motion to close the hearing. Seconded by Keith Wesley
Motion passed with a vote of 5-0

Mr. Savona said since this meeting was advertised both for consideration of the Public Hearing which is required and if the Board is so inclined a motion to adopt the Zoning Ordinance of Lower Southampton Township as amended and the Subdivision/Land Development Ordinance of Lower Southampton Township as amended. Then he would suggest two motions would be in order:

First motion should be as follows: *To adopt the Lower Southampton Township Ordinance as amended to reflect that the language of Section 1508 D will be amended to indicate “that only proper credentials and warrant” the language “ and warrant” would be inserted under Section 1508 D of the Zoning Ordinance be adopted an approved as an Ordinance of the Township.*

MOTION: Keith Wesley made a motion to adopt the Lower Southampton Township Ordinance as amended to reflect that the language of Section 1508 D will be amended to indicate **“that only proper credentials and warrant”** the language **“ and warrant”** would be inserted under Section 1508 D of the Zoning Ordinance be adopted an approved as an Ordinance of the Township. Seconded by Julia Newman

Motion passed with a vote of 5-0

Second motion should be as follows: To adopt the advertised Subdivision/Land Development Ordinance an Ordinance amending Chapter 22 of the Code of Lower Southampton Township to adopt and approve the draft that has been advertised in accordance with requirements of the Municipalities Planning Code.

MOTION: Keith Wesley made a motion to adopt the advertised Subdivision/Land Development Ordinance an Ordinance amending Chapter 22 of the Code of Lower Southampton Township to adopt and approve the draft that has been advertised in accordance with requirements of the Municipalities Planning Code. Seconded by Ed Shannon

Motion passed with a vote of 5-0

Mr. Savona asked Ms. Hude to assign Ordinance numbers to these two ordinances.

Mr. McMnamin

announced that the Playwicki Farm Foundation will be holding a fund raiser called "Taste of Playwicki" which will have local restaurants, wine and beers tasting, Saturday, September 30th from 4 pm to 7 pm - tickets are available \$40 per person or \$75 per couple.

MOTION: Keith Wesley made a motion to adjourn. Seconded by Joseph McFadden
Motion passed with a vote of 5-0

There being no further business the meeting adjourned at 7:50 pm.

Ed Shannon, Secretary

ORDINANCE NO. 558

AN ORDINANCE OF THE TOWNSHIP OF LOWER SOUTHAMPTON, BUCKS COUNTY, PENNSYLVANIA, CONSTITUTING A COMPREHENSIVE AMENDMENT OF THE LOWER SOUTHAMPTON TOWNSHIP ZONING ORDINANCE, AS AMENDED, AND AS CODIFIED IN THE CODE OF ORDINANCES OF LOWER SOUTHAMPTON TOWNSHIP, AND A COMPREHENSIVE REVISION OF THE LOWER SOUTHAMPTON TOWNSHIP ZONING MAP, REPEALING INCONSISTENT ORDINANCES OR PARTS OF ORDINANCES; CONTAINING A SAVINGS CLAUSE AND PROVIDING FOR AN EFFECTIVE DATE.

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

WHEREAS, the Board of Supervisors has determined that it is in the best interests of Lower Southampton Township to revise the Zoning Ordinance in order to revise the statement of purpose of the Zoning Ordinance; to revise definition of terms used in the Zoning Ordinance; to revise the classification of zoning districts by implementing major consolidation of existing districts to reduce the number of special purpose districts and creating new districts; to revise the uses permitted within each zoning district; to revise the classification and types of uses permitted within the Township and certain regulations governing such uses; to add an Off-Premises Advertising Sign Overlay District, to revise general regulations applicable to all uses and districts; and to revise regulations pertaining to off-street parking and loading, signs, open space and environmental protection standards, to revise regulations pertaining to changes in nonconforming uses; to adopt a comprehensive revision to the Township's Zoning Map; and to make editorial and clarifying amendments throughout the Zoning Ordinance.

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of Lower Southampton Township, Bucks County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same that Chapter 27 of the Code of Ordinances of Lower Southampton Township is amended as shown in the revised Zoning Ordinance attached hereto and incorporated herein by reference as though set forth in its entirety herein and as shown in the attached revised Zoning Map, attached hereto and incorporated herein by reference as though set forth in its entirety herein.

All provisions of the Code of Ordinances of Lower Southampton Township and the Lower Southampton Township Zoning Ordinance unaffected by this Ordinance are declared to be in full force and effect. Any provisions of the Code of Ordinances of Lower Southampton Township and the Lower Southampton Township Zoning Ordinance inconsistent with the provisions of this Ordinance are hereby repealed to the extent of the inconsistency.

The provisions of this Ordinance are declared to be severable and, should any portion, part or provision of this Ordinance be found by a court of competent jurisdiction to be invalid, unenforceable or unconstitutional, the Board of Supervisors hereby declares its intent that the Ordinance shall have been enacted without regard to the invalid, unenforceable, or unconstitutional portion, part or provision of this Ordinance.

This Ordinance shall become effective five (5) days after enactment by the Board of Supervisors of Lower Southampton Township.

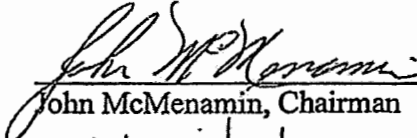
ENACTED and ORDAINED this 4th day of September, 2012.

LOWER SOUTHAMPTON TOWNSHIP
BOARD OF SUPERVISORS

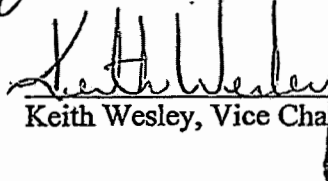
Attest:



Ted Taylor, Township Manager



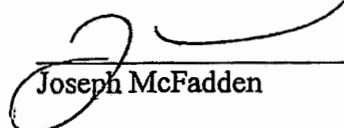
John McMenamin, Chairman



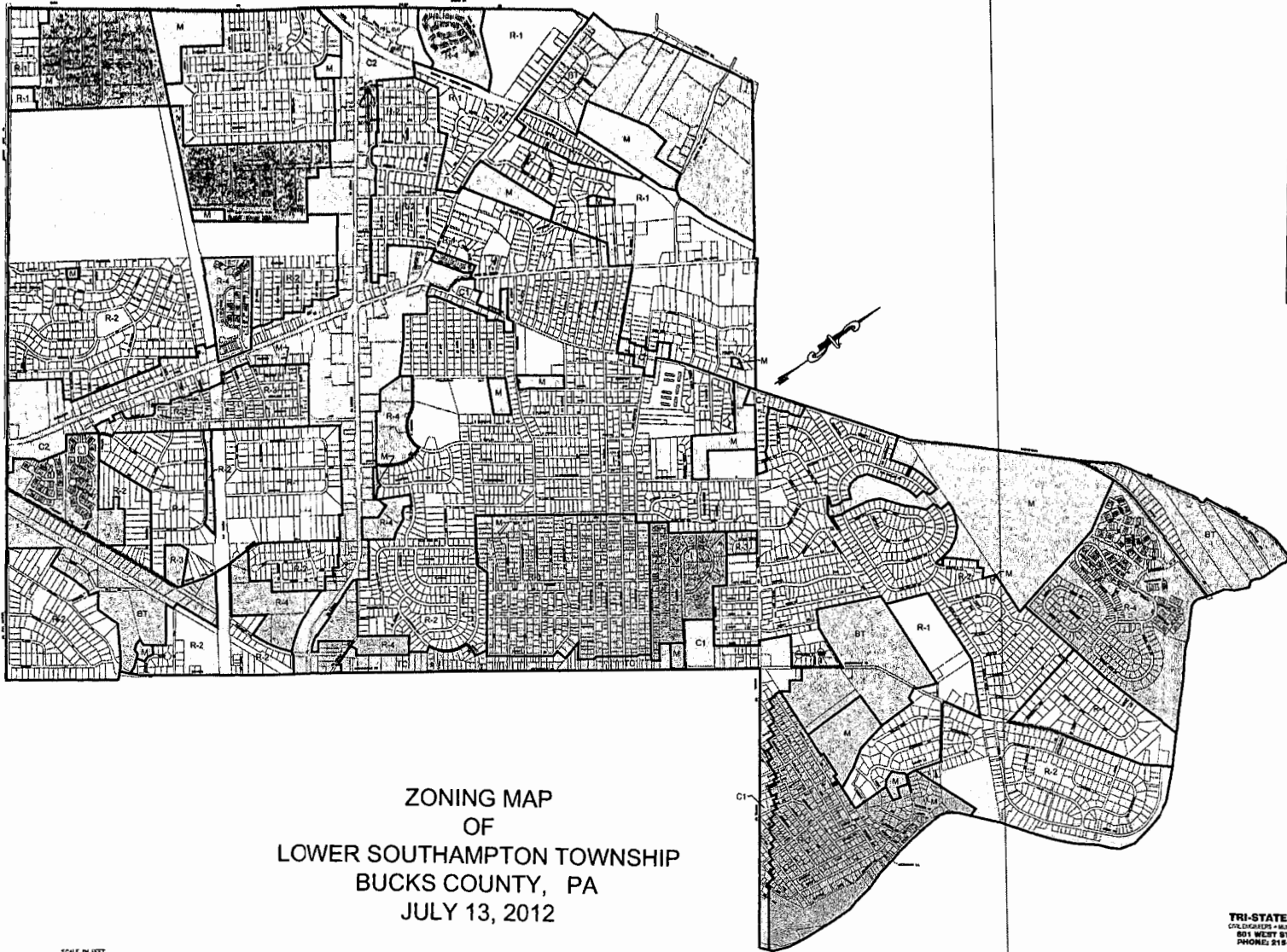
Keith Wesley, Vice Chairman

Ed Shannon, Secretary/Treasurer

Julia Newman



Joseph McFadden



ZONING DISTRICT	
[Pattern]	R-1 RESIDENCE BROAD SP
[Pattern]	R-2 RESIDENCE TUDOR SP
[Pattern]	R-3 RESIDENCE BROAD SP
[Pattern]	R-4 RESIDENCE
[Pattern]	TC TOWN CENTER
[Pattern]	C-1 LIGHT COMMERCIAL
[Pattern]	C-2 HEAVY COMMERCIAL
[Pattern]	BT BUSINESS TECHNOLOGY
[Pattern]	I INDUSTRIAL
[Pattern]	M MUNICIPAL

ZONING MAP
OF
LOWER SOUTHAMPTON TOWNSHIP
BUCKS COUNTY, PA
JULY 13, 2012



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