

**BOROUGH OF PERKASIE  
ORDINANCE NO. 978**

**ORDINANCE OF THE BOROUGH OF PERKASIE AMENDING THE ZONING  
ORDINANCE OF THE BOROUGH OF PERKASIE TO CREATE A NEW SINGLE  
FAMILY SUBDIVISION CLASSIFICATION AT SECTION 186-20 ENTITLED "OPEN  
SPACE PRESERVATION PERFORMANCE SUBDIVISION I" AND "OPEN SPACE  
PRESERVATION PERFORMANCE SUBDIVISION II"**

WHEREAS, the Borough Code at 8 Pa.C.S.A. § 101 *et. seq.*, authorizes the Borough Council of the Borough of Perkasia ("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;

WHEREAS, the Borough desires to create an additional performance subdivision standard option to provide housing and development options to maximize and consolidate preserved open space in single family development settings, as well as provide increased buffering to surrounding land uses, in addition to the Borough's current single family development standards; and

WHEREAS, after review by required planning agencies and public hearing, the Borough Council deems it to be in the best interest and general welfare of the citizens and residents of the Borough to amend its Zoning Ordinance to create new subdivision classifications entitled "Open Space Preservation Performance Subdivision I" and "Open Space Preservation Performance Subdivision II";

WHEREAS, Borough Council has met and will meet the procedural requirements of 53 P.S. § 10101 *et seq.*, of the Pennsylvania Municipalities Planning Code, for the adoption of the proposed ordinance, including planning agency reviews, advertising, and holding a public hearing; and,

WHEREAS, Borough Council, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of Perkasia Borough will be served by the amendment of the Official Zoning Map of the Borough of Perkasia.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Borough Council of the Borough of Perkasia, Bucks County, Pennsylvania, and it is hereby enacted and ordained by the authority of same as follows:

**SECTION 1.** The Borough Zoning Ordinance shall be amended as follows:

A. Section 186-20. Table of Permitted Use Regulations, Part 1 shall be amended to permit the Open Space Preservation Performance Subdivision I and the Open Space Preservation Performance Subdivision II in the R-1A Residential District and the R1-B Residential District as permitted uses.

B. Section 186-20. Paragraph A. R-1A Residential District shall be amended to add:

**(4) Table of Dimensional Requirements for Open Space Preservation Performance Subdivision I**

Minimum Site Area	5.01 acres to 10.0 acres
Maximum Density	5.5 dwelling units
Minimum Open Space Ratio	0.45
Maximum Impervious Surface Ratio	35%*
Maximum Lot Coverage	35%*
Minimum Lot Area	6,500 sq. ft.
Minimum Lot Width at Building Setback	60 ft.
Minimum Building Spacing	20 ft.
Minimum Yards (setbacks)	
Front	25 ft.
Side (each)	10 ft.
Rear	30 ft.
Maximum Building Height	35 ft.
Maximum Accessory Building Height	15 ft.
Minimum 20-foot Class C Buffer	20 ft.

\*The developer shall be subject to the maximum impervious surface ratio and lot coverage ratio (on-lot) as specified. An individual lot owner may exceed these maximum ratios by five (5) percent for on-lot improvements; however, the developer shall be required to design and construct the storm water management facilities to accommodate the total maximum impervious surfaces and lot coverage allowed on the site.

**(5) Table of Dimensional Requirements for Open Space Preservation Performance Subdivision II**

Minimum Site Area	10.01 acres
Maximum Density	5.5 dwelling units

Minimum Open Space Ratio	0.30
Maximum Impervious Surface Ratio	35%*
Maximum Lot Coverage	35%*
Minimum Lot Area	11,500 sq. ft.
Minimum Lot Width at Building Setback	80 ft.
Minimum Building Spacing	20 ft.
Minimum Yards (setbacks)	
Front	25 ft.
Side (each)	10 ft.
Rear	30 ft.
Maximum Building Height	35 ft.
Maximum Accessory Building Height	15 ft.
Minimum 20-foot Class C Buffer	20 ft.

\*The developer shall be subject to the maximum impervious surface ratio and lot coverage ratio (on-lot) as specified. An individual lot owner may exceed these maximum ratios by five (5) percent for on-lot improvements; however, the developer shall be required to design and construct the storm water management facilities to accommodate the total maximum impervious surfaces and lot coverage allowed on the site

C. Section 186-20. Paragraph B R-1B Residential District shall be amended to add:

**(6) Table of Dimensional Requirements for Open Space Preservation Performance Subdivision I**

Applicable Site Area	5.01 acres to 10.0 acres
Maximum Density	5.5 dwelling units
Minimum Open Space Ratio	0.45
Maximum Impervious Surface Ratio	35%*
Maximum Lot Coverage	35%*
Minimum Lot Area	6,500 sq. ft.
Minimum Lot Width at Building Setback	60 ft.
Minimum Building Spacing	20 ft.
Minimum Yards (setbacks)	
Front	25 ft.
Side (each)	10 ft.
Rear	30 ft.
Maximum Building Height	35 ft.
Maximum Accessory Building Height	15 ft.
Minimum 20-foot Class C Buffer	20 ft.

\*The developer shall be subject to the maximum impervious surface ratio and lot coverage ratio (on-lot) as specified. An individual lot owner may exceed these maximum

ratios by five (5) percent for on-lot improvements; however, the developer shall be required to design and construct the storm water management facilities to accommodate the total maximum impervious surfaces and lot coverage allowed on the site

**(7) Table of Dimensional Requirements for Open Space Preservation Performance  
Subdivision II**

Minimum Site Area	10.01 acres
Maximum Density	5.5 dwelling units
Minimum Open Space Ratio	0.30
Maximum Impervious Surface Ratio	35%*
Maximum Lot Coverage	35%*
Minimum Lot Area	11,500 sq. ft.
Minimum Lot Width at Building Setback	80 ft.
Minimum Building Spacing	20 ft.
Minimum Yards (setbacks)	
Front	25 ft.
Side (each)	10 ft.
Rear	30 ft.
Maximum Building Height	35 ft.
Maximum Accessory Building Height	15 ft.
Minimum 20-foot Class C Buffer	20 ft.

\*The developer shall be subject to the maximum impervious surface ratio and lot coverage ratio (on-lot) as specified. An individual lot owner may exceed these maximum ratios by five (5) percent for on-lot improvements; however, the developer shall be required to design and construct the storm water management facilities to accommodate the total maximum impervious surfaces and lot coverage allowed on the site

**SECTION 2.** Section 186-5 of the Borough Zoning Ordinance shall be amended to revise the following definitions as stated here:

**SITE AREA, NET BUILDABLE:**

A calculated area for various districts taking into consideration protected natural resources. It can be determined for a particular tract of land by completing the Site Capacity Calculations found in §186-56.

IMPERVIOUS SURFACE RATIO: The “impervious surface ratio” is a measure of the intensity of use of a piece of land. It is measured by dividing the total area of all impervious surfaces within the site by the base site area.

**SECTION 3.** Section 186-54 of the Perkasio Borough Zoning Ordinance pertaining to buffering shall be amended to add the following subsection:

F. Supplemental Regulations. The minimum buffer requirement to be provided by either Open Space Preservation Performance Subdivision I or Open Space Preservation Performance Subdivision II shall be a Class C 20-foot buffer yard. Notwithstanding any contrary provisions of the Zoning Ordinance, the required buffer yard for an Open Space Preservation Performance Subdivision I and Open Space Preservation Performance Subdivision II may be permitted within the rear or side yards of individual lots and may be included in the area of required open space. Any portion of the required buffer yard located on an individual lot shall be subject to a restriction prohibiting disturbance of or construction within the buffer yard.

**SECTION 4.** Section 186-58 shall be added to the Borough Zoning Ordinance as follows:

Open Space Standards. On any site developed for an Open Space Preservation Performance Subdivision I or Open Space Preservation Performance Subdivision II development, naturalized stormwater management facilities in accordance with the Pennsylvania Department of Environmental Protection BMP Manual and approved by the Borough Engineer, shall be permitted in the required open space. Additional stormwater management facilities, including retention basins, shall be limited to 20% of the required open space area on a site, at the discretion of the Borough Engineer.

**SECTION 5.** All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Borough Code, such as are not otherwise specifically in conflict or inconsistent with this Ordinance, shall remain in full force and effect, the same being reaffirmed hereby.

**SECTION 6.** The Council of the Borough of Perkasio does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of this Ordinance, including this provision.

**SECTION 7.** If any section, subsection, sentence, clause, phrase, or portion of this Ordinance is for any reason held invalid or unconstitutional, by any court of competent jurisdiction,

such provision shall be separate, distinct and independent, and such holding shall not affect the validity of the remaining portions of this Ordinance.

**SECTION 8.** The failure of the Borough of Perkasio to enforce any provisions of this Ordinance shall not constitute a waiver by the Borough of its rights of future enforcement hereunder.

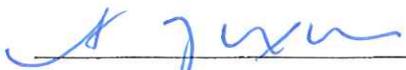
**SECTION 9.** This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

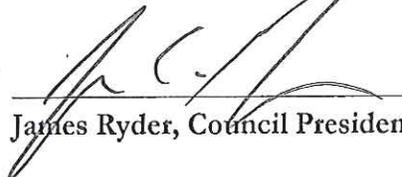
**SECTION 10.** Under the authority conferred by the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio this.

Approved by the Borough Council of the Borough of Perkasio, this 6th day of October, 2014.

Attest:

**BOROUGH OF PERKASIE**

  
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Andrea L. Coaxum, Secretary

  
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James Ryder, Council President



Examined and approved this 6th day of October, 2014.

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John Hollenbach, Mayor