

ORDINANCE NO. _____

AN ORDINANCE OF THE BOROUGH OF CHALFONT, AMENDING THE CHALFONT BOROUGH ZONING ORDINANCE BY AMENDING THE BUTLER AVENUE GATEWAY COMMERCIAL OVERLAY ZONING DISTRICT

The Borough Council of The Borough of Chalfont, Bucks County, Pennsylvania, hereby ordains:

Section 1 – Adoption of the Zoning Ordinance

Chalfont Borough, Bucks County, Pennsylvania has previously adopted “The Chalfont Borough Zoning Ordinance Update 2000” on March 21, 2000, which established Zoning Districts and requirements within Chalfont Borough and at this time the Chalfont Borough Council has determined that there is a need to provide for a Mixed Use Development Option within the Butler Avenue Gateway Commercial Overlay District.

Section 2 – Amendments

The following portions of “The Chalfont Borough Zoning Ordinance” are hereby revised as follows:

1. Part 10 – Section 27-1008.3.N – shall be eliminated and replaced with the following:
“N. H13 – Drive-Through Use (As an Accessory Use to the E1, E3 and E5 Uses only.)”
2. Part 10 – Section 27-1008.3 – shall have the following added:
O. E5 – Fast Food Restaurant.
P. Mixed Use Development Option (as defined within Section 27-1008.19)
3. Part 10 – Section 27-1008.5 – shall have the following added:
“Applicants meeting the requirements of the Mixed Use Development Option shall not be required to meet this section.”
4. Part 10 – Section 27-1008.8.A – shall be eliminated and replaced with the following:
“A. A Drive-Through Use shall be permitted as an Accessory Use to the E3 and E5 Uses and shall be permitted by Conditional Use when accessory to the E1 Use.”
5. Part 10 – Section 27-1008.8.C – shall have the following added:
“(3) E5 – Fast Food Restaurant: A minimum of eight (8) cars.”
6. Part 10 – Section 27-1008.18.B – shall be removed in its entirety.
7. Part 10 - Section 27-1008.19 – Mixed Use Development Option shall be added:

Section 27-1008.19 – Mixed Use Development Option

Applicants proposing the Mixed Use Development Option shall meet all requirements of the Butler Avenue Gateway Commercial Overlay District unless amended by the following:

- A. Mix Use Requirements
A mix of Residential and Non-residential Uses shall be required and shall be provided as follows based on Net Site Area.

Residential Uses permitted within the Mixed Use Development Option include the following:

- B1 – Single Family Detached
Minimum lot size shall be 12,000 sf.
Minimum lot width shall be 80’-0”
- B3 – Twin
Minimum lot size shall be 4,500 sf.

Minimum lot width shall be 50'-0"
B6 – Townhouse
Minimum lot size shall be 924 sf.
Minimum lot width shall be 22'-0"

Non – Residential Uses permitted within the Mixed Use Development Option include Uses identified within Section 27-1008.3.

Mix Percentages:

	<u>Minimum</u>	<u>Maximum</u>
Residential	50%	90%
Non-Residential	10%	50%

B. Maximum Density

The maximum Residential density shall be ten (10) dwelling units per gross area.

C. Area and Dimensional Requirements

Uses within the Mixed Use Development Option shall comply with the applicable regulations of Part 4, Use Regulations and Part 5, Performance Standards unless otherwise identified within this section.

1. Tract Setbacks

- a. All Residential Uses shall be setback a minimum of twenty five feet (25'-0") from any tract boundary.
- b. All Non-Residential Uses shall be setback a minimum of thirty feet (30'-0") from any tract boundary.
- c. All parking shall be twenty feet (20'-0") from any tract boundary.

2. Yards

a. Residential Uses

Front Yard: 25'-0"
Side Yard: 10'-0"
Rear Yard: 15'-0"

(In addition Residential Uses shall not be located within sixty feet (60'-0") from the Legal Right-of-Way of a State Highway.)

b. Non-Residential Uses

Front Yard: 30'-0"
Side Yard: 25'-0"
Rear Yard: 40'-0"

3. Building Separation

- a. The minimum distance between Residential buildings shall be twenty feet (20'-0").
- b. The minimum distance between Residential and Non-Residential buildings shall be fifty feet (50'-0").

4. Building Coverage

The maximum building coverage shall be twenty five percent (25%) of the gross area of the tract.

5. Impervious Coverage

The maximum impervious coverage shall be seventy five percent (75%).

6. Building Height

The maximum building height shall be thirty five feet (35'-0") and shall be measured from the average grade plane elevation to the average height of the highest roof surface.

D. Additional Development Requirements

1. Parking

a. A minimum of three (3) off street parking spaces shall be provided for each dwelling unit and seven (7) visitor parking spaces shall be provided for every twelve (12) dwelling units.

b. Parking for Non-Residential Uses shall comply with the Use Regulations within Section 27-406.

2. No more than six (6) dwelling units shall be attached in one building.

3. A minimum of twenty five percent (25%) green space shall be provided.

Section 3 – Inconsistent Ordinances Repealed

Ordinances of Chalfont Borough, Bucks County, Pennsylvania, and/or Resolutions or parts thereof which are inconsistency with this Ordinance are hereby repealed to the extent of such inconsistency.

Section 4 – Saving Clause

That nothing in this Ordinance hereby adopted shall be construed to affect any suit or proceeding impending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or ordinance hereby repealed as cited in Section 2 of this Ordinance; nor shall any just or legal right of remedy of any character be lost, impaired or affected by this Ordinance.

Section 5 – Severability

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid; such infirmity shall not affect nor impair the remaining provisions, sentences, clauses or parts of this Ordinance. It is hereby declared as the intent of the Borough Council of the Borough of Chalfont that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section or part thereof not been included therein.

THIS ORDINANCE IS ORDAINED AND ENACTED THIS _____ DAY OF _____, 2016.

CHALFONT BOROUGH COUNCIL

ATTEST:
