

EASTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF EASTTOWN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF EASTTOWN, CHAPTER 455, ENTITLED “ZONING,” AS AMENDED, BY AMENDING SECTION 455-8 (ENTITLED “ESTABLISHMENT OF ZONING DISTRICTS”), SUBSECTION B (ENTITLED “OVERLAY DISTRICTS”) THEREOF TO ADD A NEW ZONING DISTRICT DESIGNATED AS THE “DY DEVON YARD OVERLAY DISTRICT” THERETO; BY AMENDING ARTICLE VII (ENTITLED “OVERLAY DISTRICTS”) TO ADD A NEW SECTION 455-33.33 ENTITLED “DEVON YARD OVERLAY DISTRICT (DY)” THERETO TO PROVIDE FOR USE AND AREA AND BULK REQUIREMENTS OF THE DY DEVON YARD OVERLAY DISTRICT; BY AMENDING SECTION 455-132 (ENTITLED “DEFINITIONS; WORD USAGE”) TO ADD DEFINITIONS OF “TRACT”, “TRACT AREA”, “UNIFIED DEVELOPMENT” AND “ZERO LOT LINE UNIT” THERETO; AND BY AMENDING SECTION 455-12 (ENTITLED “ZONING MAP”) AND THE EASTTOWN TOWNSHIP ZONING MAP TO ESTABLISH THE DY DEVON YARD OVERLAY DISTRICT ON PROPERTY LOCATED SOUTH OF LANCASTER AVENUE (S.R. 30), NORTH OF BERKLEY ROAD AND EAST OF WATERLOO ROAD AND IDENTIFIED AS CHESTER COUNTY TAX PARCEL UPI NOS. 55-3J-37, 55-3J-39, 55-3J-43, 55-3J-44.1, 55-3J-45, 55-3J-46, 55-3J-47 AND 55-3J-48.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Easttown Township, Chester County, Pennsylvania, that the Easttown Township Zoning Ordinance, as amended, shall be further amended as follows:

SECTION 1. Section 455-8 (entitled “Establishment of Zoning Districts”), Subsection B (entitled “Overlay Districts”), as amended, shall be amended to add a new district thereto as follows:

“DY Devon Yard Overlay District”

SECTION 2. Article VII (entitled “Overlay Districts”), as amended, shall be amended to add a new Section 455-33.33 as follows:

“Section 455-33.33 DEVON YARD OVERLAY DISTRICT (DY)

A. Purpose.

The Devon Yard Overlay District is intended to:

(1) Provide for development of a variety of commercial uses and apartments in a manner which employs unified design and architectural principals while creating a sense of place within Devon.

(2) Create a setting that encourages redevelopment of an existing commercial corridor in such a way that ensures compatibility with adjacent and neighboring uses.

(3) Promote walkability while employing parking, circulation and mobility strategies that maximize efficiency and safety.

B. Applicability.

(1) The DY Devon Yard Overlay District shall be an overlay to the underlying districts shown on the Easttown Township Zoning Map, and such, shall be a supplement to the underlying zoning district provisions. There shall be included within the DY Devon Yard Overlay District such tracts of ground as are set forth as marked on the Easttown Township Zoning Map. When it is proposed that a tract or tracts be developed in accordance with the underlying zoning, the provisions of this Article shall not apply.

(2) In the case of the provisions of this Article conflicting with the provisions of another Section of this Ordinance, the provisions of this Article shall apply.

C. Use Regulations.

(1) Conditional Uses. The following use shall be permitted as a conditional use when authorized by the Board of Supervisors subject to the procedures and requirements of Article XIV, compliance with the area and bulk regulations of this Section 455-33.33 and the other applicable provisions of this Zoning Ordinance:

(a) Unified Development.

(2) Accessory Uses. Accessory uses, buildings and structures (including signs and parking associated with the accessory use) on the same tract with, and customarily incidental to, the above permitted use.

D. Area and Bulk Regulations.

- (1) Minimum Gross Tract Area. 5 acres
- (2) Maximum Residential Building Footprint (percentage of gross tract). 30%
- (3) Minimum Tract Width at the Street Line. 100 feet
- (4) Minimum Setbacks from Streets.
 - (a) Any building face to tract exterior arterial street right-of-way. 25 feet
 - (b) Any building face to tract exterior collector street right-of-way. 5 feet

- (5) Minimum Principal Structure Setback from any residential district boundary line outside the overlay district. 20 feet
- (6) Maximum Building Coverage (percentage of tract area). 60%
- (7) Minimum Green Area (percentage of tract area). 15%
- (8) Maximum Building Height.
 - (a) 50 feet for commercial use
 - (b) 60 feet for multifamily use

E. Devon Yard Design Standards.

(1) Parking Lot Design Regulations.

(a) Each building, structure, or use constructed, established, erected, enlarged, modified or altered in the Devon Yard District shall provide and satisfactorily maintain off-street parking spaces in accordance with the requirements of this Article and Article X. In the case that provisions of this Article conflict with the provisions of Article X, the provisions of this Article shall apply. Perpendicular spaces shall have minimum dimensions of nine (9) feet wide by eighteen (18) feet long.

(b) Surface parking lots shall be set back from street rights-of-way a minimum of 10 feet.

(2) Landscaping.

(a) Landscaped areas totaling not less than five (5%) of the area within a surface parking lot shall be provided as raised planting islands and be continually maintained.

(b) All areas of the development shall be landscaped with varieties of evergreen, deciduous, and flowering ornamental trees and shrubs.

(c) All other landscaping shall be consistent with the provisions of Article XI of Chapter 274, Natural Resources Protection, except that upon approval of the Township, the planting and/or design requirements of Article XI of Chapter 274, Natural Resources Protection, may be modified if the applicant shows good cause and proposes an alternative in keeping with the intent of the Chapter 274, Natural Resources Protection.

(3) Screening and Buffering. Screening and buffering shall be consistent with the provisions of Article X of Chapter 274, Natural Resources Protection Ordinance, except that the buffer widths shall not be required to exceed the depth of the setbacks specified in this § 455-33.33. In addition, upon approval of the Township, the planting requirements of Article X of Chapter 274, Natural Resources Protection may be modified if the applicant shows good cause and proposes an alternative in keeping with the intent of Chapter 274, Natural

Resources Protection. Screening and buffering requirements may also be met with the use of architectural features instead of landscaping or in combination with landscaping.

(4) Site and Building Design/Development Guidelines.

(a) The applicant shall incorporate a street-level architectural treatment. Such architectural treatment shall include roof overhangs, canopies, building recesses, or similar treatment designed to add architectural interest to the building.

(b) The applicant shall incorporate an outdoor plaza, courtyard or other event space into the development for both functional and architectural/aesthetic purposes.

(c) Where possible, exterior walls of buildings shall incorporate articulations, setbacks, recesses, various brick patterns, joints, or similar architectural features to avoid large masses of unbroken building materials and to add architectural interest.

(d) Pedestrian walkways shall incorporate decorative paving patterns (e.g., concrete block pavers, brick exposed aggregate concrete, or other similar paving materials) rather than standard concrete.

(e) Walkways and pedestrian areas shall include streetlights, coordinated site furniture, bike racks or similar features.

(f) The applicant will provide interconnecting walkways throughout the development.

(5) Signs. Signs shall meet the signage requirements applicable to the PBO District.

(6) Zero Lot Line Unit Development. Individual units, buildings, or parcels of land within the development tract may be subdivided, leased, purchased, sold, mortgaged, and developed as individual zero lot line units without meeting the tract width, tract size, impervious coverage, building coverage, green area, and setbacks from internal parking and building lines for each individual zero lot line unit; provided, however, that the tract shall comply with the applicable area and bulk standards for the proposed Unified Development.”

SECTION 3. The following terms shall be added to Section 455-132 (entitled “Definitions; Word Usage”), as amended:

“**TRACT** – The area within the project boundaries of a given Unified Development.

TRACT AREA – The area of land contained within project boundaries of a given Unified Development, exclusive of any street or railroad rights-of-way, utility easement and flag lot access strips, easements for fuel or communications transmission, whether below or above ground, that do not exclusively serve the lot traversed, very steep slopes and 50% of moderately steep slopes, aboveground stormwater management basins greater than 18 inches in depth that do not exclusively serve the lot, and areas within riparian buffer zones, along with the natural resources they protect, provided that at least 50% of the required minimum tract area be contiguous land lying outside of these exclusions.

UNIFIED DEVELOPMENT – A discrete use designed and developed as a unified development, consisting of multiple uses limited to retail commercial, personal service commercial, restaurant, fast food restaurant, outdoor cafe, nursery/landscaping sales – service, health club/spa, multifamily dwellings, parking garage and accessory uses arranged in one or more buildings utilizing common architectural and design principles, and sharing common vehicular and pedestrian access and parking.

ZERO LOT LINE UNIT – An individual unit or building which may be conveyed, sold or transferred absent any required minimum yard or setback, lot or tract width, lot or tract area or green area, or maximum building or impervious coverage.”

SECTION 4. Section 455-12 (entitled “Zoning Map”) and the Easttown Township Zoning Map, which is adopted as part of the Easttown Township Zoning Ordinance, as amended, shall be amended as follows:

“A DY Devon Yard Overlay District is established on property located on south of Lancaster Avenue (S.R. 30), north of Berkley Road, east of Waterloo Road and west of Dorset Road, as delineated on Attachment “A” hereto, which shall overlay all existing and hereafter created underlying zoning districts in the area designated as “Devon Yard Overlay District” on Attachment “A” hereto and which are, at the time of enactment of this Ordinance, further identified as Chester County Tax Parcel UPI Nos. 55-3J-37, 55-3J-39, 55-3J-43, 55-3J-44.1, 55-3J-45, 55-3J-46, 55-3J-47 and 55-3J-48.”

SECTION 5. 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 hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 6. Repealer. All Ordinances or parts of Ordinances conflicting with any provisions of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 7. Effective Date. This Ordinance shall be effective five days following enactment as by law provided.

ENACTED AND ORDAINED this ____ day of _____, 2015.

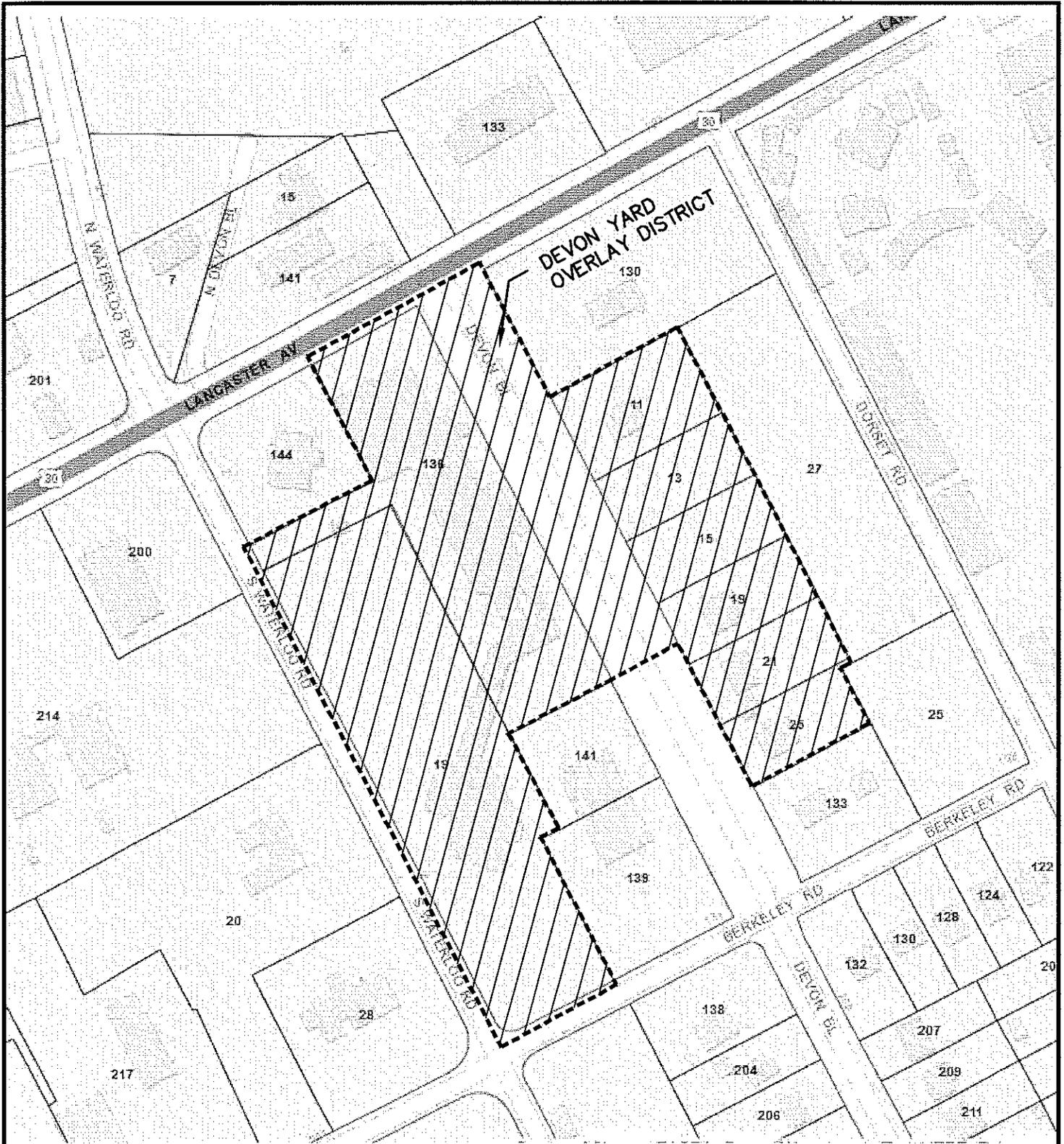
BOARD OF SUPERVISORS

ATTEST:

EASTTOWN TOWNSHIP

BY:

ATTACHMENT "A"



**DEVON YARD
EASTTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

OVERLAY DISTRICT ZONING MAP

 <p style="text-align: center; font-size: small;">Engineering for the Environment. Planning for People.™ 1055 ANDREW DRIVE, SUITE A WEST CHESTER, PENNSYLVANIA 19380 Tel: 610.462.9300 Fax: 610.462.9199 Website: www.advancedgeoservices.com</p>	Date: N.T.S. Drawn by: D.J.S. Checked by: M.J.C. Project No: M.J.S. Prepared for: D.J.S.	FIGURE 1
	Project No: 2012-2018 Meeting Date: 03/22/2013 Sheet No: 1 OF 1 Scale: N/A	