

principal use served. Where this requirement cannot be met, it shall be within three hundred (300) feet of the same principal use, but not in a residential district. Off-premises parking shall be either owned by the principal use or leased on a long-term basis of five (5) years or longer.

- H. 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 asphalt or other 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 off-street parking spaces shall be marked to indicate their location.
- I. Common access. In commercial districts, adjacent uses with adjacent parking facilities shall establish common access to their parking facilities in order to reduce the number of points of entrance and exit onto borough streets and highways. As adjacent uses are established, temporary access points may be required, which are to be eliminated at the completion of construction on the adjacent tract, at which time the common access will establish a definite flow of traffic.
- J. Multiple uses. Where two (2) 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.

#### § 124-34. Design standards.

The design standards specified in the Bucks County 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 chapter.

#### § 124-35. Off-street loading.

Off-street loading requirements, as specified below, shall be provided on any lot on which a building exceeding six thousand

(6,000) square feet of gross floor area for business or industry is hereafter erected.

- A. Every department store, freight terminal or railroad yard, hospital, retail establishment, storage warehouse or wholesale establishment, sanitarium, industrial plant or manufacturing establishment shall provide off-street truck-loading or -unloading berths as specified in the following table:

Aggregate Gross Floor Area Devoted to Each Use (sq. ft.)	Required Number of Berths
Under 6,000	No requirement
6,000 to 19,999	1
20,000 to 79,999	2
80,000 to 127,999	3
128,000 to 191,999	4
192,000 to 255,999	5
256,000 to 319,999	6
320,000 to 391,999	7
For each additional 72,000	1 additional berth

- B. Every auditorium, convention hall, exhibition hall, funeral home, office building, restaurant, hotel, sports arena or welfare institution shall provide off-street truck-loading and -unloading berths as specified in the following table:

Aggregate Gross Floor Area Devoted to Each Use (sq. ft.)	Required Number of Berths
Under 30,000	No requirement
30,000 to 44,999	1
45,000 to 119,999	2
120,000 to 197,999	3
198,000 to 290,999	4
291,000 to 389,999	5
390,000 to 488,999	6
489,000 to 587,999	7
588,000 to 689,999	8
For each additional 105,000	1 additional berth

**§ 124-36. Design and layout of off-street loading facilities.**

All required loading facilities shall be provided and maintained in accordance with the following requirements:

- A. They shall be provided and maintained as long as the use exists which the facilities were designed to serve.
- B. They shall not be reduced in total extent after their provision, except when such reduction is in conformity with the requirements of this Article.
- C. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the delivery and pickup vehicles that they are designed to serve.
- D. Parking and loading areas and driveways serving any nonresidential use shall include, within the property lines, turning areas so designed and surfaced that a vehicle entering or leaving the property will not be forced to back onto the street or onto the property.
- E. Certificates of occupancy permits. No certificates of occupancy shall be issued until all of the improvements required under the terms of this Article, as shown on plans or made a part of the building or zoning permit, are in place and ready for use.

**ARTICLE VIII  
Sign Regulations**

**§ 124-37. Purpose.**

It is recognized that signs perform important functions in identifying residences and businesses. It is hereby found and declared, however, that control of signs is necessary to promote the health, safety and general welfare by:

- A. Lessening hazards to pedestrian and vehicular traffic.
- B. Preserving property values.

- C. Preventing unsightly and detrimental development which has a blighting influence upon residential, business and industrial uses.
- D. Preventing signs from reaching such excessive size that they obscure one another to the detriment of all concerned.
- E. Securing certain fundamentals of design for the borough.

**§ 124-38. Scope and applicability.**

In all zoning districts within the borough, signs may be erected, altered, maintained, used or moved only when in accordance with the provisions of this Article.

**§ 124-39. Definitions and general sign regulations.**

- A. As used in this Article, the following terms shall have the meanings indicated:

**SIGN** — Any permanent or temporary structure or part thereof, or any device attached, painted or represented, directly or indirectly, on a structure or other surface that shall display or include any letter, word, insignia, flag or representation used as, or which is in the nature of, an advertisement, announcement, visual communication or direction, or which is designed to attract the eye or bring the subject to the attention of the public. No other type, size or illumination of sign is permitted than as provided under the provisions of §§ 124-39 to 124-43, inclusive.

**AREA OF SIGNS:**

- (1) Shall be construed to include all lettering, wording and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, but not including any supporting framework and bracing which are incidental to the display itself.
- (2) Where the sign consists of individual letters or symbols attached to a building, wall or window, the

area shall be considered to be that of the smallest rectangle or other regular geometric shape which encompasses all of the letters and symbols.

- (3) In computing the area of a double-face sign, only one (1) side shall be considered, provided that both faces are identical. If the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five degrees ( $45^\circ$ ), then both sides of such sign shall be considered in calculating the sign area.

#### ILLUMINATION OF SIGNS:

- (1) **DIRECTLY ILLUMINATED SIGN** — A sign designed to give forth artificial light directly or through transparent or translucent material from a source of light within such sign, including, but not limited to, neon and exposed lamp signs.
- (2) **FESTOON LIGHTING** — A directly illuminated sign comprised of either:
  - (a) A group of incandescent light bulbs hung or strung overhead or on a building or structures.
  - (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.
- (3) **INDIRECTLY ILLUMINATED SIGN** — A sign illuminated with a light so shielded that no direct rays therefrom are visible elsewhere on the lot where said illumination occurs. If such shielding device is defective, such sign shall be deemed to be a directly illuminated sign.
- (4) **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.
- (5) **NONILLUMINATED SIGN** — A sign which is not illuminated, either directly or indirectly.

## LOCATION OF SIGNS:

- (1) ON-PREMISES SIGN — A sign which advertises or otherwise directs attention to an activity conducted on the same lot.
- (2) ADVERTISING SIGN — An off-premises sign which advertises or otherwise directs attention to a commodity, business, industry, home occupation or other similar activity which is sold, offered or conducted elsewhere than on the lot upon which such sign is located.
- (3) BUSINESS SIGN — An on-premises sign which advertises or otherwise directs attention to a business, commodity, service, industry or other activity which is sold, offered or conducted other than incidentally on the premises upon which such sign is located or to which it is affixed.

## TYPES OF SIGNS:

- (1) FREESTANDING SIGN — A self-supporting sign resting on or supported by means of poles or standards either on the ground or on the roof of a building. The height of freestanding signs on the ground shall be measured from the curb level.
- (2) PARALLEL SIGN — A sign mounted parallel to a wall or other vertical building surface. A parallel sign shall not extend beyond the edge of any wall or other surface to which it is mounted or shall not project more than eight (8) inches from its surface.
- (3) PROJECTING SIGN — Any sign mounted to a wall or other vertical building surface other than a parallel sign. Projecting signs shall not project more than four (4) feet from the wall or surface to which they are mounted or in any way interfere with normal pedestrian or vehicular traffic.
- (4) NONSTATIONARY SIGN — A sign which, by means of some mechanical device, changes its position constantly or at regular intervals by rotating around an axis or shifting in horizontal or vertical alignment.

- (5) **GROUND SIGN** — A freestanding sign which rests at or near ground or curb level and is subject to the provisions of § 124-39B(4).

**B. General sign regulations.**

- (1) **Prohibitions.** Flashing signs or lights and revolving signs, festoon lighting, advertising signs, except as provided under § 124-40B, and nonstationary signs shall not be permitted in any district. Freestanding roof signs shall be permitted in any business district, provided that they do not extend more than six (6) feet above the roof of a one-story building and do not exceed twenty-five (25) feet maximum height from the curbline.
- (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. The location of the sign shall be at least eight (8) feet above the level of the street center line. 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 § 124-21A.
- (3) **Overhanging.** No signs shall overhang any walkway or public right-of-way.
- (4) **Freestanding sign (a self-supporting sign resting on or supported by means of standards).**
- (a) On a freestanding sign twelve (12) square feet or larger, the supporting member or members are to be either cemented into or bolted, using a minimum of four (4) bolts with minimum diameter of three-fourths ( $\frac{3}{4}$ ) inch, to a concrete footing, minimum three (3) feet below ground

surface having a minimum base of two hundred (200) square inches by minimum thickness of ten (10) inches.

- (b) All electric wiring for freestanding signs is to be placed underground or above the ground with a clearance of fifteen (15) feet.
- (c) No freestanding sign can occupy a designated parking area or intended parking area, walkway, cartway, driveway or area designated for any other use.

(5) Maintenance. All signs permitted in this Article must be constructed of durable materials and must be kept in good condition and repair. Any sign which is allowed to become dilapidated, after thirty (30) days' notification to the owner, shall be removed by the borough at the expense of the owner or lessee of the property on which it is located.

(6) Nonconforming signs. Signs existing at the time of passage of this chapter, which do not conform to the requirements of the chapter, shall be considered nonconforming signs and may continue in nonconformity for a maximum period of five (5) years from the date of passage of this chapter. Once removed for repair, replacement or any other reason, a nonconforming sign shall not be replaced unless with a conforming sign; provided, however, that nonconforming signs may be repainted or repaired in place, provided that such repainted or repaired sign does not exceed the dimensions of the existing sign.

(7) Permit required. All signs shall require the issuance of a sign permit before erection or replacement.

*Amendment  
Reported  
Ord. 92-3  
12470.2*

(8) Separate frontage. If an establishment has walls fronting on two (2) or more streets, the total sign area permitted for the particular use or building shall be computed at one and one-half (1½) times the total sign area permitted for buildings with single street frontage. The total area permitted per wall cannot exceed provisions under § 124-41A(2)(a).

- (9) Signs within street lines. Signs erected by a duly constituted governmental body, including traffic signs and similar regulatory notices, shall be allowed within street lines. No other signs shall be permitted within street lines, except that this provision shall be waived for parallel signs in areas where no front yard setback is available.
- (10) Yard requirements. No portion of any freestanding sign shall be located closer to any lot lines than one-half ( $\frac{1}{2}$ ) the required yard for the district in which it is located. If this requirement cannot be met, then freestanding signs shall be prohibited on such properties, except that in the business district the distance can be three (3) feet.
- (11) Vehicular signs. Any vehicle to which a sign is affixed in such a manner that the carrying of such sign or signs no longer is incidental to the vehicle's primary purpose, but becomes a primary purpose in itself, shall be considered a freestanding sign and as such be subject to the provisions regarding freestanding signs in the district in which such vehicle is located.
- (12) Signs affixed with adhesive are prohibited.
- (13) Ground signs are prohibited.
- (14) Temporary illuminated signs. Temporary illuminated signs shall not be permitted within fifty (50) feet of any existing or future road right-of-way.
- (15) See Ord. 92-3 @ 12470.2

§ 124-40. Signs in residential districts.

A. On-premises signs. In residential, professional, commercial, industrial and open recreation districts, no on-premises sign shall be permitted except as follows:

- (1) Signs displayed strictly for the direction, safety or convenience of the public, including signs which identify rest rooms, telephone booths, parking area entrances or exits, freight entrances or the like, provided that the area of any such sign shall not exceed four (4) square feet.

- (2) Flags representing governmental, educational or religious organizations.
- (3) One (1) nonilluminated sign or indirectly illuminated sign displaying only the name and address of the occupant of a premises, provided that the area of any such sign shall not exceed two hundred (200) square inches. The provisions of § 124-40A(8) do not apply to this type of sign.
- (4) One (1) nonilluminated or indirectly illuminated sign for home occupations or accessory offices, indicating only names of persons and their occupations, provided that the area of any such sign shall not exceed two (2) square feet.
- (5) One (1) nonilluminated or indirectly illuminated bulletin or announcement board or identification sign for a permitted nonresidential building or use, provided that the area of any such sign shall not exceed twenty (20) square feet.
- (6) One (1) nonilluminated or indirectly illuminated sign in connection with a lawfully maintained non-conforming use, provided that the area of any such sign shall not exceed twelve (12) square feet.
- (7) One (1) nonilluminated sign advertising the sale or rental of the premises upon which said sign has been erected or one (1) sign indicating that said premises have been sold or rented, provided that the area of any such sign shall not exceed six (6) square feet and such sign shall be removed within twenty (20) days after an agreement of sale or rental has been entered into.
- (8) One (1) temporary nonilluminated sign erected in connection with the development or proposed development of the premises by a builder, contractor, developer or other persons interested in such sale or development, provided that the area of any such sign shall not exceed twenty-four (24) square feet and that the sign shall be removed within twenty (20) days after the last structure has been initially occupied or

upon expiration of the building permit, whichever is sooner.

- (9) Temporary nonilluminated sign of mechanics or artisans may be erected and maintained during the period such persons are performing work on the premises on which such signs are erected, provided that such sign shall be removed upon completion of work by the mechanic or artisan and the total area of all such signs shall not exceed twenty-four (24) square feet.
  - (10) Signs announcing no trespassing or signs indicating the private nature of a road, driveway or premises, provided that the area of any such sign shall not exceed four (4) square feet.
  - (11) Nonilluminated or indirectly illuminated memorial signs or historical signs or tablets.
- B. Off-premises signs. Signs permitted within this section may also be on-premises signs. Off-premises signs are not permitted except as follows:
- (1) Signs necessary for the direction, regulation and control of traffic; street name signs; legal notices; warnings at railroad crossings; and other official signs which are similarly authorized or erected by a duly constituted governmental body.
  - (2) Temporary signs advertising political parties or candidates for election may be erected or displayed and maintained, provided that:
    - (a) The size of any such sign is not in excess of four (4) square feet.
    - (b) The signs shall not be erected or displayed earlier than thirty (30) days prior to the election to which they pertain and shall be removed within seven (7) days after the election.
  - (3) Temporary nonilluminated signs directing persons to temporary exhibits, shows, events or proposed

developments may be erected subject to the following requirements:

- (a) Signs shall not exceed twelve (12) square feet in area.
- (b) Signs shall not be posted earlier than seven (7) days before the occurrence of the event to which they relate and must be removed within eight (8) days after the date of the exhibit, show, event or the sale or rental of the final unit in such development.
- (c) Temporary signs for any one (1) exhibit, show, event or use shall be limited to two (2) events per year. Each event shall be no more than fifteen (15) days in duration.<sup>4</sup>
- (4) Nonilluminated signs used for directing patrons, members or an audience to service clubs, churches or other nonprofit organizations, provided that signs indicate only the name of the organization and the place, date and time of meeting, and shall not exceed four (4) square feet in area.
- (5) The erector of temporary signs permitted under Subsections B(2) and (3) of this section or an authorized agent of a political party, candidate or sponsor of an exhibit, show, event or proposed development shall apply for and obtain a permit from the Borough Zoning Officer and deposit with the borough, at the time of his application, the sum of twenty-five dollars (\$25.) per each one hundred (100) of such signs, or fraction thereof, as a guaranty that all such signs will be removed promptly within seven (7) days after the date of the election, exhibit, show, event or development to which such signs relate. At the time of deposit, the erector or authorized agent shall indicate upon which streets such signs are to be located. If such signs are not removed at the end of the

<sup>4</sup> Editor's Note: The third sentence of this subsection, which imposed a penalty for the illegal display or posting of temporary signs, was repealed at time of adoption of Code; see Ch. 1, General Provisions, Article I. See § 124-72 for penalties for violations of all provisions of this chapter.

seven-day period, the borough shall cause them to be removed and the entire deposit guaranteeing removal shall be forfeited to the borough. In addition, failure to remove such signs as prescribed shall constitute a violation of this chapter, subjecting offenders to the penalties prescribed in § 124-72 hereof.

C. Locational restrictions.

- (1) Freestanding signs, except at corners, may not exceed six (6) feet in height.
- (2) Parallel and projecting signs, or portions of such signs, shall not be located more than four (4) feet above the ceiling of the ground floor of any building.

§ 124-41. Signs in commercial and professional districts.  
[Amended 10-2-78 by Ord. No. 78-4, approved 10-5-78]

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 § 124-40A at the standard prescribed therein, except as otherwise provided in this section.
- (2) Parallel and projecting business signs, provided that:
  - (a) The total area of all parallel and projecting 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 establishment.
  - (b) If such establishment does not occupy any floor area on the ground level of the building other than an entryway, the maximum area per foot of length of the front building wall, or portion thereof, shall be only one-half (½) square foot.
  - (c) Signs painted on or affixed to the inside or outside of windows shall be included in this

computation if their combined area exceeds twenty-five percent (25%) of the area of the window which they occupy.

- (d) In no case, however, may the total area of parallel and projecting signs, and any signs affixed to the inside or outside of windows, exceed ten percent (10%) of the area of the wall, including windows and door area and cornices, to which they are attached.

*Amendment  
Delete  
Ord 92-3  
12470.2*

- (3) Freestanding business signs, provided that:
  - (a) Only one (1) such sign shall be permitted on each property for each street frontage subject to the provisions of § 124-39B(7).
  - (b) The area of any one (1) such sign shall not exceed one (1) square foot for each one (1) foot of lot frontage or thirty-two (32) square feet, whichever is smaller.
  - (c) The maximum height of freestanding business signs shall not exceed fourteen (14) feet.

B. Off-premises signs. All off-premises signs permitted in § 124-40B at the standards prescribed therein are permitted in RC Retail Commercial, SC Service Commercial, MB Metropolitan Business and P Professional Districts.

*C. See Ord. 92-3*

§ 124-42. Signs in industrial districts.

A. On-premises signs. In industrial districts, no on-premises signs shall be permitted, except as follows:

- (1) All signs permitted in § 124-40A at the standards prescribed therein.
- (2) Parallel business signs subject to the following provisions:
  - (a) The total area of any parallel sign shall not exceed two (2) square feet for each foot of length of the front building wall or length of that portion of such wall which is devoted to such establishment, or fifty (50) square feet, whichever is less.

- (b) No parallel sign shall be painted on or affixed to the inside or outside of windows in such districts.
- (3) Freestanding business signs, provided that:
  - (a) The area of all such signs shall not exceed one (1) square foot for each one (1) foot of lot frontage or a total of one hundred (100) square feet, whichever is less, subject to the provisions of § 124-39B(7).
  - (b) The maximum height of freestanding business signs shall not exceed fourteen (14) feet.
- B. Off-premises signs. All off-premises signs permitted in § 124-40B at the standards prescribed therein are permitted in industrial districts.

§ 124-43. Signs in open recreation districts.

In open recreation districts the following signs shall be permitted:

- A. One (1) nonilluminated or indirectly illuminated on-premises sign, which names and gives pertinent information pertaining to the recreational facility, and other official signs which are similarly authorized or erected by a duly constituted governmental body.
- B. Temporary parallel advertising will be permitted on the backfield fences facing the backstop in baseball fields in open recreation districts. Such signs shall not extend above the fences to which they are attached and shall be erected no sooner than one (1) week prior to the initial municipally sanctioned league baseball game of the season, and shall be removed no later than one (1) week after the final such game of the season.

§ 124-44. Sign permits.

- A. Permit required. It shall be unlawful to erect, construct or alter any sign in the Borough of Penn del without first filing with the Zoning Officer of the borough an application in writing and obtaining a formal permit.

- B. Application form. An application for a permit for the erection, construction or alteration of a sign in the Borough of Penn del shall be submitted on such form as the Penn del Borough Council may prescribe, and such application shall contain the full names and addresses of the applicant, the owner of the premises whereon a sign is to be erected, constructed or altered and the person or firm engaged to erect, construct or alter such sign. The application shall contain the affidavits of the owner of the premises authorizing the application and the work described therein.
- C. Plans to accompany application. Applications for permits for the erection, construction or alteration of signs shall be accompanied by drawings of the proposed work, drawn to scale, showing the structural details of the sign and such other details as the Zoning Officer may require.
- D. Each applicant for a permit for the erection, construction or alteration of signs shall, at the time of mailing such application, pay to the Zoning Officer of the borough for the use of the borough a fee in the amount of two dollars and fifty cents (\$2.50) per square foot, subject to a minimum fee of thirty dollars (\$30.). [Amended 5-2-83 by Ord. No. 83-5, approved 5-2-83]

*E. See Ord. 92-3 at 12470.2*

§ 124-45. Monitoring of signs.

It shall be the duty of the Zoning Officer to conduct inspections and surveys to determine compliance or noncompliance with the terms of this chapter.<sup>7</sup>

ARTICLE IX  
Nonconformities

§ 124-46. Definitions.

As used in this Article, the following terms shall have the meanings indicated:

<sup>7</sup> Editor's Note: Original Section 818, which followed this section and imposed a penalty for violations of the sign regulations, was repealed at time of adoption of Code: see Ch. I, General Provisions, Article I. See § 124-72 for violation of all provisions of this chapter.

**NONCONFORMING STRUCTURE OR LOT** — A structure or lot that does not conform to a dimensional regulation prescribed by this chapter for the district in which it is located or to regulations for signs, off-street parking, off-street loading or accessory buildings, but which structure or lot was in existence at the effective date of this chapter and was lawful at the time it was established.

**NONCONFORMING USE** — A use of a building or lot that does not conform to a use regulation prescribed by this chapter for the district in which it is located, but which was in existence at the effective date of this chapter, was lawful at the time it was established and is duly registered under the provisions of § 124-54.

**§ 124-47. Continuation.**

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

**§ 124-48. 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 or 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 is in existence at the date the use became nonconforming.
- (2) Any increase in volume, area or extent of the nonconforming use shall not exceed an aggregate of more than fifty percent (50%) during the life of the nonconformity.

- B. A structure which does not conform to the regulations of this chapter other than Article IV, Use Regulations, may be altered, reconstructed or enlarged, provided that no such nonconformity is increased beyond its extent on the date that it became nonconforming, provided that if the use of structure also falls under Subsection A of this section, any change shall be subject to the provisions of that subsection.

#### § 124-49. Restoration.

No structure damaged by fire or other causes to the extent of more than seventy-five percent (75%) of its fair market value shall be repaired, reconstructed or used except in conformity with the regulations of this chapter. Structures with damage to the extent of seventy-five percent (75%) or less of the fair market value may be reconstructed, repaired or used for the same nonconforming 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 § 124-48.
- B. Reconstruction shall begin within one (1) year from the date of the damage and shall be carried on without interruption.

#### § 124-50. Abandonment.

Whenever a nonconforming use has been discontinued for a period of ninety (90) days and such use has been abandoned, such use shall not thereafter be reestablished, and any future use shall be in conformity with the provisions of this chapter.

#### § 124-51. Changes.

Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use. A nonconforming use may be changed to another nonconforming use only under the following conditions:

- A. Such change shall be permitted only by special exception, under the provisions of Article X.
- B. The applicant shall show that the nonconforming use cannot reasonably be changed to a use permitted in the district where such nonconforming use is located.
- C. The applicant shall show that the proposed change will be less objectionable in external effects than the existing nonconforming use with respect to:
  - (1) Traffic generation and congestion, including truck, passenger car and pedestrian traffic.
  - (2) Noise, smoke, dust, fumes, vapors, gases, heat, odor, glare or vibration.
  - (3) Storage and waste disposal.
  - (4) Appearance.

**§ 124-52. Displacement of conforming use.**

No nonconforming use shall be extended to displace a conforming use.

**§ 124-53. 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 nonconforming uses or structures existing therein.

**§ 124-54. Registration of nonconforming uses.**

The Zoning Officer shall provide for the registration of all uses which are nonconforming under the terms of this chapter within a reasonable time after the effective date of this chapter. The record of nonconforming 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 nonconforming use shall make available such information as may be necessary to determine the extent and nature of the nonconforming use.

ARTICLE X  
Administration

§ 124-55. Zoning Officer: appointment; powers and duties.

- A. The provisions of this chapter shall be administered and enforced by the Zoning Officer who shall be appointed by the Borough Council.
- B. It shall be the duty of the Zoning Officer to:
- (1) Receive and examine all applications for zoning permits.
  - (2) Issue permits only where there is compliance with the provisions of this chapter, 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. Permits requiring approval of a conditional use by the Borough Council shall be issued only after receipt of such approval.
  - (3) Receive appeals and applications for interpretation, special exceptions and variances and forward them to the Zoning Hearing Board.
  - (4) Receive applications requiring review and forward these applications to the Planning Commission for their recommendation. The Planning Commission shall forward such recommendation to the Borough Council within thirty (30) days. If it is not returned within thirty (30) days to the Borough Council, such action shall indicate approval of the application.
  - (5) Conduct inspections and surveys to determine compliance or noncompliance with the terms of this chapter.
  - (6) Issue stop and cease and desist orders, and order in writing correction of all conditions found to be in violation of the provisions of this chapter. 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 chapter. All orders not appealed from in thirty (30) days shall be deemed final.

- (7) With the approval of the Borough Council, or when directed by it, institute in the name of the borough any appropriate action or proceedings to prevent the unlawful erection, construction, reconstruction, alteration, repair, conversion, demolition, maintenance 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.
- (8) Revoke by order a zoning permit issued under a mistake of fact or contrary to the law or the provisions of this chapter.
- (9) Record and file all applications for zoning permits with accompanying plans and documents. All applications, plans and documents shall be a public record.
- (10) Maintain a map or maps showing the current zoning classification of all land in the borough.
- (11) Upon the request of the Borough Council, the Planning Commission or the Board of Adjustment, present facts, records or reports which they may request to assist them in making decisions.

§ 124-56. Zoning permits required.

- A. Hereafter, no structure shall be erected, constructed, reconstructed, altered or moved, and no building shall be 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 completed or as permanently effective until the Zoning Officer has noted on the permit

that the work or occupancy and use has been inspected and approved as being in conformity with the provisions of this chapter and any other ordinance which may be applicable.

- B. 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 chapter, 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, painting, cleaning woodlands, building ponds, tilling the soil, terraces or similar features, or landscaping.

**§ 124-57. Application requirements for zoning permits.**

- 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 two (2) parts:

- (1) A written statement, including:
  - (a) An identification of the proposed use of the building or land.
  - (b) A description of any proposed industrial or commercial operations in sufficient detail to indicate effects of those operations in producing noise, heat, vibration, glare, air pollution, water pollution, fire hazards, traffic congestion or other safety hazards.
  - (c) A description of methods to be employed in controlling any excess noise, air pollution, smoke, fumes, water pollution, fire hazards or other safety hazards.
  - (d) In the case of application for interpretation, variances and special exceptions, the additional information specified in Article XI, § 124-66H.

- (e) Any other data deemed necessary by the Zoning Officer or Borough Council to enable them to determine the compliance of the proposed development with the terms of this chapter.
- (2) A site plan drawn to scale showing:
- (a) The location, dimensions and height of proposed buildings, structures, fences 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, off-street parking, off-street loading and unloading and provisions to be made for lighting such areas, if required under Article VII.
  - (d) The dimensions, location and methods for illumination of signs, if applicable.
  - (e) The location and dimensions of sidewalks and all other areas to be devoted to pedestrian use.
  - (f) Provisions to be made for treatment and disposal of sewage and industrial wastes, water supply and storm drainage.
  - (g) 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.
  - (h) The location of environmental factors, such as slopes, open waterway, floodplains, pools, stands of mature trees, etc., shall be indicated.

- 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 the Council shall have acted on the ordinance within the said sixty-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 or 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.

**§ 124-58. Approval of subdivision or land development plan required.**

The Zoning Officer shall not issue a zoning permit for the erection, construction, reconstruction or alteration of a building in a subdivision or land development, as defined below, prior to the approval of the subdivision or land development plan in compliance with the procedures, standards and regulations established in the Bucks County Subdivision and Land Development Regulations, in the absence of a subdivision and land development ordinance enacted by the Pennel Borough Council.

**A. Subdivision, major and minor.**

- (1) A major subdivision is the division of a lot, tract or parcel of land, or part thereof, into two (2) or more lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building development.
- (2) A minor subdivision is the division of a single lot, tract or parcel of land into two (2) lots, tracts or parcels of land for the purpose, whether immediate or future, of transfer of ownership or of building

development, provided that the proposed lots, tracts or parcels of land thereby created have frontage on an improved public street or streets, and provided further that there is not created by the subdivision any new street or streets, the need for required improvements, easement or access or the need therefor.

B. Land development is:

- (1) The improvement of one (1) or more lots, tracts or parcels of land that involves the installation of streets, driveways and/or parking areas. The proposed uses shall be, but are not limited to, the following: all commercial development, including shopping centers; industrial and industrial parks; mobile home parks in which spaces are leased; and multifamily residential. The vehicular accessways and parking areas may or may not be offered for dedication. Single residential uses shall be excluded.
- (2) A division of land into lots for the purpose of conveying such lots singly or in groups to any person, partnership or corporation for the purpose of the erection of building by such partnership or corporation.

§ 124-59. 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; provided, however, that 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 two (2) years, provided that the construction pursuant to said permit has commenced within one (1) year following issuance of the permit.

**§ 124-60. Issuance of permits. [Amended 11-7-1988 by Ord. No. 88-8, approved 11-7-1988]**

Zoning permits shall be granted or refused within thirty (30) 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 chapter. 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 chapter 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 chapter 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.

**§ 124-61. Certificate of occupancy required.**

A. A certificate of occupancy shall be required for any of the following:

- (1) Occupancy and use of any building or portion thereof hereafter erected or altered.
- (2) Change in use of an existing building to a use of a different classification.
- (3) Occupancy and use of vacant land or change in the use of land to a use of a different classification.
- (4) Any change in use or extension of a nonconforming use.

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

§ 124-62. Issuance of certificate of occupancy. [Amended 7-1-1991 by Ord. No. 91-2, approved 7-2-1991]

A certificate of occupancy shall be granted or refused within thirty (30) 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 thirty (30) days after receipt of written application therefor. 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 chapter, certifying, after inspection, the extent and kind of use or disposition of the buildings or land, and whether such use or disposition conforms to the provisions of this chapter. 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.

§ 124-63. Fees for permits. [Amended 5-2-83 by Ord. No. 83-5, approved 5-2-83]

The fee for a permit shall be a flat fee of fifty dollars (\$50.). Each applicant for an interpretation or special exception variance shall, at the time of making application, pay a fee in accordance with a fee schedule to be adopted by resolution of the Borough Council. The amount of the fee shall be predicated upon the average cost to the borough of the application or appeal, as nearly as it can reasonably be determined, including advertising, mailing, reproduction, stenographic, legal and similar expenses. The amount by which the fee exceeds the actual costs of the proceeding shall be returned to the applicant or appellant following the filing of the decision of the Zoning Hearing Board. Payment of all costs must be made in full before a building permit shall be issued.

ARTICLE XI  
Zoning Hearing Board

**§ 124-64. Establishment and membership.**

A Zoning Hearing Board, consisting of three (3) members appointed by Borough Council for overlapping terms of three (3) years each, is established for the purpose of carrying out the functions of a Zoning Hearing Board, as provided by law. Members of the Board shall be residents of the borough and shall hold no other office in the borough, except that no more than one (1) member of the Board may also be a member of the Planning Commission.

**§ 124-65. Organization.**

The Board shall elect a Chairman from its membership and, within the limits of funds appropriated by the Borough Council, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services.

**§ 124-66. Procedures before the Board.**

- A. Hearings. The Board shall meet monthly to hear and consider all such matters which shall properly come before it. All such meetings shall be open to the public.
- B. Persons entitled to initiate action before the Board. Appeals from the Zoning Officer, pursuant to § 124-67A hereof, and proceedings to challenge an ordinance, under § 124-67B hereof, may be filed by any officer or agency of the borough or by any person aggrieved. Requests for a variance, under § 124-67C, and for a special exception, under § 124-67D hereof, may be filed by any landowner or tenant with the permission of such landowner.
- C. Manner of initiating action before the Board. All action before the Board shall be initiated by a written application for hearing which shall be filed with the Zoning Officer at least three (3) weeks prior to the meeting at which the

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particular matter is to be heard. All applications shall be made on forms specified by the Board. No application form shall be accepted unless:

- (1) The same shall be fully and legibly completed.
- (2) All exhibits and supplemental material required by the application shall be attached.

(Cont'd on page 12499)

- (3) All fees required under § 124-63 of this chapter shall have been paid.
- D. Time limitations. All appeals from the Zoning Officer and all requests for variances, as provided in §§ 124-67A and 124-67C hereof, respectively, shall be filed within thirty (30) days following the refusal of the Zoning Officer to grant a zoning permit.
- E. Notification of hearings. Notification of the time and place of all hearings shall be given, by mail, to the applicant and to all persons who own real estate within a two-hundred-foot radius of any property which is the subject of an application. Notification shall be made to the Penndel Borough Council. Notice of the hearing of any particular application shall also be given to any person who shall timely request the same in writing, such request to be accompanied by a fee in the sum of one dollar (\$1.). Notice of the time and place of all hearings shall be given by publishing the same in a newspaper of general circulation within the borough. All notices required by this section shall be given at least five (5) days prior to the date of the hearing for which notice is given.
- F. Parties. Parties to any hearing shall be the municipality, any person entitled to notice under § 124-66E without special request therefor who has given timely appearance of record before the Board and any other person permitted to appear by the Board.
- G. Witnesses. The Chairman or Acting Chairman of the Board shall have the power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- H. Representation. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and cross-examine adverse witnesses on all relevant issues.
- I. Rules of evidence. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

- J. Record. The Board shall keep a stenographic record of the proceedings and a transcript of the proceedings, and copies of graphic or written material received in evidence shall be made available to any party at cost.
- K. Communications. The Board shall not communicate, directly or indirectly, with any party or his representative in connection with any issue involved, except upon notice and opportunity for all parties to participate; shall not take notice of any communication, reports, staff memoranda or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative, unless all parties are given an opportunity to be present. Board, as used herein, shall include not only the members but also any secretary, clerk, legal counsel or consultant of the Board.
- L. Decisions. The Board shall render a written decision or, when no decision is called for, make written findings on an application within forty-five (45) days of the last hearing thereon. Each decision shall be accompanied by findings of fact and conclusions based thereon, together with the reasons therefor. Conclusions based on any provisions of any statute, ordinance, rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in light of the facts found. Where the Board has power to render a decision and fails to do so within the forty-five-day period above prescribed, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant agrees in writing to extend the period allowed for decision.
- M. Copies of decisions.
- (1) A copy of the final decision or, when no decision is called for, of the findings, shall be delivered to the applicant, personally or mailed to him, not later than the day following the date of the decision.
  - (2) To all other persons who have filed their name and address with the Board not later than the last day of

the hearing, the Board shall provide, by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

- N. Appeals to the courts. Zoning appeals may be taken to the court by any party before the Board or any officer or agency of the borough, as provided by law.

§ 124-67. Functions of the Board.

A. Appeals from the Zoning Officer.

- (1) The Board shall hear and decide appeals where it is alleged by the appellant that the Zoning Officer has failed to follow prescribed procedures or has misinterpreted or misapplied any provision of the chapter or the Map.
- (2) Appeals to the Zoning Hearing Board may be taken by the landowner affected, any officer or agency of the borough or any person aggrieved by any decision of the Zoning Officer. These appeals must be filed within thirty (30) days of the date the decision is rendered by the Zoning Officer.
- (3) Any appeal from the ruling of the Zoning Officer concerning the enforcement and interpretation of the provisions of this chapter, including any order to stop, cease and desist, shall be filed with the Zoning Officer within thirty (30) days after the date of the Zoning Officer's adverse decision.
- (4) 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 required under § 124-63.
- (5) All appeals and applications shall refer to the specific provisions of this chapter involved.

B. Challenge to the validity of the ordinance or Map.

- (1) The Board shall hear challenges to the validity of the Zoning Ordinance and Map. In all such challenges, the

Board shall take evidence and make a record thereon as provided in § 124-66J. 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 on appeal to court.

- (2) Where the Board has jurisdiction over a zoning matter pursuant to §§ 124-67A, B or C, 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; provided, however, that the Board shall have no power to pass upon the nonzoning issues, but shall take evidence and make findings on all relevant issues of fact which shall become part of the record on appeal to the court.

C. Variances.

- (1) The Board shall hear requests for variances where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the appellant. The Board may grant a variance, provided that the following findings are made where relevant in a given case:
  - (a) There are unique physical circumstances or conditions, including irregularity, narrowness or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and the unnecessary hardship is due to such conditions and not the circumstances or conditions generally created by the provisions of the Zoning Ordinance in the neighborhood or district in which the property is located.
  - (b) Because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of the Zoning Ordinance and

that the authorization of a variance is therefore necessary to enable the reasonable use of the property.

- (c) Such unnecessary hardship has not been created by the appellant.
  - (d) The variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, or substantially or permanently impair the appropriate use or development of adjacent property, or be detrimental to the public welfare.
  - (e) The variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation at issue.
- (2) In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purposes of this chapter. The applicant shall have six (6) months after the time the variance was granted to obtain a building permit for any structure for which the variance was required.

D. Special exceptions.

- (1) Where this chapter has provided for stated special exceptions to be granted or denied by the Zoning Hearing Board, pursuant to expressed standards and criteria, the Zoning Hearing Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria.
- (2) Upon review of any application for a special exception, the Zoning Hearing Board shall consider and determine, among other things, that:
  - (a) The proposed change is consistent with the spirit, purpose and intent of the Zoning Ordinance.
  - (b) The proposed special exception will not substantially injure or detract from the use of the

neighboring property or from the character of the neighborhood.

- (c) All commercial and industrial parking, loading, access or service areas shall be adequately illuminated at night while in use, and that such lighting, including sign lighting, shall be arranged so as to protect the highway and neighboring properties from direct glare or hazardous interference of any kind.
  - (3) In granting special exceptions, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the chapter, as it deems necessary to implement the purposes of this chapter.
  - (4) In all applications for special exceptions, the applicant shall have the burden of proving that his application falls within the provisions of the Zoning Ordinance and that granting his application will not be contrary to the public interest.
  - (5) The applicant shall have six (6) months after the time that the special exception is granted in which to obtain a building permit for any structure for which the special exception was required.
- E. Interpretation. Upon appeal from a decision by the Zoning Officer, the Zoning Hearing Board shall decide any question:
- (1) Involving the interpretation of any provision of this chapter, including determination of the exact location of any district boundary if there is uncertainty with respect thereto.
  - (2) Where it is alleged there is an error in any order, requirement, 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 chapter.
- F. Court appeals. Any person aggrieved by any decision of the Zoning Hearing Board of the borough 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 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.<sup>9</sup>

## ARTICLE XII Amendments, Remedies and Penalties

### § 124-68. Power of amendment.

The Borough Council may, from time to time, amend this chapter, including the Zoning Map.

### § 124-69. Public hearings prior to amendment.

Before voting on the enactment of any amendment, the Council shall hold a public hearing thereon, pursuant to public notice. "Public notice," as used in this section, shall mean that the first publication shall be not more than thirty (30) days and not less than fourteen (14) days in advance of the hearing. Such notice shall be published once each week for two (2) successive weeks in a newspaper of general circulation in the 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. If, after any public hearing held upon an amendment, the proposed amendment is revised, or further revised, to include land previously not affected by it, the Council shall hold another public hearing, pursuant to public notice, before proceeding to vote on the amendment.

### § 124-70. Procedure for seeking curative amendments.

A landowner who desires to challenge on substantive grounds the validity of this chapter or any part hereof that prohibits the use or development of land in which he has an interest may submit

<sup>9</sup> Editor's Note: See 53 P.S. § 11001 et seq.

a curative amendment to the Borough Council with a written request for hearing. Borough Council shall commence a hearing thereon within sixty (60) days of the submission of a properly completed request following procedures outlined in Article VI, Section 609.1, and Article X, Section 1004, of the Pennsylvania Municipalities Planning Code, as amended.<sup>9</sup>

**§ 124-71. Submission of amendments to the Bucks County Planning Commission.**

In the case of an amendment other than one prepared by the Planning Commission, the Borough Council shall submit each such amendment to the Bucks County Planning Commission at least thirty (30) days prior to the hearing, in order to provide the Planning Commission an opportunity to submit recommendations.

**§ 124-72. Violations and penalties. [Amended 3-9-76, approved 3-9-76; 8-1-88 by Ord. No. 88-1, approved 8-2-88]**

Any person, firm or corporation who shall violate any provision of this chapter shall, upon conviction thereof, be subject to a fine of not more than six hundred dollars (\$600.) or imprisonment for a term not to exceed ten (10) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

**§ 124-73. Enforcement remedies.**

In case any building, structure or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of any of the provisions of this chapter, the Council, or an officer of the borough with the approval of the Council, in addition to other remedies, may institute in the name

<sup>9</sup> Editor's Note: See 53 P.S. §§ 10609.1 and 11004.

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of the borough any appropriate action or proceedings to prevent, restrain, correct or abate such building, structure or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation.

**§ 124-74. Complaints of violations.**

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

Enlarged copy

Table of Dimensional Requirements

Districts	Permitted Uses	Site Area (sq. ft.) Minimum	Lot Area <sup>1</sup> (sq. ft.) Minimum	Lot Width (feet) Minimum	Front Yard <sup>2</sup> (feet) Minimum	Side Yard <sup>2</sup> (feet) Minimum	Rear Yard <sup>2</sup> (feet) Minimum	Height <sup>3</sup> (feet/stories) Maximum	Building Coverage <sup>4</sup> (percent) Maximum	Floor Area Ratio (percent) Maximum
R-1	Single-family detached	7,500	7,500	50	35	10	30	35/3	25	30
	Duplex	9,000	4,500	30	35	10	30	35/3	25	30
	Other permitted uses <sup>5</sup>	20,000	20,000	100	50	25	35	35/3	25	35
R-2	Single-family detached	7,500	7,500	50	35	10	25	35/3	30	40
	Duplex	9,000	4,500	30	30	10	25	35/3	30	40
	Other permitted uses <sup>5</sup>	20,000	20,000	75	40	20	25	35/3	30	40
R-3	Single-family detached	7,500	7,500	50	35	10	25	35/3	30	40
	Single-family lot line	6,000	6,000	50	30	See § 124-17A(2)	25	35/3	30	40
	Duplex	9,000	4,500	30	30	10	25	35/3	30	40
	Townhouses	1 acre	"	"	"	"	"	35/3	40	60
	Cluster development <sup>7</sup>	4 acres	—	—	—	—	—	35/3	—	—
	Other permitted uses <sup>5</sup>	20,000	20,000	100	50	25	35	35/3	25	35
	Any permitted use <sup>5</sup>	8,000	8,000	50	20	15	15	35/3	30	50
P	Any permitted use <sup>5</sup>	8,000	8,000	50	20	15	15	45/4	30	50
RC	Any permitted use <sup>5</sup>	20,000	20,000	100	35	15	15	45/4	30	50
SC	Any permitted use <sup>5</sup>	80,000	80,000	150	35	15	15	35/3	65	100
I	Industrial uses 47, 53-57	20,000	20,000	100	35	15	15	35/3	30	50
	Other permitted uses <sup>5</sup>	80,000	80,000	150	70	25	50	12/1	10	5
OR	Any permitted use <sup>5</sup>									
MB <sup>8</sup>	Industrial uses	Same as I Industrial District								
	Other permitted uses	Same as SC Service Commercial District								

NOTES:

<sup>1</sup> For exceptions to minimum lot area, see § 124-20C.

<sup>2</sup> For exceptions to minimum front yard requirements, see § 124-22A.

<sup>3</sup> In RC, SC, and I Districts, side and rear yards shall be subject to the buffer yard requirements of § 124-30I. In cases where a garage is built attached to and a part of a single-family detached dwelling or a duplex, the side yard may be reduced to and shall not be less than seven and one-half (7½) feet on the garage side, and the total side yards not less than twenty (20) feet.

<sup>4</sup> For exceptions to maximum height limitations, see § 124-25B.

<sup>5</sup> Except for the following uses:

- (a) Use 9, conversion. No dimensional requirements except as specified in the Table of Use Regulations or specified by the Zoning Hearing Board.
- (b) Use 11, rooming house. Lot area as specified in § 124-17A(11). Other dimensional requirements as specified above for other permitted uses in the appropriate district.
- (c) Use 12, dwelling in combination. As specified in Table of Dimensional Requirements in the RC District for the type of dwelling proposed.
- (d) Use 39, parking area or garage. As specified in § 124-17E(1) for parking design and for buildings as specified in the Table of Dimensional Requirements for other permitted uses in appropriate districts.
- (e) Uses 43 to 46, inclusive, transportation terminals. No lot area or width requirements. Other requirements as specified in the Table of Dimensional Requirements for other permitted uses in appropriate districts.
- (f) Uses 47 to 50, inclusive, utilities (in part). No lot area or width requirements. Other requirements as specified in the Table of Dimensional Requirements for other permitted uses in appropriate districts.

<sup>6</sup> For definition, see § 124-26.

<sup>7</sup> Cluster developments are subject to the provisions of § 124-17A(10) and § 124-31. Residential performance standard subdivision.


<sup>8</sup> Townhouses are subject to the provisions of § 124-17A(6).

<sup>9</sup> [Added 10-3-78 by Ord. No. 78-4, approved 10-3-78]

# ZONING MAP 1978



- R1 Low Density Residential
- R2 Moderate Density Residential
- R3 Multi-Family Residential
- P Professional
- RC Commercial - Retail
- SC Commercial - Service
- I Industrial
- OR Open Recreation
- MB Metropolitan Business



**PENDEL BOROUG**  
 BUCKS COUNTY, PENNSYLVANIA  
 0 200 400 600  
 SCALE IN FEET