

**ORDINANCE NO. 340**  
**DUBLIN BOROUGH, BUCKS**  
**COUNTY, PENNSYLVANIA**

**AN ORDINANCE OF THE BOROUGH OF DUBLIN  
AMENDING CHAPTER 27 ZONING OF THE  
CODIFIED ORDINANCES TO PERMIT  
OUTDOOR DINING AS AN ACCESSORY  
USE WITHIN THE PVD, IND, TC-1 AND TC-  
2 ZONING DISTRICTS BY CONDITIONAL  
USE APPROVAL AND TO PROVIDE  
REGULATIONS FOR OUTDOOR DINING**

**WHEREAS,** In 1985, the Dublin Borough Council enacted a Zoning Ordinance establishing Zoning Districts, use regulations for land use types and establishing general zoning regulations for the entire Borough;

**WHEREAS,** Borough Council finds that it is in the interest of the Borough to allow for Outdoor Dining as an accessory use to a D9 – Eating Place, a D10 – Fast Food Restaurant and a D15 – Tavern, by conditional use approval within the PVD – Planned Village Development, IND – Light Industrial, TC-1 – Town Center and TC-2 Town Center 2 Zoning Districts and to provide additional standards and regulations for Outdoor Dining;

**WHEREAS,** in compliance with the requirements of Section 609(c) and (e) of the Pennsylvania Municipalities Planning Code (“MPC”), a copy of this Zoning Ordinance Amendment was forwarded to the Bucks County Planning Commission and the Dublin Borough Planning Commission on June 25, 2024 for review and comment.

**WHEREAS,** in compliance with the requirements of Section 609(b)(1) of the MPC, this Ordinance was duly advertised in The Intelligencer on July 28, 2024 and on August 4, 2024.

**WHEREAS,** a public hearing was held on the proposed Zoning Ordinance Amendment on August 12, 2024 in compliance with Section 609(b)(1) of the MPC.

**NOW, THEREFORE,** it is hereby ENACTED and ORDAINED by the Council of Dublin Borough, Bucks County, Pennsylvania that the Codified Ordinances of the Borough are amended by amending Chapter 27 Zoning as follows:

**Section 1.** Section 27-505 shall be amended by adding the following use:

(F13) Outdoor Dining. An area with seats and/or tables located outdoors of a D9 – Eating Place, a D10 – Fast Food Restaurant, a D15 – Tavern or other food service establishment. This use shall be permitted by conditional use as an accessory use to the aforementioned uses.

(1) General Standards.

- (a) Outdoor Dining shall be seasonal and only operated between April 1 and October 31 of each year.
- (b) No outdoor food preparation, storage/busing stations or outdoor bars shall be permitted.
- (c) The dining area shall not obstruct the use of any egress door or aisle or access lane.
- (d) Hours of operation shall be set as a condition of the conditional use permit.
- (e) All lighting used to illuminate Outdoor Dining shall be arranged, shielded and directed in a downward manner so that no rays from such lighting fall upon any neighboring property or streets.
- (f) Portable heating devices are permitted, subject to approval by the Borough, the type and design of which must be documented in the conditional use application.
- (g) The area used for Outdoor Dining must be separated from all parking areas, driveways, and abutting residentially-used property by a fence, wall or other suitable barrier approved as a condition of the conditional use permit.
- (h) Prior to serving food or beverages outdoors, the restaurant or other use must obtain all necessary permits and approvals from all government agencies having jurisdiction, including but not limited to the Bucks County Health Department and the Pennsylvania Liquor Control Board.
- (i) No service of food or beverages shall be permitted to unseated patrons.
- (j) The area used for Outdoor Dining shall contain sufficient trash receptacles, which shall be removed from the Outdoor Dining area at the end of each day.
- (k) For any Outdoor Dining that uses sidewalk areas, there shall be a minimum width of five feet of usable sidewalk area that remains free of any objects to allow for safe, clear passage for pedestrian use. In addition, no Outdoor Dining areas shall be permitted within five feet of a public street or alley.
- (l) All Outdoor Dining areas are subject to the regulations of the Building Code including any increase in the number of restroom facilities required due to the increase in the occupant load of the facility.

Temporary restroom facilities and porta potties are prohibited. The Applicant shall establish compliance with all Bucks County Department of Health regulations.

(m) Parking. In addition to the number of off-street parking spaces required in this Chapter for the particular D9, D10, D15 or other food service establishment use located on the lot as the principal use, a minimum of one off-street parking space for each 100 square feet of total outside floor area that is devoted to Outdoor Dining use shall be provided.

(2) Locational Standards.

(a) The area dedicated to Outdoor Dining shall be included in the calculation and limitations for building coverage and dimensional requirements contained in Attachment 1 of this Chapter.

(b) Landscape buffering shall be placed between the Outdoor Dining and any residential uses.

**Section 2.** Section 27-405.4 shall be amended by adding the F13 Outdoor Dining use to the list of uses permitted by Conditional Use.

**Section 3.** Section 27-406.4 shall be amended by adding the F13 Outdoor Dining use to the list of uses permitted by Conditional Use.

**Section 4.** Section 27-407.4 shall be amended by adding the F13 Outdoor Dining use to the list of uses permitted by Conditional Use.

**Section 5.** Section 27-408.2.A.(2) shall be amended by adding the F13 Outdoor Dining use to the list of uses permitted by Conditional Use.

**Section 6.** Attachment 2 contained in Chapter 27, Table of Use Regulations, shall be amended to add the following row to the Table:

Use	R-1	R-2	TC-1	TC-2	IP	Ind	PVD
(F13) Outdoor Dining	N	N	C	C	N	C	C

**Section 7. Repealer.** This Ordinance hereby repeals any provision inconsistent with this Ordinance now in effect or of other Ordinances, to the extent of such inconsistency. All other provisions of the Ordinances of Dublin Borough, not inconsistent herewith, shall remain in full force and effect.

**Section 8. Severability.** The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid

or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.


**Section 9. Effective Date.** This Ordinance shall become effective upon the earliest date provided by law.

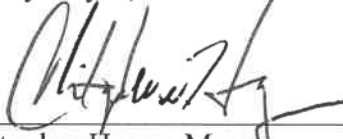
ENACTED AND ORDAINED on this 0<sup>th</sup> day of August, 2024.

**BOROUGH OF DUBLIN COUNCIL**

ATTEST:

  
\_\_\_\_\_  
Colleen Pursell, Secretary

  
\_\_\_\_\_  
Timothy Hayes, Council President

  
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Christopher Hayes, Mayor