

**BOROUGH OF CHALFONT  
BUCKS COUNTY, PENNSYLVANIA**

**ORDINANCE NO. 455**

**AN ORDINANCE OF THE BOROUGH OF CHALFONT AMENDING THE  
CHALFONT BOROUGH ZONING ORDINANCE BY AMENDING THE  
BUTLER GATEWAY COMMERCIAL OVERLAY ZONING DISTRICT.**

**WHEREAS**, the Borough Code at 8 Pa.C.S.A. § 3301.1 *et seq.*, authorizes the Borough Council of the Borough of Chalfont (“Borough Council”) to make and adopt ordinances that are consistent with the constitution and laws of the Commonwealth when necessary for the proper management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough and its citizens; and,

**WHEREAS**, on March 21, 2000, the Borough Council adopted the “Chalfont Borough Zoning Ordinance Update 2000” (“Chalfont Borough Zoning Ordinance”) by enacting Ordinance 319-A, which amended Chapter 27 of the Borough Code of Ordinances to include certain Zoning Districts and requirements; and,

**WHEREAS**, The Borough Council adopted Ordinance 427 on November 8, 2016, which amended certain provisions of the Chalfont Borough Zoning Ordinance; and,

**WHEREAS**, the Borough Council finds that it is in the public interest to provide for the amended regulation of use development in Chalfont Borough within the Butler Avenue Gateway Commercial Overlay District; and,

**WHEREAS**, Borough Council, after due consideration of the proposed ordinance at a duly advertised meeting, has determined that the health, safety, and general welfare of the residents of Chalfont Borough will be served by the amendment of Chapter 27 of the Borough Code of Ordinances.

**NOW, THEREFORE**, the Borough Council of the Borough of Chalfont do hereby **ENACT** and **ORDAIN** as follows:

**Section 1.** The Code of Ordinances of Chalfont Borough, Chapter 27: Zoning, Part 10: CC Corridor Commercial District is amended to add Section § 27-1008.20 which shall read as follows:

Section 27-1008.20 – Single Use Development Option

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

- A. Single Use Requirements
  - 1. An all-residential use shall be allowed and shall be provided as follows based on Net Site Area.
  - 2. The Residential Use permitted shall include the following options:

- 1. Tract Setbacks
  - a. All Residential Use shall be setback a minimum of twenty-five feet (25'-0") from any tract boundary.
  - b. All parking shall be twenty feet (20'-0") from any tract boundary.
- 2. Yards
  - a. Front Yard: 25'-0"
  - b. Side Yard: 10'-0"
  - c. Rear Yard: 15'-0"
  - d. In addition, Residential Use shall not be located within fifty feet (50'-0") from the Legal Right-of-Way of a State Highway.
- 3. Building Separation
  - a. The minimum distance between Residential buildings shall be twenty feet (20'-0").
- 4. Building Coverage
  - a. The maximum building coverage shall be twenty-five percent (25%) of the gross area of the tract.
- 5. Impervious Coverage
  - a. The maximum impervious coverage shall be seventy-five percent (75%).
- 6. Building Height
  - a. The maximum building height shall be thirty-five feet (35'-0") and shall be measured from the average grade plan elevation to the average height of the highest roof surface.

- C. Area and Dimensional Requirements
  - Use within the Single 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.
- B. Maximum Density
  - a. The maximum residential density shall be ten (10) dwelling units per acre.

3. Single Use Percentages:

Residential	100%	Minimum
Non-Residential	n/a	Minimum
	100%	Maximum
	n/a	Maximum

- 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"

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This Ordinance shall be effective upon enactment.

**Section 5. Effective date.**

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed to the extent of the inconsistency.

**Section 4. Repealer.**

In the event that any section, sentence, clause or word of this ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose the validity of the remaining portions of this ordinance.

**Section 3. Severability.**

9. Landscape and Buffering Requirements  
A. Neighboring Residential Zoning Districts.  
Against neighboring residential zoning districts, all landscaping and other required buffering shall be provided in strict accordance with applicable sections of this chapter and Chapter 22, 'Subdivision and Land Development'.  
B. Non-Residential Zoning Districts.  
Against non-residential zoning districts, a Class "A" buffer yard shall be provided, however said buffer yard shall be comprised of "Class B" plantings.  
C. All other Landscaping requirements and performance standards shall be in accordance with the applicable sections of this Chapter and Chapter 22, Subdivision and Land Development.

**Section 2.** The Code of Ordinances of Chalfont Borough, Chapter 27: Zoning, Part 10: 'CC Corridor Commercial District' at § 1008.9, Landscape and Buffering Requirements, is hereby eliminated in part and amended to read as follows:

- 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.
  - 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.
- C. Additional Development Requirements:

- 7. Decks
  - a. Uncovered Decks: The maximum uncovered deck encroachment shall be fifty (50%) percent into the tract boundary setback and rear yard setback.
  - b. Encroachments shall not be permitted into any designated buffer areas.



Brian D. Wallace  
Brian D. Wallace, Mayor

John R. Engel  
John R. Engel, President

Brian Shapiro  
Brian Shapiro, Manager

CHALFONT BOROUGH COUNCIL

ATTEST:

ENACTED and ORDAINED this 4<sup>th</sup> day of July, 2019.