

**THE LANGHORNE MANOR BOROUGH
ZONING ORDINANCE OF 1993**

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ARTICLE I

TITLE, PURPOSE AND JURISDICTION

Section 100 Title

An ordinance regulating the location, height, bulk, erection, construction, alteration, razing, and size of structures; the percentage of lot which may be occupied, the size of yards, courts and other open spaces; the density and distribution of population, the intensity of use of land or bodies of water for residence, recreation, public activities or other purposes, and the uses of land for agriculture, water supply, conservation, soil conservation, forestry, or other purposes; and providing for the administration, enforcement, and amendment of this Ordinance in accordance with the provisions of "The Pennsylvania Municipalities Planning Code" as amended.

Section 101 Short Title

This Ordinance shall be known as and may be cited as the Langhorne Manor Borough Zoning Ordinance of 1993.

Section 102 Purpose

The purpose of this Ordinance is the promotion of the health, safety, morals, convenience, order, and welfare of the present and future inhabitants of Langhorne Manor Borough by:

- (a) Lessening the danger and congestion of traffic on the roads and highways, and reducing excessive numbers of roads;
- (b) Securing safety from fire, panic, flood, and other dangers;
- (c) Providing adequate light and air;
- (d) Controlling and regulating the growth of the area, concentrating development in areas where adequate sewage, roads, and schools can be provided, and limiting development in areas where these facilities are not provided;
- (e) Providing standards to control the amount of open space and impervious surfaces within a development; to control the intensity of development in areas of sensitive natural resources or natural features in order to reduce or eliminate adverse environmental impacts; to protect the people's right to clean air, pure water, and the natural, scenic, historic, and aesthetic values of the environment; and to protect natural resources which are a part of the ecological system to which we are all bound, and therefore are the common property of all people, including generations yet to come, and must be protected to insure the health, safety, and welfare of all the people.
- (f) Providing standards for a variety of types of dwelling units so that people may have access to decent, sound, and sanitary housing; and to meet the goals of the Federal Housing Act of 1949.

- (g) Promoting such distribution of population and such classification of land uses and distribution of land development and utilization as will tend to facilitate and conserve adequate provisions for transportation, water flowage, water supply, drainage, sanitation, schools, parks, and other public facilities; educational opportunities, recreation, soil fertility, and food supply.
- (h) Protecting the tax base;
- (i) Securing economy in governmental expenditures;
- (j) Encouraging the most appropriate use of land;
- (k) Giving effect to the policies and proposals of the Four Boroughs Comprehensive Plan of 1975 and incorporated herein as the Comprehensive Plan required by Section 606 of the "Pennsylvania Municipalities Planning Code."

Section 103 Interpretation

In interpreting and applying the provisions of this Ordinance, they shall be held to be the minimum requirements for the promotion of the public health, safety, comfort, convenience, and general welfare.

- (a) Whenever any regulations made under authority of this Ordinance require a greater width or size of yards, courts, or other open spaces, or require a lower height of buildings, or smaller number of stories, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required in or under any other statute, the provisions and regulations made under authority of this Ordinance shall govern.
- (b) Whenever the provisions of any other statute require a greater width or size of yards, courts, or other open spaces, or require a greater percentage of lot to be left unoccupied, or impose other higher standards than are required by the regulations made under authority of this Ordinance, the provisions of such statute shall govern.
- (c) This ordinance does not repeal, abrogate, annul, or in any way impair or interfere with existing provisions of other laws or ordinances, except those specifically or impliedly repealed by this Ordinance, or any private restrictions placed upon property by covenant, deed, or other private agreement unless repugnant hereto.
- (d) Provisions in the Langhorne Manor Subdivision and Land Development Regulations providing for varying design standards shall not be considered to be in conflict with the provisions of this Ordinance.

Section 104 Separability

It is hereby declared to be the intent of the Governing Body of Langhorne Manor Borough that:

- (a) If a court of competent jurisdiction declares any provisions of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all

other provisions of this Ordinance shall continue to be separately and fully effective.

- (b) If a court of competent jurisdiction finds the application of any provision or provisions of this Ordinance to any lot, building or other structure, or tract of land, to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to the person, property, or situation immediately involved in the controversy, and the application of any such provision to other persons, property, or situations shall not be affected.

ARTICLE II

DEFINITIONS

Section 200

General

- (a) Unless a contrary intention clearly appears, the following words and phrases shall have for the purpose of this Ordinance the meanings given in the following clauses.
- (b) For the purpose of this Ordinance, the words and terms used herein shall be interpreted as follows:
 - (1) Words used in the present tense include the future.
 - (2) The singular includes the plural.
 - (3) The word "person" includes a corporation, partnership, and association as well as the individual.
 - (4) The word "lot" includes the word "plot" or "parcel."
 - (5) The term "shall" is mandatory.
 - (6) The word "used" or "occupied" as applied to any land or buildings shall be construed to include the words "intended, arranged, or designed to be occupied."
 - (7) The word "Commission" and the words "Planning Commission" always mean the Langhorne Manor Borough Planning Commission.
 - (8) The word "Council" or the words "Borough Council" always mean the Langhorne Manor Borough Council.
 - (9) The word "Board" or the words "Zoning Hearing Board" always mean the Langhorne Manor Borough Zoning Hearing Board.
- (c) Any word or term not defined herein shall be used with a meaning of standard usage.

Section 201

Alluvial Soils

Areas subject to periodic flooding as defined in the most recent "Soil Survey of Bucks and Philadelphia Counties, Pennsylvania, U.S. Department of Agriculture, Soil Conservation Service."

Section 202

Alterations

As applied to a building or structure, a change or rearrangement in the structural parts, or an enlargement, whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Section 203

Ancillary Use

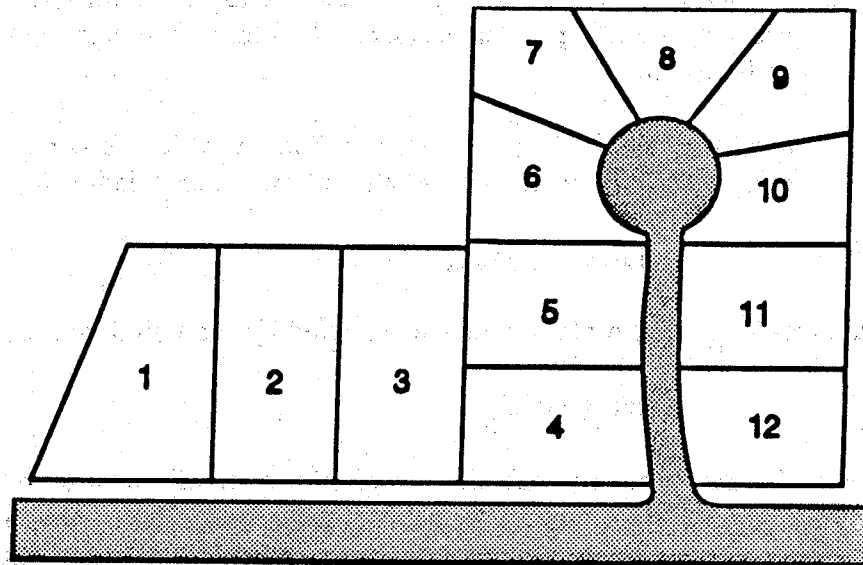
A use located on the same lot with a principal use; and clearly incidental or subordinate to the principal use; and customary in connection with the principal use. Ancillary uses shall not include use of a structure as one or more separate dwelling units.

Apartments are multi-family dwelling units, each self-contained, where individual dwelling units may share a common outside access. Apartments share with other units a common yard area which is the sum of the required lot areas of all dwelling units within the building.

Section 205

Area

- (a) **Lot Area:** The area contained within the property lines of the individual parcels of land shown on a subdivision plan or required by this Ordinance, excluding any area within an existing or designated future street right-of-way, or any area required as open space under this Ordinance, and including the area of any easements.
- (b) **Average Lot Area per Dwelling Unit:** The average lot area for all dwelling units of a single type. Individual lots may be smaller or larger than the average, provided that the average lot size is maintained and that all other standards of this Ordinance are met.



$$\text{Average Lot Area per Dwelling Unit} = \frac{\text{area lot 1} + \text{area lot 2} + \dots + \text{area lot 12}}{\text{Site Area}}$$

- (c) **Building Area:** The total of areas taken on a horizontal plane at the main grade level of the principal building and all accessory buildings, exclusive of uncovered porches, terraces, and steps.

Section 206

Attic

The room space just below the roof of a dwelling.

Section 207

Basement

A story partly underground, but having one-half or more of its height (measured from floor to ceiling) above the average level of the adjoining ground. A basement shall be counted as a story

for the purpose of height measurement or determining square footage, only if the vertical distance between the ceiling and the average level of the adjoining ground is more than four (4) feet, or if used for business or dwelling purposes.

Section 208 Board

Any body granted jurisdiction under this Ordinance to render a final decision.

Section 209 Building

- (a) A structure having a roof which is used for the shelter or enclosure of persons, animals, or property. The word "building" shall include any part thereof.
- (b) Building, Accessory: A subordinate building located on the same lot as a principal building and clearly incidental and subordinate to the principal building. Any portion of a principal building devoted or intended to be devoted to an accessory use is not an accessory building. An accessory building shall not contain one or more separate dwelling units.
- (c) Building, Principal: The main building in which is conducted, or is intended to be conducted, the principal use of the lot on which it is located.

Section 210 Building Coverage

That percentage of the plot or lot area covered by the building area.

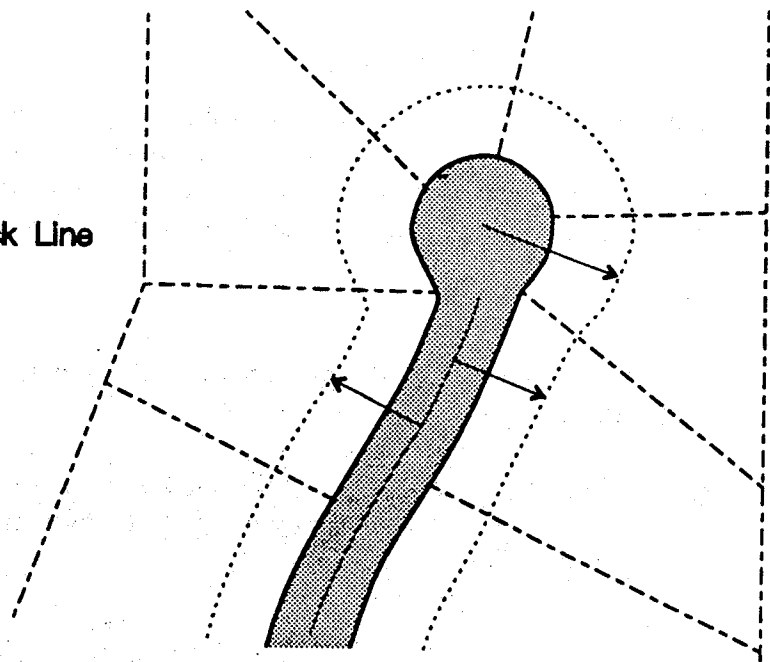
Section 211 Building Height

A vertical distance measured from the mean elevation of the proposed finished grade at the street side of the building to the highest point of the roof for flat roofs, to the deck lines of mansard roofs, and to the mean height between eaves and ridge for gable, hip, and gambrel roofs.

Section 212 Building Setback Line

The rear line of the minimum front yard as measured from the center line of the legal or future right-of-way, whichever is greater. The building setback line on a cul-de-sac is a line of the minimum front yard measured from the center of the cul-de-sac.

Building Setback Line



Section 213 Cartway or Roadway

The hard or paved surface portion of any street, or that portion of a street customarily used by vehicles in the regular course of travel over the street.

Section 214 Cellar

A story partly underground and having more than one-half of its height (measured from floor to ceiling) below the average level of the adjoining ground. A cellar shall not be considered in determining the permissible number of stories or square footage, nor shall it be used for separate dwelling purposes.

Section 215 Condominium

A condominium is an ownership arrangement and not a land use, therefore, it is allowed in any district and under the same restrictions of the residential land use that comprises it.

A condominium is a dwelling unit which has all of the following characteristics:

- (a) The unit, the interior and associated exterior areas designated for private use in the development plan, is owned by the occupant.
- (b) The unit may be any permitted dwelling type.
- (c) All or a portion of the exterior open space and any community interior spaces are owned and maintained in accordance with the Pa. Unit Property Act of July 3, 1963, P.L. 196 and in accordance with the provisions for open space, roads, or other development features in the Zoning Ordinance, and the Subdivision and Land Development Regulations.

Section 216

Decision

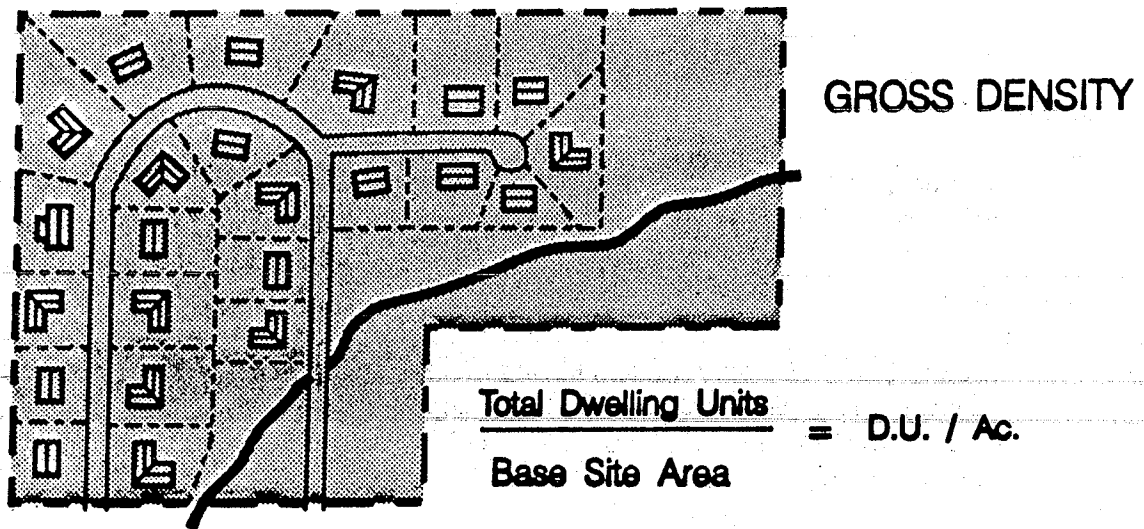
Final adjudication of any board or other body granted jurisdiction under Ordinance either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Bucks County, Pennsylvania in accordance with and subject to applicable laws of the Commonwealth of Pennsylvania.

Section 217

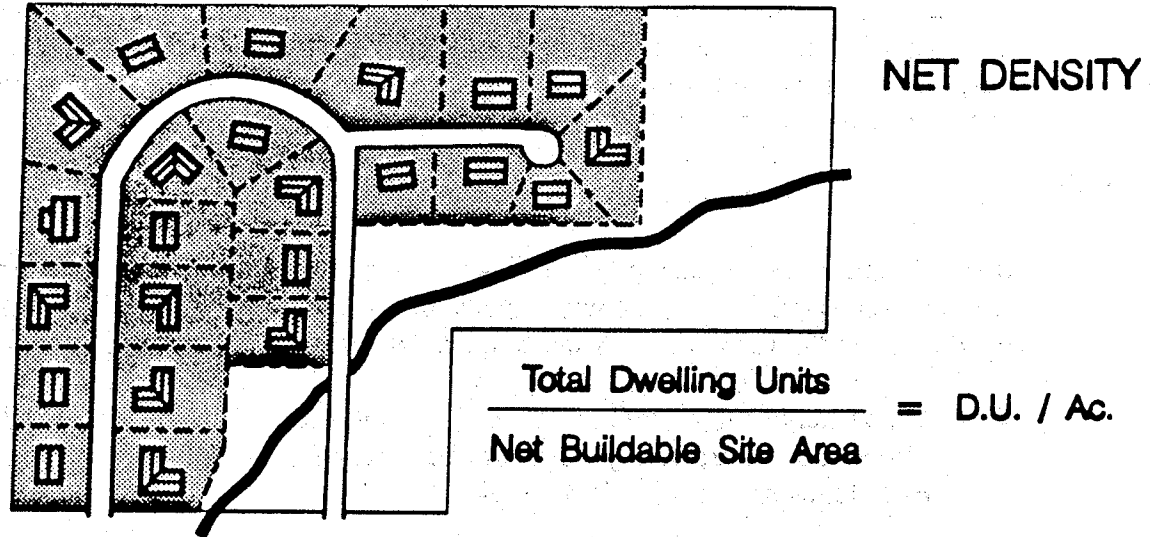
Density

Density is a measure of the number of dwelling units per unit of area. It shall be expressed in dwelling units per acre.

- (a) **Density, Gross:** This is the maximum density that may be permitted in any zoning district. It is calculated by dividing the total number of dwelling units by the Base Site Area. (See Section 248)



- (b) **Density, Net:** This is the maximum density permitted on the buildable portion of the site, as determined in Section 602. All tracts of land within a district may be developed to the same net density. Net density is calculated by dividing the total number of dwelling units by the Net Buildable Site Area.



Section 218 Determination

Final action by an officer, body or agency charged with the administration of this Ordinance or applications thereunder, including the following:

- (1) the governing body;
- (2) the zoning hearing board; or
- (3) the planning agency, only if and to the extent the planning agency is charged with final decision on preliminary or final plans under this Ordinance or planned residential development provisions. Determinations shall be appealable only to the boards designated as having jurisdiction for such appeal.

Section 219 Dwelling

- (a) **Dwelling:** A building containing one or more dwelling units. An accessory building is not a dwelling, even if it contains a room or rooms.
- (b) **Dwelling Unit:** Any room or group of rooms located within a residential building and forming a single habitable unit with facilities which are used or intended to be used for living, sleeping, personal hygiene, cooking, and eating by one family.

Section 220 Easement

A grant of the use of a parcel of land to the use of the public, a municipality, or person, for a specified purpose.

Section 221 Family

One or more persons related by blood, marriage, or adoption, and in addition, not more than two gratuitous guests thereof; or a group of not more than five persons who need not be so related, and in addition, not more than two gratuitous guests thereof, who are living together in a single non-profit dwelling unit and maintaining a common household with single cooking facilities. A roomer, boarder, or lodger shall not be considered a member of the family.

Section 222 Floodplains

Areas adjoining any streams, ponds, or lakes which are subject to a 100-year-recurrence-interval flood as delineated by the following study or a study conducted by anyone else expert and experienced in the preparation of hydrological studies and the determination of flood lines:

- (a) Department of Housing and Urban Development, Federal Insurance Administration, FIA Flood Hazard Boundary Map of the Borough, Community, No. 422336, Map. No. H01-02, as amended shall be used.
- (b) In the absence of such delineation of the 100-year floodplain along any drainageway, the provisions of this Section shall apply to all land containing alluvial soils.

Section 223 Floor Area

The sum of the areas of several floors of a building structure, including areas used for human occupancy and basements, attics, and penthouses, as measured from the exterior faces of the walls. It does not include cellars, unenclosed porches, attics not used for human occupancy or any floor space in accessory buildings or in the main building intended and designed for the parking of motor vehicles in order to meet the parking requirements of this Ordinance or any such floor space intended and designed for accessory heating and ventilating equipment.

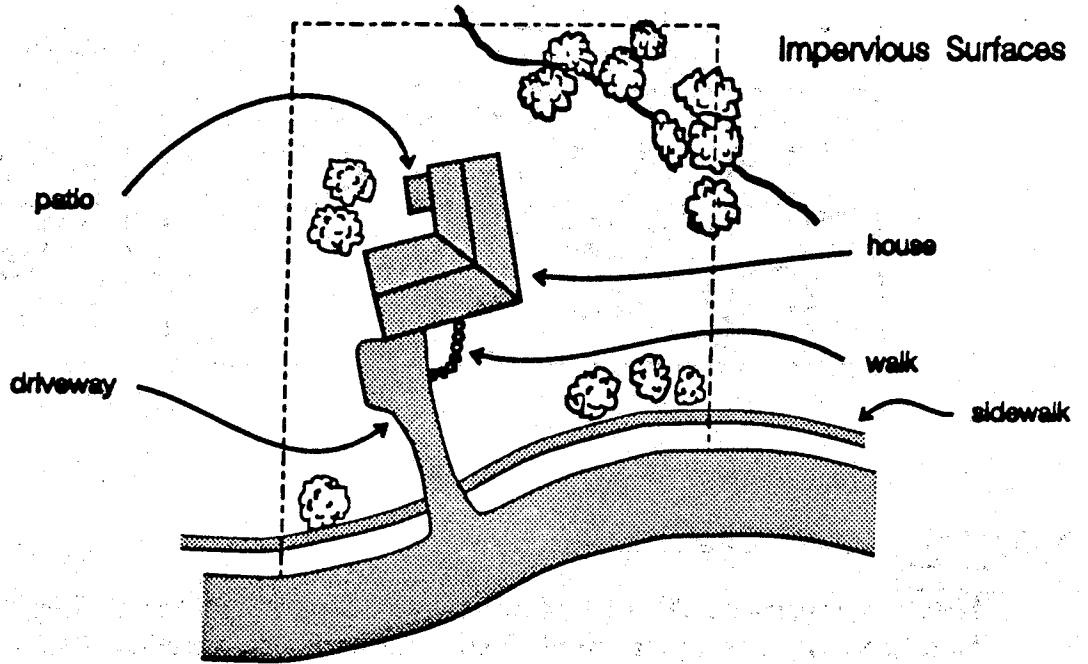
Section 224 Forest

Areas, groves, or stands of mature or largely mature trees (i.e., greater than 6 inches caliper) consisting of 10 or more individual trees covering an area of one-quarter of an acre.

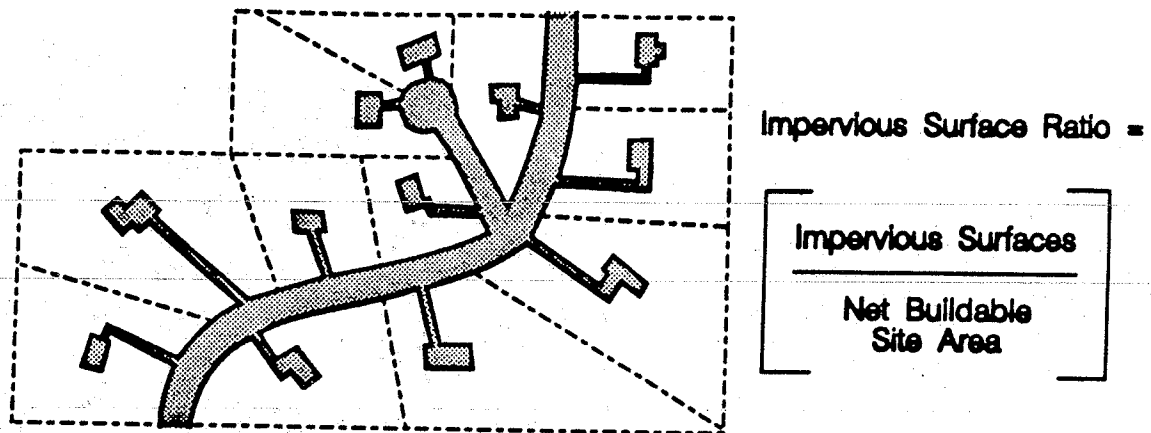
Section 225 Hearing

An administrative proceeding conducted by a board pursuant to this Ordinance.

Impervious surfaces are those which do not absorb precipitation and surface water. All buildings, parking areas, driveways, roads, sidewalks, and any areas in concrete and asphalt shall be considered impervious surfaces within this definition. In addition, other areas determined by the Engineer to be impervious within the meaning of this definition will be classed as impervious surfaces.



The impervious surface ratio is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the Net Buildable Site Area.



Section 228

Lakes and Ponds

Natural or artificial bodies of water which retain water year-round. Artificial ponds and lakes may be created by dams, or may result from excavation. The shoreline of such waterbodies shall be measured from the maximum condition rather than the permanent pool if there is any difference. For the purposes of this Ordinance, a lake shall be considered to be any such waterbody which is two and one-half (2.5) acres or larger; a pond is any such waterbody of less than two and one-half (2.5) acres.

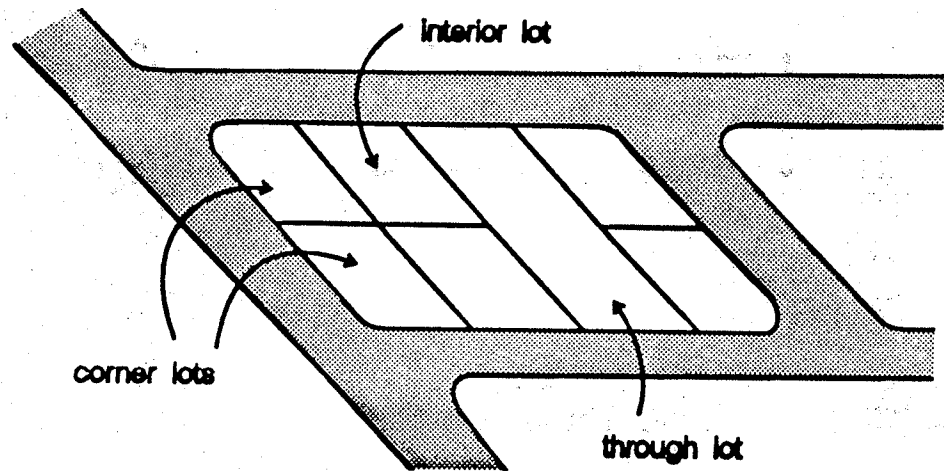
Section 229

Land Development

Any of the following activities:

- (1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (i) A group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (ii) The division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
- (2) A subdivision of land

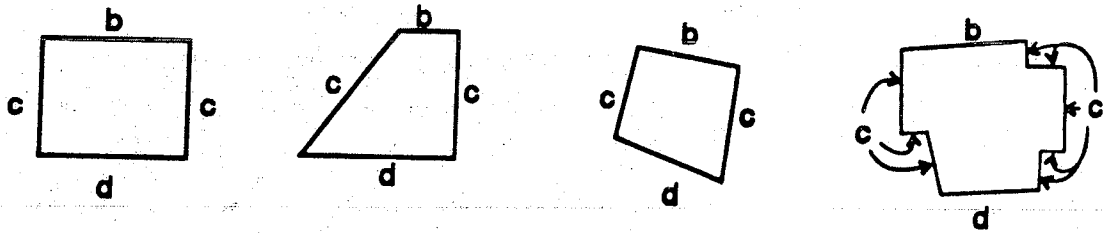
- (a) **Lot:** A parcel of land used or set aside and available for use as the site for one or more buildings and buildings accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the right-of-way of a public or private street upon which said lot abuts, even if the ownership to such way is in the owner of the lot. A lot for the purpose of this Ordinance may or may not coincide with a lot of record.
- (b) **Corner Lot:** A lot which has an interior angle of less than one hundred and thirty-five (135) degrees at the intersection of two (2) street lines. A lot abutting upon a curved street or streets shall be considered a corner lot if the tangent to the curve at the points beginning within the lot or at the points of intersection of the side lot lines with the street lines intersect at an angle of less than one hundred and thirty-five (135) degrees.
- (c) **Through Lot:** An interior lot having frontage on two parallel or approximately parallel streets.



- (d) **Depth of Lot:** The mean distance from the street line of the lot to its opposite rear line measured in the general direction of the side lines of the lot.
- (e) **Lot Width:** The distance measured between the side lot lines, at the required building setback line. In a case where there is only one side lot line, lot width shall be measured between such side lot line and the opposite rear lot line or street line.

- (a) **Lot Line:** Any boundary line of a lot including a street line.
- (b) **Lot Line, Rear:** Any lot line which is parallel to or within forty-five (45) degrees of being parallel to a right-of-way, except for a lot line that is itself a legal right-of-way line, and except that in the case of a corner lot the owner shall have the option of choosing which of the two lot lines that are not legal right-of-way lines is to be considered a rear lot line. In the case of a lot having no right-of-way frontage or a lot of an odd shape, only the one lot line farthest from any legal right-of-way shall be considered a rear lot line.
- (c) **Lot Line, Side:** Any lot line which is not a legal right-of-way line or a rear lot line.
- (d) **Street Line:** (See Section 254).

Sample Lot Configurations: Letters correspond to above definitions.



Section 232

Non-conforming Lot

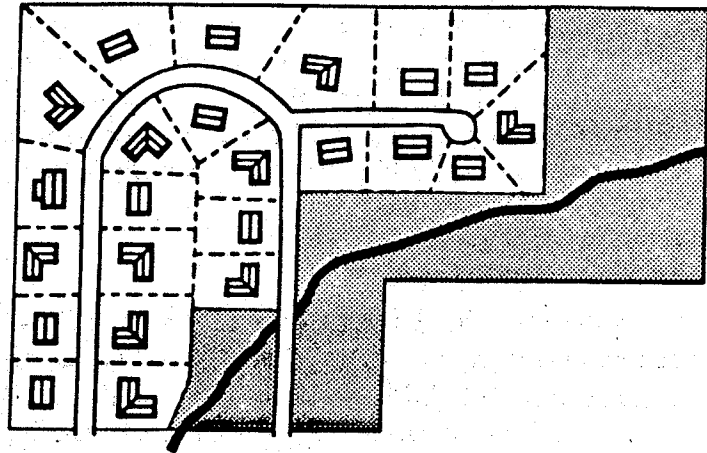
A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Section 233

Open Space

Open space is land used for recreation, resource protection, or amenity, is freely accessible to all authorized users thereof, and is protected by the provisions of this Ordinance and the Subdivision and Land Development Ordinance to ensure that it remains in such uses. Open space does not include land occupied by buildings, roads, or road rights-of-way; nor does it include the yards or lots of single or multi-family dwelling units or buffer yards as required by the provisions of this Ordinance. Open space shall be left in a natural state except in the case of recreation uses which may contain impervious surfaces. Such impervious surfaces shall be included in the calculation of the impervious surface ratio.

The open space ratio is a measure of the intensity of land use. It is arrived at by dividing total amount of open space within the site by the Base Site Area.



OPEN SPACE RATIO =

Public or Common
Open Space

Base Site Area

Section 235

Parcel

A piece of land which is a specific part of a larger acreage.

Section 236

Park

The park meets a community's need for passive recreation, providing a pleasant place where families can picnic, older residents can meet, and children can play informally. A park is often developed in conjunction with a playfield. Since the value of such a facility lies primarily in its natural features, a large part of the park should be woodland or open lawn. It should be of sufficient size to create its own atmosphere by neutralizing the efforts of adjacent land uses.

Section 237

Pennsylvania Municipalities Planning Code

The Pennsylvania Municipalities Planning Code, Act of 1968, P.L. 805, No. 247. (Reenacted and amended December 21, 1988, P.L. 1329, No. 170).

Section 238

Penthouse

An apartment or other house-like structure built on the roof of a building or out from the roof of a building.

Section 239

Playfield

The playfield provides diversified recreational opportunities for all age groups. Activities commonly included are baseball, football, tennis, and others which require more space than playgrounds can provide. Also included are such specialized facilities as swimming pools, ice skating rinks and bandstands, off-street parking facilities, night lighting, and toilets should be

included.

Section 240 Playground

The playground is primarily designed to serve the active play needs of children five to fifteen years old. Its size depends on the population served, varying between three and seven acres. Since the playground is used chiefly by children of elementary school age, the ideal location is adjacent to an elementary school. The well-developed playground usually provides an apparatus area, open spaces for informal play, fields and courts for a variety of games, shaded areas for quiet activities, and a sheltered area with a drinking fountain and toilet facilities.

Section 241 Playlot

The playlot is designed for use by pre-school children in neighborhoods where yard space is insufficient. A playlot is usually located in the middle of a block and accessible without crossing a major street. As a facility for pre-school children, it should be small - 2,000 to 5,000 square feet. It should include both paved and turfed surfaces, play equipment, fencing, landscaping and benches.

Section 242 Public Meeting

A forum held pursuant to notice under the Act of July 3, 1986 (P.L. 388, No. 84) known as the "Sunshine Act."

Section 243 Public Notice

Notice published once each week for two successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than 30 days and the second publication shall not be less than seven days from the date of the hearing.

Section 244 Right-of-Way

- (a) Right-of-way: Land set aside for use as a street, alley, or other means of travel.
- (b) Existing right-of-way: The legal right-of-way as established by the Commonwealth or other appropriate governing authority and currently in existence.
- (c) Future right-of-way: The right-of-way deemed necessary to provide adequate width for future street improvements. Future right-of-way widths are designated in Section 506 of the Langhorne Manor Subdivision and Land Development Regulations.

Section 245 Sewer

- (a) Public Sewer: A "public sewer" is any municipal or privately owned sewer system in which sewage is collected from buildings and piped to an approved sewage disposal plant or central septic tank disposal system. It may also be referred to as "off-lot" or "off-site" sewer. This shall include capped sewers when installed to Borough specifications.

- (b) Private Sewer: An "on-lot" septic tank disposal system, generally providing for disposal of effluent for only one (1) building or a group of buildings on a single lot.

Section 246 Site

The site shall be defined as a parcel or parcels of land intended to have one or more buildings, or intended to be subdivided into one or more lots.

Section 247 Site Area

All land area within the site as defined in the deed. Area shall be from an actual site survey rather than from a deed description.

Section 248 Site Area, Base

The total area of a site minus:

- (a) Existing road and utilities rights-of-way;
- (b) Land which is not contiguous or is cut from the parcel by a road or railway; and
- (c) Land shown on previous subdivisions or land development plans as reserved from development for natural resource reasons, such as floodplain lands.

Section 249 Site Area, Net Buildable

That part of the base site area remaining for development after the amount of open space necessary for resource protection and recreation has been calculated and deducted.

Section 250 Special Exception

A use permitted in a particular zoning district pursuant to the provisions of Articles IV and IX.

Section 251 Steep Slopes

Areas where the average slope exceeds eight (8) percent which, because of this slope, are subject to high rates of stormwater run-off and therefore erosion.

Section 252 Story

That part of a building located between a floor and the floor or roof next above. The first story of a building is the lowest story having seventy-five (75) percent or more of its wall area above grade level. A half-story is a story under a gable, hip or gambrel roof, the wall plates of which on at least two opposite exterior walls are not more than two feet above such story.

Section 253 Street

A public or private way used or intended to be used for passage or travel by automotive vehicles. If private, such way must be used or intended to be used as the principal means of access to

abutting lot or lots, or to more than two (2) dwelling units on a lot on which a private way is exclusively used.

Section 254 Street Line

The dividing line between the street and the lot. The street line shall be the same as the legal right-of-way, provided that where a future right-of-way width for a road or street has been established, then that width shall determine the location of the street line. (Refer to Section 244).

Section 255 Structure

A combination of materials assembled, constructed, or erected at a fixed location, including a building, the use of which requires location on the ground or attachment to something having location on the ground.

Section 256 Travel Trailer

A vehicular portable structure built on a chassis designed as a temporary dwelling for travel, recreation, vacation, and other short-term uses having a body width not exceeding eight (8) feet and a body length not exceeding thirty-two (32) feet.

Section 257 Use

- (a) Use: Any activity, occupation, business, or operation carried on in a building or other structure, or on a tract of land.
- (b) Use, Accessory: A use located on the same lot with a principal use; clearly incidental or subordinate to the principal use; and customary in connection with the principal use. Accessory uses shall not include use of a structure as one or more separate dwelling units.
- (c) Use, Principal: The main use on a lot.

Section 258 Utilities

Those services customarily rendered by public utility corporations, municipalities, or municipal authorities, in the nature of electricity, gas, telephone, water and sewerage, including the appurtenances used in connection with the supplying of such services (buildings, wires, pipes, poles and the like).

Section 259 Utility Sheds

A structure enclosed on all sides with roof, not to exceed eight (8) feet in height and two hundred (200) square feet in area, for the storage of lawn, garden and swimming pool equipment; not for the storage or garaging of motor vehicles or dangerous, noxious or inflammable materials.

Section 260 Water System, Public

A "public water system" is any municipal water supply system, or any private system dedicated to the public. Such systems shall include any existing private franchise area and the entire