

**BOROUGH OF PERKASIE
ORDINANCE NO. 1006**

**ORDINANCE OF THE BOROUGH OF PERKASIE AMENDING THE
OFFICIAL ZONING MAP OF THE BOROUGH OF PERKASIE TO
REZONE CERTAIN PORTIONS OF TAX MAP PARCELS #33-005-033
AND #33-005-458 FROM THE I-2 TO THE C-2 ZONING DISTRICT**

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 property management, care and control of the Borough and the maintenance of peace, good government, health and welfare of the Borough and its citizens;

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 Official Zoning Map of the Borough of Perkasia to rezone certain portions of tax map parcels known as Bucks County Tax Map Parcels 33-005-033 and 33-005-458 from I-2 to C-2 pursuant to this Ordinance;

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 Official Zoning Map of the Borough of Perkasia is hereby amended to rezone portions of Tax Map Parcels 33-005-033 and 33-005-458 from I-2 to C-2, consistent with the legal description attached hereto as Exhibit "A" and map attached hereto as Exhibit "B."

SECTION 2. All ordinances or parts of ordinances that are inconsistent herewith, are hereby repealed, it being understood and intended that all ordinances and the Borough Code, such as are not otherwise specifically in conflict or inconsistent with this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. The Borough shall also proceed to amend its comprehensive plan to reflect this re-zoning and relevant ordinance changes.

SECTION 3. 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 4. 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 5. 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 6. This Ordinance shall take effect immediately and be in force from and after its enactment as provided by law.

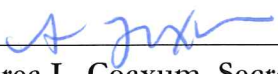
SECTION 7. Under the authority conferred by the Borough Code, 8 Pa.C.S.A. § 101, *et seq.*, and other relevant statutory law, the Council of the Borough of Perkasio in the County of Bucks, Commonwealth of Pennsylvania does hereby enact and ordain this Ordinance for the Borough of Perkasio.

Approved by the Borough Council of the Borough of Perkasio, this _____ day of _____, 2017.

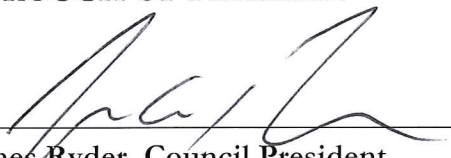
[THIS SPACE INTENTIONALLY LEFT BLANK. SIGNATURE PAGE FOLLOWS.]

Attest:

BOROUGH OF PERKASIE



Andrea L. Coaxum, Secretary



James Ryder, Council President

Examined and approved this 17th day of July, 2017.



John Hollenbach, Mayor

EXHIBIT "A"

Legal Description At Issue

Metes and Bounds Description
Areas of Lands Now or Formerly of SEPTA Being Re-Zoned in
Perkasie Borough, Bucks County, Pennsylvania

Parcel A being a portion of Tax Parcel Number 33-5-33, lands now or formerly Southeastern Pennsylvania Transportation Authority (SEPTA).

Beginning at the point of intersection of the southerly line of South 8th Street with the westerly line of West market Street (S.R. 4039) and from said point of beginning, thence;

1. Along said westerly line of West market Street S 52° 03' 58" E for a distance of 149.06 feet more or less to a point, thence;

The following two courses and distances along Tax Parcel Number 33-5-34, lands now or formerly Bonnie Gehman and Leigh Scott Gehman, her son;

2. S 47° 45' 00" W for a distance of 127.05 feet more or less to a point, thence;
3. S 49° 00' 00" E for a distance of 83.33 feet more or less to a point on the northerly line of South 7th Street, thence;
4. Along said northerly line of South 7th Street, S 44° 00' 00" W for a distance of 228.11 feet more or less to a point, thence;
5. Through Tax Parcel Number 33-5-33, lands now or formerly Southeastern Pennsylvania Transportation Authority (SEPTA), N 46° 21' 00" W for a distance of 183.31 feet more or less to a point on Tax Parcel Number 33-5-33-1, lands now or formerly Pennridge Fish Organization, Inc., thence;

The following three courses and distances along Tax Parcel Number 33-5-33-1, lands now or formerly Pennridge Fish Organization, Inc.;

6. N 46° 49' 13" E for a distance of 3.44 feet more or less to a point, thence;
7. N 28° 54' 04" E for a distance of 45.00 feet more or less to a point, thence;
8. N 43° 09' 37" W for a distance of 42.55 feet more or less to a point on the southerly line of South 8th Street, thence;
9. Along said southerly line of South 8th Street, N 46° 50' 23" E a distance of 287.26 feet more or less to the point and place of beginning.

Containing 67,760 square feet or 1.556 acres more or less.

Parcel B being a portion of Tax Parcel Number 33-5-458, lands now or formerly Southeastern Pennsylvania Transportation Authority (SEPTA).

Beginning at the point of intersection of the southerly line of North 8th Street with the easterly line of West market Street (S.R. 4039) and from said point of beginning, thence;

1. Along said southerly line of North 8th Street, N 47° 11' 01" E for a distance of 143.54 feet more or less to a point, thence;
2. Along Tax Parcel Number 33-5-458-1 lands now or formerly of Tunnel Ridge Company, then through Tax Parcel Number 33-5-458, lands now or formerly Southeastern Pennsylvania Transportation Authority (SEPTA), S 43° 43' 59" E for a distance of 153.26 feet to a point on Tax Parcel Number 33-5-459, lands now or formerly Market Crossing Condominium Association, thence;
3. Along said Tax Parcel Number 33-5-459, lands now or formerly Market Crossing Condominium Association, S 47° 18' 22" W for a distance of 121.08 feet to a point on the easterly line of West market Street, thence;
4. Along said easterly line of West market Street N 52° 03' 58" W a distance of 155.00 feet to the point and place of beginning.

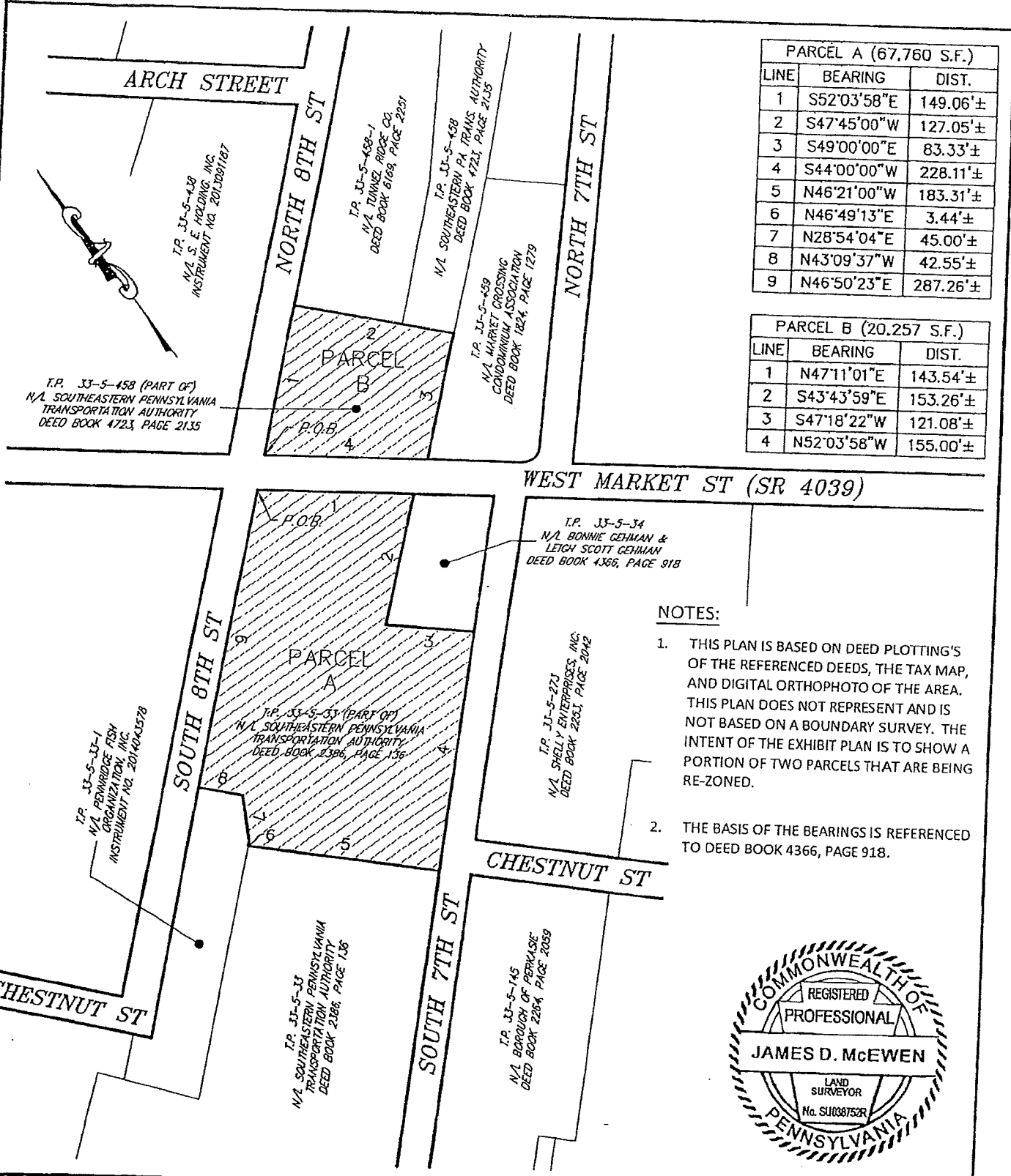
Containing 20,257 square feet or 0.465 acres more or less.

Attached hereto as an Exhibit is a plan entitled "Re-Zoning Exhibit Lands N/F of SEPTA, Parts of Tax Parcels 33-5-33 & 33-5-458, Perkasio Borough, Bucks County, Pennsylvania", prepared by Gilmore & Associates, Inc., New Britain, Pennsylvania, dated April 12, 2017 and by this reference made a part hereof.

EXHIBIT "B"

Map At Issue

1701013 Zoning Exhibit.dwg Layout: Zoning Exhibit Plotted By: Knewberry, on Wed Apr 12, 2017 at 1:36pm



PARCEL A (67,760 S.F.)

LINE	BEARING	DIST.
1	S52°03'58"E	149.06'±
2	S47°45'00"W	127.05'±
3	S49°00'00"E	83.33'±
4	S44°00'00"W	228.11'±
5	N46°21'00"W	183.31'±
6	N46°49'13"E	3.44'±
7	N28°54'04"E	45.00'±
8	N43°09'37"W	42.55'±
9	N46°50'23"E	287.26'±

PARCEL B (20,257 S.F.)

LINE	BEARING	DIST.
1	N47°11'01"E	143.54'±
2	S43°43'59"E	153.26'±
3	S47°18'22"W	121.08'±
4	N52°03'58"W	155.00'±

NOTES:

1. THIS PLAN IS BASED ON DEED PLOTTING'S OF THE REFERENCED DEEDS, THE TAX MAP, AND DIGITAL ORTHOPHOTO OF THE AREA. THIS PLAN DOES NOT REPRESENT AND IS NOT BASED ON A BOUNDARY SURVEY. THE INTENT OF THE EXHIBIT PLAN IS TO SHOW A PORTION OF TWO PARCELS THAT ARE BEING RE-ZONED.
2. THE BASIS OF THE BEARINGS IS REFERENCED TO DEED BOOK 4366, PAGE 918.



GILMORE & ASSOCIATES, INC.
 ENGINEERING & CONSULTING SERVICES
 5100 TILGHMAN STREET, SUITE 150 ALLENTOWN, PA 18104 • (610) 366-8064

RE-ZONING EXHIBIT
LANDS N/F OF SEPTA
PARTS OF TAX PARCELS
33-5-33 & 33-5-458
 PERKASIE BOROUGH, BUCKS COUNTY, PENNSYLVANIA

DRAWN BY: KRN	JOB NO.: 17-01013	DATE: 04/12/2017	SCALE: 1" = 120'
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ZONING

186 Attachment 2

Borough of Perkasi

TABLE OF USES BY DISTRICT
[Amended 12-1-2014 by Ord. No. 980]

USES	RIA	RIB	R2	R3	A	C-1	C-2	I-1	I-2
A. Agricultural Uses									
1 Farming	P	P	P	P	N	P	P	P	P
2 Forestry/timber harvesting	P	P	P	P	P	P	P	P	P
B. Residential Uses									
1 Single-family detached dwelling	P	P	P	P	N	N	P	N	N
2(a) Two-family dwelling (twin dwelling)	N	P	P	P	N	N	P	N	N
2(b) Two-family dwelling (duplex dwelling)	N	N	P	P	N	N	P	N	N
3 Townhouse	N	N	N	P	N	N	P	N	N
4 Multiplex	N	N	N	P	N	N	N	N	N
5 Multifamily	N	N	N	N	P	N	N	N	N
6 Residential conversion	SE	SE	SE	SE	SE	SE	SE	SE	SE
7 Single-family cluster	P	P	N	N	N	N	N	N	N
8 Performance standard subdivision	N	P	N	N	N	N	N	N	N
9 Mobile home park	N	SE	N	N	N	N	N	N	N
10 Housing for elderly	C	C	C	C	C	N	N	N	N
11 Rooming house	N	N	SE	SE	N	N	SE	N	N
C. Institutional, Religious, Educational, Recreational Uses									
1 Cemetery	P	P	P	P	N	N	N	N	N
2 Community center	P	P	P	P	P	P	P	N	N
3 Community garage or parking area (for residential use)	SE	SE	SE	SE	SE	N	SE	N	N
4 Community garage or parking area (for nonresidential use)	N	N	N	N	N	N	P	P	P
5 Day-care center	SE	SE	SE	SE	P	N	P	N	N
6 Golf course	N	N	N	N	P	N	SE	SE	SE
7 Hospital	N	N	N	N	SE	SE	SE	N	N
8 Library on Borough-owned land	C	C	C	C	N	N	N	N	C
9 Library or museum, public	P	P	P	P	P	SE	P	N	N
10 Nursing home	N	N	N	N	SE	SE	SE	N	N
11 Private club or lodge	N	N	N	N	SE	N	P	N	N
12 Recreational facility, governmental	P	P	P	P	P	SE	P	P	P
13 Recreational facility, nongovernmental	N	N	SE	SE	P	N	SE	N	N
14 Religious place of worship	P	P	P	P	P	P	P	N	N
15 School, public or private	SE	SE	SE	SE	SE	SE	SE	N	N
16 School, trade or commercial	N	N	N	N	N	N	P	N	N
D. Office Uses									
1 Office, business or professional	N	N	N	N	N	P	P	N	P
2 Office or clinic, medical	N	N	N	N	N	P	P	N	P
3 Veterinary office	N	N	N	N	N	N	P	N	P
E. Retail and Consumer Service Uses									
1 Bank or savings and loan association	N	N	N	N	N	P	P	N	P
2 Bed-and-breakfast	N	N	N	SE	N	N	SE	N	N

PERKASIE CODE

USES	R1A	R1B	R2	R3	A	C-1	C-2	I-1	I-2
3 Eating place (without drive-through service except in C1 District by Conditional Use	N	N	N	N	N	P	P	N	N
4 Entertainment, adult uses	N	N	N	N	N	SE	N	N	N
5 Entertainment and recreational facilities, indoor, nongovernmental	N	N	N	N	N	N	P	N	N
6 Entertainment and recreational facilities, outdoor, nongovernmental	N	N	N	N	P	N	P	N	P
7 Funeral home or mortuary	N	N	N	SE	SE	N	P	N	N
8 Kennel	N	N	N	N	N	N	N	P	P
9 Mixed use	N	N	N	N	N	N	C	N	N
10 Motel or hotel	N	N	N	N	N	N	P	SE	N
11 Motor vehicle accessories sales	N	N	N	N	N	N	P	N	N
12 Motor vehicle gasoline station	N	N	N	N	N	N	P	N	P
13 Motor vehicle repair garage	N	N	N	N	N	N	N	N	P
14 Motor vehicle sales or rental	N	N	N	N	N	N	P	N	P
15 Planned commercial development	N	N	N	N	N	P	P	N	P
16 Retail shop	N	N	N	N	N	N	P	N	P
17 Service business	N	N	N	N	N	N	P	N	P
18 Tavern	N	N	N	N	N	N	P	N	N
F. Utility and Public Service Uses									
1 Emergency services	P	P	P	P	P	P	P	P	P
2 Utility	P	P	P	P	P	P	P	P	P
3 Railway or bus station	N	N	N	N	N	N	P	P	P
4 Telecommunications	N	N	N	N	N	N	N	SE	SE
G. Industrial Uses									
1 Contractor offices and shops	N	N	N	N	N	N	N	P	P
2 Crafts	N	N	N	N	N	N	P	N	N
3 Lumber yard	N	N	N	N	N	N	N	N	P
4 Manufacturing	N	N	N	N	N	N	N	P	P
5 Motor freight terminal	N	N	N	N	N	N	N	N	P
6 Printing, publishing and binding	N	N	N	N	N	N	N	P	P
7 Recycling facility	N	N	N	N	N	N	N	P	P
8 Research	N	N	N	N	N	N	N	P	P
9 Resource recovery facility	N	N	N	N	N	N	N	P	N
10 Warehousing and distribution	N	N	N	N	N	N	N	P	P
H. Accessory Uses									
1 Accessory structure or accessory use	P	P	P	P	P	P	P	P	P
2 Accessory dormitory	SE	SE	SE	SE	SE	SE	SE	N	N
3 Drive-through	N	N	N	N	N	C	C	N	C
4 Home occupation	SE	SE	SE	SE	SE	P	P	P	P
5 No-impact home-based business	P	P	P	P	P	P	P	P	P
6 Roadside stand	SE	SE	SE	SE	N	N	SE	SE	SE
7 Keeping of pets	P	P	P	P	P	N	N	N	N

- P Use permitted by right
- C Use permitted as a conditional use
- SE Use permitted as a special exception
- N Use not permitted