

BOROUGH OF NEWTOWN

ORDINANCE NO. 717

AN ORDINANCE OF NEWTOWN BOROUGH, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE NEWTOWN BOROUGH ZONING ORDINANCE BY REVISING THE METHOD OF CALCULATING FRACTIONAL PARKING SPACES AND MODIFYING THE OFF-STREET PARKING REQUIREMENTS FOR RESIDENTIAL USES BY REQUIRING OVERFLOW PARKING SPACES FOR TOWNHOUSE - ATTACHED STYLE DWELLINGS TO BE LOCATED OFF-STREET AND ESTABLISHING OFF-STREET PARKING REQUIREMENTS FOR MULTI-FAMILY DWELLING - APARTMENT-STYLE DWELLING UNITS.

WHEREAS, by Ordinance No. 653, as amended, the Council of Newtown Borough, Bucks County, Pennsylvania (“Council”) enacted a zoning ordinance (“Zoning Ordinance”) pursuant to its statutory authority, the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as amended (“MPC”);

WHEREAS, through careful study and consideration, Council has determined that certain provisions of the Zoning Ordinance should be amended to revise the method in determining the total parking spaces required when calculations result in a fraction of a space and to revise the off street parking requirements for residential uses, including the elimination of the allowance of on-street parking for townhouse - attached style dwellings, and establishment and regulation of off-street parking requirements for multi-family dwelling - apartment-style dwelling units in the Borough;

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

SECTION 1. Article 5, Section 502, Paragraph G. of the Zoning Ordinance is hereby amended by the deletion of the existing text in its entirety and the addition of the following text:

Fraction of a Space - When off-street parking requirement calculations result in a fraction of a space required, any fraction of one-half (1/2) or greater shall be counted as one parking space. Any fraction less than one-half (1/2) may be disregarded.

SECTION 2. Article 5, Section 503 of the Zoning Ordinance is hereby amended by the deletion of the unnumbered subparagraph entitled “Residential Uses” in its entirety and the addition of the following unnumbered subparagraph in its place:

Residential Uses:

Two (2) off-street parking spaces per dwelling unit for the following dwelling types: single family detached, two-family dwelling and residential conversion. Two (2) off-street parking spaces per dwelling unit plus one (1) off-street overflow space per dwelling unit for the following dwelling type: townhouse - attached style dwelling. The following applies to multi-family dwelling - apartment-style dwelling units:

- Two (2) off-street parking spaces per studio/efficiency-type dwelling unit;
- Two and one-half (2.5) off-street parking spaces per one (1) bedroom dwelling unit;
- Three (3) off-street parking spaces per two (2) bedroom dwelling unit;
- Three and one-fourth (3.25) off-street parking spaces per three (3) bedroom dwelling unit and four (4) bedroom dwelling unit.

Parking spaces within private garages shall not be counted as meeting the off-street parking requirements, unless the garage is approved pursuant to a Traditional Neighborhood Development (TND) use. Parking spaces provided within private garages and parking structures for Traditional Neighborhood Development (TND-1) - Mixed Residential and Non-residential Use pursuant to Subsection 401.D. may be counted as meeting the off-street parking requirement. Parking spaces provided within private garages for Traditional Neighborhood Development (TND-2) - Residential Use pursuant to Subsection 401.E. shall not be counted as meeting the off-street parking requirement, unless the garage size is increased to accommodate parking two (2) vehicles and an additional twenty percent (20%) of storage space.

For all dwelling types, spaces that are stacked and require the moving of another vehicle in order to get access to the space shall not be counted toward the off-street parking requirement.

SECTION 3. Whenever the requirements of this Ordinance are in conflict with other requirements of the Ordinances of the Borough of Newtown, the most restrictive, or those imposing the higher standards shall govern.

SECTION 4. The provisions of this Ordinance are severable. If any court of competent jurisdiction thereof shall hold any section, clause, sentence, part or provision illegal, invalid or unconstitutional, such decisions of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Council of the Borough of Newtown that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

SECTION 5. This Ordinance shall become effective upon adoption by the Council of Newtown Borough.



Dated: Oct. 17, 2011

NEWTOWN BOROUGH COUNCIL

By: Julia Woldorf
Julia Woldorf, President

Attest: Marcia Scull
Marcia Scull, Secretary

Approved by Dennis O'Brien, Mayor

Dennis O'Brien
Dennis O'Brien, Mayor

SECTION VI. A duly certified copy of this Ordinance and an executed Contract shall be filed with the System.

ORDAINED AND ENACTED by the Council of the Borough of Newtown on this 17 day of October, 2011



NEWTOWN BOROUGH COUNCIL

By: *Julia Woldorf*
Julia Woldorf, President

Attest: *Marcia Scull*
Marcia Scull, Secretary

Approved by Dennis O'Brien, Mayor

Dennis O'Brien
Dennis O'Brien, Mayor

Dated: October 12, 2011