

**BOROUGH OF PENNDEL
COUNTY OF BUCKS
COMMONWEALTH OF PENNSYLVANIA**

ORDINANCE #2005- |

**AN ORDINANCE OF THE BOROUGH OF
PENNDEL, COUNTY OF BUCKS,
COMMONWEALTH OF PENNSYLVANIA
AMENDING THE ZONING ORDINANCE OF
THE BOROUGH OF PENNDEL BY CREATING
ZONING REGULATIONS CONSISTENT WITH
THE PENNDEL DESIGN GUIDELINES.**

WHEREAS, the Council of the Borough of Pennel, County of Bucks, Commonwealth of Pennsylvania is empowered to enact, amend and repeal zoning ordinances pursuant to the Pennsylvania Municipalities Planning Code, as amended; and

WHEREAS, the Council of the Borough of Pennel, County of Bucks, Commonwealth of Pennsylvania has determined that it is necessary and desirable to amend the Zoning Ordinance of the Borough of Pennel by creating zoning regulations consistent with the Pennel Design Guidelines.

NOW THEREFORE, the Council of the Borough of Pennel, Bucks County, Pennsylvania, does hereby ordain and enact the following:

SECTION 1. Chapter 124, Article II, Section 124-4 of the Pennel Borough Zoning Ordinance is hereby amended by the addition of the following terms as follows:

CARTWAY – The portion of a street right-of-way, paved or unpaved, intended for vehicular use.

ENCROACHMENT – Pedestrian-oriented features of buildings, such as one-story porches, entrance hoods, stoops, awnings, canopies, roof overhangs and arcades with occupied or unoccupied floor space above, that are permitted to occupy the sidewalk area.

SIDEWALK – The area from the edge of the verge to the adjacent property line usually four (4) to ten (10) feet wide and intended for pedestrian use.

VERGE – The area from the edge of the cartway to the edge of the sidewalk used for street trees, utilities, and landscaping.

SECTION 2. Chapter 124, Article IV, Section 124-14 of the Penn del Borough Zoning Ordinance is hereby amended by the addition of Section 124-14. C. as follows:

§124-14.C. For development in SC, RC, I, or MB districts, any new construction, reconstruction, and major alterations are subject to review by the Planning Commission. The Planning Commission will base its review on the Design Guidelines. The Design Guidelines are available at Borough Hall. The Planning Commission will make a recommendation to Borough Council to approve or disapprove the construction on the basis of the project's ability to meet the intent of the Design Guidelines.

SECTION 3. Chapter 124, Article V, Section 124-22 of the Penn del Borough Zoning Ordinance is hereby amended by the addition of Sections 124-22. F., 124-22. G., and 124-22. H. as follows:

§124.22.F. Within the RC and SC districts, a minimum of 75% of the façade of any building along a public street must be constructed at the maximum front yard distance.

§124.22.G. Encroachments. In districts RC, SC, I, and MB, pedestrian oriented features of buildings such as one story porches, entrance hoods, stoops, awnings, projecting signs, canopies, roof overhangs, and arcades may encroach over sidewalk with a clearance of eight (8) feet and by a distance of feet (5) feet. In no case may such encroachments result in an obstruction of pedestrian movement. While café space and outdoor dining and retail are encouraged to add street life, a minimum of five (5) feet wide pedestrian walkway must be maintained on the sidewalk.

§124-22.H. Within the RC, SC, MB, and I districts, no parking will be allowed between the building and the cartway.

SECTION 4. Chapter 124, Article VII, Section 124-32.E. of the Penndel Borough Zoning Ordinance is hereby amended by the deletion of Section 124-32. E. In place of said deleted Section 124-32. E., the following revised Section 124-32. E. shall be inserted:

§124-32.E. Offices, including business, governmental and professional offices: one (1) off-street parking space for each three hundred (300) square feet of total floor area.

SECTION 5. Chapter 124, Article VII, Section 124-32.F. of the Penndel Borough Zoning Ordinance is hereby amended by the deletion of Section 124-32. F. In place of said deleted Section 124-32. F., the following revised Section 124-32. F. shall be inserted:

§124.32.F. Retail and consumer service.

- (1) Retail store, personal service shop, equipment or repair shop, bank or other financial and lending institution, public garage, motor vehicle sale establishment: one (1) off-street parking space for each three hundred (300) square feet of gross floor area.
- (2) Restaurant, café, tavern, nightclub, diner or similar place serving food or beverages: one (1) off-street parking space for each three hundred (300) square feet of total floor area.

SECTION 6. ~~Chapter 124, Article VIII, Section 124-39 of the Penndel Borough Zoning Ordinance is hereby amended by the deletion of Sections 124-39. B. (1), 124-39. B. (2), 124-39. B. (3) and 124-39. B. (13) In place of said deleted Sections 124-39. B. (1), 124-39. B. (2), 124-39. B. (3) and 124-39. B. (13), the following revised Sections 124-39. B. (1), 124-39. B. (2), 124-39. B. (3) and 124-39. B. (13) shall be inserted:~~

§124-39.B.(1) Prohibitions. Flashing signs or lights and revolving signs, festoon lighting, neon signs, advertising signs, except as provided under §124-40.B, and nonstationary signs shall not be permitted in any district. Neon signs will not be permitted

with the exception of one small Open and Closed sign, not to exceed four (4) square feet in area. Freestanding roof signs shall be permitted in any business district, provided that they do not extend more than four (4) feet above the roof of a one-story building and do not exceed twenty-five (25) feet maximum height from the curblin.

§124-39.B.(2) Obstruction. No sign shall be erected or maintained within a distance of ten (10) feet from the intersection of any street lines or the intersection of a street line and the edge of a private accessway. No sign shall be so located or arranged that it interferes with traffic through glare; through blocking of reasonable sight lines for streets, sidewalks, or driveways; through confusion with traffic control devices, by reason of color, location, shape or other characteristic; or through any other means. No sign shall violate the corner visibility restrictions of this section and §124-21. A.

§124-39.B.(3) Overhanging. No signs shall overhang any walkway or public right-of-way except as allowed in Section 124-22 (G).

§124-39.B.(13) Ground signs are allowed but must be located such that they do not interfere with driveway sight lines.

SECTION 7. Chapter 124, Article VIII, Section 124-39 of the Pennel Borough Zoning Ordinance is hereby amended by the addition of Sections 124-39. B. (16) and 124-39. B. (17), as follows:

§124-39.B.(16) Signs on awnings will only be allowed on the valance.

§124-39.B.(17) Backlit awnings are prohibited.

SECTION 8. Chapter 124, Article VIII, Section 124-41 of the Pennel Borough Zoning Ordinance is hereby amended by the deletion of Sections 124-41.A. in its entirety. In place of said deleted Section 124-41.A., the following revised Section 124-41.A. shall be inserted:

§124-41.A. On-premises signs. In RC Retail Commercial, SC Service Commercial, MB Metropolitan Business and P Professional Districts, no on-premises signs shall be permitted except as follows:

- (1) All signs permitted in §124-40.A at the standards prescribed therein, except as otherwise provided in this section.
- (2) Parallel signs, provided that the area of all parallel signs for each establishment shall not exceed one (1) square foot for each foot of length of the front building wall or length of that portion of such wall which is devoted to such an establishment.
- (3) Freestanding business signs, provided that:
 - (a) A freestanding sign will only be permitted if it is not possible to position a ground sign on the property or locate an adequate projecting or roof sign on the structure.
 - (b) Only one (1) such sign shall be permitted on each property for each street frontage subject to the provisions of §124-39B(7).
 - (c) The area of any one (1) such sign shall not exceed one (1) square foot for each one (1) foot of lot frontage or twenty-four (24) square feet, whichever is smaller.
 - (d) The maximum height of freestanding business signs shall not exceed twelve (12) feet.
- (4) Projecting signs, provided that:
 - (a) The property does not have a ground sign. The projecting sign shall not exceed one half (1/2) of a square foot for each foot of length of the front building wall or length of such wall which is devoted to the establishment.

- (5) Ground signs, provided that:
 - (a) The ground sign and supporting structure shall be no more than six (6) feet in overall height.
 - (b) The ground sign shall not exceed twenty-four (24) square feet in area.
 - (c) The ground sign shall not have lighting that shines into adjacent properties or creates a traffic hazard.
 - (d) The ground sign shall be on an attractive masonry base or landscaped for three (3) feet around the base.

SECTION 9. Chapter 124, Article X, Section 124-57 of the Penndel Borough Zoning Ordinance is hereby amended by the deletion of Sections 124-57.A. in its entirety. In place of said deleted Section 124-57.A., the following revised Section 124-57.A. shall be inserted:

§124-57.A. All applications for zoning permits shall be made 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 three (3) parts set forth in Subsections (1), (2) and (3) below:

SECTION 10. Chapter 124, Article X, Section 124-57 of the Penndel Borough Zoning Ordinance is hereby amended by the addition of Subsection 124-57.A.(3).

§124-57.A.(3) For permits in the SC, RC, I, and MB Districts:

- (a) Elevation of the facades.
- (b) Materials, finishes and colors for the façade of the proposed structure.
- (c) Drawing with dimensions of signs.

SECTION 11. The Table of Dimensional Requirements is hereby amended by the following revisions:

- A. In the RC and SC Zoning Districts, change the minimum lot width to 30’.
- B. In the RC, MB, I, and SC Zoning Districts, change the minimum front yard to 5’.
- C. Add a new column titled “Front Yard (feet) Maximum” with the notation “NA” inserted in all zoning districts except the RC, MB, I and SC Zoning Districts where the maximum shall be established at 5’.
- D. In the RC and SC Zoning Districts, change the minimum rear yard to 5’.
- E. In the RC and SC Zoning Districts, change the maximum building coverage to 65.

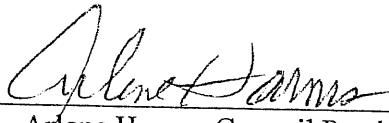
SECTION 12. Whenever the requirements of this Ordinance are in conflict with other requirements of the Codified Ordinances of the Borough of Penn del, the most restrictive, or those imposing the higher standards shall govern.

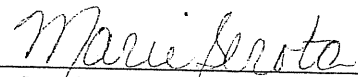
SECTION 13. The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the council of the Borough of Penn del that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

This Ordinance shall be come effective on the date adopted by the Council of the Borough of Penndel.

ADOPTED by the Council of the Borough of Penndel on this _____ day of _____, 2005.

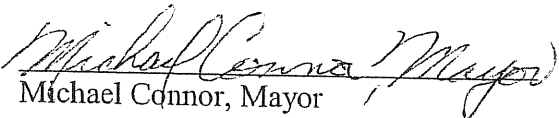
PENNDDEL BOROUGH COUNCIL
COUNTY OF BUCKS
COMMONWEALTH OF PENNSYLVANIA

By: 
Arlene Harms, Council President

ATTEST: 
Marie Serota, Secretary

Approved by Michael Connor, Mayor

Dated: 2/7/05


Michael Connor, Mayor