

**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

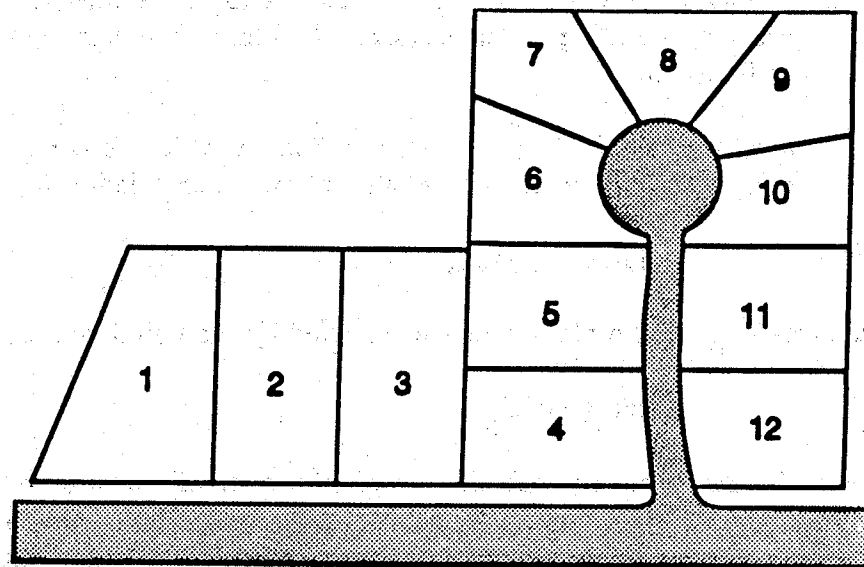
A use located on the same lot with a principal use; and clearly incidental or subordinate to the principal use; and customary in connection with the principal use. Ancillary uses shall not include use of a structure as one or more separate dwelling units.

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.

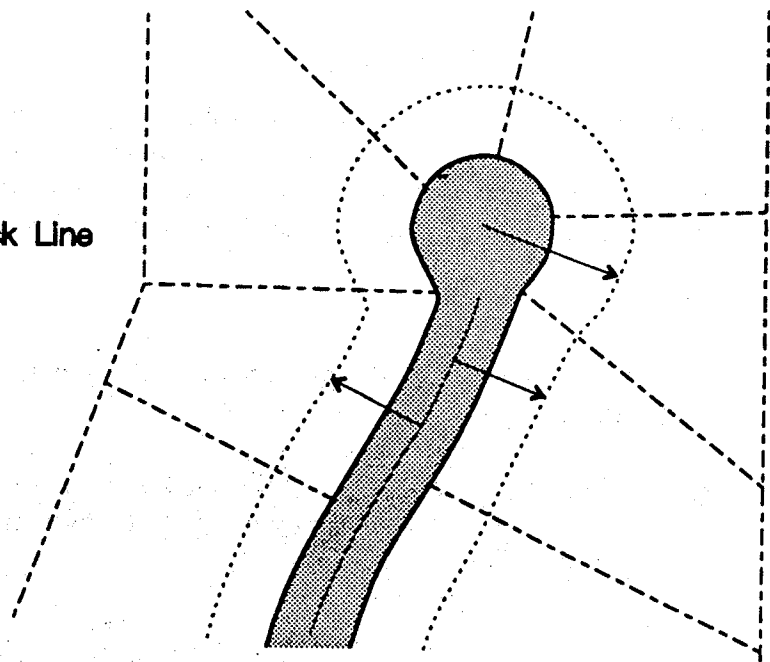
Section 211                      Building Height

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.

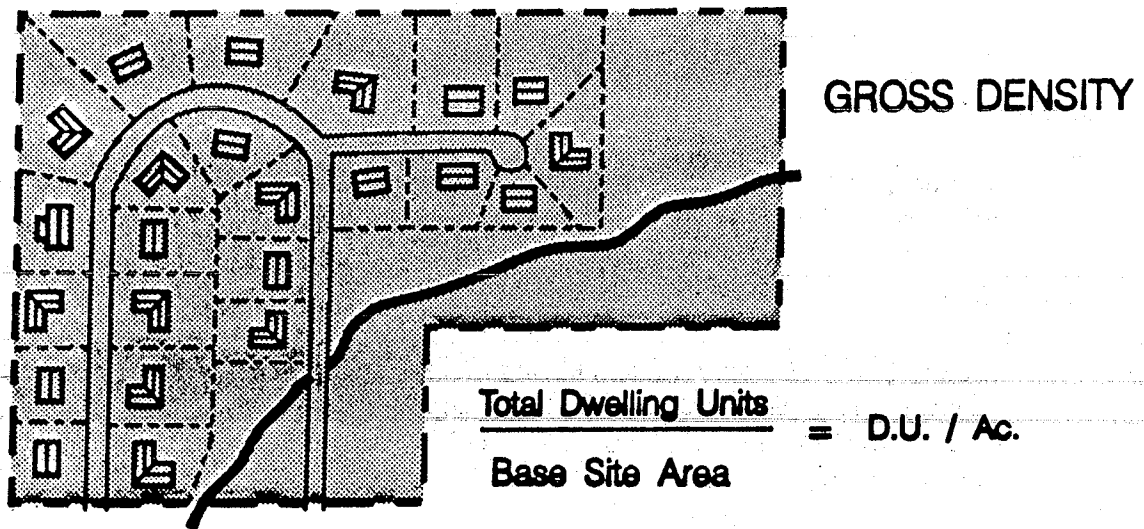
A condominium is a dwelling unit which has all of the following characteristics:

- (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.

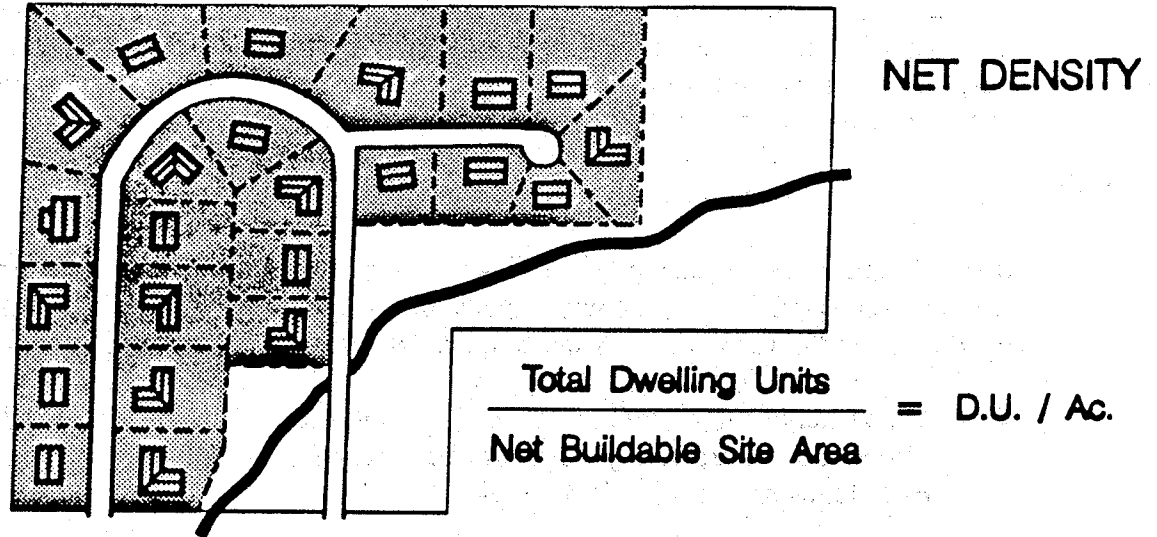
Final adjudication of any board or other body granted jurisdiction under Ordinance either by reason of the grant of exclusive jurisdiction or by reason of appeals from determinations. All decisions shall be appealable to the Court of Common Pleas of Bucks County, Pennsylvania in accordance with and subject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

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

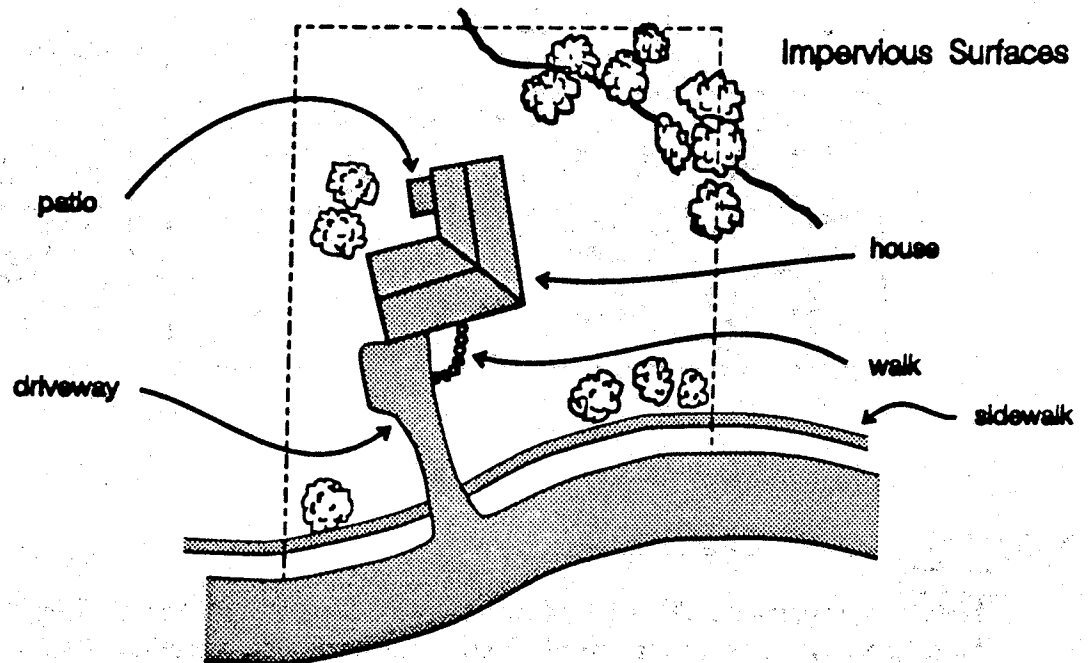
Areas, groves, or stands of mature or largely mature trees (i.e., greater than 6 inches caliper) consisting of 10 or more individual trees covering an area of one-quarter of an acre.

Section 225

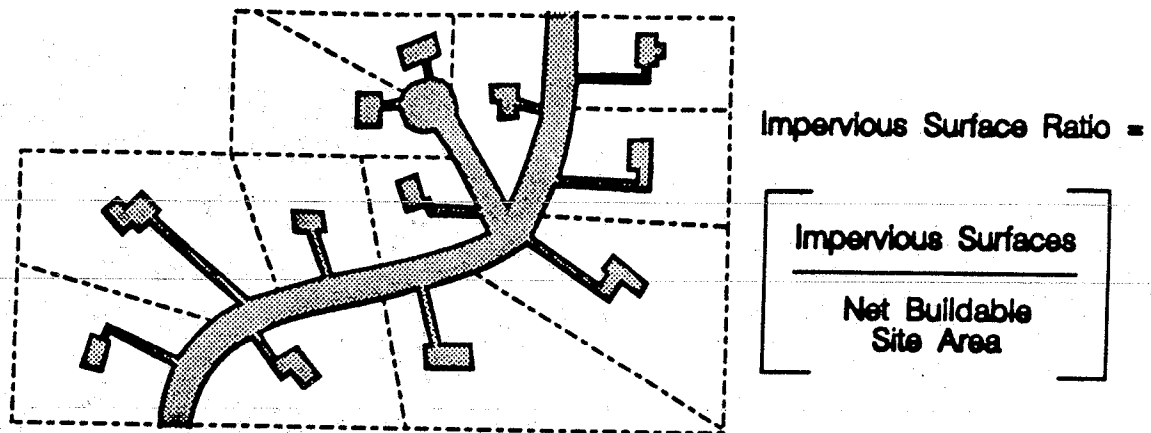
Hearing

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.

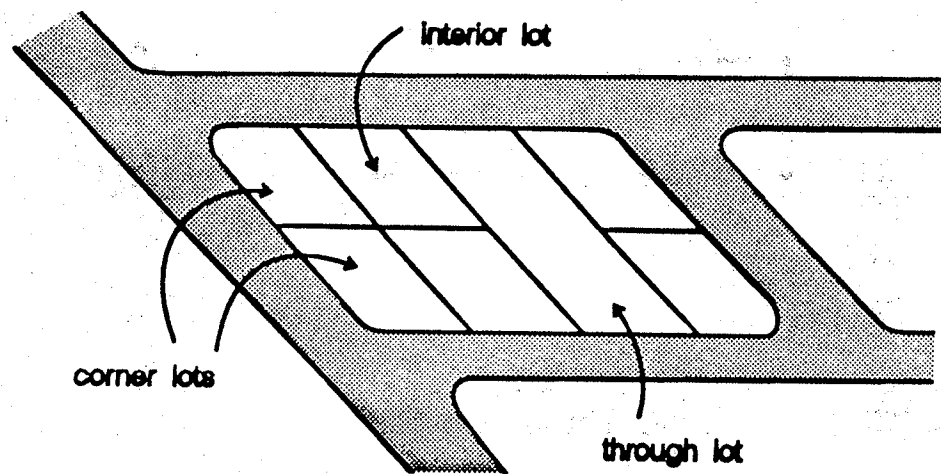
## Section 229

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

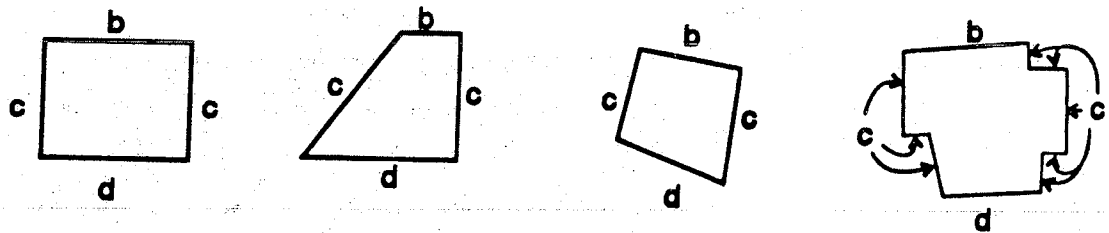
- (a) **Lot:** A parcel of land used or set aside and available for use as the site for one or more buildings and buildings accessory thereto or for any other purpose, in one ownership and not divided by a street, nor including any land within the right-of-way of a public or private street upon which 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

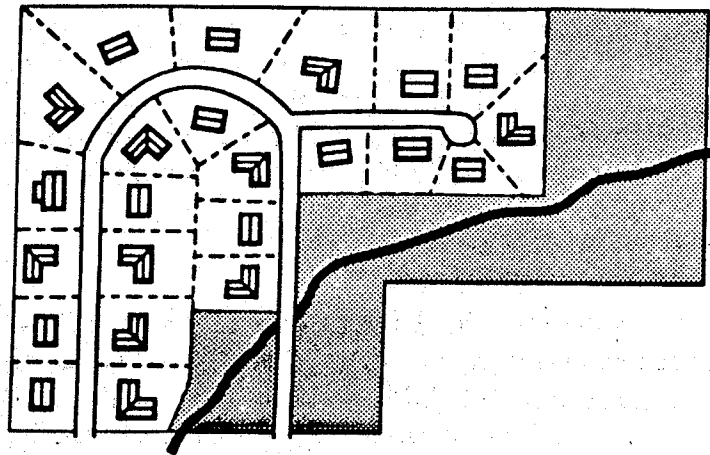
A lot the area or dimension of which was lawful prior to the adoption or amendment of a zoning ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

## 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

system; or a water supply capable of supporting the entire development, or a standpipe or water storage system meeting Borough specifications.

Section 261

Wetlands

Any areas of undrained, saturated soils supporting wetland vegetation, where the water table is at or near the surface or where shallow water covers the site due to permanent or seasonal inundation of surface or ground water.

Section 262

Yard

- (a) Yard: An open space unobstructed except for landscaping from the ground up on the same lot with a structure, extending along a lot line or street line and inward to the structure. The size of a required yard shall be measured as the shortest distance between the structure and a lot line or street line.
- (b) Yard, Front: A yard between a structure and a street line and extending the entire length of the street line. In the case of a corner lot, the yards extending along all streets are front yards. In the case of a lot other than a corner lot that fronts on more than one street, the yards extending along all streets are front yards.
- (c) Yard, Rear: a yard between a structure and a rear lot line and extending the entire length of the rear lot line.
- (d) Yard, Side: A yard between a structure and a side lot line, extending from the front yard to the rear yard. In the case of a lot having no street frontage or a lot of odd shape, any yard that is not a front yard or a rear yard shall be considered a side yard.

## ARTICLE III

### ESTABLISHMENT OF DISTRICTS

#### Section 300            Establishment of Districts

Langhorne Manor Borough is hereby divided into districts of different types, each type being of such number, shape, kind and area and of such common unity of purpose and adaptability of use that are deemed most suitable to carry out the objectives of this Ordinance and the Four Boroughs Comprehensive Plan.

Every parcel of land and every building, dwelling, or other structure in the Borough, except as otherwise provided by law or by Ordinance, shall be subject to the regulations, restrictions, and requirements specified for the district in which it is located.

#### Section 301            Types of Districts

The districts are established and designated as follows:

- (a)    RA    Residential District A
- (b)    RB    Residential District B
- (c)    RC    Residential District C
- (d)    I     Institutional District

#### Section 302            Zoning Map

Districts are bounded and defined as shown on the map entitled, "Zoning Map of Langhorne Manor Borough," which accompanies and which, with all explanatory matters thereon, is hereby made a part of this Ordinance. (see Appendix A)

#### Section 303            Interpretation of District Boundaries

Where uncertainty exists with respect to the boundaries of the District as indicated on the Zoning Map, the following rules shall apply:

- (a)    District boundary lines are intended to follow the center line of streets, streams, and railroads; and lot or property lines as they exist on plans of record at the time of the adoption of this Ordinance, unless such district boundary lines are fixed by dimensions as shown on the Zoning Map.
- (b)    Where a district boundary is not fixed by dimensions and where it approximately follows lot lines such lot lines shall be construed to be such boundaries unless specifically shown otherwise.
- (c)    In unsubdivided land or where a district boundary divides a lot, the location of such boundary, unless the same is indicated by dimensions, shall be determined by the use of the scale appearing on the map.

- (d) In case any further uncertainty exists, the Zoning Hearing Board shall interpret the intent of the map as to location of district boundaries.

Section 304

Statement of Purpose and Intent of the Districts

- (a) RA, Residential District A: The purpose and intent of this district is to retain the character of existing single-family residential areas, to maintain the existing low residential density, to encourage the preservation of permanent open space and natural resources by providing appropriate standards, and to exclude activities incompatible with this type of residential development.
- (b) RB, Residential District B: The purpose and intent of this District is to retain the existing character and to maintain the existing medium residential density areas where single-family homes are permitted, as well as to encourage efficient land development while providing for the preservation of permanent open space and natural resources.
- (c) RC, Residential District C: The purpose and intent of this district is to provide appropriate areas for alternative forms of residential development, including apartment houses and multi-family dwellings, in order to broaden the Borough's housing base and, therefore, serve a greater variety of housing needs, to provide reasonable standards to prevent overcrowding of land, to regulate the density of population, to avoid undue congestion in the streets, to allow for the harmonious development of other uses which are compatible with residential development while protecting the natural resource characteristics of the Borough.
- (d) I, Institutional District: The purpose of this District is to provide areas for development of religious, educational and public service uses that will not conflict with the existing residential character of the community while providing for the preservation of permanent open space and natural resources.

## ARTICLE IV

### USE REGULATIONS

#### Section 400      Applicability of Regulations

Except as provided by law or in this Ordinance, in each district no buildings, structure, or land shall be used or occupied except for the purposes permitted in Section 403 and for the zoning districts so indicated.

#### Section 401      Uses by Right, Special Exception, and Uses Not Permitted

- (a) A use listed in Section 403 is permitted by right in any district denoted by the letter "P", subject to all applicable requirements of this Ordinance and after a zoning permit has been issued in accordance with Section 1002.
- (b) A use listed in Section 403 may be permitted as a Special Exception in any district denoted by the letters "S", provided the Zoning Hearing Board authorized the issuance of a zoning permit by the zoning officer, subject to the requirements of Section 403 and 1105 and such further restrictions that said Board may establish.
- (c) A use listed in Section 403 is not permitted in any district denoted by the letter "N".

#### Section 402      Uses are Subject to Other Regulations

Uses permitted by right or as special exceptions shall be subject, in addition to use regulations, to such regulations of yard, lot size, lot width, building area, easements, provisions for off-street parking and loading, and to such other provisions as are specified in other Articles hereof.

In particular, the laws of the Commonwealth and the regulations of the Bucks County Department of Health regarding water supply and waste disposal shall be followed. Further, no zoning permit shall be issued until approval is obtained from the Bucks County Department of Health for water supply and sewage disposal unless the premises are served by public water and/or public sewer facilities.

Non-conforming temporary buildings or uses incidental to a building development and reasonably required for such development may be granted temporary zoning permits according to Section 403, Use (q).

#### Section 403      Use Regulations

##### (a)      Single-Family Detached Dwelling

Single-family residence on an individual lot with private yards on all four sides of the house.

Parking: Two (2) spaces per dwelling unit.

District			
RA	RB	RC	I
P	P	P	P

(b) Performance Standard Development

A development which permits a variety of housing types subject to a series of performance standards. The performance standard development requires the provision of open space and limits density and impervious surfaces.

District			
RA	RB	RC	I
N	N	P	N

Gross Density *	6.4 du/ac
Net Density	8.5 du/ac
Minimum Open Space ratio	0.25
Maximum Impervious Surface Ratio	0.45
Minimum Site Area	5 acres

**\* DENSITY - WARNING**

Gross density is included for the layman's convenience only. The net density is controlling, see Section 602. The capacity of any site, and number of development certificates is based on net density and differs from site to site, pursuant to the calculations in Section 602.

- (1) Landscaping: Where side or rear lot line of a performance standard development abut a Residential District, an evergreen planting shall be provided along said side or rear lot lines. Maintenance of plant material shall be a continuing obligation of the owner of the property. Rear and side buffer yards shall not be less than thirty (30) feet in width and the requirements of Section 610, Buffer Yards, shall be met.
- (2) All access streets on the lot shall have minimum rights-of-way widths of sixty (60) feet.
- (3) The proposed development shall be served by public water and public sewage disposal facilities, the adequacy of which shall be demonstrated and guaranteed.
- (4) An amount of land shall be set aside as permanent usable open space and must be suitable for use as a park, playground, pedestrian accessway, school, or other similar public purpose, or because of its topography, vegetation, or other natural character be left open with no particular use assigned to it.

(5) Dwelling Unit Mix

Number of DU's in Development	Required No. of DU Types	Maximum % any Type	Minimum % any Type
Less than 60	1	100	20
60 or more	2	60	15

(6) Dimensional Standards

The following housing types are permitted subject to Article V, the above-stated performance standards, and the dimensional requirements as indicated.

<a> Single-family Detached

<1> A single-family residence on an individual lot with private yards on all four sides of the dwelling.

<2> Table of Dimensional Requirements

Lot area minimum		8,000 sq.ft.
Lot area average		10,000 sq.ft.
Maximum building coverage		30%
Minimum yards:	front	35 ft.
	side	10 ft.
	rear	40 ft.
Parking: off-street spaces		2

<b> Single-Family Detached - Lot Line

<1> A single-family residence on an individual lot, the building is set on one of the side property lines; an easement of maintenance on the adjoining lot is part of the requirements for this type of construction. Windows on the lot line side of a dwelling are not permitted.

<2> Table of Dimensional Requirements

Lot area minimum		6,500 sq.ft.
Lot area average		8,000 sq.ft.
Maximum building coverage		30%
Minimum yards:	front	20 ft.
	rear	40 ft.
Minimum lot width at setback		65 ft.
Minimum building spacing		30 ft.
Parking: off-street spaces		2

<c> Duplex

<1> A duplex is a single-family semi-detached dwelling unit having only one dwelling unit from ground to roof and only one wall in common with another dwelling unit.

<2> Table of Dimensional Requirements

	MIN. LOT AREA (sq.ft.)	AVG. LOT AREA (sq.ft.)	OFF-STREET PARKING (spaces/unit)	MIN. LOT WIDTH AT BLDG. SETBACK (ft.)
1 BR	3,200	3,600	1.75	36
2 BR	3,600	4,000	2.00	40
3 BR	4,000	4,500	2.50	40
4 BR	4,200	4,700	3.00	45

General:

Building setback line	30 ft.
Minimum side yard	10 ft.
Maximum height	30 ft.

<d> Multiplex

<1> The multiplex is an attached dwelling. It may be single-family attached or multi-family. In general, all units have independent outside access; but this is not necessary. Units may be arranged in a variety of configurations: side by side, back to back, or vertically.



The essential feature is the small number of units attached. No more than five (5) units shall be attached in any group, and groups shall average four (4) units per structure.

<2> Table of Dimensional Requirements

	MIN. LOT AREA PER DU (sq.ft.)	AVG. LOT AREA PER DU (sq.ft.)	OFF-STREET PARKING SPACES PER DU
Efficiency	800	1,000	1.25
1 BR	1,500	1,700	1.75
2 BR	2,200	2,400	2.00
3 BR	2,500	2,800	2.50
4 BR	2,700	3,000	3.00

General:

Minimum building setback line	street	30 ft.
	parking area	20 ft.
Minimum building spacing		30 ft.
Maximum height		30 ft.

<e> Townhouse

<1> The townhouse is a single-family attached dwelling unit from ground to roof, having individual outside access. Rows of attached townhouses shall not exceed eight dwelling units.

<2> Table of Dimensional Requirements

	MIN. LOT WIDTH (ft.)	MIN. LOT AREA (sq.ft.)	AVG. LOT AREA (sq.ft.)	OFF-STREET PARKING SPACES PER DU
1 BR	18	1,500	1,600	1.75
2 BR	20	1,700	1,800	2.00
3 BR	22	1,900	2,000	2.50
4 BR	24	2,000	2,000	3.00

General:

Minimum building setback	street	30 ft.
	parking area	20 ft.
	pedestrian walk	15 ft.
Minimum building spacings		30 ft.
Maximum height		30 ft.

- <3> An overall structure of attached dwelling units shall not be permitted with one common roof line or with equal front yard setbacks for all dwelling units. Similarly, the appearance of the front of the buildings shall have a distinction between dwelling units by varying the height or width of the unit; or providing different exterior materials on the facade; or changing the roof lines. Setbacks shall vary from one dwelling unit to the next so that each is offset from the adjoining unit by a minimum of two (2) feet.

<f> Apartments

- <1> Apartments are multi-family dwelling units, where individual dwelling units may share a common outside access. They share with other units a common yard area, which is the sum of the required lot areas of all dwelling units within the building. Apartments shall contain three or more dwellings in a single structure. No living unit shall be permitted below the ground level.

<2> Table of Dimensional Requirements

	AVG. APT. AREA (sq.ft.)	MIN. LOT AREA PER DU (sq.ft.)	PARKING SPACES PER DU
Efficiency	500	1,300	1.50
1 BR	855	1,750	1.75
2 BR	950	2,000	1.75
3 BR	1,125	2,250	2.50
4 BR	1,330	2,550	3.00

**General:**

Minimum building setback line	street	50 ft.
	Parking area	30 ft.
Maximum number of units per building	8	
Minimum building spacing	50 ft.	
Maximum height	35 ft. or two and one half (2.5) stories	

**<g> Personal Care Facility**

- <1> Personal Care Facility** is a licensed establishment which contains five (5) or more self-contained units with separate bedroom and bathroom facilities for individuals who are capable of independent living, but who, for personal reasons, do not wish to be burdened with household chores, such as housecleaning, preparation of meals and laundry.

Personal Care Facilities must be licensed by the Commonwealth of Pennsylvania.

Personal Care Units shall contain no kitchen or laundry facilities. Residents must eat their meals in a common dining room. All washing machines and laundry Facilities must be located in a central area and not within the Personal Care Unit.

Personal Care Units are modified dwelling units and therefore, unless specifically indicated otherwise, a reference within the Zoning Ordinance to dwelling unit shall, when considering a Personal Care Facility, be construed to be a reference to a Personal Care Unit ("PCU").

**<2> Modification of Performance Standards for Personal Care Facilities.**

- [i] Gross Density** - The Lesser of 24 PCUs/Ac. or 30 residents/Ac.
- [ii] Net Density** - The lesser of 32 PCUs/Ac. or 40 residents/Ac.

[iii] All access streets on the lot shall have minimum rights of way set forth in the Zoning Ordinance unless said access streets are not "thru" streets. If the lot fronts on a street which is not a "thru" street, then said street shall have minimum rights of way width of 50 feet.

[iv] No Personal Care Facility shall contain less than sixty (60) PCUs or more than one hundred eighty (180) PCUs.

<3> Table of Dimensional Requirements.

	Average PCU Area (Square ft.)	Minimum Lot Area per PCU (Square ft.)	Parking Spaces Per PCU Resident
Semi-Private Room and Shared Bath	275-300	1,300	0.5 parking spaces for each resident of Personal Care Facility.
Private Room and Shared Bath Unit (two bedrooms)	400-425	1,300	0.5 parking spaces for each resident of Personal Care Facility.
Private Room and Bath Unit	225-250	1,300	0.5 parking spaces for each resident of Personal Care Facility.

No on-street parking shall be permitted on the access streets and adjoining streets to the Personal Care Facility and all parking spaces required hereunder shall be located on the lot on which the Personal Care Facility is located.

### General Dimensional Requirements:

Minimum Building Setback from Street Line	50 feet
Minimum Lot Width	100 feet
Minimum Setbacks	
Front Yard	50 feet
Side Yard	30 feet
Rear Yard	40 feet
Maximum Height Requirement	40 feet

Personal Care Facilities shall be limited to one (1) story and the forty (40') foot maximum height limitation shall apply to all architectural design embellishments, including, but not limited to, cupolas, bell towers, weather vanes, and spires.

#### <4> Support Facilities

Personal Care Facility may contain retail facilities for use of residents and their guests, but not the general public. No outside advertising shall be permitted. Retail facilities may not occupy more than one-tenth (0.1%) percent of the total floor area of Personal Care Facility.

Retail facilities located within a Personal Care Facility shall be limited to the following uses:

barber shop	newsstand
beauty parlor	gift shop
pharmacy (adjunct to the personal-care facility)	snack bar/coffee shop
commissary	thrift shop
	handicraft shop

<5> Personal Care Facility must, due to the dependence of the elderly on alternative means of transportation and the need for acquiring access to primary services, be located within a quarter (1/4) of a mile of the following services:

post office  
drug store  
regional shopping center  
grocery store  
dry cleaner  
restaurant  
beauty parlor

barber shop  
house of worship  
public transportation  
movie house  
bank  
library

unless the developer of the Personal Care Facility submits to and obtains the approval of Borough Council of a transportation plan which shall outline the transportation services that the residents of the Personal Care Facility shall be provided by the owner or manager to provide access to the within referenced services at reasonable time intervals. Approval of the transportation plan by Borough Council and implementation of that plan shall be a condition for approval of a Personal Care Facility. Transportation plan of a Personal Care Facility shall not after approval by Borough Council be thereafter changed or modified without approval of Borough Council.

#### <h> Other Dwelling Types

Periodically new dwelling types evolve which were not anticipated at the time of the adoption of this zoning Ordinance. These may be appropriate under the performance standard development which is intended to accommodate a variety of dwelling types. It is the intent of this Ordinance that uses be permitted under the performance standard development, subsequent to the following procedure:

- <1> The landowner or developer shall submit his request to the governing body and planning commission with illustrations and explanatory information which fully describes the dwelling type and how it substantially differs from permitted types of residential uses. The submission shall include a market study which indicates the demand for the dwelling type in that municipality.

<2> The Planning Commission, upon receiving an opinion from the Bucks County Planning Commission, will determine if the dwelling type in question falls within any of the permitted use classifications under the existing provisions of this Ordinance, or is a variation of a permitted use. If it is not specifically set forth or is not simply a variation of a permitted type, the Planning Commission, in cooperation and consultation with the Bucks County Planning Commission, shall determine if said proposed housing type is a legitimate housing type rather than an exotic style and, if so, shall develop specific dimensional and other requirements for the new housing type and forward their recommendations to the governing body.

<3> The governing body, upon receiving the opinion from the Planning Commission, may incorporate the new dwelling type and standards in this Ordinance under the Performance Standard Development.

(c) Residential Conversion

Conversion of an existing dwelling to a greater number of dwelling units, subject to the following provisions:

District			
RA	RB	RC	I
SE	SE	SE	SE

(1) Table of Dimensional Requirements

	MINIMUM UNIT SIZE (sq.ft.)	MINIMUM LOT AREA PER DU (sq.ft.)	PARKING SPACES PER DU
Efficiency	300	4,500	1.50
1 BR	400	6,000	1.75
2 BR	500	7,500	2.50
3 BR	600	9,000	2.50
4 BR	700	11,500	3.00

(2) Stairways leading to the second or any higher floor shall be located within the walls of the building wherever practical, and stairways and fire escapes shall otherwise be located on the rear wall in preference to either side wall and in no case on a front wall or side wall facing a street.

(3) Except as may be necessary for purposes of safety in accordance with the preceding paragraph, there shall be no major structural change in the exterior of the building in connection with the conversion, and after conversion the building

shall retain substantially the same structural appearance it had before such conversion.

- (4) All but two (2) of the required parking spaces must be located behind the front yard setback line(s) on the property.
- (5) Only the principal dwelling on a lot is eligible for Residential Conversion by Special Exception. Garages, carriage houses and accessory buildings shall not be eligible for Residential Conversion.

(d) Religious Use

Including churches, synagogues, religious foundations or societies plus associated convents, parish houses and other housing for religious personnel, subject to the following provisions:

District			
RA	RB	RC	I
SE	SE	SE	P

- (1) Minimum lot size shall not be less than one (1) acre.
- (2) Maximum height restrictions shall not apply to church or synagogue buildings.

Parking: one (1) space per five (5) seats, or at least one (1) space for every three hundred (300) square feet of floor area intended to be used by patrons, guests, members, parishioners, clients, or customers, whichever requires the greater number of off-street parking spaces, plus one (1) space per two (2) employees on the premises at any one time.

(e) School - Non-Profit

Including religious and non-sectarian, denominational, private or public school, not conducted as a private gainful business, subject to the following provisions:

District			
RA	RB	RC	I
N	N	N	P

- (1) Minimum lot size shall not be less than two (2) acres.

Parking:

- <a> Kindergarten, Elementary School, Junior High School: one (1) off-street parking space for each faculty member and employee plus one (1) space per two (2) classrooms and offices.
- <b> Senior High School: one (1) off-street parking space per faculty member and employee plus one (1) space per ten (10) students of projected building capacity.
- <c> In schools when fixed seats are not provided, one (1) space for every three hundred (300) square feet of floor area intended to be used by student,



patrons, guests, members, clients, or customers plus one (1) space per two (2) employees on the premises at any one time.

(f) School - Profitable

Conducted as a private gainful business, subject to the provisions of use (e).

District			
RA	RB	RC	I
N	N	N	P

(g) Cultural Facility

Including art galleries, libraries or museums, open to the public or connected with a permitted educational use, and not conducted as a private gainful business.

District			
RA	RB	RC	I
N	N	N	P

Parking: Refer to Use (d).

(h) Auditorium, community center, adult education center, or other similar facility operated by an educational, philanthropic, or religious institution, subject to the following provisions:

District			
RA	RB	RC	I
N	N	N	P

(1) The use shall not be conducted as a private gainful business,

(2) No outdoor recreation area shall be located nearer to any lot line than the required front yard depth.

Parking: Refer to Use (d).

(i) Day nursery, nursery school, kindergarten, or other agency operated as an enterprise giving day care to more than three (3) children who are not related to the operator of the agency. Such agencies must provide outdoor play areas which shall be sufficiently screened and sound-insulated so as to protect the neighborhood from inappropriate noise and other disturbances and satisfy all other requirements of the Pennsylvania Department of Public Welfare.

District			
RA	RB	RC	I
SE	SE	SE	SE

(1) When this use is operated in a residential district, the minimum lot area shall be 10,000 square feet per five children. For each additional five children or portion thereof, an additional 10,000 sq.ft. shall be required.

(2) Outdoor play areas shall be 30 feet from adjacent residential uses and the buffer yard requirements of Section 610 shall be met.

**Parking:** At least one (1) off-street parking space for each teacher, administrator, and maintenance employee.

- (j) Recreational facility or park owned or operated by the Borough or other governmental agency.

**Parking:** one (1) off-street parking space for each five (5) persons of total capacity.

District			
RA	RB	RC	I
P	P	P	P

- (k) Recreational facility owned or operated by a non-governmental agency, subject to the following additional provisions:

- (1) The use shall not be conducted as a private gainful business.

District			
RA	RB	RC	I
N	N	P	P

- (2) No outdoor active recreation area shall be located nearer to any lot line than the required front yard,
- (3) Outdoor play areas shall be sufficiently screened to protect the neighborhood from inappropriate noise and other disturbance.

**Parking:** One (1) off-street parking space for each five (5) persons of total capacity, or at least one (1) off-street parking space for each fifty (50) square feet of gross floor area used or intended to be used for service to customers, patrons, clients, guests, or members, whichever requires the greater number of off-street parking spaces, plus one (1) additional space for each employee.

- (l) Nursing Home

A nursing home, also commonly known as a convalescent home, is a licensed establishment which provides full-time convalescent or chronic care, or both, for three or more individuals who are not related by blood or marriage to the operator and who, by reason of chronic illness or infirmity, are unable to care for themselves. Related medical services other than surgical or obstetrical services may be provided in such a home. Provided:

District			
RA	RB	RC	I
N	N	P	P

- (1) A lot area of not less than two (2) acres is provided.
- (2) No more than one-hundred (100) patients shall be accommodated at any one time.
- (3) Landscaping and planting, including evergreens, shall be provided and maintained and the requirements of Section 610, Buffer Yards, shall be met.

**Parking:** One and one-half (1 1/2) off-street parking spaces for each patient or inmate bed, not including cribs and bassinets; plus at least one (1) additional off-street parking space for each staff and visiting doctor; plus one (1) additional space for each employee (including nurses) on the two major shifts.

- (m) Utility supplies, including water works and storage, electric substations plus necessary rights-of-way and transmission lines, provided;

District			
RA	RB	RC	I
SE	SE	SE	SE

- (1) A seventy-five (75) foot buffer yard shall be provided along all property lines.
- (2) In no district shall any storage yard or storage building be operated in connection with such use, unless such storage facility is essential to service customers in the district in which it is located.
- (3) All transmission lines shall be underground.

**Parking:** Two (2) off-street parking spaces at each terminal or substation, plus one (1) space for each full-time employee.

- (n) Home Occupation: Customary home occupation for gain. A home occupation shall:

District			
RA	RB	RC	I
P	P	P	P

- (1) Conform to the following regulations:

- <a> The home occupation shall be carried on wholly indoors and within a building or other structure accessory thereto.
- <b> There shall be no use of show windows or display or advertising visible outside the premises to attract customers or clients other than home occupation announcement sign as permitted.
- <c> There shall be no exterior storage of materials and machinery.
- <d> No external alterations, additions, or changes to the structure shall be permitted in order to accommodate or facilitate a home occupation.
- <e> No articles shall be sold or offered for sale except such as may be produced on the premises.
- <f> Servicing by commercial vehicle for supplies and materials shall not be permitted.
- <g> The home occupation shall be carried on only by members of the immediate family residing in the dwelling plus one additional employee.
- <h> The floor area devoted to a home occupation shall not be more than twenty-five (25) percent of the ground floor area of the principal residential structure or two hundred (200) square feet, whichever is less.

- (2) Include, but not be limited to the following: art studio, teaching of not more than four (4) pupils simultaneously, clergyman, seamstress, hand-crafts or other like activity.
- (3) Not including the following: animal hospital, barber shops and beauty parlors; commercial stables and kennels; funeral parlors or undertaking establishments; antique shop; tourist home; restaurants and rooming, boarding or lodging house.

Parking: one (1) off-street parking space in addition to spaces otherwise required.

- (o) Accessory Office: Accessory office of physician, lawyer, realtor, teacher of more than 4 pupils at any one time, or other profession of like character providing that:

District			
RA	RB	RC	I
SE	SE	SE	SE

- (1) The area devoted to the permitted professional use shall be located within either practitioner's dwelling or a building accessory thereto.
- (2) The floor area devoted to such professional use shall be equivalent to not more than twenty-five (25) percent of the ground area covered by the practitioner's dwelling, excluding the ground area covered by an attached garage or such other similar building.
- (3) Not more than two (2) employees, assistants or associates, in addition to the resident practitioner, shall be employed on the premises.
- (4) No external alterations shall be made which involves construction features not customary in dwellings.
- (5) No signs shall be permitted except an accessory use sign in accordance with the provisions of Article VII.

Parking: Three (3) off-street parking spaces in addition to spaces otherwise required.

- (p) Residential Accessory building or structure or use, including but not limited to:

District			
RA	RB	RC	I
P	P	P	P

- (1) Parking spaces for the parking of passenger automobiles; but excluding the parking of commercial vehicles other than those vehicles not exceeding three-quarter ton loading capacity needed for travel to and from work by residents of the principal building, provided they are completely enclosed within a building. This use also excludes repairs, sale of gas and other commercial uses.

- (2) Structures such as fences and walls.
- (3) Buildings such as storage sheds, bath houses and private greenhouses.
- (4) Private swimming pool wherever constructed as a stationary or permanent structure or wherever temporarily erected for use.
- (5) The keeping of one roomer, boarder or lodger as an accessory use to any dwelling unit, if such roomer, boarder or lodger is within the principal residential building.

- (q) Temporary Structure or Use: A temporary permit may be issued by the Zoning Officer for structures or uses necessary during construction or other special circumstances of a non-recurring nature, subject to the following additional provisions:

District			
RA	RB	RC	I
P	P	P	P

- (1) The life or such permit shall not exceed six (6) months, renewable at three (3) month intervals.
- (2) Such structure or use shall be removed completely upon expiration of the permit without cost to the Borough.

- (r) Travel Trailer; Boats, RV's, Motorhomes; storage of, subject to the following provisions:

District			
RA	RB	RC	I
P	P	P	P

- (1) In all districts, no more than one trailer, boat, rv, motorhome shall be stored on a lot.
- (2) Such trailer, boat, rv, motorhome shall be owned by the occupant of the lot upon which the trailer is stored.
- (3) Such trailer, boat, rv, motorhome must be unoccupied.
- (4) No part of the street right-of-way, no sidewalks nor other areas intended or designed for pedestrian use, no required parking areas, and no part of the required front yard shall be occupied by trailer, boat, rv, motorhome.
- (5) Trailer, boat, rv, motorhome shall occupy an area of less than one-half the existing building coverage.
- (6) Trailer, boat, rv, motorhome areas shall be shielded from view from the public streets.

- (s) Off-street parking, subject to the provisions and requirements of Article VIII.

District			
RA	RB	RC	I
P	P	P	P

- (t) Signs, subject to the provisions and requirements of Article VII.

District			
RA	RB	RC	I
P	P	P	P

USE	District			
	RA	RB	RC	I
(a) Single Family Detached	P	P	P	P
(b) Performance Standard Development	N	N	P	N
(c) Residential Conversion	SE	SE	SE	SE
(d) Religious Use	SE	SE	SE	P
(e) School - non-profit	N	N	N	P
(f) School - Profitable	N	N	N	P
(g) Cultural Facility	N	N	N	P
(h) Auditorium	N	N	N	P
(i) Day Nursery	SE	SE	SE	SE
(j) Recreational Facility - Public	P	P	P	P
(k) Recreational Facility - Private	N	N	P	P
(l) Nursing Home	N	N	P	P
(m) Utility Supplies	SE	SE	SE	SE
(n) Home Occupation	P	P	P	P
(o) Accessory Office	SE	SE	SE	SE
(p) Residential Accessory	P	P	P	P
(q) Temporary Structure	P	P	P	P
(r) Travel Trailer, Boat, RV, Motorhome	P	P	P	P
(s) Off-Street Parking	P	P	P	P
(t) Signs	P	P	P	P

## ARTICLE V

### DIMENSIONAL REQUIREMENTS

#### Section 501 District Regulations

The regulations for each district pertaining to minimum site area, minimum lot area, minimum lot width, minimum front yard, minimum side yard, minimum rear yard, maximum height, and maximum building coverage shall be as specified in this Article, unless specifically stated for a particular use in the "Use Regulations" in Article IV.

#### PART A. Lot Area and Lot Width Regulations

#### Section 502 Lot Area

- (a) Where a minimum lot area is specified, no principal building nor use shall be created or established on any lot of lesser area.
- (b) The lot area and yards required for any new building or use shall not include any part of a lot that is required by any other building or use to comply with the requirements of this Ordinance. No required lot area and yard shall include any property, the ownership of which has been transferred subsequent to the effective date of this Ordinance if such property was a part of the area required for compliance with the dimensional requirements applicable to the lot from which such transfer was made.
- (c) Lot coverage shall not exceed the requirements for impervious surface ratio specified in Section 603 for the district involved.

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#### Section 503 Minimum Lot Width

Where a minimum lot width is specified, no principal building shall be erected on any part of a lot which has a width less than specified, except as may be permitted by Section 504.

#### Section 504 Exceptions to Minimum Lot Areas and Lot Widths

- (a) The provisions of Section 603 shall not prevent the construction of a single family dwelling, provided the yard requirements are observed, on any lot which was lawful when created and which prior to the effective date of this Ordinance was in separate ownership duly recorded by plan or deed.
- (b) This exception shall not apply to any two or more contiguous lots in a single ownership as of or subsequent to the effective date of this Ordinance in any case where a reparcelling or replatting could create one or more lots which would conform to the provisions of Section 603.



## PART B. Front Yard Regulations

### Section 505 Front Yard Regulations

Where a minimum depth of front yard is specified in Section 603, an open space of at least the specified depth shall be provided between the center of the legal right-of-way, or the future right-of-way, wherever the latter exceeds the legal right-of-way, and the nearest point of any building or structure. Only landscaped areas, signs, and necessary drives and walks shall be permitted in the required front yard.

### Section 506 Projections into Front Yards

Ground story bays and covered porches not over half the length of the front wall may project into any front yard three and one-half (3 1/2) feet. Chimneys, flues, columns, sills, and ornamental features may project not more than 3 1/2 feet, and cornices and gutters not more than 3 1/2 feet, into a required front yard.

### Section 507 Fences and Terraces in Front Yards

Subject to Section 519, the provisions of Section 603 shall not apply to hedges, to terraces, steps, uncovered porches, or other similar features not over three (3) feet high above the level of the floor of the ground story. Fences are covered in a separate Borough Ordinance, Section 42 of the Codified Ordinances of Langhorne Manor, Ordinance 84-1 adopted 2/7/84.

### Section 508 Exception to Required Front Yard for Certain Accessory Uses

Subject to the provisions of Article IV, Section 519, and Section 702(e), the front yard requirements of Section 603 shall not apply to off-street parking spaces in all districts. Accessory garages and structures shall comply with front, side and rear yard requirements of Section 603.

### Section 509 Front Yard Reduction

Where there is an existing building on each of two (2) 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 Ordinance, and when both such existing buildings are within one hundred (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.

### Section 510 Front and Side Yards of Corner Lots

On a corner lot, the yard facing each street shall meet the front yard requirements for lots facing that street.

## PART C. Side Yard Regulations

### **Section 511**      Side Yard Requirements

Where a minimum width of side yard is specified in Section 603, no building or structure shall be erected within the specified distance from either side lot line, except as permitted in Section 512 provided, however, that utility sheds may be erected or installed therein to within three (3) feet of the side lot line, if the utility shed is situated within the area of the required rear yard of the property.

### **Section 512**      Projections into Side Yards

Bays, balconies, chimneys, flues and fire escapes may project into a required side yard not more than one-third ( $1/3$ ) of its width, and not more than four (4) feet in any case. Ground story bays and porches not over half the length of the side wall may project into any side yard three and one-half ( $3 \frac{1}{2}$ ) feet.

### **Section 513**      Fences and Terraces in Side Yards

Subject to Section 519, the provisions of Section 603 shall not apply to fences, hedges, or walls not over seven (7) feet high above the natural grade, nor to terraces, steps, uncovered porches, or other similar features not over three (3) feet high above the floor of the ground story.

## PART D. Rear Yard Regulations

### **Section 514**      Rear Yard Requirements

No building or structure shall be built within the minimum depth from the rear lot line specified in Section 603; provided, however, that utility sheds may be erected or installed therein to within three (3) feet of the rear lot line.

### **Section 515**      Projections into Rear Yards

Ground story bays and porches not over the length of the rear wall may project into any rear yard four (4) feet. Bays, balconies, chimneys, flues and fire escapes may project into a required rear yard not more than one-third ( $1/3$ ) of its width, and not more than four (4) feet in any case.

### **Section 516**      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 the corner of the lot furthest from the lot line shall be at least twice the minimum depth for side yards specified in Section 603.

## PART E. Height Regulations

### Section 517      Maximum Height of Buildings

- (a) No building shall exceed the maximum height of buildings specified in Section 603, except that accessory buildings or garages shall not exceed fifteen (15) feet in height.
- (b) Height shall be measured from the mean elevation of the proposed finished grade along the front 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.

## PART F. Lot Coverage

### Section 518      Lot Coverage

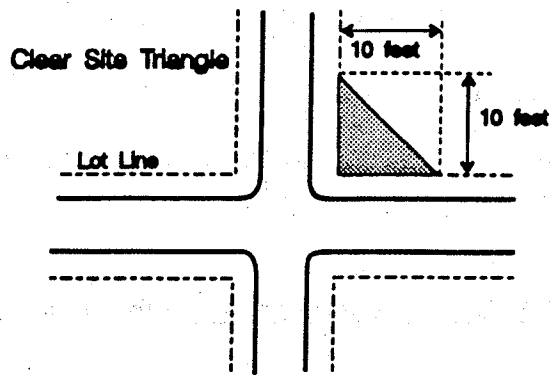
The lot coverage is the maximum percent of the total land area which may be covered by the ground floor area of any building or buildings and other impervious surface.

For any building or group of buildings on a lot, the lot coverage shall not exceed the maximum impervious surface ratio specified in Section 603,

## PART G. Other Requirements

### Section 519      Traffic Visibility Across Corners

- (a) In any district, no structure, fence nor planting shall be maintained between a plane two (2) feet above curb level and a plane seven (7) feet above curb level so as to interfere with traffic visibility across the corner within that part of the required front or side yard which is within a triangle bounded by the street lot line and a straight line drawn between points on each lot ten (10) feet from the intersection of said lot lines or extension thereof.
- (b) At each point where a private accessway intersects a public street or road, a clear-sight triangle of ten (10) feet measured from the point of intersection of the street line and the edge of the accessway shall be maintained, within which vegetation and other visual obstructions shall be limited to a plane not more than two (2) feet above curb level or a plane greater than seven (7) feet above curb level.



## Section 520

### Spacing of Non-Residential Buildings on the Same Lot

Where two (2) or more buildings for other than residential uses are proposed to be built upon property in one ownership and deed, front, side and rear yards are required only at lot lines abutting other property.

## ARTICLE VI

### PERFORMANCE STANDARDS

#### Section 600

#### Compliance

All uses and activities listed in Section 403 established after the effective date of this Ordinance shall comply with the following standards.

#### PART A. Environmental Performance Standards

#### Section 601

#### Environmental Performance Standards

The developer shall determine the presence of environmental or natural features on the site and shall meet the following standards of environmental protection. Site alterations, regrading, filling, or clearing of vegetation prior to submission of the plans for development shall be a violation of this Ordinance.

##### (a) Floodplain and Alluvial Soils Regulations

No improvements other than those permitted herein shall hereafter be permitted in the area designated as Floodplain or Alluvial Soil as defined in this Ordinance.

Premises in the floodplain may be used for the purposes specified for the particular zoning district in which they are located, subject to all pertinent regulations of this Zoning Ordinance and to the following additional restrictions:

- (1) Buildings: No new building or structure or any portion thereof shall be erected within the floodplain, unless permitted as a special exception by the Zoning Hearing Board.
- (2) Building Elevation:
  - <a> No building or any portion thereof shall be erected, unless the finished surface of the ground is higher than, or is raised by filling to, an elevation of at least one foot above the elevation of the floodplain as herein defined, except as provided in subsection (6) below.
  - <b> No first floor, basement floor or cellar floor of any building shall be constructed at an elevation of less than one foot above the elevation of the outer limits of the floodplain as herein defined.
- (3) Structure Anchoring: Any structure placed in the floodplain shall be anchored firmly to prevent flood waters from carrying it downstream. Such anchoring shall be sufficient to withstand a flood velocity of six (6) feet per second. The Zoning Officer shall require the applicant to submit the written opinion of a registered engineer that the proposed structural design meets this standard.

- (4) **Structural Effect:** Structures, constructed or placed upon a lot shall offer the minimum obstruction to the flow of water and shall be designed to have the minimum effect upon the flow and height of flowing water. The Zoning Officer shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets this standard.
- (5) **Obstruction of Flow:** No structure or other matter shall be placed or permitted in the floodplain which may impede, retard or change the direction of the flow of water or that will catch or collect debris carried by such water or that is placed where an actual flow of the stream or flood waters may carry the same downstream to the damage or detriment of either public or private property adjacent to the floodplain.
- (6) **Private Sewage Disposal Systems:** No part of any private sewage disposal system shall be constructed within the floodplain as herein defined.
- (7) **Storage of Materials:** No materials that can float, that are explosive, or that are toxic to humans, animals or vegetation shall be stored in the floodplain.
- (8) **Alteration or Extension:** No building within the floodplain at the time of enactment of this Ordinance may be altered or extended, except upon grant of a special exception by the Zoning Hearing Board and provided that:
- <a> The alteration or extension conforms with all applicable regulations of this Ordinance.
  - <b> Any increase in volume or area shall not exceed an aggregate of more than twenty five (25) percent of such volume or area during the life of the structure.
  - <c> No increase of any on-lot sewer system now located either wholly or partially in the floodplain shall be permitted.
- (9) **Installation of Fill Materials:** Fill may be placed within the floodplain only when allowed as a Special exception by the Zoning Hearing Board. An application for a special exception shall be accompanied by detailed plans, showing existing and proposed conditions. If a structure is to be placed on the fill, the plans shall show the structure as well. In considering the application for a special exception, the Zoning Hearing Board shall determine whether the proposed fill meets the general standards for special exceptions set forth in this Ordinance and the following additional standards:
- <a> Fill shall consist of soil or rock materials only; sanitary landfills shall not be permitted in the floodplain.
  - <b> The cross-sectional area of the floodplain shall not be reduced by more than three (3) percent on either side of the centerline of the watercourse.

<c> The Zoning Hearing Board shall require written evidence of approval of the proposed fill by the Bureau of Dams and Waterways, and the Bucks County Conservancy.

- (10) Roads Standards: No road may cross the floodplain or alluvial areas unless design approval is obtained from the Pennsylvania Department of Environmental Resources.
- (11) Approval by Zoning Enforcement Officer: All buildings and structures within the floodplain shall comply with the specifications and requirements as set forth in this Ordinance and prior to granting a permit the Zoning Officer shall require the applicant to submit the written opinion of a registered professional engineer that the proposed structural design meets all the standards and requirements of this Ordinance.
- (12) Municipal Liability: The grant of a Zoning Permit or approval of a Subdivision Plan in the floodplain shall not constitute a representation, guarantee or warranty of any kind by the Borough or any official or board thereof of the feasibility, suitability or safety of the proposed use and such act or action by the Borough shall not create liability upon the municipalities, its officials or boards or commissions.

(b) Open Waterways

No open waterways shall be developed or filled without the approval of the Pennsylvania Department of Environmental Resources.

(c) Steep Slopes

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

- (1) 8-15%: no more than 40% of such areas shall be developed and/or regraded or stripped of vegetation.
- (2) 15-25%: no more than 30% of such areas shall be developed and/or regraded or stripped of vegetation.
- (3) 25% or more: no more than 15% of such areas shall be developed and/or regraded or stripped of vegetation.

(d) Forest

No more than 40% of any forest (as defined in Section 224) may be cleared or developed. The remaining 60% shall be maintained as permanent open space. In addition, any individual trees greater than 22 inches caliper may not be removed in a land development proposal. This does not include the removal of sick or dead trees.

(e) **Lakes, Ponds and Wetlands**

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

(f) **Pond and Lake Shorelines**

The shorelines of all ponds and lakes shall, to a depth of 100 feet from the shorelines, contain no more than ten (10) percent impervious surfaces. At least eighty (80) percent shall be permanent open space.

(g) **Storm Water**

All developments shall limit the rate of storm water run-off so that no more run-off is generated than that of the site in its natural condition. Where farm field or disturbed earth is the existing condition, meadow shall be used as the starting base for such calculations instead of the actual condition. All run-off calculations shall be based on 100-year, 24-hour storms. The method for such calculations shall be that contained in United States Department of Agriculture, Soil Conservation "Engineering Field Manual Notice - 4" of April 30, 1971, as amended.

(h) **Soil Erosion and Sedimentation**

All developments shall protect streams, lakes and ponds from sedimentation damage and control erosion in accordance with the "Clean Streams Law, P.L. 1987, Chapter 102;" except that in addition all developments shall submit a plan as part of the preliminary land development plan, even where they are less than 25 acres in extent.



**PART B. Site Design and Intensity Performance Standards**

**Section 602**

**Site Capacity Calculation**

Each site is unique; it has physical features which are rarely duplicated precisely on another site. Portions of some sites may not be usable, and a minimum amount of buildable land should be retained for recreation. The purpose of this section is to determine the appropriate intensity of use to which a specific tract may be put. For the performance standard developments, the following calculation shall be submitted by the developer:

- (a) **BASE SITE AREA:** Certain portions of tracts may not be usable for the activities proposed for the site: these shall therefore be subtracted from the site area to determine **BASE SITE AREA.**

(1)	Site Area as determined by actual on-site survey. [Acres]		Ac.
(2)	Subtract land within ultimate right-of-way of existing roads, or utility rights-of-way or easements. [Acres]	-	Ac.
(3)	Subtract land which is not contiguous; i.e.,	-	Ac.
	<a> a separate parcel which does not abut or adjoin, nor share common boundaries with, the rest of the development; [Acres] and/or		
	<b> land which is cut off from the main parcel by a road, railroad, existing land uses, or major stream so as to serve as a major barrier to common use, or so that it is isolated and unavailable for building purposes. [Acres]		
(4)	Subtract land which in a previously approved subdivision was reserved for resource reasons such as flooding, or for recreation. [Acres]	-	Ac.
(5)	Subtract land used or zoned for another use. [Acres]	-	Ac.
BASE SITE AREA [Acres]		=	Ac.

- (b) **RESOURCE PROTECTION LAND:** All land within the base site area shall be mapped and measured for the purpose of determining the amount of open space needed to protect it.

Resource	Open Space Ratio	Acres of Land in Resource	Acres Resource Protection Land (Acres x Open Space Ratio)
Floodplains	1.00		
Alluvial Soils	1.00		
Lakes or Ponds	1.00		
Wetlands	1.00		
Steep Slope (25% or more)	0.85		
Forest	0.60		
Pond Shore	0.80		
Lake Shore	0.70		
Steep Slope (15-25%)	0.70		
Steep Slope (8-15%)	0.60		
TOTAL LAND WITH RESOURCE RESTRICTIONS			
TOTAL RESOURCE PROTECTION LAND			

- (c) **RECREATION LAND:** While some of the open space required by the zoning district may be resource protection land, the intent is to provide for usable public or common open space as near to each unit as possible. Thus, there is a need for specific guidelines insuring that a minimum amount of land not restricted by 1 or 2 above is retained for this purpose. Therefore, take:

	BASE SITE AREA	
subtract	TOTAL LAND WITH RESOURCE RESTRICTIONS	-
equals	Total Unrestricted Land	=
multiply	Total Unrestricted Land by	x 0.10
equals	TOTAL RECREATION LAND	=

- (d) **DETERMINATION OF SITE CAPACITY:** Individual site capacity is found by calculating net buildable site area. In the performance development, the number of allowable dwelling units is determined by multiplying the density by net buildable site area. The calculations are as follows:

Single-family Cluster or Performance Development		
take	RESOURCE PROTECTION LAND	_____ Ac.
add	RECREATION LAND	+ _____ Ac.
equals	TOTAL OPEN SPACE	= _____ Ac.
take	BASE SITE AREA	_____ Ac.
multiply by	Open Space Ratio	x 0.25
equals	MINIMUM REQUIRED OPEN SPACE	= _____ Ac.
take	BASE SITE AREA	_____ Ac.
subtract	TOTAL OPEN SPACE or MINIMUM REQUIRED OPEN SPACE, whichever is greater	- _____ Ac.
equals	NET BUILDABLE SITE AREA	= _____ Ac.
multiply by	Net Density	x 8.5
equals	Number of Dwelling Units	= _____ DU's

Section 603 Table of Performance Standards

The standards in this table shall apply to each district. All standards must be met. These standards may be less strict than other performance standards in this Article; the strictest standard shall always govern. The minimum lot area column refers to the minimum lot size for single-family dwellings or non-residential uses.

District	Minimum Lot Area (sq.ft.)	Minimum Yard Requirements <sup>1</sup>				Min. Lot Width <sup>1</sup> (ft.)	Maximum Building Height <sup>1</sup> (ft.)	Maximum Impervious Surface Ratio
		Front <sup>3</sup> (ft.)	Rear (ft.)	Single Side (ft.)	Aggregate Side (ft.)			
Residential A								
Single-Family Detached	22,000	75	30	20	45	135	35	0.20
Other Permitted Uses	22,000	75	30	20	45	135	35	0.35
Residential B								
Single-Family Detached	15,000	75	30	15	35	120	35	0.25
Other Permitted Uses	15,000	75	30	15	35	125	35	0.35
Residential C								
Single-Family Detached	22,000	75	30	15	35	120	35	0.20
Performance Standard Development <sup>2</sup>	--	--	--	--	--	--	--	0.35
Other Permitted Uses	20,000	75	30	15	35	120	35	0.35
Institutional								
Single-Family Detached	30,000	75	30	15	35	120	35	0.20
Other Permitted Uses	20,000	75	30	15	35	120	35	0.35

(See footnotes on following page)

## Footnotes

- (1) Unless a particular requirement for the Use is permitted in Section 403, Use Regulations.
- (2) Refer to Section 403(b) for requirements.
- (3) Special Setback Line or Front Yard Requirements along existing streets. The setback line for each street in the Borough is listed below. For corner lots, the setback requirement for the long side of a corner lot may be reduced by twenty (20) percent of the basic requirements.
  - a. The setback line on Comly, North, Elm, Prospect, Highland, Lincoln Highway Parallel, Bellevue, Station, and Hill Avenues is ninety (90) feet.
  - b. The setback line on Central and Gillam Avenues from the eastern Borough limits to Hulmeville Avenue is ninety (90) feet.
  - c. The setback line on Hulmeville Avenue from the southern Borough limits to Fairview Avenue is ninety (90) feet. On the east side of Hulmeville Avenue from Fairview Avenue to Highland Avenue the setback line is ninety (90) feet and from Highland Avenue to a point the distance of one hundred twenty-one and two-tenths (121.2) feet north of the intersection of Hulmeville and Gillam Avenues the setback line is seventy-five (75) feet and from the aforementioned point located one hundred twenty-one and two tenths (121.2) feet north of the intersection of Hulmeville and Gillam Avenues to the northern Borough limits the setback line is sixty (60) feet.
  - d. On the west side of Hulmeville Avenue from Fairview Avenue to the northern Borough limits the setback line is sixty (60) feet.
  - e. The setback line on Manor, Park, Fairview, and Langhorne Avenues west of the intersection of these avenues and Pine Street is ninety (90) feet.
  - f. The setback line on Manor, Park, Fairview, and Langhorne Avenues east of the intersection of these avenues and Pine Street is seventy-five (75) feet.
  - g. The setback line on Pine Street is seventy-five (75) feet.

Note: The term setback line means the minimum distance from the center of the street to that part of any building, excluding steps, nearest the center of the right-of-way.

## Section 604

### Traffic and Utility Capacity Determinants

The developer shall undertake and submit with the Site Capacity Calculations as required in the previous section an analysis of the impact the proposed development will have on the road and utility systems of the Borough. The analysis shall address, but not be limited to, the following:

- (a) Traffic generation including an analysis of the capacity of streets based on standards established by the Pennsylvania Department of Transportation;

- (b) Access to and distance from arterial or major collector roads for multi-family developments;
- (c) Proposed or recommended on- and off-site road improvements;
- (d) Access to mass transportation;
- (e) Internal collector system;
- (f) Sewer and water availability including available capacity and provisions for fire protection;
- (g) Indication of projected destinations of trips, and total trip generation based on the following rates:

Single-family Units	8.7 trips/DU
Multi-family Units	6.7 trips/DU

Capacities for arterial and collector roads shall be considered to be PennDOT level C. All hazardous or congested areas, existing or to be created, shall be identified. Recommended improvements and their costs shall be listed.

### PART C. Open Space Standards

#### Section 605                      General Open Space

Performance standard developments, single-family cluster developments, and other uses with open space requirements shall meet the open space standards of the Zoning Ordinance. The plan shall contain or be supplemented by such material as required to establish the method by which open space shall be perpetuated, maintained, and administered. The plan and other materials shall be construed as a contract between the land owner(s) and the municipality, and shall be noted on all deeds.

#### Section 606                      Layout of Open Space

The open space shall be laid out in accordance with the best principles of site design. It is intended that the open space shall be as close to all residences as possible, with green ways leading to major recreation spaces. Major recreation areas shall be located to serve all residents. The open space is most needed in areas of highest density.

#### Section 607                      Open Space Designation

All land held for open space shall be so designated on the plans. The plans shall contain the following statement: "Open space land may not be separately sold, nor shall such land be further developed or subdivided." The subdivision plans shall further designate the use of open space, the type of maintenance to be provided, and a planting plan or schedule. In designating use and maintenance, the following classes may be used.

- (a) **Lawn:** A grass area with or without trees which may be used by the residents for a variety of purposes and which shall be mowed regularly to insure a neat and tidy appearance.
- (b) **Natural Area:** An area of natural vegetation undisturbed during construction, or replanted; such areas may contain pathways, meadows shall be maintained as such and not left to become weed infested. Maintenance may be minimal but shall prevent the proliferation of weeds and undesirable plants such as honeysuckle and poison ivy. Litter, dead trees and brush shall be removed, and streams shall be kept in free-flowing condition.
- (c) **Recreation Area:** An area designated for a specific recreation use, including but not limited to tennis, swimming, shuffle board, playfield, and tot lot. Such areas shall be maintained so as to avoid creating a hazard or nuisance, and shall perpetuate the proposed use.

**Section 608                      Open Space Performance Bond**

Designated planting and recreation facilities within the open space areas shall be provided by the developer. A performance bond or other securities shall be required to cover costs of installation in accordance with provisions of the subdivision ordinance.

**Section 609                      Ownership and Preservation of Open Space**

Any of the following methods may be used to preserve, own, or maintain open space: condominium, homeowners association, dedication in fee simple, or dedication of development rights. The following specific requirements are associated with each of the various methods.

- (a) **Condominium:** The open space may be controlled through the use of condominium agreements. Such agreements shall be in conformance with the Unit Property Act of 1963. All open space land shall be held as "common element". Such land shall not be eligible for sale to another party except for transfer to another method of ownership permitted under this section, and then only where there is no change in the open space ratio.
- (b) **Homeowners Association:** The open space may be held in common ownership by a homeowners association. This method shall be subject to all of the provisions for homeowners association set forth in Article VII of Act 247, as amended.
- (c) **Fee-simple Dedication:** The municipality may, but shall not be required to, accept any portion or portions of the open space, provided:
  - (1) such land is freely accessible to the public,
  - (2) there is no cost involved, and
  - (3) the municipality agrees to and has access to maintain such lands.
- (d) **Dedication of Development Rights:** The Borough may accept, but shall not be required to accept, title to the development rights or easements to any portion or portions of the open space. In such cases, the land remains in the ownership of the individual, condominium, or homeowners association while the development rights are held in public ownership. The Borough may accept such land as it sees fit. In either case, there shall

be no cost to the Borough for acquisition or maintenance. The Borough may require this method where it deems it the most appropriate way of maintaining land in open space.

#### PART D. General Performance Standards

##### Section 610

##### Buffer Yards

Buffer yards are required for non-residential uses and performance standard development. Where specified in Section 403, Use Regulations, buffer yards will be required around particular uses. These uses shall hereafter not be established, nor shall existing uses be expanded unless the following buffer yard regulations are met:

- (a) The buffer yard shall be measured from the district boundary line, or from the near street line where a street serves as the district boundary line.
- (b) Unless a greater requirement is specified for a particular use in this Ordinance, buffer yards shall be not less than thirty (30) feet. The buffer yard area is not considered part of the open space requirement.
- (c) The buffer yard may be coterminous with required front, side, or rear yards, and in case of conflict, the larger yard requirements shall apply.
- (d) In all buffer yards, the exterior fifteen (15) foot width shall be of planted material. Any portion of this exterior fifteen foot width which is not used for the screen planting [ see subsection (f) ] shall be planted with grass seed, sod, or ground cover, and shall be maintained and kept clean of all debris, rubbish, weeds, and tall grass.
- (e) No structure, parking, building, or storage of materials shall be permitted in the buffer yard.
- (f) All buffer yards shall include a dense screen planting of trees, shrubs, or other plant materials, or both, to the full length of the lot line to serve as a barrier to visibility, airborne particles, glare, and noise. Such screen planting shall be in accordance with the following requirements:
  - (1) Plant materials used in the screen planting shall be at least four (4) feet in height when planted and be of such species as will produce, within two (2) years, a complete visual screen of at least eight (8) feet in height.
  - (2) The screen planting shall be maintained permanently, and any plant material which does not live shall be replaced within one (1) year.
  - (3) The screen planting shall be so placed that at maturity it will not be closer than three (3) feet from any street or property line.
  - (4) In accordance with the provisions of Section 505, a clear sight triangle shall be maintained at all street intersections and at all points where private accessways intersect public streets.



- (5) The dense screen planted portion of the buffer yard shall be mulched to control weed and erosion, and shall be maintained and kept clean of debris, rubbish, weeds, and other growth.
- (g) No vehicle access shall be permitted through buffer yards.
- (h) Prior to the issuance of any Zoning Permit, complete plans showing the arrangement of all buffer yards and the placement, species and, size of all plant materials, and the placement, size, materials, and type of all fences to be placed in such buffer yard, shall be reviewed by the Zoning Officer to ascertain that the plans are in conformance with the terms of this Ordinance.

## ARTICLE VII

### SIGNS

#### Section 700

#### Definition

Any sign hereafter erected or maintained shall conform with the provisions of this Article and any other ordinances or regulations of Langhorne Manor Borough. A sign is hereby defined as any signboard or other advertising device with the purpose in mind of drawing attention to the product, service, or premises described thereon.

#### Section 701

#### Sign Regulations

The following types of signs and no other shall be permitted:

- (a) Official traffic signs.
- (b) Professional, home occupation, or name signs indicating the profession, activity, or name of the occupant of a dwelling, provided that:
  - (1) The size of such signs shall not exceed two hundred (200) square inches in overall area on one face.
  - (2) Not more than one (1) such sign shall be erected for each permitted use.
- (c) Identification signs for institutions, estates, schools, churches, hospitals, and buildings and uses other than dwellings, provided that:
  - (1) The size of any such sign shall not exceed fifteen (15) square feet in total area on one face, and
  - (2) Not more than one such sign shall be placed on property held in single and separate ownership unless such property fronts on more than one street, in which case one (1) such sign may be erected on each street frontage.
- (d) Trespassing sign or signs indicating the private nature of a driveway or property, provided the size of any such sign shall not exceed two (2) square feet.
- (e) Temporary signs of builders, contractors, painters, and other artisans, provided that:
  - (1) Such signs shall be erected only on the property where such work is being performed.
  - (2) The size of such signs shall not exceed four (4) square feet.
  - (3) Such sign shall be removed promptly upon completion of the work.

(f) Real estate signs, including:

- (1) Signs advertising the sale or rental of property, provided that the size of any such sign shall not exceed four (4) square feet; and not more than one such sign shall be erected on any property held in single and separate ownership, unless such property fronts on more than one street, in which event not more than one sign may be erected on each street frontage.
- (2) Signs advertising the sale or the development of the premises when erected in connection with the development of the premises by a builder, developer, contractor, or other person interested in such sale or development, provided that the size of such sign is not in excess of fifteen (15) square feet. Not more than one such sign shall be placed on any property held in single and separate ownership, unless the property fronts on more than one street, in which event not more than one sign may be erected on each street frontage.

Section 702

General Restrictions

The following restrictions shall apply to all permitted signs and sign uses:

- (a) No sign shall be placed in such a position that it will cause danger on a street by obscuring the view; and in no case, except official traffic signs, closer than twenty-five (25) feet to any intersection (refer to Section 505).
- (b) No sign other than signs authorized in Section 701, paragraph (a) shall be erected within the lines of any street unless specifically authorized by other ordinances or regulations of Langhorne Manor Borough.
- (c) The following types of illumination are not permitted:
  - (1) Flashing Sign: An illuminated sign on which the artificial light is not maintained stationary and constant in intensity and color at all times when in use.
  - (2) Festoon Lighting: Festoon lighting is a directly illuminated sign comprised of either:
    - <a> A group of incandescent light bulbs hung or strung overhead or on a building or structure; or
    - <b> Light bulbs not shaded or hooded or otherwise screened to prevent the direct rays of the light from shining on an adjacent property or right-of-way.
- (d) No red, green, or yellow illuminated sign shall be permitted within three hundred (300) feet of any traffic light.
- (e) No sign shall project over a public sidewalk or roadway; and no part of any sign shall be closer than fifteen (15) feet to the edge of the right-of-way of any street, road, or way.

- (f) All signs must be constructed of durable materials and must be kept in good condition and repair at all times.

Section 703

Non-conforming Signs

Any sign existing and lawful at the time of the passage of this Ordinance which does not conform in use, location, height or size with the regulations of the District in which such sign is located, shall be considered a non-conforming use and may continue in such use in its present location until replacement or rebuilding becomes necessary, at which time a Zoning Permit will be required and the sign brought into conformity with this Ordinance.

Section 704

Permit Requirements for Signs

All signs as defined in Section 700, over two (2) square feet in total area, except temporary signs not exceeding four (4) square feet shall require the issuance of a sign permit by the Building Inspector of the Borough prior to erection or replacement.

## ARTICLE VIII

### OFF-STREET PARKING

#### Section 800      Required Off-Street Parking Space

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each use defined in Section 403 which, after the effective date of this Ordinance, is erected, enlarged, or altered for use for any of the following purposes.

#### Section 801      General Regulations Applying to Required Off-Street Parking Facilities

- (a) Existing Parking: Structures and uses in existence at the date of adoption of this Ordinance shall not be subject to the requirements of this Article as long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.
- (b) Change in Requirements: Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of Section 800 and 403, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section; however, when the use of the existing structure is changed or intensified without substantial addition to the structure, the additional parking formally required may be reduced by one by special exception in accordance with Section 1105 if the Zoning Hearing Board finds that the provisions of this Article and Section 403 would require destruction of important architectural or landscape elements.
- (c) 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.
- (d) Continuing Character of Obligation: All required parking facilities shall be provided and maintained as long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirement of this Article.

Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the employees or other persons whom the facilities are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard, or unreasonable impediment to traffic.

- (e) Multiple Uses: Where two or more uses occupy a common structure, building, or lot, the total number of parking spaces which will be provided and maintained will be calculated as the sum of the parking spaces required for the individual uses which occupy the structure, building, or lot; or as the combined gross floor area or number of seats devoted to patron use.

- (f) **Fractional Spaces:** Where the computation of required parking space results in a fractional number, any fraction of the next highest number shall be counted as one.
- (g) **Maintenance of Parking Areas:** On parking areas for three (3) or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with suitable material, and drained to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties. All hard-surfaced, off-street parking spaces shall be marked to indicate their location. All off-street parking spaces shall be kept free of weeds, trash, and other forms of debris.

## **Section 802**

### **Design Standards**

The design standards specified in the Borough of Langhorne Manor Subdivision and Land Development Regulations shall be required for all off-street parking facilities with a capacity of three (3) or more vehicles built after the effective date of this Ordinance.

## ARTICLE IX

### NON-CONFORMITIES

#### Section 900            Definitions

- (a) Non-conforming use means a use, whether of land or of structure, which does not comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such use was lawfully in existence prior to the application of such ordinance.
- (b) Non-conforming structure means a structure or part of a structure not designed to comply with the applicable use provisions in a zoning ordinance or amendment heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of such ordinance. Such non-conforming structures include, but are not limited to, non-conforming signs.
- (c) Non-conforming lot is a lot which does not comply with the requirements for a building lot as detailed in a zoning ordinance or amendment heretofore or hereafter enacted, where such lot lawfully existed prior to the enactment or amendment of such ordinance.
- (d) Two (2) or more contiguous non-conforming lots shall be subject to the re-parceling and re-plotting requirements set forth in Section 504(b) and contiguous non-conforming lots shall not constitute separate non-conforming lots under this Ordinance.

#### Section 901            Continuation

The lawful use of a building or structure or the lawful use of any land as existing and lawful at the time of the enactment of this Ordinance, or in the case of an amendment to this Ordinance, then at the time of such amendment, may be continued except as hereinafter provided, although such use does not conform to the provisions of this Ordinance or subsequent amendments.

#### Section 902            Ownership

Whenever a lot is sold to a new owner, a previously lawful non-conforming use may be continued by the new owner.

#### Section 903            Abandonment

Whenever a non-conforming use has been discontinued for a period of one (1) year and such use has been abandoned, such use shall not thereafter be re-established, and any future use shall be in conformity with the provisions of this Ordinance.

#### Section 904            Alteration or Extension

- (a) A use of land or structure which does not conform to the regulations of Article IV, Use Regulations, shall not be altered, reconstructed, extended, nor enlarged, except in accordance with the following regulations:

- (1) Such alteration or extension shall be permitted only by special exception under the provisions of Article X and only upon the same lot as in existence at the date the use became non-conforming.
  - (2) Any increase in volume, area, or extent of the non-conforming use shall not exceed an aggregate of more than twenty-five (25) percent during the life of the non-conformity.
  - (3) Increases greater than twenty-five (25) percent may be granted by the Zoning Hearing Board only if extenuating circumstances for additional space are shown.
- (b) A structure that does not conform to the regulations of this Ordinance may be altered, reconstructed, or enlarged provided that no such non-conformity is increased beyond its extent on the date that it became non-conforming. If greater alteration, reconstruction, or enlargement is desired the regulations of 904(a) must be met.
  - (c) The proposed alteration or extension shall conform to the off-street parking and buffer requirements of this Ordinance.

Section 905                      Restoration

No structure which has been legally condemned or has been damaged by fire or other causes to the extent of more than seventy-five (75) percent of its fair market value shall be repaired, reconstructed, or used except in conformity with the regulations of this Ordinance. Structures with damage to the extent of seventy-five (75) percent or less of the fair market value may be reconstructed, repaired, or used for the same non-conforming use subject to the following provisions:

- (a) The reconstructed structure shall not exceed the height, area, or volume of the damaged structure except as provided in Section 904.
- (b) Reconstruction shall begin within one (1) year from the date of the damage and shall be carried on without interruption.
- (c) No building which has been razed shall be rebuilt except in conformity with the regulations of this Ordinance.

Section 906                      Changes

Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use. A non-conforming use may be changed to another non-conforming use only under the following condition that such change shall be permitted only by special exception, under the provisions of Article X.

Section 907                      District Changes

Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, the foregoing provisions shall also apply to any non-conforming uses or structures existing therein.



The Zoning Officer shall provide for the registration of all uses which are non-conforming under the terms of this Ordinance within a reasonable time after the effective date of this Ordinance. The record of non-conforming uses shall certify, after inspection, the extent and kind of use and disposition of the buildings and land. Upon notification, each occupant or owner of a premises used for non-conforming use shall make available such information as may be necessary to determine the extent and nature of the non-conforming use within sixty (60) days.

## ARTICLE X

### ADMINISTRATION

#### Section 1000

#### Zoning Officer - Duties and Powers

The provisions of this Ordinance shall be administered and enforced by the Zoning Officer who shall be appointed by the Borough Council.

It shall be the duty of the Zoning Officer to:

- (a) Receive, examine and process all applications for Zoning Permits.
- (b) Issue permits only where there is compliance with the provisions of this Ordinance, and with other Borough ordinances, and with the laws of the Commonwealth. Permits for construction or uses requiring a special exception or variance shall be issued only upon order of the Zoning Hearing Board.
- (c) Receive appeals and applications for interpretation, special exceptions and variances and forward them to the Zoning Hearing Board.
- (d) Receive applications for zoning changes and curative amendments, forwarding requests to the Borough Council, Planning Commission, and other appropriate agencies.
- (e) Conduct inspections and surveys to determine compliance or non-compliance with the terms of this Ordinance.
- (f) Issue stop, cease and desist orders, and orders for all corrections of conditions found to be in violation of the provisions of this Ordinance. Such written orders shall be served personally or by certified mail upon persons, firms, or corporations deemed by the Zoning Officer to be violating the terms of this Ordinance. It shall be unlawful for any person to violate any such order issued lawfully by the Zoning Officer, and any person violating any such order shall be guilty of a violation of this Ordinance. All orders not appealed from in thirty (30) days shall be deemed final.
- (g) With the approval of the Borough Council, or when directed by them, institute in the name of the Borough any appropriate action or proceedings to prevent the unlawful erection, construction, maintenance, demolition, or use of any building or structure; to restrain, correct, or abate such violation, so as to prevent the occupancy of or use of any building, structure, or land, or to prevent any illegal act, conduct, business, or use in or about such premises.
- (h) Revoke any order or zoning permit issued under a mistake of fact or contrary to the law or the provisions of this Ordinance.
- (i) Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans, and documents shall be a public record.

- (j) Maintain a map or maps showing the current zoning classification of all land in the Borough.
- (k) Register non-conforming structures, uses or lots in accord with the provisions of Section 909.
- (l) Upon the request of the Borough Council, the Planning Commission, or the Zoning Hearing Board, present facts, records, or reports which they may request to assist them in making decisions.

#### Section 1001

##### Duties of the Planning Commission

The Planning Commission shall review applications for Zoning Permits referred to it under Section 1000 to insure compliance with the terms of this Ordinance. In reviewing such applications, the Planning Commission shall follow the procedure employed in reviewing subdivision plans. The application shall be forwarded to the Bucks County Planning Commission for its review, and the Planning Commission shall then submit its recommendations and findings to the Borough Council within forty-five (45) days of receipt of the application from the Zoning Officer. Should the Planning Commission fail to submit a report and recommendations to the Borough Council within forty-five (45) days from receipt of the application from the zoning Officer, the application shall be deemed acceptable to the Planning Commission.

#### Section 1002

##### Zoning Permits Required

Hereafter, no use may be established or changed; no structure shall be erected, constructed, reconstructed, altered, razed, removed, and no building used or occupied, or changed in use, until a Zoning Permit has been secured from the Zoning Officer. Upon completion of changes in use or construction, reconstruction, alteration, or moving of structures, the applicant shall notify the Zoning Officer of such completion. No permit shall be considered as complete or as permanently effective until the Zoning Officer has noted on the permit that the work or occupancy and use have been inspected and approved as being in conformity with the provisions of this Ordinance.

All structures for which permits have been obtained and the construction of which or a portion of which has been begun, or for which a contract or contracts have been let pursuant to a permit issued prior to the passage of this Ordinance, may be completed and used in accordance with the plans on which said permit was granted.

Zoning Permits shall not be required for general maintenance work, including roofing, painting, cleaning woodlands, building ponds, tilling the soil, terraces, or similar features, nor landscaping.

#### Section 1003

##### Application Requirements for Zoning Permits

- (a) All applications for Zoning Permits shall be made in writing by the owner, tenant, purchaser under contract of sale, or authorized agent, on a form supplied by the Borough, and shall be filed with the Zoning Officer. The application shall consist of two parts:
  - (1) A written statement including:
    - <a> An identification of the proposed use of the building or land;

- <b> A description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards, or other safety hazards;
- <c> In the case of application for interpretation, variances, and special exceptions, the additional information specified in Article XI, Section 1109; and
- <d> Any other data deemed necessary by the Zoning Officer, Planning Commission or Borough Council to enable them to determine the compliance of the proposed development with the terms of this Ordinance.

(2) A site plan drawn to scale showing:

- <a> The location, dimensions, and height of proposed buildings, structures, or uses, and existing buildings in relation to property and street lines. If the application relates to property which is scheduled to be developed in successive stages, such plans shall show the relationship of the portion scheduled for initial development to the proposed layout of the entire property;
- <b> The location, dimensions, arrangement, and capacity of all open spaces and yards and buffer yards, including methods to be employed for screening;
- <c> The location, size, arrangement, and capacity of all areas to be used for motor vehicle access and off-street parking;
- <d> The dimensions, location and methods of illumination for signs if applicable;
- <e> The location and acreage of the following natural resources: alluvial soils, floodplains, forests, steep slopes, wetlands, marshes, open waterways, ponds and their shorelines;
- <f> The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use;
- <g> Provisions to be made for treatment and disposal of sewage and wastes, water supply and storm drainage;
- <h> The capacity and arrangement of all buildings used or intended to be used for dwelling purposes, including the proposed density in terms of number of dwelling units per acre of land.

- (b) During a period of sixty (60) days before the introduction of an ordinance which proposes a change in regulations, district boundaries, or classifications of property, unless Council shall have acted on the ordinance within the said sixty (60) day period, the Zoning Officer shall accept no application for permits within the area involved in said change for any use which would be forbidden in the proposed ordinance.

- (c) No zoning permit for any new use or construction which will involve the on-site disposal of sewage or waste, and no zoning permit for a change in use of an alteration which will result in an increased volume of sewage or waste to be disposed of on the site, shall be issued until a certificate of approval has been issued by the Bucks County Department of Health.

#### Section 1004

##### Life of a Permit

Any erection, construction, reconstruction, alteration, or moving of a building or other structure, including a sign authorized by a Zoning Permit, shall be commenced, and any change in use of a building or land authorized by a Zoning Permit shall be undertaken, within one (1) year after the date of issuance of the permit. If not, the permit shall be considered null and void.

However, in the case of erection or construction of a building, the right to continue with construction may be extended annually without payment of additional fees for an aggregate period of not more than three (3) years, provided that the construction pursuant to said permit has commenced within one (1) year following issuance of the permit.

#### Section 1005

##### Issuance of Permits

Zoning permits shall be granted or refused within ten (10) days after the date of application. No permit shall be issued until the Zoning Officer has certified that the proposed building or alteration complies with all the provisions of this Ordinance. In case of refusal, the applicant shall be informed of his right of appeal to the Zoning Hearing Board. Upon completion of the erection or alteration of any building or portion thereof authorized by any permit obtained in compliance with this Ordinance, and prior to occupancy or use, the holder of such permit shall notify the Zoning Officer of such completion. Occupancy shall not be authorized until the Zoning Officer has certified that the work has been inspected and approved as being in conformity with the permit and the provisions of this and other applicable ordinances, and has issued a certificate of occupancy where required as provided below. All applications with accompanying plans and documents shall be a public record.

#### Section 1006

##### Requirement of Certificate of Occupancy

A certificate of occupancy shall be required for any of the following;

- (a) Occupancy and use of any building or portion thereof hereafter erected or altered;
- (b) Change in use of an existing building to a use of a different classification;
- (c) Occupancy and use of vacant land, or change in the use of land to a use of a different classification and;
- (d) Any change in use or extension of a non-conforming use.

This certificate shall indicate that the proposed use of such building or land is in conformity with the provisions of this Ordinance.

A certificate of occupancy shall be granted or refused within ten (10) days after the Zoning Officer has been notified of the completion of the authorized construction or alteration, or, where no construction or alteration is involved, within ten (10) days after receipt of written application therefore. Upon written request from the owner, the Zoning Officer shall issue a certificate of occupancy for any building or land existing at the time of enactment of this Ordinance, certifying, after inspection, the extent and kind of use or disposition of the building or land, and whether such use or disposition conforms with the provisions of this Ordinance. Pending completion of a building or of alterations thereto, a temporary certificate of occupancy may be issued by the Zoning Officer for the use of a part or all of the building, provided that such temporary occupancy or use would not tend in any way to jeopardize life or property. A record of all certificates of occupancy shall be kept on file in an office of the Borough, and a copy of any such permit shall be furnished upon request to any person having a proprietary or tenancy interest in the building or premises.

Fees for permits shall be paid in accordance with the provisions of the fee schedule adopted by Borough Council. Each applicant for an interpretation, special exception or variance shall, at the time of making application, pay a fees then due in accordance with the fee schedule adopted by resolution of Borough Council. Payment of all costs must be made in full before a Building Permit will be issued.

## ARTICLE XI

### ZONING HEARING BOARD

#### Section 1100 Establishment of Board

A Zoning Hearing Board is established in order that the objectives of this Ordinance may be more fully and equitably achieved and a means for competent interpretation of this Ordinance provided.

#### Section 1101 Membership, Terms of Office

The Zoning Hearing Board shall consist of three (3) members, appointed by the Borough Council for overlapping three (3) year terms. Members of the Board shall hold no other Borough office except that one member of the Board may also be a member of the Planning Commission. Any member of the Zoning Hearing Board may be removed for cause by the Borough Council upon written notice and charges and after a public hearing. Vacancies shall be filled for the unexpired term in the same manner as in the case of original appointments.

#### Section 1102 Procedures

- (a) Officers: The Board shall elect a chairman from its membership, shall appoint a secretary, and shall prescribe rules in accordance with the provisions of the Municipalities Planning Code and this Ordinance for the conduct of its affairs. The Chairman, or in his absence the acting chairman, may administer oaths and compel the attendance of witnesses.
- (b) Meetings: Meetings shall be open to the public and shall be at the call of the Chairman and at such other times as the Board shall specify in its rules or procedure. For the conduct of any hearing and the taking of any action, a quorum shall be not less than a majority of all members of the Board.
- (c) Records and Decisions: The Board shall keep minutes of its proceedings, showing the vote of each member upon each question, or if absent or failing to vote, indicating such fact, and shall keep records of its examinations and other official actions, all of which shall be immediately filed in the office of the Board and shall be a public record.

#### Section 1103 Powers and Duties - Interpretation

Upon appeal from a decision by the Zoning Officer, the Zoning Hearing Board shall decide any questions:

- (a) Involving the interpretation of any provisions of this Ordinance, including determination of the exact location of any district boundary if there is uncertainty with respect thereto; or
- (b) Where it is alleged there is error in any order, requirements, decision or determination, including any order requiring an alleged violation to stop, cease and desist, made by the Zoning Officer in the enforcement of this Ordinance.

- (a) **Applicability:** Upon appeal from a decision by the Zoning Officer, the Zoning Hearing Board shall have the power to vary or adapt the strict application of any of the requirements of this Ordinance. Where, by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of the enactment of the Ordinance or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition on such piece of property, the strict application of any regulation enacted under this Ordinance would result in peculiar and exceptional and undue hardship upon the owner of such property, but in no other case.
- (b) **Condition:** In general, the power to authorize a variance from the terms of this Ordinance shall be sparingly exercised and only under peculiar and exceptional circumstances.
- (c) **Requirement and Standards:** No variance in the strict application of the provisions of this Ordinance shall be granted by the Board unless the Board finds that the following standards and requirements are satisfied.
  - (1) The applicant must prove that the variance will not be contrary to the public interest and that practical difficulty and unnecessary hardship will result if it is not granted. In particular, the applicant shall establish and substantiate that the appeal for the variance is in conformance with the requirements and standards listed below.
  - (2) That the granting of the variance shall be in harmony with the general purpose and intent of this Ordinance, and shall not be injurious to the neighborhood or otherwise detrimental to the public welfare.
  - (3) That the granting of the variance will not permit the establishment within a District of any use which is not permitted in that District.
  - (4) There must be proof of unique circumstances:
    - <a> that there are special circumstances or conditions, fully described in the findings, applying to the land or buildings for which the variance is sought, which circumstances or conditions are peculiar to such land or buildings and do not apply generally to land or buildings in the neighborhood; and
    - <b> that said circumstances or conditions are such that the strict application of the provisions of this Ordinance would deprive the applicant of the reasonable use of such land or building.
  - (5) There must be proof of unnecessary hardship.
  - (6) That the granting of the variance is necessary for the reasonable use of the land or building, and that the variance as granted by the Board is the minimum variance that will accomplish this purpose.



The Board may prescribe any safeguard that it deems to be necessary to secure substantially the objectives of the regulation or provision to which the variance applies.

Section 1105

Powers and Duties - Special Exceptions

- (a) **Applicability:** The Zoning Hearing Board shall have the power to approve special exceptions when this Ordinance specifically requires the obtaining of such approval and for no other use or purpose.
- (b) **Conditions and Standards:** In granting a special exception, the Zoning Hearing Board shall make findings of fact consistent with the provisions of this Ordinance. The Board shall not approve a special exception except in conformance with the conditions and standards outlined in this Ordinance.
- (c) **General Requirements and Standards Applicable to All Special Exceptions:** The Board shall grant a special exception only if it finds adequate evidence that any proposed development submitted will meet all of the following general requirements as well as any specific requirements and standards listed herein for the proposed use. The Board shall among other things require that any proposed use and location be:
  - (1) In accordance with the Four Boroughs Comprehensive Plan and consistent with the spirit, purposes, and the intent of this Ordinance;
  - (2) In the best interests of the Borough, the convenience of the community, the public welfare, and be a substantial improvement to the property in the immediate vicinity;
  - (3) Suitable for the property in question, and designed, constructed, operated, and maintained so as to be in harmony with and appropriate in appearance to the existing or intended character of the general vicinity;
  - (4) In conformance with all applicable requirements of this Ordinance;
  - (5) Suitable in terms of effects on highway traffic and safety with adequate access arrangements to protect streets from undue congestion and hazard; and
  - (6) In accordance with sound standards of subdivision practice where applicable.

The Zoning Hearing Board may impose whatever conditions regarding layout, circulation, and performance it deems necessary to insure that any proposed development will secure substantially the objectives of this Ordinance.

Section 1106

Powers and Duties - Challenge to the Validity of Ordinance or Map

The Board shall hear challenges to the validity of the zoning ordinance or map, except as indicated in Act 247, the Pennsylvania Municipalities Planning Code, Sections 909.1 and 910.1. In all such challenges, the Board shall take evidence and make a record thereon as provided in Act 247. At the conclusion of the hearing, the Board shall decide all contested questions and shall

make findings on all relevant issues of fact which shall become part of the record or appeal to the court.

Section 1107

Powers and Duties - Unified Appeals

Where the Board has jurisdiction over a zoning matter pursuant to Sections 1103, 1104 and 1106, the Board shall also hear all appeals which an applicant may elect to bring before it with respect to any municipal ordinance or requirement pertaining to the same development plan or development. In any such case, the Board shall have no power to pass upon the non-zoning issues, but shall take evidence and make a record thereon as provided in Act 247, the Pennsylvania Municipalities Planning Code. At the conclusion of the hearing, the Board shall make findings on all relevant issues of fact which shall become a part of the record on appeal to the court.

Section 1108

Actions of the Board in Exercising Powers

In exercising the above-mentioned powers, the Zoning Hearing Board may in conformity with law and the provisions of this Ordinance, reverse or affirm, wholly or partially, or may modify the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as in its opinion ought to be made. Notice of such decision shall forthwith be given to all parties in interest.

Section 1109

General Rules and Procedures for Appeals and Applications

- (a) Any appeal from the ruling of the Zoning Officer concerning the enforcement and interpretation of the provisions of this Ordinance shall be filed with the Zoning Officer within thirty (30) days after the date of the Zoning Officer's adverse decision.
- (b) All appeals and applications made to the Board shall be in writing on standard forms prescribed by the Zoning Hearing Board and accompanied by fees prescribed by resolution of the Borough Council.
- (c) All appeals and applications shall refer to the specific provisions of this Ordinance involved.

Section 1110

Who May appeal

Appeals to the Zoning Hearing Board may be taken by any person or Borough official aggrieved or affected by any provisions of this Ordinance or by any decision, including any order to stop, cease, and desist issued by the Zoning Officer in enforcing the provisions of this Ordinance.

Section 1111

Notice of Hearings

- (a) Upon the filing with the Zoning Hearing Board of an application for a special exception, variance, or interpretation of this Ordinance, the Board shall fix a reasonable time for a public hearing thereon and give notice as follows:

- (1) Notice published once each week for two successive weeks in a newspaper of general circulation in Langhorne Manor Borough. 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 be not more than thirty (30) days or less than fourteen (14) days from the date of the hearing.
- (2) Give written notice to parties in interest, who shall be at least those persons whose properties adjoin or are across public roads from the property in question.

**Section 1112            Hearings**

All hearings shall be conducted in accordance with the procedures set forth in Act 247, the Pennsylvania Municipalities Planning Code.

**Section 1113            Court Appeals**

Any persons aggrieved by any decision of the Zoning Hearing Board, or any taxpayer or the Borough Council may, within thirty (30) days after such decision of the Board, appeal to the Court of Common Pleas of Bucks County, by petition duly verified, setting forth that such decision is arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with law, and specify the grounds upon which he relies. Such appeals shall be made in accordance with Article X of the Pennsylvania Municipalities Planning Code.

**Section 1114            Fees**

The applicant for any hearing before the Zoning Hearing Board shall at the time of making application, pay to the Zoning Officer, for the use of the Borough, a fee in accordance with the then-current fee schedule adopted by resolution of the Borough Council.

## ARTICLE XII

### ENFORCEMENT, REPEALER AND EFFECTIVE DATE

#### Section 1200 Remedies

In case any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this Ordinance or any regulations made pursuant thereto, the proper Borough authorities, in addition to other remedies, may institute any appropriate action or proceedings to prevent such unlawful erection, construction, reconstruction, alteration, repair, conversion, maintenance, or use, to restrain, correct, or abate such violation, to prevent the occupancy of said building, structure, or land, or to prevent any illegal act, conduct, business or use in or about such premises.

#### Section 1201 Complaints of Violations

Whenever a violation of this Ordinance occurs, any resident, tenant, or property owner within Langhorne Manor Borough may file a written complaint with the Zoning Officer in regard thereto. The Zoning Officer shall promptly investigate all complaints and report thereon to Borough Council.

#### Section 1202 Repealer

The existing zoning ordinance, adopted and entitled "The Langhorne Manor Borough Zoning Ordinance" and all supplements and amendments thereto, are hereby repealed. Provided, however, if the present ordinance is held to be ineffective or invalid by reason of some irregularity in or impediment to its passage, this repealer shall also be ineffective as aforesaid. Then and in that event, the Zoning Ordinance of 1936 together with its supplements and amendments, would necessarily remain in full force and effect.

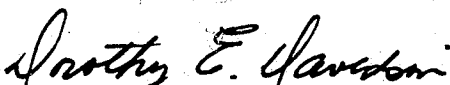
#### Section 1203 Effective Date

The effective date of this Ordinance shall be February 2, 1993.

#### Section 1204 Enactment

Enacted and ordained into an Ordinance this 2nd day of February 1993.

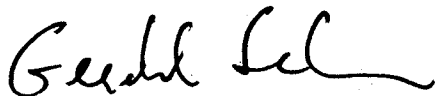
ATTEST:

  
Secretary of Council

  
President of Council

Approved February 2, 1993

Mayor



# LANGHORNE MANOR BOROUGH

## ORDINANCE #2003-001

### **AN ORDINANCE OF THE BOROUGH OF LANGHORNE MANOR, COUNTY OF BUCKS, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE LANGHORNE MANOR BOROUGH ZONING ORDINANCE BY PERMITTING "NO IMPACT HOME-BASED BUSINESS" AS A SECONDARY USE IN A RESIDENTIAL DWELLING.**

WHEREAS, the Council of Borough of Langhorne Manor, County of Bucks, Commonwealth of Pennsylvania is empowered to enact, amend and repeal Zoning Ordinances, implement its comprehensive plan and to accomplish the purposes of the Pennsylvania Municipalities Planning Code pursuant to Act of 1968, P.L. 805, No. 247, as re-enacted and amended; and

WHEREAS, the Pennsylvania Municipalities Planning Code was amended by Act 43 of 2002 with regard to the operation of Home-Based Businesses; and

WHEREAS, Act 43 of 2002 allows "no impact home-based business" as a secondary use in a residential dwelling as long as the business meets certain requirements; and

WHEREAS, the Council of the Borough of Langhorne Manor has determined that it is in the best interests of the health, safety and general welfare of the residents of the Borough of Langhorne Manor to amend its zoning ordinance in order to be consistent with the provisions of the Pennsylvania Municipalities Planning Code as amended by Act 43 of 2002.

NOW, THEREFORE, the Council of the Borough of Langhorne Manor, County of Bucks, Commonwealth of Pennsylvania, does hereby ordain and enact as follows:

**Section 1.** Section 403 - Use Regulations of Article IV - Use Regulations of Langhorne Manor Borough Zoning Ordinance of 1993 as amended, is hereby amended by the addition of Subsection (u) as follows:

- (u) "No-Impact Home-Based Business". A business or commercial activity as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

District			
RA	RB	RC	I
P	P	P	P

- (1) The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- (2) The business shall employ no employee other than family members residing in the dwelling.
- (3) There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- (4) There shall be no outside appearance of a business use, including, but not limited to parking, signs or lights.
- (5) The business activity may not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- (6) The business activity may not generate any solid waste or sewage discharge in volume or type, which is not normally associated with residential use in the neighborhood.
- (7) The business activity shall be conducted only with the dwelling and may not occupy more than 25% of the habitable floor area.
- (8) The business may not involve any illegal activity.
- (9) The right to operate a No Impact Home-Based Business shall not supersede any deed restriction, covenant or agreement restricting the use of land, nor any master deed, bylaw or other document applicable to a common interest ownership community.

**Section 2.** The Summary Table of Use Regulations shall be amended by the addition of Use (u).

**Section 3.** All other regulations, provisions, parts, paragraphs, sections, subsection, clauses, sentences or portions thereof of the Langhorne Manor Borough Zoning Ordinance of 1993 as amended, not specifically further amended by this Ordinance, shall remain unchanged and in full force and effect.

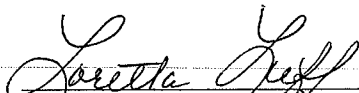
**Section 4.** The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Council of Langhorne Manor Borough that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part of provisions had not been included herein.

**Section 5.** This Ordinance shall become effective thirty (30) days after adoption of the Council of the Borough of Langhorne Manor, Bucks County, Pennsylvania:

ORDAINED AND ENACTED by the Council of the Borough of Langhorne Manor on this

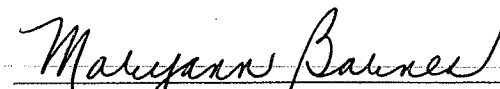
6<sup>th</sup> day of May, 2003.

ATTEST:


  
Loretta Luff, Secretary

COUNCIL OF THE BOROUGH OF  
LANGHORNE MANOR

BY:

  
Maryann Barnes, President

Approved this 6<sup>th</sup> day of May, 2003.

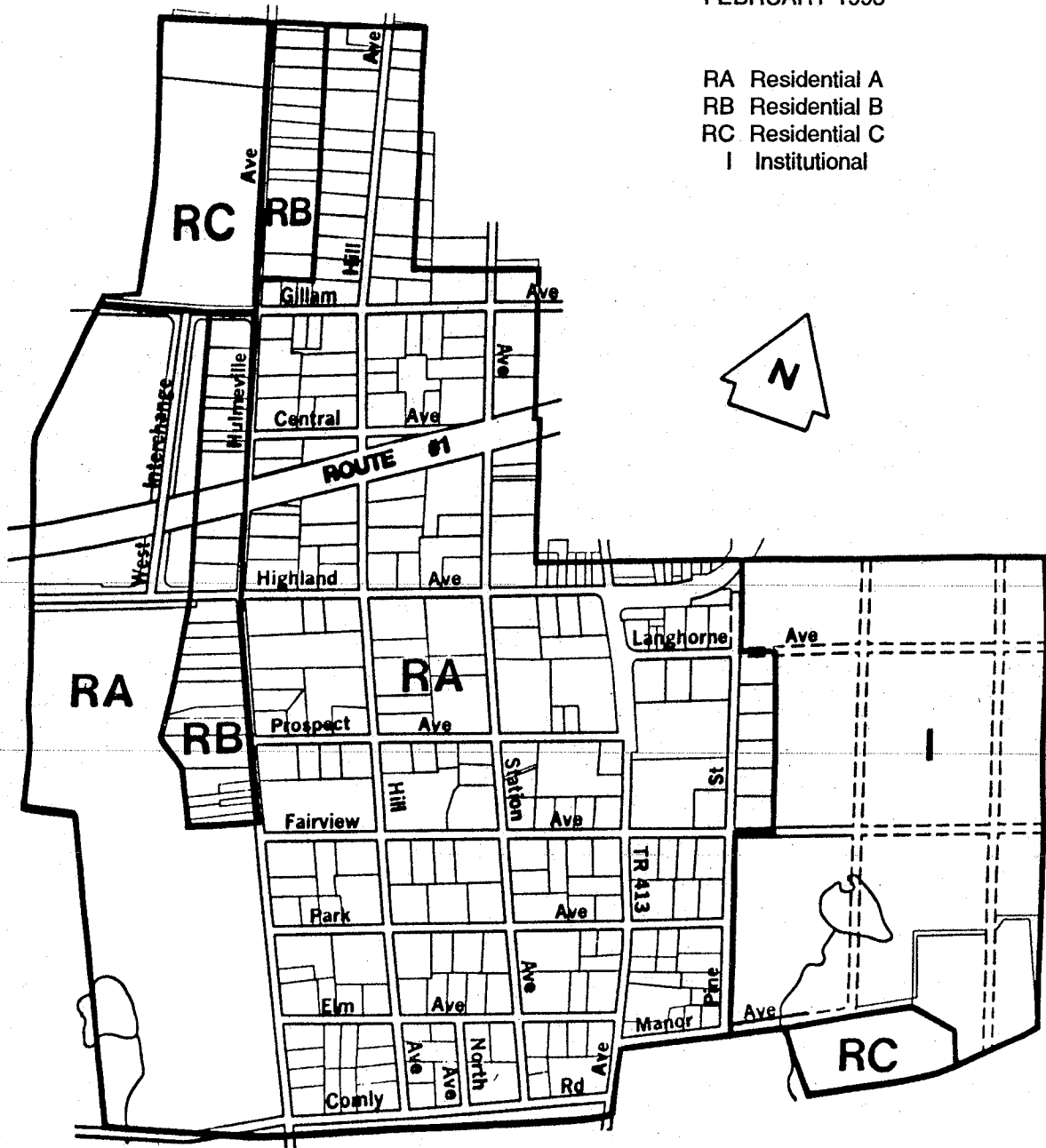
  
Gerald Seader, Mayor

# ZONING MAP

OF  
LANGHORNE MANOR BOROUGH  
BUCKS COUNTY, PENNSYLVANIA

FEBRUARY 1993

RA Residential A  
RB Residential B  
RC Residential C  
I Institutional



0 800 1600 2400 3200  
scale in feet