

**ORDINANCE NO. 2024-5**

**AN ORDINANCE OF THE BOROUGH OF DOYLESTOWN,  
BUCKS COUNTY, PENNSYLVANIA AMENDING  
CHAPTER 27, ZONING, OF THE DOYLESTOWN  
BOROUGH CODE OF ORDINANCES AT SECTIONS 27-  
406.4.1.D.(3)(b), 27-406.5 AND 27-906 PERTAINING TO THE  
CONVERSION OF RESIDENTIAL USES AND THE  
CHANGE OF NON-CONFORMING USES**

**WHEREAS**, the Pennsylvania Borough Code provides that the corporate powers of the Borough Council of Doylestown Borough (the “Borough Council”) include the ability to plan for the development of the Borough 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, (“MPC”)” and provides the Borough with the ability to make regulations as may be necessary for the health, safety, and general welfare of Doylestown Borough;

**WHEREAS**, Chapter 27 of the Doylestown Borough Code of Ordinances delineates regulations pertaining to Zoning;

**WHEREAS**, Doylestown Borough has determined that is in the best interest of the residents of Doylestown Borough to strike and delete Sections 27-406.4.1.D.(3)(b) and 27-406.5 from the Table of Use Regulations, Residential Uses, Conversions (Use 5), which permits the conversion of an existing single-family detached dwelling (Use 1) to a single-family semi-detached dwelling (§ 202), a single-family attached dwelling (Use 3), a two-family duplex dwelling (§ 202), or a multi-family dwelling, low-rise (Use 7), or the conversion of an existing two-family duplex dwelling (§ 202) or single-family semi-detached dwelling (§ 202) to a multi-family dwelling, low-rise (Use 7); and

**WHEREAS**, Doylestown Borough has determined that it is in the best interest of the residents of Doylestown Borough to amend Section 27-906 to eliminate the conversion of one non-conforming use to another by special exception pursuant to Section 27-1120, and, instead, require that such conversion may only occur by obtaining a variance from the Doylestown Borough Zoning Hearing Board pursuant to Section 27-1119;

**WHEREAS**, the proposed amendments have been advertised, considered, and reviewed in accordance with the Municipalities Planning Code and the Borough Code; and

**NOW THEREFORE**, in consideration of the foregoing, be it **ENACTED** and **ORDAINED** by the Borough Council as follows:

**I. The following language is STRICKEN and DELETED in its entirety from Chapter 27, Zoning, Section 27-406, Table of Use Regulations, Residential Uses, Subsections 27-406.4.1.D.(3)(b) and 27-406.5 and REPLACED with “Intentionally Omitted”:**

**A. Section 27-406.4.1.D.(3)(b). Strike, Delete, and Replace with “Intentionally Omitted”.**

(b) Conversions of existing buildings, in accordance with § 406.5.

**B. Section 27-406.5. Strike, Delete, and Replace with “Intentionally Omitted”.**

5. Conversion.

A. Conversion of an existing single-family detached dwelling (Use 1) to a single-family semidetached dwelling (§ 202), a single-family attached dwelling (Use 3), a two-family duplex dwelling (§ 202), or a multifamily dwelling, low-rise (Use 7); or

B. Conversion of an existing two-family duplex dwelling (§ 202), or single-family semidetached dwelling (§ 202) to a multifamily dwelling, low-rise (Use 7);

C. Conversions under A and B above shall be subject to the following provisions:

(1) The lot area per dwelling unit shall not be reduced thereby to less than the lot area required for single-family attached dwellings except within a zoning district designated Residential 1 or Residential 2 where the minimum lot area shall be 10,000 square feet per dwelling unit.

(2) The yard, building area, and other applicable requirements for the district shall not be reduced.

(3) No structural alteration shall be made to the exterior of the building except as may be necessary for purposes of safety.

(4) For purposes of this subsection, “existing single-family detached dwelling” means that the dwelling existed substantially in its current configuration as of the date of adoption of this Zoning Ordinance, to wit: May 23, 1985.

**II. Chapter 27, Zoning, Section 27-906, Pertaining to Changes of Non-Conforming Uses is hereby STRICKEN in its entirety and REPLACED with the following:**

**§906 Changes.**

Once changed to a conforming use, no structure or land shall be permitted to revert to a non-conforming use. A non-conforming use, together with the specific activity conducted or otherwise lawfully proposed and permitted to be conducted thereunder, may be changed to a specific activity to be conducted under another non-conforming use only

by obtaining a variance from the Zoning Hearing Board due to an unnecessary hardship pursuant to Section 27-1119.

**III. Partial Repealer.**

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

**IV. Severability.**

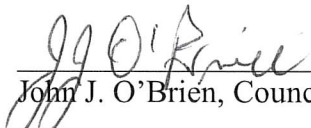
The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid, or unconstitutional by a court of competent jurisdiction, such decision of the court shall not affect or impair any of the remaining sections, clauses, sentences, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Borough Council 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.

**V. Effective Date.**

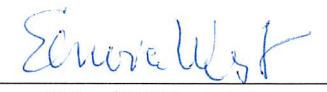
All provisions of this Ordinance shall be in full force and effect five (5) days after the approval and adoption.

**ORDAINED AND ENACTED** this 15<sup>th</sup> day of July 2024.

**DOYLESTOWN BOROUGH COUNCIL**

  
\_\_\_\_\_  
John J. O'Brien, Council President

Approved:

  
\_\_\_\_\_  
Elnora "Noni" West, Mayor

Attest:

  
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Borough Secretary