
ZONING ORDINANCE

BUSHKILL

TOWNSHIP

NORTHAMPTON COUNTY, PENNSYLVANIA

Adopted by the Bushkill Township
Board of Supervisors on July 19, 2012, as amended
through December 2020.

ARTICLE 6

V VILLAGE DISTRICT

- 600. PURPOSE.** The purpose of this District is to provide areas that are readily accessible to Township residents and others for a variety of retail and personnel service uses. The Development standards applied will help to ensure compatibility with nearby residential uses and to help provide a desirable and safe center for village and related uses.
- 601. USE REGULATIONS.** A building may be erected or used, and a lot may be used or occupied, for any of the following purposes, and no other, subject to the applicable provisions of this Ordinance.
- 602. USES PERMITTED BY RIGHT.** The following uses and their accessory uses are permitted by right by the Zoning Officer provided that all requirements of this Ordinance are met, including but not limited to requirements for specific uses in Article 16. See Section 115 which requires Site Plan Review by the Planning Commission and the Board of Supervisors for many types of uses.
[Amended 6/2/2016 by Ord. No. 2016-1; 4/6/2017 by Ord. No. 2017-01; 2/1/2018 by Ord. No. 2018-1]
- A. Forestry
 - B. Crop Farming
 - C. Animal Husbandry
 - D. Plant Nursery or Greenhouse
 - E. Farmstead and related accessory buildings necessary for farm operations
 - F. Farm Roadside Stand (within the requirements of Section 405)
 - G. Essential Services (excluding buildings)
 - H. Cultural Facility, including art galleries, auditoriums, libraries or museums open to the public or connected with a permitted educational use.
 - I. Community Center, Adult Education Center or similar facility operated by an educational, philanthropic or religious institution.
 - J. Commercial Recreation, Miniature Golf, Swimming Pool and other similar entertainment activities.
 - K. Private Commercial Educational Institution including school for dance, music, art, drama and other similar activities.
 - L. Retail Store
 - M. Restaurant, Standard
 - N. Shop or Store for the retail sale of antiques, books, beverages, confections, drugs, dry goods, flowers, food-stuffs, gifts, garden supplies, hardware, household appliances, jewelry, notions, periodicals, stationery, tobacco, paint and wearing apparel and other similar goods.
 - O. Personal Services, including barber, beautician, laundry and dry-cleaning, shoe repair, tailor, photographer, caterer, health club, travel agency
 - P. Repair Services such as shops for appliances, watches, guns, bicycles and locks.

- Q. Professional Services including but not limited to offices of realtors, physicians, lawyers, clergymen, teachers, dentists, architects, engineering, insurance agents, opticians and medical and related offices.
- R. Bank or Other Financial Institution
- S. Business, Administrative or Professional Offices
- T. Medical and/or Dental Center
- U. Public Facilities Owned or Operated by the Township
- V. Funeral Home
- W. Day Care Center
- X. Church or Other Place of Worship
- Y. Auction House
- Z. Office or Clinic for medical or dental examination or treatment of persons as out-patients including laboratories incidental thereto.
- AA. Group Home within a lawful dwelling unit (see Article 16)
- BB. Cemetery
- CC. Single-Family Detached Dwelling
- DD. Mobile/Manufactured Home
- EE. Limited Distillery
- FF. Tower-based commercial communications facility located in the rights-of-way as per the requirements of Section 802.C
- GG. Non-tower commercial communications facility

603. PERMITTED CONDITIONAL USES. The following conditional uses and their accessory uses may be permitted by the Board of Supervisors following a review and recommendation by the Planning Commission in accordance with the provisions of Article 16 for certain specific uses and any other applicable provisions of this Ordinance.

[Amended 6/2/2016 by Ord. No. 2016-1]

- A. Indoor Theater

604. USES PERMITTED BY SPECIAL EXCEPTION. The following use and its accessory uses may be permitted when authorized as a special exception by the Zoning Hearing Board, subject to the provisions of Article 16.

[Amended 6/2/2016 by Ord. No. 2016-1]

- A. Any use of the same general character as those uses permitted by right and condition in the V District. Evidence shall be submitted documenting the similarity and difference between the proposed uses and the uses permitted by right or condition to which the proposed use is most similar.
- B. Bed and Breakfast Use.
- C. Auto Service Station
- D. Membership Club
- E. Bus or Taxi Cab Terminal
- F. Hospital
- G. Nursing Home or Personal Care Home
- H. Veterinary Office or Animal Hospital

- I. Essential Services (including buildings)
- J. Conversion of existing single family detached dwelling to a two-family, single family attached or multi-family dwelling limited to three dwelling units.
- K. Retail and Wholesale Activities with all materials stored within buildings and retailed for sale to the general public.
- L. Self-Storage Development
- M. Auto Repair Garage
- N. Private Use Heliport
- O. Two-Family Dwelling

605. ACCESSORY USES. Accessory uses on the same lot and customarily incidental to lawful uses are permitted by right. The term "accessory use" may include the following uses which shall comply with all applicable provisions stated for them.

- A. Accessory buildings such as garages and ancillary buildings related to the proposed use and meeting the same yard requirements as the principal buildings, including but not limited to accessory uses permitted in the RC District.
- B. Off-Street Parking and Loading Areas in accordance with Article 15.
- C. Signs in accordance with Article 14.
- D. Temporary Structures or Uses, in accordance with Section 405.B.
- E. Outdoor Storage Use Areas for equipment supplies and materials provided that they are screened from view of dwellings and streets within the requirements of Section 1106.
- F. The storage of crude oil or any of its volatile products or other highly inflammable liquids as an accessory use in underground tanks provided that no individual tank shall have a capacity greater than 10,000 gallons.
- G. Fences and Walls.
 - 1. Fences and Walls are permitted in the side and rear yard areas shall not be more than 80 percent solid, nor exceed 8 feet in height and not be closer than 3 feet to a property line.
 - 2. Fences or walls placed in the required minimum front yard shall be of a decorative type and shall not be more than 25 percent solid, nor exceed 6 feet in height, nor closer than 10 feet to a street right-of-way and 3 feet from any other lot line.
 - 3. Fences outside of the required yard areas may be up to 8 feet in height and shall not be more than 80 percent solid.
 - 4. See also Section 1107.
 - 5. Fences within a drainage easement shall not be of a type of construction or placement that would obstruct stormwater flow. Any fence within a drainage easement shall be removed by the property-owner if stormwater would be obstructed or if the easement needs to be improved for stormwater purposes.

- H. Animal Husbandry - All new barns, shelters, structures, pens or other animal husbandry concentrations shall be located a minimum of 500 feet from any existing dwelling on another lot and 150 feet from any lot line, unless the owner of all such abutting property waives such setback in writing. This provision shall not apply to freely grazing animal husbandry practices.
- I. Home Occupation - General or Light.
- J. No-impact Home-based Business. No-impact home-based business as defined in Section 201, subject to the requirements of Section 1602.Y., shall be a permitted accessory use.
- K. Wind Energy Facilities are deemed a permitted accessory use in all zoning districts subject to Additional Requirements for Specific Uses as set forth in Section 1602.EEE.
- L. Solar Energy System. This use shall be permitted as an accessory use subject to Additional Requirements for Specific Uses as set forth in Section 1602.FFF.
- M. Ground Water Heat Pumps. This use shall be permitted as an accessory use to a residential use subject to Additional Requirements for Specific Uses as set forth in Section 1602.GGG.
- N. Keeping of Livestock. The keeping of livestock shall be permitted in all zoning districts subject to the following requirements:
 1. A minimum lot size of 3 acres is required for the Keeping of Livestock.
 2. Numbers of animals and/or grazing units are predicated on the number of “usable acres” on the lot, which excludes residential structures, environmentally sensitive areas (see Article 9), and all applicable setbacks under this Zoning Ordinance. “Usable Acres” is defined as land area which is intended to be used for proper disposal of manure by direct application (see item 5, below).
 3. Accessory structures shall be located only in the side or rear yards and no closer than 50 feet from the property lines.
 4. The keeping of a combination of grazing and non-grazing animals, and poultry shall be limited to the following:

Usable Acres	Grazing Animal Unit*		Non-Grazing Animal**		Poultry***
First acre	1	or	5	and	25
Each add'l contiguous 1 acre	1	or	5	or	25

* “Grazing Animal” includes, but is not limited to, cows, goats and sheep. Refer to Article 2, definition of “animal, grazing unit”

** “Non-Grazing Animal” includes, but is not limited to, pigs.

*** No more than 2 roosters shall be permitted for every 25 head of poultry.

5. The landowner shall be required to submit a Manure Management Plan or Nutrient Management Plan to be reviewed and kept on file by the Township.
 6. The raising of any livestock and/or poultry must comply with Federal and State regulations for the storage and disposal of animal waste.
 7. Landowners may not apply manure within the following setback areas, regardless of the slope of the land or the ground cover:
 - a. Within 100 feet of an active private drinking water source such as a well or a spring.
 - b. Within 150 feet of the top of the bank of a perennial or intermittent stream with a defined bed and bank, a lake or a pond. This setback may be reduced to 50 ft. if the area between the watercourse/waterbody and the pasture is non-grazed permanent vegetated buffer strip, and it is composed of dense vegetation (a pasture that is managed to minimize bare spots and keep vegetation height to at least 3 inches high throughout the year or maintain an 80% permanent uniform vegetative cover).
- O. In-Law Suites. One in-law suite to a single-family detached dwelling shall be permitted, provided that the conditions set forth in this section are met, and further provided that the accessory use, in all respects, complies with this chapter relating to the zoning district wherein the proposed in-law suite is to be constructed or to be used. The intent of these provisions is to allow for related family members to reside on the premises, but to prohibit the creation of for-profit apartments in districts where multifamily housing is otherwise permitted. The conditions are as follows:
1. The in-law suite shall occupy no more than 25% of the total usable floor area of the principal residence, not including any garage.
 2. In-law suites may contain separate cooking, sleeping, living and bathroom facilities.
 3. In-law suites shall be part of the principal residence or may be contained in the existing accessory structure such as a garage. No new separate structures on the same lot with the principal residence shall be permitted to be constructed for this use.
 4. The required off-street parking for the principal dwelling plus 1 additional off street parking space for the in-law suite shall be provided.
 5. In-law suites shall be occupied only by related family members such as elderly parents/grandparents or dependent adult children/grandchildren.
 6. There shall be no changes to the exterior of the residence which suggests that the dwelling unit is other than a single-family dwelling or which would otherwise detract from the single-family character of the neighborhood.
 7. No more than 1 in-law suite shall be permitted per single-family detached dwelling.
 8. Each in-law suite shall be registered with the Township Zoning Officer, who shall keep a record of its use to ensure compliance with this chapter. A fee shall be imposed by the Township Board of Supervisors for the registration of said use, which said fee shall be fixed annually by the Board of Supervisors by resolution.

9. A certification shall be received from the Northampton County Board of Health or other regulatory agency certifying that the wastewater facilities are adequate to accommodate the single-family dwelling as well as the in-law suite as defined in this subsection.

606. LOT AREA, WIDTH, BUILDING COVERAGE & HEIGHT REGULATIONS.

- A. The following dimensional requirements in this Section and Section 607 apply to each use permitted in the V District by right, by condition or by special exception, subject to further applicable provisions of this Ordinance. The most restrictive dimensional requirements for each use shall apply. All land areas shall be served by adequate water supply and by sanitary sewage disposal and treatment in accordance with the Official Sewage Plan of the Township.

LOT REQUIREMENTS - V DISTRICT

[Amended 4/6/2017 by Ord. No. 2017-01]

Principal Use	Minimum Lot Area	Minimum Lot Width (feet)	Maximum Building Coverage (%)	Maximum Building Height (ft.)*
Animal Husbandry	10 acres	200'	20%	35'
Crop Farming	3 acre	200'	20%	35'
Bank or Other Financial Institution or Retail & Wholesale Activities	1 acre	130'	35%	35'
Church or Other Place of Worship or Hospital	2 acres	200'	35%	35'
Single-Family Detached Dwelling or Mobile/Manufactured Dwelling	1 acre**	140'	35%	35'
Two-Family Dwelling	1 acre**	140'	35%	35'
All Other Permitted Uses***	2 acre**	140'	35%	35'
	1 acre	130'	35%	35'

* Maximum of 2.5 stories.

** Except a minimum lot area of 40,000 sq. and a minimum lot width of 130 feet if served by an approved central water system.

*** See also Article 16 for specific use regulations.

B. Impervious. All uses shall have a maximum impervious coverage of 70 percent.

C. Slopes. See the steep slope regulations of Section 905, which may require a larger lot area.

607. MINIMUM YARD REQUIREMENTS. The following minimum requirements shall apply in the V District:

Principal Use	Front Yard or Yard Abutting a Street	Each of 2 Side Yards	Rear Yard
All Permitted Uses	Measured from the centerline of the Ultimate Legal Street Right-of-Way: - Abutting an Arterial Street: 90 feet - Abutting a Collector Street: 80 feet - Abutting a Local Street: 75 feet - Abutting any Other Lot line: 50 feet	20 feet	50 feet

608. SITE PLAN REVIEW. See Section 115.