

**TOWNSHIP OF DOYLESTOWN, BUCKS COUNTY, PENNSYLVANIA
ORDINANCE NO. _____**

THE ORDINANCE OF THE TOWNSHIP OF DOYLESTOWN, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF DOYLESTOWN BY REVISING CERTAIN PROVISIONS OF CHAPTER 175, ZONING, RELATED TO OUTDOOR STORAGE, ACCESSORY STRUCTURES, AND ATTACHED GARAGES, SWIMMING POOLS, KEEPING OF LIVESTOCK, MINERAL EXTRACTION, CLEARING AND REMOVAL OF TREES, TRACK WIDTH, ADA PARKING WIDTH, FAIR HOUSING, MERGER OF LOTS, AND REMOVING CERTAIN FORMATTING DISCREPANCIES.

WHEREAS, the Doylestown Township Board of Supervisors adopted a Code of Ordinances in November of 1991; and

WHEREAS, the Doylestown Township Board of Supervisors desires to amend the Zoning Ordinance found in Chapter 175 in the Doylestown Township Code, as hereinafter set forth in this Ordinance.

BE IT ORDAINED AND ENACTED on this _____ day of _____, 2018.

Section 1. The provisions of Chapter 175, Zoning, Article XIV, C-2, Commercial District, Section 175-71.A shall be amended to add the following:

H-4 Outdoor Storage

Section 2. The provisions of Chapter 175, Zoning, Article XVI, Q Quarry District, Section 175-79.A shall be amended to add the following:

H-4 Outdoor Storage

Section 3. The provisions of Chapter 175, Zoning, Article XVII, LI Limited Industrial District, Section 175-84.A shall be amended to add the following:

H-4 Outdoor Storage

Section 4. The provisions of Chapter 175, Zoning, Attachment 2, shall be amended to read as follows:

Use	R1a	R1	R2	R2a	R2b	R4	CR	VC	C1	C2	C3	C4	Q	LI	I	I-2
H-4 Outdoor Storage										P			P	P		

Section 5. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(11) shall be revised so as to eliminate the existing language and in lieu thereof provide as follows:

H-11. Raising of livestock. Livestock shall be permitted on residential properties in accordance with the following regulations:

- (a) A minimum lot area of five acres shall be required.
- (b) No more than two animals shall be permitted for every five acres of lot area.
- (c) Accessory structures shall be located only in the side and rear yards and no closer than 50 feet from the property lines.
- (d) Poultry. The following regulations shall apply specifically to the raising and keeping of chickens on a non-commercial basis at a residential property:
 - [1] A minimum lot area of one acre shall be required.
 - [2] Five (5) chickens are permitted for the first acre, and one additional chicken is permitted for each ¼ acre.
 - [3] No rooster shall be permitted on any lot less than five acres.
 - [4] Chicken runs, pens, henhouses and chicken coops shall be set back from any lot line not less than fifty (50) feet of the minimum yard setbacks for the district in which it is located, whichever is greater.
 - [5] All structures relating to chickens shall be located to the rear of the residence.
 - [6] No facility for storing manure or feed shall be located within seventy-five (75) feet of any lot line.
 - [7] The exterior areas of henhouses and chicken coops shall not be illuminated.
 - [8] A written waste storage and removal plan shall be submitted. The henhouse, chicken run and pen and surrounding area must be kept free from trash and accumulated manure.

Section 6. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(3)(d) shall be revised to read as follows:

Structures, such as storage sheds, bathhouses, detached garages, and private greenhouses, provided that they do not exceed 20 feet in height and that they meet the following requirements:

Section 7. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(4)(b) shall be amended to read as follows:

Uses requiring more substantial amounts of land area for storage may be exempt from the provisions of Subsection H(4)(a)[2] and [3] above. For these uses only, outdoor storage may be placed within the required yard area so long as all storage is set back a distance equal to at least 50 percent of the required yard area for the district in which the use is located.

[1] Uses that may be exempt include, but are not limited to:

- A-1 Agriculture and Horticulture
- E-11 Automotive Sales
- G-1 Manufacturing
- G-5 Contract Services
- G-10 Truck Terminal
- G-12 Recycling Facility
- G-13 Quarry

[2] Uses that shall not be considered appropriate for inclusion under this provision include:

- E-1 Retail Shop
- E-7 Repair Shop
- E-10 Service Station
- E-12 Automotive Repair and Paint Shop
- E-13 Car Wash
- G-3 Mini Warehouse/Mini Storage
- G-6 Trades
- G-15 Warehouse
- G-16 Junkyard

Section 8. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(3)(d)[2] shall be amended to read as follows:

Structures with a floor area of more than 144 square feet shall meet the setback requirement for principal buildings for the applicable zoning district.

Section 9. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Subsection 175-16.H(3)(d) shall be amended to add the following subsection:

[6] All accessory structures shall be located behind the principal building setback line, closest to the street in which the principal building fronts.

Section 10. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(3)(e) shall be removed in its entirety.

Section 11. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(11)(c) shall be amended so as to read as follows:

Accessory structures shall be located only in the side or rear yards and no closer than 100 feet from the property lines.

Section 12. The provisions of Chapter 175, Zoning, Article V, General Requirements, Section 175-17.F(1) shall be amended to read as follows:

Accessory structures or uses shall not be permitted within required front yards, except as specified in Subsection F(2) below. A completely detached accessory building of 144 square feet or less in floor area may occupy a required rear or side yard, but it shall not be located closer than 7 feet to any rear or side property line. Swimming pools and other accessory construction surrounding swimming pools shall be no closer than 15 feet to any rear or side property line. Structures with a floor area of more than 144 square feet shall meet the building setback requirements for principal structures. All accessory structures shall be located behind the principal building setback line closest to the street on which the principal building fronts and shall be set back from the street line to a distance no less than the actual setback of the principal building from the street line. All residential accessory structures shall meet the requirements of §175-16H(3).

Section 13. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.A(1)(b) shall be amended to read as follows:

A nursery or produce sales yard or farm stand or farm market, as part of this use, shall be permitted for the sale of products grown on the property. In addition, the buying of some plants or products for resale will be permitted, so long as the buying and resale does not result in the cultivation and sale of products produced on the property becoming mere accessories to the commercial buying and resale. Access to the tract must be controlled by physical means to limit access to two points. The access points shall be no more than 24 feet wide, and the location of the use shall not be closer than 60 feet to any intersection. Sales buildings or stands shall comply with the minimum setback requirements of the district. Such use does not include landscape contracting.

Section 14. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(6)(e) shall be removed in its entirety.

Section 15. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(6)(t) shall be revised to replace the term “BOCA National Codes/1990 and Accumulative Supplements” with “Pennsylvania Uniform Construction Code (UCC).

Section 16. The provisions of Chapter 175, Zoning, Article II, Definitions, Section 175-9, Terms Defined, shall be amended to add the following definitions:

Mineral – Any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil, and natural gas.

Mineral Extraction – The removal of any aggregate or mass of mineral matter, whether or not coherent. The term includes, but is not limited to, limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil, and natural gas.

Section 17. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16, Uses Enumerated; Use Regulations, shall be amended to delete Subsection G(13) G-13. Quarry, and in lieu thereof, add the following:

G(13) G-13. Mineral extraction. Such use shall include, but is not limited to, extractive operations for limestone and dolomite, sand and gravel, rock and stone, earth, fill, slag, iron ore, zinc ore, vermiculite and clay, anthracite and bituminous coal, coal refuse, peat and crude oil, and natural gas, subject to the following provisions:

(a) The following definitions are applicable to the regulations contained herein and within Article XVI.

[1] Derrick – Any portable framework, tower mast, and/or structure that is required or used in connection with drilling or reworking a well for the production of oil or gas.

[2] Drilling – Means any digging or boring of a new or existing well to explore, develop, or produce oil, gas, or other hydrocarbons, or to inject gas, water, or any other fluid or substance into the earth.

[3] Drilling Equipment – Means the derrick, all parts and appurtenances to such structure, and every piece of apparatus, machinery, or equipment used, erected, or maintained for use in connection with drilling.

(b) The activities and residual effects shall not create conditions hazardous or otherwise adverse to the value and use of adjacent properties or the well-being of the surrounding area and its residents.

(c) The site shall be reclaimed to a nonhazardous state permitting some reasonable future use and so that the extracting activities and resulting condition of the site will not result in environmental degradation of the surrounding area.

(d) All activities of these land uses shall comply with all setback requirements of the zoning district in which the site is located or a minimum of 100 feet, whichever is greater, to protect adjacent properties.

(e) Unique or environmentally significant natural features and significant historic or architectural structures and sites shall be protected from disruption

or adverse effects from quarrying and/or mining activities.

- (f) Access to the site shall be from a community collector or arterial street.
- (g) A narrative describing an overview of the project, including the number of acres to be involved, the number of wells to be drilled (if applicable), the location, and the number and description of equipment and structures, to the extent known, shall be provided.
- (h) The contact information of the individual(s) responsible for the operation and activities at the site shall be provided to the Township and all emergency service and all emergency service responders. Such information shall include a phone number where such individual(s) can be contacted 24 hours per day, 365 days per year.
- (i) A location map of the site showing the approximate location of derricks, drilling rigs, equipment and structures (as applicable), and all permanent improvements to the site, and any post construction disturbance in relation to natural and other surroundings shall be provided. Included in this map shall be an area within the development site for the location and parking of vehicles and equipment used in the transportation of personnel and/or development and use of the site.
- (j) A narrative and map describing the manner and routes for the transportation and delivery of equipment, machinery, water, chemicals, and other materials used in the siting, drilling, construction, maintenance, and operation of the site shall be provided.
- (k) A certification or evidence satisfactory to the Township that, prior to the commencement of any activity at the site, the applicant shall have accepted and complied with any applicable bonding and permitting requirements; and shall have entered into a roadway maintenance and repair agreement with the Township, in a form acceptable to the Township

Solicitor, regarding the maintenance and repair of Township streets that are to be used by vehicles for site construction, drilling activities; and site operations shall be provided.

- (l) A copy of all information submitted to the State agencies shall also be submitted to the Zoning Officer at the same time.
- (m) A detailed and appropriate land reclamation and reuse plan of the area to be excavated shall be submitted to the Zoning Officer. Compliance with such plan shall be a condition of Township permits.
- (n) Prior to submitting an application, the applicant is strongly encouraged to meet with Township staff to determine the requirements of and the procedural steps and timing of the application. The intent of this process is for the applicant to obtain necessary information and guidance from the Township before entering into any commitments or incurring substantial expenses with regard to the site and plan preparation.
- (o) Federal or state law or regulation preempts ordinance requirements that conflict with federal or state statute or regulation.

Section 18. The provisions of Chapter 175, Zoning, Article XVI, shall be amended to replace Q-Quarry District with ME-Mineral Extraction District.

Section 19. The provisions of Chapter 175, Zoning, Article III, Section 175-10, Classes of Districts, shall be amended to replace “Q-Quarry District” with “ME-Mineral Extraction District.”

Section 20. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-78, Intent, shall be amended to read as follows:

The intent of this district is to provide for mineral extraction operations while protecting the health, safety, and general welfare of the citizens of the Township by setting minimum regulations for quarrying and extractive operations that are aimed at reducing and controlling noise, dust, vibration, pollution, and traffic dangers.

Section 21. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-79, Permitted Uses, Subsection A, Uses by Right, shall be amended to delete to G-13 Quarry.

Section 22. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-79, Permitted Uses, shall be amended to add the following:

D. Uses by conditional use.

(1) The following uses shall be permitted by conditional use upon the finding by the Board of Supervisors that the criteria, as set forth in Section 175-138.A(6), (7), (9), (10), (11), (12), (13), and (14), and Section 175-30.C(1), (2), and (3), as well as the requirements set forth for the underlying use, have been met:

(a) G-13 Mineral extraction

(2) In addition, conditional use approval will only be granted by the Board of Supervisors after it has determined that the granting of such will not result in additional threats to public safety or extraordinary public expense, create nuisances, cause fraud or victimization of the public, or conflict with local laws or ordinances.

Section 23. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-80, Regulations and Requirements, Subsection A, Hours of Operation, shall be amended to read as follows:

No extractive operation or activity that involves the use of blasting, crushing, and material-handling equipment and vehicles, other than those customarily employed in office-type functions, shall commence before 6:30 a.m. or after 7:00 p.m. (either Eastern Standard Time or Daylight Savings Time). There shall be no extractive operation of any type on Sundays.

Section 24. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-80, Regulations and Requirements, Subsection B, Setback, shall be amended to read as follows:

No mineral extraction pit shall be opened, and no extraction shall be conducted, except in strict conformance with the setback requirements of all applicable federal, state, and local statutes, ordinances, regulations, and/or standards.

Section 25. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-80, Regulations and Requirements, Subsection C, Fencing, shall be amended to read as follows:

Chain link fencing or its equivalent, at least five feet in height, shall be erected within a distance of one foot from any adjoining property line or right-of-way line of any public street or highway, and the same shall be maintained in a constant state of good repair. The entire perimeter of all mineral extraction sites shall be fenced, and said fence shall bar all reasonable and normal access to the lands whereon the extractive operation is located, except through a substantial self-latching-type gate or gates, which shall, at all times, when not attached, be secured by a suitable lock or locks. Appropriate warning signs, which warn against trespassing and the presence of a mineral extraction operation, shall be mounted or posted along the fence at intervals of not more than 100 feet.

Section 26. The provisions of Chapter 175, Zoning, Article XVI, Q-Quarry District, Section 175-80, Regulations and Requirements, Subsection E, Blasting, shall be revised to read as follows:

No blasting or use of explosives shall be permitted upon said mineral extraction site, except in accordance with the laws of the Commonwealth of Pennsylvania and in accordance with the regulations that may be promulgated by the Secretary of Labor and Industry of the Commonwealth of Pennsylvania, and, prior to the firing of a blast or the setting off of explosives in any mineral extraction site in Doylestown Township, said owner/operator shall advise, at least 24 hours prior to the time of said detonation, one adult occupant of each dwelling located on a property adjoining the

property line of said mineral extraction site as to the date and time that said blast will be detonated.

Section 27. The provisions of Chapter 175, Zoning, Attachment 2, Summary of Permitted Uses, shall be amended to replace G-13 Quarry with G-13 Mineral Extraction.

Section 28. The provisions of Chapter 175, Zoning, Attachment 2, Summary of Permitted Uses, is hereby amended to replace Q District heading with ME District heading.

Section 29. The Doylestown Map, adopted October 11, 1988, last updated July 25, 2002, shall be amended to replace the reference to Q-Quarry with ME-Mineral Extraction.

Section 30. The provisions of Chapter 175-Zoning, Article XXII, Administration, Section 175-126.B, shall be amended to read as follows:

A zoning permit shall be required for the clearing or removal of trees where more than 10 healthy trees of 6-inch caliper, or greater, in size is measured at a height of 4.5 feet above grade level on a single lot are proposed to be removed in any calendar year and where no building permit has been requested in conjunction with the tree removal proposal. Such permit application shall show the area proposed to be cleared, the area of the tree removal, and shall state the purpose of the tree removal. If an application for subdivision or land development is made for the property within two years of the zoning permit for tree removal, the requirements for tree protection and preservation, as set forth in this chapter and in Chapter 153, Subdivision and Land Development, shall be applied to the property as it was prior to the removal of trees. If tree removal has exceeded the limits set forth in Township ordinances, the applicant shall be required to replace trees removed during the tree clearing process so that there shall be a minimum of 70 caliper-inches of trees per acre after replanting occurs.

Section 31. The provisions of Chapter 175, Zoning, Article IX, R-2a Residential District, Section 175-48, shall be amended so to delete “.30” under the Minimum Open Space Ratio column for All Other Uses.

Section 32. The provisions of Chapter 175, Zoning, Article IX, R-2a Residential District, Section 175-48 shall be amended to replace the term “5 acres” with “.30” under the Minimum Impervious Surface Ratio column for All Other Uses.

Section 33. The provisions of Chapter 175, Zoning, Article IX, R-2a Residential District, Section 175-48 shall be amended to add the term “5 acres” under the Minimum Lot Area column for All Other Uses.

Section 34. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.H(6)(e) shall be removed in its entirety.

Section 35. The provisions of Chapter 175, Zoning, Section 175-16.B(15)(g)[4] shall be deleted in its entirety and Subsections [5], [6], [7], and [8] shall be renumbered as [4], [5], [6], and [7], respectively.

Section 36. The provisions of Chapter 175, Zoning, Section 175-23.A(1) shall be removed in its entirety, and in lieu thereof, be provided as follows:

Every parking space, outdoor or in a garage, shall be at least 10 by 20 feet, except for spaces reserved for the handicapped, which shall be designed in accordance with standards and guidelines established by the United States Department of Justice 2010 ADA Standards for Accessible Design, as amended, restated, supplemented, or otherwise modified from time to time.

Section 37. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.B.11 shall be deleted in its entirety.

Section 38. The provisions of Chapter 175, Zoning, Article IV, Use Regulations, Section 175-16.C.13 shall be amended to read as follows:

C-13. Institutional Residences. A facility that provides living arrangements for persons with emotional, alcohol, or drug-related problems, or persons with mental or physical disabilities who are receiving rehabilitative treatment, therapy, and/or counseling. Also included in this use are facilities for teenage mothers and abused

persons. Such uses shall meet all applicable State regulations, as well as the following provisions:

- (a) An institutional residence must be sponsored and operated by a group, organization, or corporation licensed by either the County or State. Proof of compliance with all applicable County and/or State regulations shall be provided prior to the approval of any permits.
- (b) A buffer area, planted and maintained in accordance with the provisions of Article V, shall be established and shall have a minimum width of 30 feet. A buffer area shall be located along all lot lines, except where the lot line is a front street line.
- (c) No more than two (2) persons shall sleep in any single bedroom.
- (d) Adult supervision shall be provided on a 24-hour basis.
- (e) A narrative shall be submitted by the applicant describing the purpose and general operation of the proposed facility, including the number of residents, staff, and level of supervision. Applicants for group homes or institutional residences shall indicate the type of care, counseling, or treatment to be provided at the site. In each instance, medical care shall be incidental in nature and shall not be a major element of the care being provided at the facility.
- (f) No institutional residence shall be constructed within 1,000 feet of any other such use (measured from unit to unit).

Section 39. The provisions of Chapter 175, Zoning, Article V, General Requirements,

Section 175-22.D shall be revised to add the following:

Use	Number of Off-Street Parking Spaces Required
C-13 Institutional residence	1 for each bedroom, plus 1 for each staff member on the largest shift

Section 40. The provisions of Chapter 175, Zoning, Article VI, R-1, Residential District, Section 175-37.B shall be amended to remove “B-11, Community Home.”

Section 41. The provisions of Chapter 175, Zoning, Article IV, R-2a, Residential District, Section 175-47.B shall be amended to remove “B-11, Community Home.”

Section 42. The provisions of Chapter 175, Zoning, Article XVA, C-4, Office and Medical Professional District, Section 175-77.2.A shall be amended to add “C-13, Institutional Residence.”

Section 43. The provisions of Chapter 175, Zoning, Article XVA, C-4, Office and Medical Professional District, Section 175-77.2.B shall be amended to remove “C-13, Drug and Alcohol Rehabilitation Center.”

Section 44. The provisions of Chapter 175, Zoning, Article XVIII, I Institutional District, Section 175-88.A shall be amended to add “C-13, Institutional Residence.”

Section 45. The provisions of Chapter 175, Zoning, Article XVIII, I Institutional District, Section 175-88.B shall be amended to remove “B-11, Community Home.”

Section 46. The provisions of Chapter 175, Zoning, Article XXII, Administration, shall be amended to add a new Section 175-129.2, Requests for Reasonable Accommodation, to read as follows:

- A. Persons with a claim for reasonable accommodation under the Fair Housing Amendments Act or the American with Disabilities Act shall submit their request in writing to the Zoning Officer on an application form, which shall require that the following information, which may be reasonably needed to process the request, be provided:
 - (1) Specific citation of the Zoning Ordinance provision from which reasonable accommodation is requested.
 - (2) The name and address of the applicants.

- (3) The specific description of the reasonable accommodation sought and the particulars, including exact admonitions of any proposed structural or locational accommodation.
 - (4) The condition of the applicants for which reasonable accommodation is sought.
 - (5) A description of the hardship, if any, that the applicants will incur absent a provision of the reasonable accommodation requested.
 - (6) A description of any alternative methods of relieving the claimed hardship that has been considered, and the reason, if any, why applicants have rejected such alternatives.
 - (7) A statement describing why the requested accommodation is necessary to afford the applicants an opportunity equal to a nonhandicapped or nondisabled person to use and enjoy the dwelling in question.
 - (8) A description of the manner in which the accommodation, if granted, will be terminated or removed if no longer required to afford equal housing opportunity to handicapped or disabled persons.
 - (9) A statement of any facts indicating whether or not nonhandicapped or nondisabled persons would be permitted to utilize the property in question in a manner similar sought by applicants.
- B. The Zoning Officer may hold any meeting and/or hearing necessary at his/her discretion to elicit information or argument pertinent to the request for accommodation.
- C. The Zoning Officer's decision shall be in writing and shall state the reasons for the decision.
- D. The Zoning Officer shall issue his/her written decision to the applicants and the Township within 30 days of the filing of the request for accommodation.
- E. A request for reasonable accommodation should be directed in the first instance to the Zoning Officer. In considering a request for a reasonable accommodation, the Zoning Officer shall, with the advice of the counsel of the Township Solicitor, apply the following criteria:

- (1) Whether the applicants are handicapped or disabled within the meaning of the Federal Fair Housing Act Amendments or the Americans with Disabilities Act.
- (2) The degree to which the accommodation sought is related to the handicap or disability of the applicants.
- (3) A description of the hardship, if any, that the applicants will incur absent a provision of the reasonable accommodation requested.
- (4) The extent to which the requested accommodation is necessary to afford the applicants an opportunity equal to a nonhandicapped or nondisabled person to use and enjoy the dwelling in question.
- (5) The extent to which the proposed accommodation may impact other property owners in the immediate vicinity.
- (6) The extent to which the requested accommodation may be consistent with or contrary to the zoning purposes promoted by the Zoning Ordinance, the Comprehensive Plan, and the community development objectives set forth in the Zoning Ordinance.
- (7) The extent to which the requested accommodation would impose financial and administrative burdens upon the Township.
- (8) The extent to which the requested accommodation would impose an undue hardship upon the Township.
- (9) The extent to which the requested accommodation would require a fundamental alteration in the nature of the Township's regulatory policies, objectives, and regulations.
- (10) The extent to which the requested accommodation would result in a subsidy, privilege, or benefit not available to nonhandicapped or disabled persons.
- (11) The permanency of the requested accommodation and the conditions under which such accommodation will be removed, terminated, or discontinued when no longer needed to provide handicapped or disabled persons with an equal opportunity to use and enjoy the dwelling in question.

(12) The extent to which the requested accommodation will increase the value of the property during and after its occupancy by applicants.

F. Accommodations Under the Fair Housing Amendments Act and/or the Americans with Disabilities Act or similar statutes. The Zoning Hearing Board shall hear and determine appeals from decisions of the Zoning Officer with respect to requests for reasonable accommodation. In hearing and deciding such an appeal, the Zoning Hearing Board shall apply the criteria set forth in §175-129.2.E of this Chapter to the fullest extent as is consistent with the Americans with Disabilities Act, the Fair Housing Amendments Act, or other applicable similar law. In granting a request for reasonable accommodation, the Board may attach such reasonable safeguards and/or limitations as it may deem necessary to implement this Chapter and protect the public health, safety, and welfare, consistent with the Americans with Disabilities Act, Fair Housing Amendments Act, or other similar applicable statute.

Attachment 2, Summary of Permitted Uses shall be amended to delete Use B-11 in its entirety.

Attachment 2, Summary of Permitted Uses shall be amended to read as follows:

Use	R1a	R1	R2	R2a	R2b	R4	CR	VC	C1	C2	C3	C4	Q	LI	I	I-2
C-13 Institutional residence												P			P	

Section 47. The provisions of Chapter 175, Zoning, Article XXI, Nonconforming Uses,

Section 175-112.B(2) shall be amended to read as follows:

Nonconforming lots. A building or structure may be erected or altered on any lot held at the effective date of this chapter in a single and separate ownership that is not of the required width or minimum area, provided the following requirements are observed:

- (a) The lot is of sufficient size to assure adequate and safe facilities for the disposal of sewage and waste products, and there is adequate separate between the sewage and waste disposal system and all water supplies as determined by the Bucks County Department of Health or another authorized agency.
- (b) Such lot must be in ownership, and not form part of a continuous frontage with other lots in the same

ownership. If two or more lots with continuous frontage in single ownership are of record at the time of passage or amendment of this chapter, and if all or part of the lots do not meet the requirements for lot width and area established by this chapter, the lands involved shall be considered an undivided parcel, and no portion of such parcel shall be occupied that does not meet lot width and area requirements established by this chapter.

Section 48. In all other respects, the provisions of Chapter 175 of the Doylestown Township Code of Ordinances are reaffirmed and ratified, subject only to modifications to same as set forth herein.

Section 49. In the event a court of competent jurisdiction shall declare any portion of this Ordinance invalid, such invalidity shall not affect the Ordinance in its entirety, as it was the intent of the Board of Supervisors that the Ordinance would have been adopted, even if the offending provision had not been included.

Section 50. This Ordinance shall be effective five (5) days after enactment.

DULY ENACTED on this _____ day of _____, 2018.

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**DOYLESTOWN TOWNSHIP BOARD
OF SUPERVISORS**

Attest:

By: _____

Barbara N. Lyons, Esquire, Chairman

By: _____

Richard F. Colello, Vice Chairman

By: _____

Ryan Manion, Member

By: _____

Ken Snyder, Member

By: _____

Jennifer Herring, Member