

ORDINANCE NO. 2020-03

AN ORDINANCE OF THE PLUMSTEAD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA AMENDING CHAPTER 27 OF PLUMSTEAD TOWNSHIP CODE OF ORDINANCES AT SECTION 27-202 ADDING A DEFINITION FOR SHORT-TERM TRANSIENT RENTAL; AND AMENDING SECTION 27-304 TO ADD SHORT-TERM TRANSIENT RENTAL AS AN ACCESSORY USE TO ALL RESIDENTIAL USES

WHEREAS, the Plumstead Township Board of Supervisors is aware of the effect of short-term residential rentals as a source of revenue for property owners as well as the need to regulate such rentals in the case of misuse; and

WHEREAS, the Plumstead Township Board of Supervisors desires for this ordinance to be adopted in addition to any regulations imposed by the Village Overlay District Ordinance; and

WHEREAS, this Ordinance shall not modify the terms of the Village Overlay District nor any of its provisions or subsections;

AND NOW, The Board of Supervisors of Plumstead Township, upon recommendation of the Township Planning Commission and the Bucks County Planning Commission, hereby enacts and ordains the following Ordinance:

ARTICLE I

Chapter 27, Part 2, Section 27-202 is hereby amended by the addition of the following definition:

Chapter 27, Part 2, Section 27-202. Definitions.

SHORT-TERM TRANSIENT RENTALS – The rental of one or more rooms of a residential property to transient guests for a period of less than fourteen consecutive days wherein the guests are allowed access to the cooking facilities. The owner of such a property need not reside at the property contemporaneously with the transient guests.

ARTICLE II

Chapter 27, Part III, Sections 27-304 is hereby amended to create a new use at Section 304.30 entitled Short-Term Transient Rentals with use regulations, which shall read as follows:

§304.30- B18 Short-Term Transient Rentals. The rental of one or more rooms of a residential property to transient guests for a period of less than fourteen consecutive

days wherein the guests are allowed access to the cooking facilities. The owner of such a property need not reside at the property contemporaneously with the transient guests. A Short-Term Transient Rental use shall be accessory to all residential uses and permitted in all districts where the principle residential use is allowed, whether by right, conditional use, or by special exception. Short-Term Transient Rental use shall be subject to the permitting provisions outlined in Chapter 13 of the Plumstead Township Code.

The existing use at Section 304.30 and all subsequent use regulations under Section 304 shall be renumbered sequentially thereafter.

ARTICLE III

1. Chapter 27, Part 4, Section 27-402(1)- Uses Permitted by Right in the RP- Resource Protection District is hereby amended to include B18 Short-Term Transient Rentals.
2. Chapter 27, Part 5, Section 27-502(1)- Uses Permitted by Right in the RO- Rural Residential District is hereby amended to include B18 Short-Term Transient Rentals.
3. Chapter 27, Part 6, Section 27-602(1)- Uses Permitted by Right in the R-1 Rural Residential District is hereby amended to include B18 Short-Term Transient Rentals.
4. Chapter 27, Part 7, Section 27-702(1)- Uses Permitted by Right in the VR- Village Residential District is hereby amended to include B18 Short-Term Transient Rentals.
5. Chapter 27, Part 8, Section 27-802(1)- Uses Permitted by Right in the R-2 Residential District is hereby amended to include B18 Short-Term Transient Rentals.
6. Chapter 27, Part 9, Section 27-902(1)- Uses Permitted by Right in the R-3 Residential District is hereby amended to include B18 Short-Term Transient Rentals.
7. Chapter 27, Part 10, Section 27-1002(1)- Uses Permitted by Right in the R-4/CA-1 Residential District is hereby amended to include B18 Short-Term Transient Rentals.
8. Chapter 27, Part 11, Section 27-1102(1)- Uses Permitted by Right in the R-5/CA-2 Residential District is hereby amended to include B18 Short-Term Transient Rentals.
9. Chapter 27, Part 12, Section 27-1202(1)- Uses Permitted by Right in the VC- Village Center District is hereby amended to include B18 Short-Term Transient Rentals.
10. Chapter 27, Part 16, Section 27-1602(1)- Uses Permitted by Right in the MHP- Mobile Home Park District is hereby amended to include B18 Short-Term Transient Rentals.

11. Chapter 27, Part 19, Section 27-1903(1)- Uses Permitted by Right in the VOD- Village Overlay District is hereby amended to include B18 Short-Term Transient Rentals.

ARTICLE IV

Attachment 1 to Chapter 27, entitled “APPENDIX A: USE REGULATIONS” is hereby amended to provide a new row under “Residential Uses” for “B18 Short-Term Transient Rentals” which will reflect the use as a use permitted by-right in the following zoning districts:

1. RP- Resource Protection District
2. RO- Rural Residential District
3. R-1- Rural Residential District
4. VR- Village Residential District
5. R-2 Residential District
6. R-3 Residential District
7. R-4/CA-1 Residential District
8. R-5/CA-2 Residential District
9. VC- Village Center District
10. MHP- Mobile Home Park District
11. VOD- Village Overlay District

The amended Attachment 1 to Chapter 27 is attached hereto and incorporated as “*Exhibit A*”.

ARTICLE V REPEALER

All Ordinances or parts of Ordinances which are inconsistent herewith are hereby repealed.

ARTICLE VI SEVERABILITY

If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal, or invalid, such unconstitutionality, illegality, or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of Plumstead Township, that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause or section or part thereof not been included therein.

ARTICLE VII EFFECTIVE DATE

This Ordinance shall become effective five (5) days after enactment.

ENACTED AND ORDAINED this ____ day of _____, A.D., 2020.

**PLUMSTEAD TOWNSHIP
BOARD OF SUPERVISORS**

Peter Busillo, Chair

Dan Hilferty, Vice Chair

Jim McComb, Treasurer

Ken Lichenstein, Secretary

Brian Trymbiski

ATTEST:

Angela P. Benner, Township Manager
Plumstead Township

Exhibit A

LIST OF USES		ZONING DISTRICTS															
		RP	RO	R-1	R-2	R-3	R-4	R-5	MHP	VR	VC	C-1	C-2	C-3	LI	Q	VOD
A.	AGRICULTURAL USES																
A1	General Farming	Y	Y	Y	Y	Y		Y			Y						
A2	Agricultural Retail	Y	Y	Y	Y	Y		Y									
A3	Intensive Agriculture		C														
A4	Forestry	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
A5	Accessory Farm Business		C	Y													
A6	Farm Support Facility		S														
A7	Commercial Kennel		S														
A8	Riding Stable and Horse Boarding	Y	Y														
B.	RESIDENTIAL USES																
B1	Single Family Detached Dwelling	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						
B1a	Village House																Y
B1b	Manor House																Y
B2	Land Preservation Subdivision			C	C												
B3	Land Preservation Subdivision/TDR			C	C					C	C						
B4	Two-Family Dwelling - Twin/Duplex							Y		Y	Y						Y
B5	Multi-Family - Apartments						Y	Y		Y	Y						
B6	Multi-Family - Townhouse						Y	Y		Y	Y						
B7	Mobile Home Park								Y								
B8	Flexible Lot Size Subdivision			Y	Y												
B9	Life Care/Full Care Facility	Y											S				
B10	Residential Conversion									S	S						C
B11	Accessory Dwelling	Y	Y	Y	Y	Y				Y	Y						Y
B12	Accessory Home Occupations	Y	Y	Y	Y	Y	Y	Y	Y***	Y	Y						Y
B13	Bed and Breakfast	S	C	S						S	S						C
B14	Residential Accessory Building etc.	Y	Y	Y	Y	Y	Y	Y**	Y****	Y	Y						
B15	Mixed Residential Development					Y											
B16	Village Preservation Development							Y									
B17	Live-Work Units																Y
B18	Short-Term Transient Rentals	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y						Y

LIST OF USES		ZONING DISTRICTS															
		RP	RO	R-1	R-2	R-3	R-4	R-5	MHP	VR	VC	C-1	C-2	C-3	LI	Q	VOD
C.	INSTITUTIONAL USES																
C1	Place of Worship	C	S	C*	C*	C				Y	Y						Y
C2	School			Y	C*	C				C	C						
C3	Library or Museum			C*	C*	C				C	Y			Y			Y
C4	Hospital												Y		Y		
C5	Nursing Home/Personal Care Facility			C*	C*	Y							Y				
C6	Cemetery				Y												
C7	Municipal Uses and Buildings	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
C8	Detention Facility														C	C	
D.	RECREATIONAL USES																
D1	Public Recreational Facility	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y		
D2	Commercial Recreational Facility												Y	Y	Y		
D3	Private Club									Y	Y	Y					
D4	Community Center			C*	C*					Y	Y						
D5	Golf Course	S	S	S	Y	Y											
D6	Private Camp	Y	Y														
E.	UTILITY USES																
E1	Utilities	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Y	
E2	Emergency Services	S	S	S	S	S				S	S	S	S	S	S	Y	
E3	Public Transportation Terminal														S		
E4	Airport														S		
F.	OFFICE USES																
F1	Medical Office										Y	Y	Y	Y	Y		Y
F2	Veterinary Office										Y	Y	Y	Y	Y		C
F3	Office										Y	Y	Y	Y	Y		Y
F4	Business Park														Y		
G.	COMMERCIAL USES																
G1	Commercial or Trade School										S		Y		Y		

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		RP	RO	R-1	R-2	R-3	R-4	R-5	MHP	VR	VC	C-1	C-2	C-3	LI	Q	VOD
G32	Market																Y
G33	Cultural and Entertainment																Y
H. INDUSTRIAL USES																	
H1	Manufacturing														Y		
H2	Reserch														Y		
H3	Warehousing and Distribution												S		Y		
H4	Contracting												S		Y		
H5	Truck Terminal												C		C		
H6	Crafts														Y		
H7	Lumber Yard/Improvement Center														Y		
H8	Fual Storage and Distribution														C		
H9	Junk Yard or Auto Salvage Yard														C		
H10	Extractive Operations															Y	
H11	Asphalt Plant														Y		
H12	Ready Mix Concrete Plant														Y		
H13	Industrial Park														Y		
H14	Resource Recovery Facility														S	C	
H15	Solid Waste Landfill															C	
H16	Flex Space														Y		
H17	School Bus Depot														Y		
I. OTHER USES																	
I1	Nonresidential Accessory Building										Y	Y	Y	Y	Y		
I2	Accessory Outside Storage/Display												Y	S	Y		
I3	Temporary Structure													S	S		
I4	Accessory Drive-Through Facility											C	C	C			
I5	Vending Machines										Y	Y	Y	Y	Y	Y	
I6	Accessory Uses	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	
I7	Accessory Outdoor Dining Area																Y
Y - Permitted by right																	*Must have frontage on U.S. Route 611 (Easton Road)
C- Permitted by conditional use																	** Accessory to Single Family Detached Dwellings only
S. - Permitted by special exception																	*** No-impact home-based business only
BLANK SPACE - Not permitted																	**** Storage sheds only
																	***** New tower/pole overlay zone strip of land 400 ft. in width measured from right-of-way line of Rt. 313 or 611; overlay zone in industrial district (I); & overlay zone where telecommunications facility attached to a tower or tall structure existing at the date of

LIST OF USES	ZONING DISTRICTS															
	RP	RO	R-1	R-2	R-3	R-4	R-5	MHP	VR	VC	C-1	C-2	C-3	LI	Q	VOD
	this Chapter and any zoning district															