

ORDINANCE NO. 25-01

AN ORDINANCE OF MIDDLETOWN TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA AMENDING CHAPTER 500, ZONING, OF THE MIDDLETOWN TOWNSHIP CODE TO PERMIT TOWNHOUSES BY CONDITIONAL USE IN THE P-PROFESSIONAL ZONING DISTRICT.

WHEREAS, under Sections 607 and 1506 of the Second Class Township Code, the Board of Supervisors of Middletown Township (“Board of Supervisors”) is charged with the general governance of Middletown Township, including the health, safety, and welfare of the citizens of Middletown Township, and, therefore, it may adopt any ordinances, bylaws, rules and regulations necessary therefore, so long as they are not inconsistent with or restrained by the Constitution and laws of the Commonwealth of Pennsylvania;

WHEREAS, Section 1601 of the Second Class Township Code provides that the Board of Supervisors may adopt Ordinances in which general or specific powers of the Township may be exercised, and, by the enactment of subsequent Ordinances, the Board of Supervisors may amend, repeal, or revise existing Ordinances (53 P.S. § 66601);

WHEREAS, Section 1516 (53 P.S. Section 66516) of the Pennsylvania Second Class Township Code provides that the corporate powers of the Board of Supervisors of Middletown Township (the “Board of Supervisors”) include the ability to plan for the development of the Township through Zoning, Subdivision, and Land Development Regulations under the Act of July 13, 1968 (P.L. 805, No. 247), known as the “Pennsylvania Municipalities Planning Code”;

WHEREAS, the Board of Supervisors of Middletown Township, Bucks County, Pennsylvania, after public meeting and a careful review of the Township’s developments and properties within the P-Professional Zoning District, has determined that the proposed amendment of the use regulations to permit Townhouses, pursuant to a conditional use, with an Attainable Housing option within the district promote the health, safety, and general welfare of Township residents;

NOW THEREFORE, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Board of Supervisors of Middletown Township, Bucks County, Pennsylvania, that the Township’s Code of Ordinances is **AMENDED** as follows:

I. Chapter 500, Article II, Definitions, Section 500-202, Specific Terms, is hereby AMENDED to add the following definitions:

AREA MEDIAN INCOME (AMI) — The midpoint of combined salaries, wages, or other sources of income based upon household size in the Philadelphia-Camden-Wilmington, PA-NJ-DE-MD MSA in the annual schedule published by the Secretary of the U.S. Department of Housing and Urban Development.

ATTAINABLE HOUSING—Housing units that are sold or transferred to a Township approved third-party non-profit or governmental organization with an affordable sales

price, including mortgage, amortization, taxes insurance, and condominium or association fees. The total attainable units will target households with an average annual income of less than 100 percent of the Bucks County AMI.

STACKED TOWNHOUSE—An attached dwelling arranged in a two- or three-story design with multiple units in each building. Each stacked townhouse dwelling has its own individual outside access.

TOWNHOUSE – An attached dwelling unit, with one dwelling unit from ground to roof, having individual outside access.

TWIN – A semidetached dwelling unit having only one dwelling unit from ground to roof and only one wall in common with another dwelling unit.

II. Chapter 500, Article XVIII, P Professional District, Section 500-1801, Purpose and Intent, is hereby AMENDED to read as follows:

§500-1801 Purpose and Intent

The purpose of the Professional District is to provide reasonable standards for the harmonious development of offices, medical facilities and educational, religious and philanthropic institutions and other related uses where, because of the nature of the undeveloped land, intensive development is not appropriate. The construction of single-family detached and attached dwellings will not be precluded from this district.

III. Chapter 500, Article XVIII, P Professional District, Section 500-1802, Use Regulations, is hereby AMENDED to add a new subsection Q, to read as follows:

“**Q.** By Conditional Use: Townhouse. An attached dwelling unit, with one dwelling unit from ground to roof, having individual outside access, pursuant to the conditional use regulations set forth in §500-1803.J. and 3209.

IV. Chapter 500, Article XVIII, P Professional District, Section 500-1803, Area, dimensional and design requirements, is hereby AMENDED to add a new subsection J, to read as follows:

“**J.** Conditional Use Standards for Townhouse use. These requirements shall supersede the regulations set forth in §500-1803.A through §500-1803.G. Properties within a radial distance of 5,000 feet from the intersection of Interstate 295 and US Route 1 in Middletown Township are not eligible for these requirements.

- (1) Minimum gross tract area: 10 acres.
- (2) Maximum density: 5 dwelling units per gross acre.
- (3) Maximum building height: 35 feet

(4) Building Setback from:	
Existing Public Road:	50 feet
Front yard to Internal Road curb without sidewalk:	22 feet
Front yard to Internal Road curb with sidewalk:	27 feet
Min. Driveway length from face of building to sidewalk:	22 feet
Side yard to tract boundary:	20 feet
Side yard to Internal Road:	15 feet
Rear yard to tract boundary:	50 feet

(5) Minimum Building Separation:	
Front building facade to Front building facade:	60 feet
Rear building facade to Rear building facade:	50 feet
Side building facade to Side building facade:	20 feet
Side building facade to Front/Back building facade:	30 feet

(6) Number of Units per building (maximum): 6 units

(7) Parking spaces per dwelling unit (minimum): 2 spaces
 Driveways may count as required parking spaces and garage areas shall not be counted as and/or otherwise considered as off-street parking.

(8) Maximum Building Coverage: 20% of gross site area

(9) Maximum Impervious Coverage: 40% of gross site area

(10) Minimum Open Space requirement: 40% of gross site area

(12) Accessory Structures:

(a) Unenclosed decks, porches and patios may encroach no greater than 10 feet into a required yard area setback.

(b) Bay windows and Box Bay windows may project no greater than 2 feet into a required yard area setback for a length of no greater than 10 feet.

(13) Architectural requirements, which shall be followed consistently throughout the development by generally adhering to the following design criteria to the extent they are applicable to the type of dwelling unit being developed by the applicant:

(a) The front elevation of a residential building shall include a minimum of three architectural feature changes which may be accomplished through any combination of the following: material changes (vinyl siding, cedar shake style vinyl siding, board and batten siding, etc.), masonry product (stone, brick, etc.), bay and box windows, porch roofs, trellis, balconies, pent roof, band board, trim, etc.

(b) There shall be a minimum two (2) foot offset at the common party wall or within ten feet of the common party wall of dwelling units for at least 67% of the dwelling units in a building. The offset does not need to extend from the foundation to the roof. Example, a four dwelling unit

building is required to have two such offsets and a five dwelling unit building is required to have three such offsets.

(c) There shall be a minimum of two architectural feature changes on side elevations of buildings which may be accomplished through material changes (vinyl siding, cedar shake style vinyl siding, board and batten siding, etc.), masonry product (stone, brick, etc.), bay and box windows, porch roofs, trellis, balconies, pent roof, band board, trim, etc.

(d) Ridge and fascia lines of the roof of a building may not align for more than two (2) consecutive dwelling units along the front façade of a building.

(e) All garage doors shall have one horizontal panel of windows.

(f) Building materials including siding, masonry products, garage doors, windows, trim, roofing, shutters shall be generally consistent throughout the build out of the development.

(14) The following standards must be met for any townhouse development:

(a) All roads/alleys, stormwater facilities, sidewalks, landscaping and open space shall be privately maintained in perpetuity by a single entity or association.

(b) All private roads must have a minimum width of 24 feet with no parking on either side or 28 feet with parking limited to one side of the street.

(c) All private roads must have sidewalk on at least one side of the street.

(d) For Units adjacent to external and existing roadways, the front of the unit shall face the external and existing roadways.

(e) Community Association (HOA) shall be responsible for enforcing the architectural standards of the development and maintaining the common areas in perpetuity.

(15) Attainable Housing option: For projects that provide at least 20% of the residential units as Attainable Housing Units, the following standards shall apply for all residential units:

(a) Permitted Dwelling Types: Townhouse, Stacked Townhouse, or Twin Dwellings.

(b) Minimum gross tract area: 3.5 acres.

(c) Maximum density: 9.25 dwelling units per gross acre.

(d) Maximum building height: 40 feet

(e) Minimum building separation rear façade to rear façade: 40 feet

(f) Maximum Impervious Coverage: 55% of gross site area

(g) Maximum building coverage: 30% of gross site area

h. Minimum Open Space: 30% of gross site area

i. Buffer yard. Along any adjacent land zoned for or in residential or agricultural use, except for an apartment use, a buffer yard shall be provided which shall be not less than 25 feet in width, measured from the property line or the street line of the tract boundary. The buffer yard shall be left free of structures and left as open green space. This requirement shall supersede

the provisions set forth in §500-2605, and the buffer yard may overlap the required front, side or rear yards.

j. Properties within a radial distance of 5,000 feet from the intersection of Interstate 295 and US Route 1 in Middletown Township are not eligible for these requirements.

V. Partial Repealer.

All other provisions of the Ordinances of Middletown Township, as amended, shall remain in full force and effect. All other Ordinances or provisions of the Ordinances inconsistent herewith or in conflict with any of the terms hereof are, to the extent of said inconsistencies or conflicts, hereby specifically repealed.

VI. Severability.

The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision 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 Board of Supervisors that this Ordinance would have been adopted if such illegal, invalid, or unconstitutional section, clause, sentence or part of a provision had not been included herein.

VII. Effective Date.

All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

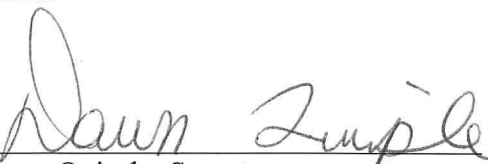
ORDAINED AND ENACTED this 18th day of February, 2025.

BOARD OF SUPERVISORS OF MIDDLETOWN
TOWNSHIP, BUCKS COUNTY,
PENNSYLVANIA



Mike Ksiazek, Chair

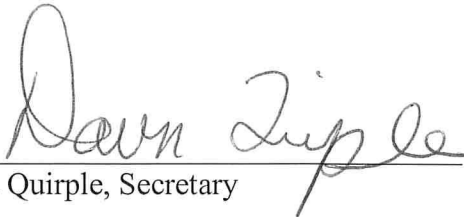
Attest:



Dawn Quirple, Secretary

I hereby certify that the foregoing is a true and correct copy of Ordinance No. 25-01, enacted by the Board of Supervisors of the Township of Middletown, County of Bucks, Commonwealth of Pennsylvania, on the 18th day of February 2025.

[SEAL]


Dawn Quirple, Secretary