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 "DC-DEVON CENTER OVERLAY DISTRICT" THERETO; AMENDING SECTION 455-12.A AND THE EASTTOWN TOWNSHIP ZONING MAP BY CREATING A NEW OVERLAY DISTRICT KNOWN AS THE DEVON CENTER OVERLAY DISTRICT AND BY DESIGNATING THE FOLLOWING PROPERTIES AS PART OF THE NEW OVERLAY ZONING DISTRICT: CHESTER COUNTY TAX PARCEL NOS. 55-3J-37, 55-3J-38, 55-3J-39, 55-3J-40, 55-3J-41, 55-3J-42, 55-3J-43, 55-3J-44.1, 55-3J-45, 55-3J-46, 55-3J-47, AND 55-3J-48; REMOVING THE FOLLOWING PROPERTIES FROM THE PLANNED APARTMENT OVERLAY DISTRICT: CHESTER COUNTY TAX PARCEL NOS. 55-3J-42, 55-3J-43, 55-3J-44.1, 55-3J-45, 55-3J-46, 55-3J-47 AND 55-3J-48; AMENDING SECTION 455-13 (ENTITLED "LAND USES"), SUBSECTION B THEREOF, AND FIGURE 3-1 (ENTITLED "LAND USE TABLE") TO AMEND THE SECOND NOTE ON FIGURE 3-1 TO PROVIDE REFERENCE TO THE DC-DEVON CENTER OVERLAY DISTRICT AND TO AMEND FIGURE 3-1 TO PROVIDE THE PERMITTED USES IN THE DC-DEVON CENTER OVERLAY DISTRICT; AMENDING FIGURE 3-2 (ENTITLED "DIMENSIONAL REQUIREMENTS TABLE") TO PROVIDE REFERENCE TO THE DC-DEVON CENTER OVERLAY DISTRICT; AMENDING SECTION 455-30 (ENTITLED "GENERAL PROVISIONS"), SUBSECTION B THEREOF; AMENDING ARTICLE VII (ENTITLED "OVERLAY DISTRICTS") TO ADD A NEW SECTION 455-33.1 ENTITLED "DC-DEVON CENTER OVERLAY DISTRICT" THERETO TO PROVIDE FOR USE AND AREA AND BULK REQUIREMENTS AND SIGN REGULATIONS FOR THE DC-DEVON CENTER OVERLAY DISTRICT; AMENDING SECTION 455-35 (ENTITLED "BUILDINGS AND LOTS"), THE FIRST SENTENCE OF SUBSECTION A(2) THEREOF TO PERMIT MORE THAN ONE PRINCIPAL BUILDING ON A LOT IN THE DC-DEVON CENTER OVERLAY DISTRICT; AMENDING SECTION 455-64 (ENTITLED "MULTIFAMILY BUILDINGS") TO EXCEPT THE DC-DEVON CENTER OVERLAY DISTRICT FROM SAID REQUIREMENTS; AMENDING SECTION 455-65 (ENTITLED "MULTIFAMILY

DEVELOPMENTS") TO EXCEPT THE DC-DEVON CENTER OVERLAY DISTRICT FROM SAID REQUIREMENTS; AMENDING SECTION 455-73 (ENTITLED "PURPOSE; APPLICABILITY"), SUBSECTION B THEREOF TO PROVIDE FOR DC-DEVON CENTER OVERLAY DISTRICT PARKING REQUIREMENTS; AMENDING SECTION 455-79 (ENTITLED "PROHIBITED SIGNS") SUBSECTION L THEREOF TO DELETE THE PROHIBITION ON STRING LIGHTING; AND AMENDING SECTION 455-132 (ENTITLED "DEFINITIONS; WORD USAGE") TO ADD DEFINITIONS OF, "FLOOR AREA RATIO", "RESIDENTIAL FLOOR AREA RATIO", "NON-RESIDENTIAL FLOOR AREA RATIO", "TRACT", "NET TRACT AREA", "UNIFIED DEVELOPMENT" AND "ZERO LOT LINE UNIT" THERETO.

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 districts"), Subsection B (entitled "Overlay districts"), as amended, shall be amended to add a new district thereto as follows:

"DC-Devon Center Overlay District"

SECTION 2. Section 455-12.A (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 shown on the Zoning Map which is attached hereto as Exhibit "A" which shall designate the following properties as being included in the Devon Center Overlay District:

Parcel No.	Current Owner
55-3J-37	Waterloo Devon, LP
55-3J-38	144 Lancaster Avenue Associates, LP
55-3J-39	Waterloo Devon, LP
55-3J-40	Devon Medical Building Partnership
55-3J-41	Devon Medical Building Partnership
55-3J-42	Andrew A. Holder and Denise Lehmann
55-3J-43	Waterloo Devon, LP
55-3J-44.1	Waterloo Devon, LP
55-3J-45	Waterloo Devon, LP
55-3J-46	Waterloo Devon, LP
55-3J-47	Waterloo Devon, LP
55-3J-48	Waterloo Devon, LP

SECTION 3. Section 455-12.A (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 to remove the following properties from the Planned Apartment Overlay District:

Parcel No.	Current Owner
55-3J-42	Andrew A. Holder and Denise Lehmann
55-3J-43	Waterloo Devon, LP
55-3J-44.1	Waterloo Devon, LP
55-3J-45	Waterloo Devon, LP
55-3J-46	Waterloo Devon, LP
55-3J-47	Waterloo Devon, LP
55-3J-48	Waterloo Devon, LP

SECTION 4. Section 455-13 (entitled "Land Uses and Dimensional Requirements"), Subsection B thereof and Figure 3-1 (entitled "Land Use Table"), the second note thereof, as amended, shall be amended as follows:

"**Multifamily uses as designated in this figure shall comply with supplemental use regulations as per §§ 455-64 and 455-65 of this chapter, except in the Village of Berwyn Districts, where the standards contained in Article V shall apply, and except in the DC-Devon Center Overlay District, where the standards contained in § 455-33.1 shall apply; also § 455-32, Planned Apartment Overlay District (PA), and § 455-33, Multifamily Overlay District, in areas so designated on the Zoning Map."

SECTION 5. Figure 3-1 (entitled "Land Use Table"), as amended, shall be amended to add a new column thereto providing the DC-Devon Center Overlay District uses as shown on Exhibit "B" attached hereto.

SECTION 6. Figure 3-2 (entitled "Dimensional Requirements Table"), as amended, shall be amended to add a new row thereto providing reference to the DC-Devon Center Overlay District dimensional requirements as shown on Exhibit "C" attached hereto.

SECTION 7. Section 455-30 (entitled "General Provisions"), Subsection B thereof, as amended, shall be amended as follows:

"In those areas of the Township where the natural resource protection provisions in §455-31 apply, the provisions of §455-31 shall be imposed in addition to the requirements of the underlying zoning district. If the provisions of § 455-32, Planned Apartment Overlay District, § 455-33, Multifamily Overlay District or §455-33.1, Devon Center Overlay District apply, the provisions of those overlay districts shall apply if the applicant develops in accordance with the respective overlay district regulations."

SECTION 8. Section 455-35 (entitled "Buildings and Lots"), Subsection A(2) thereof, the first sentence thereof, as amended, shall be amended as follows:

"(2) One or more principal buildings may be located on a lot in the PBO, VB and VT Districts and the DC-Devon Center Overlay District."

SECTION 9. Section 455-64 (entitled "Multifamily Buildings"), as amended, shall be amended as follows:

"Multifamily uses shall be divided into two categories: multifamily building that involves one single structure, and multifamily development that involves a complex of structures. The following standards shall apply to multifamily buildings, except in the Village of Berwyn Districts, where the zoning standards contained in Article V shall apply, and except in the DC-Devon Center Overlay District, where the zoning standards contained in Section 455-33.1 shall apply:"

SECTION 10. Section 455-65 (entitled "Multifamily Developments"), as amended, shall be amended as follows:

"Multifamily uses shall be divided into two categories: multifamily building that involves one single structure, and multifamily development that involves a complex of structures. The following standards shall apply to multifamily developments, except in the Village of Berwyn Districts, where the zoning standards contained in Article V shall apply, and except in the DC-Devon Center Overlay District, where the zoning standards contained in Section 455-33.1 shall apply:"

SECTION 11. Section 455-73 (entitled "Purpose; Applicability), Subsection B thereof, the first sentence thereof, as amended, shall be amended as follows:

"Each building, structure or use constructed, established, erected, enlarged, modified or altered in any district shall provide and satisfactorily maintain off-street parking spaces and loading facilities in accordance with the requirements of this article, with the exception of more specific provisions established within Article V, Village of Berwyn Districts (VB, VT and VR), and Section 455-33.1 DC-Devon Center Overlay District, that pertain specifically to those districts."

SECTION 12. Article VII (entitled "Overlay Districts"), as amended, shall be amended to add a new Section 455-33.1 as follows:

"§**455-33.1 DC-Devon Center Overlay District.**

A. Purpose and application of regulations.

The Devon Center Overlay District is intended to provide for the development of a variety of compatible commercial uses and residential uses in a manner which employs unified design and architectural principals while creating a sense of place in close proximity to public transportation that promotes walkability while employing parking, circulation and mobility strategies that maximize efficiency and safety. When it is proposed that a tract or tracts be developed in accordance with the underlying zoning, the provisions of this section shall not apply.

B. Use Regulations. A building or a unified group of buildings may be erected and used and a lot may be used or occupied for any of the following purposes and no other, when approved as a conditional use under Article XIV:

(1) Conditional Uses. The following uses 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 455-33.1 and the other applicable provisions of this Zoning Ordinance:

(a) Townhouses, duplex and twin.

(b) Unified Development.

(c) Outdoor cafes.

(2) Accessory Uses. Accessory uses, accessory structures, and accessory buildings on the same lot with and customarily incidental to the foregoing permitted uses including a parking garage for a unified development and in accordance with Section 455-48.

C. Area and Bulk Regulations.

(1) For townhouse, duplex and twin.

(a) Minimum lot frontage at building setback line (feet): 50 feet

(b) Maximum impervious surface: 65%

(c) Front yard (feet): 20 feet

(d) Side yard (feet): 20 feet aggregate, neither less than 10 feet

(e) Rear yard (feet): 20 feet

(f) Maximum height (feet): Principal building – 35 feet
Accessory building – 20 feet

(g) Minimum building separation: 20 feet

(2) For a Unified Development.

(a) Minimum Net Tract Area: 5 acres

(b) Residential Floor Area Ratio: Minimum 65%, Maximum 80%

(c) Non-Residential Floor Area Ratio: Minimum 20%, Maximum 35%

(d) Minimum Tract Width at the Street Line: 100 feet

(e) Minimum Building and Structure Setbacks from Existing Rights-of-way:

(1) From arterial street right-of-way: 40 feet

(2) From collector right-of-way: 10 feet

(3) From local street right-of-way outside of the DC Overlay District: 30 feet; except for a parking garage which can be set back a minimum of 20 feet from a local street right of way outside of the DC Overlay District.

(f) Minimum Building and Structure Setbacks from local street cartway within the DC Overlay District or on street parking: 12 foot minimum

(g) Minimum Building or Structure Setback from any existing residential use or lot zoned residential not located in the DC Overlay District: 20 feet

(h) Minimum Building or Structure Setback from any lot not part of the unified development but located in the DC Overlay District and from any lot located outside the DC Overlay District which is not zoned residential and which does not contain a residential use: 10 feet.

(i) Maximum Building Coverage (percentage of net tract area): 60%

(j) Maximum Imperious Coverage (percentage of net tract area): 85%

(k) Minimum Green Area (percentage of net tract area): 15%

(l) Maximum Building Height:

[1] For buildings and structures that are set back a minimum of 100 feet from the right-of-way of a local road which abuts residential uses or lots zoned Residential outside of the DC Overlay District:

[a] Thirty-five (35) feet for non-residential uses and up to fifty (50) feet to accommodate architectural treatments that do not exceed more than 25% of the roof area measured at thirty-five (35) feet in height. The number of stories shall not exceed three (3).

[b] Sixty (60) feet and five (5) stories for apartment buildings. 45% of the building façade on the fifth story shall be set back from any building façade that faces a street a minimum of eight (8) feet. The building corners on the fifth story of the building on all façades that face a street shall be set back a minimum of twenty (20) feet.

[2] For buildings and structures that are set back less than 100 feet from the right-of-way of a local road which abuts residential uses or lots zoned Residential outside of the DC Overlay District: 35 feet.

[3] Structured parking: Maximum of 30 feet to the top of the parapet; provided however that any portion of the parking structure which faces an exterior local road and is set back less than 30 feet from the local road shall be limited to a height of 20 feet.

D. Devon Center Design Standards.

(1) Off-Street Parking. Each building, structure, or use constructed, established, erected, enlarged, modified or altered in the Devon Center Overlay District shall provide and satisfactorily maintain off-street parking spaces in accordance with the requirements of Article X, except as otherwise provided in this Article.

(a) 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 ten (10) feet and a landscaped area shall be provided, consisting of an area at least six (6) feet wide located behind the adjacent sidewalk.

(c) A minimum of 1.75 parking spaces per dwelling unit within an apartment building shall be provided. All other uses shall provide parking spaces in accordance with Sections 455-74.H and 455-74.I.

(2) Landscaping. Surface parking areas shall be landscaped in accordance with Section 274-43.A.-J and Section 274-43.L(1)-(3).

(3) Screening and Buffering. Screening and buffering shall be consistent with the provisions of Article X of Chapter 274, Natural Resources Protection Ordinance applicable to the PBO Planned Business Office District, except that the buffer widths shall not be required to exceed the depth of the setbacks specified in this § 455-33.1.

(a) When a Unified Development is located adjacent to an exterior local street outside of the DC Overlay District a Screen Buffer shall be provided.

(4) Site and Building Design/Development Guidelines.

(a) The applicant shall adhere to the following development design standards:

[1] Purpose. The purpose of this section is to establish requirements that promote complimentary mixed use design, communal gathering spaces, and pedestrian scaled design within the Devon Center Overlay District. Adherence to these standards will carry out the purposes of the District as set forth in Section 455-33.1. Principles guiding the administration of these standards are as follows:

[a] Buildings shall be pedestrian-focused, with windows and doors on the street facing facades that are well placed and in scale with the street zone.

[b] Emphasis shall be on creating a pedestrian friendly walkable town center including:

(i) Shared public courtyards, plazas and greens;

(ii) A pleasing "main street" retail and commercial environment; and

(iii) Pedestrian connectivity throughout the district that fosters connections to the train station and transit stops from adjacent districts.

[c] In multitenant buildings, each tenant or use shall have its own separate entrance to ensure secure, proper and easy access for pedestrians at street level.

[d] Architectural expression shall be provided in windows, doors, walls and roofs.

[e] Pedestrian pathways and sidewalks that are safe and attractive shall be provided.

[f] Street trees, shade trees, and landscape features shall be employed to enhance development and the pedestrian experience.

[2] The following shall apply to buildings containing mixed-use or nonresidential uses in the Devon Center Overlay District:

[a] Façade composition. Facade composition is the arrangement of materials and details to distinguish the components of the building. All development within the Devon Center Overlay District shall comply with the following design standards:

(i) Primary façades are those which face streets, public courtyards, plazas and greens and shall be most prominent.

(ii) Except for utility meters, no wall-mounted mechanical or service equipment shall be placed on building façades. Mechanical equipment shall be located on the building rooftop or areas that are screened from view to the greatest extent feasible. Utility meters that are visible from the street shall be screened to the greatest extent feasible.

(iii) All buildings shall use design elements that enhance the pedestrian tactile and visual experience.

(iv) Building mass should be de-emphasized through the use of shade structures, windows, projecting and recessing of building elements, change in building

materials, colors, and texture, change in building height and roof lines, and the creation of intimate pedestrian environments to reduce the overall bulk and volume, enhance the visual aesthetic, and promote a human scale development pattern.

[b] Ground floor façade. The ground floor is the primary zone of interaction for pedestrians on the street or public courtyard. All development within the Devon Center Overlay District shall comply with the following design standards:

(i) Main building entrances shall face the street, public courtyards, plazas and greens.

(ii) Building lobbies and retail spaces shall be clearly connected to the outdoor public space and visible from the street.

(iii) Windows must be at street level and allow pedestrians to see activity within the building from the street, public courtyards, plazas, greens and primary pedestrian ways.

(iv) For buildings with residential uses on the ground floor, privacy can be achieved by raising windows higher on the building façade, but by no more than half a level above the sidewalk.

[c] Architectural elements. Architectural elements are the unique details and component parts that, together, form the architectural style of buildings and structures.

(i) Windows and doors on the ground floor of the building which faces a street shall comply with the following:

[A] The façade shall contain a minimum of 50% clear glass windows and doors.

[B] Highly reflective glass, bronze glass, tinted glass, black glass, or smoked glass is prohibited.

[C] Windows and door openings shall be pedestrian oriented and should be arranged in such a way as to enhance the pedestrian experience.

[D] The maximum sill height above the adjacent sidewalk elevation should be four (4) feet or lower.

[E] Window heads should be eight (8) feet to fourteen (14) feet above sidewalk level.

[F] The top of display window(s) shall be at least as high as the door height.

(ii) Exterior wall materials.

[A] There shall be one dominant material. Dominant materials shall include stone, wood, brick, stucco, plaster, parge, fiber cement siding, or other approved materials.

[B] Secondary material may include stucco or any of the dominant materials.

(iii) Roofs.

[A] Tops of buildings must express the roofline and have either pitched roofs with overhanging eaves or flat roofs with a parapet.

[B] Fasciae, dormers, and gables or similar architectural features can be employed to provide visual interest.

[C] Pitched roofs should have minimum slope of 4:12.

[D] Pitched roof material may include:

[1] Slate, either natural or man-made.

[2] Shingle, either wood or asphalt composition.

[3] Metal formed to resemble standing seams, corrugated, or other similar materials.

[4] Polycarbonate materials may be used in lieu of safety glass on greenhouses, and greenhouse-like structures.

[E] All rooftop mechanical equipment should be screened visually and acoustically, consistent with the noise regulations in this chapter. Such screening shall be integrated into the architectural design of the building.

[3] The following specific standards apply to new residential development within the Devon Center Overlay District:

[a] The front façade of the principal building on a lot should face into a street, public courtyard, plaza or green.

[b] Porches, roof overhangs, hooded front doors, or other similar architectural elements should define the front entrance to new ground floor residences.

[c] Garages associated with townhouses, duplexes and twins shall be set back a minimum of ten (10) feet from the building line of the primary façade of the principal building, if the garage door faces the street. The minimum side yard setback for detached garages shall be ten (10) feet when they are at the end of a row and the minimum rear yard setback shall be ten (10) feet.

[d] Traffic aisles and other vehicular accessways designed for circulation of motor vehicles within parking lots shall have the following widths:

One way aisle/accessway – 14 feet
Two way aisle/accessway – 22 feet.

[e] Notwithstanding the provisions of Subsection D(a)(4)[3][d] above, for a traffic aisle or other vehicular accessway leading to an off-street parking facility with no more than twenty (20) parking spaces from any street other than Lancaster Avenue, the minimum width for a one-way or two-way accessway may be reduced to twelve (12) feet.

[4] Structured parking facilities in the Devon Center Overlay District should abide by the following standards:

[a] The primary building facade of parking structures should contain elements of architectural design that emulate pedestrian-scaled residential, commercial or mixed-use buildings within the district. This appearance may be achieved by integrating structured parking within or behind actual residential, commercial or mixed-use structures, or by the construction of building facades on parking structures that employ the same dominant and secondary building materials included herein for such buildings.

[b] Vehicle headlights in structured parking facilities shall not be visible from the street or adjacent residential structures.

[c] Vehicle access to parking structures must be gained from either an interior driveway or local street within the unified development. Vehicular access to parking structures is not permitted from an arterial road within the unified development or a local, collector or arterial street which abuts the DC Overlay District.

[d] Vehicles in parking garages shall not be visible from any local street adjacent to the DC Overlay District to the greatest extent feasible.

[5] Parking lot screening & greening standards. All parking and loading areas fronting public streets or sidewalks and all parking and loading areas abutting residential districts or uses in Devon Center Overlay District should abide by the standards contained in Section 274-43.L.

(b) Sidewalks along arterial roads within or adjacent to the DC Overlay District shall consist of a minimum of twelve (12) feet of hardscape and be constructed to include two bands. A minimum six -foot brick paver area shall be located at the curbside with adjacent concrete pedestrian walkways of a minimum width of six (6) feet.

(c) Sidewalks along local roads within and collector roads adjacent to and within the DC Overlay District shall consist of a minimum of seven (7) feet of hardscape and be constructed to include two (2) bands. A minimum three (3) foot brick paver area shall be located at the curbside with adjacent pedestrian walkways of a minimum width of four (4) feet.

(d) Street lights, site furniture and other obstructions shall be placed in this paver band. Sidewalk design shall conform with PennDOT standards.

(e) Sidewalks along local roads adjacent to the DC Overlay District shall be a minimum of four (4) feet in width with a four (4) foot wide green strip along the street edge.

(f) Walkways and pedestrian areas shall include streetlights, coordinated site furniture including benches and trash receptacles, bicycle racks or similar features throughout the district.

(g) The applicant shall provide interconnecting walkways and crosswalks throughout the DC Overlay District. Crosswalk connections shall be provided from the DC Overlay District to adjacent districts in appropriate locations to allow pedestrian connectivity to the DC Overlay District.

(h) The Board of Supervisors may approve the use of architectural standards and designs that differ from those set forth in this subsection 455-33.1.D(4) if the applicant demonstrates to the satisfaction of the Board that such standards and designs are consistent with the legislative intent of the DC Overlay District.

(5) Outdoor cafes. Notwithstanding anything to the contrary in this chapter, an outdoor café in the DC Overlay District which is located a minimum of 200 feet from a lot outside of the DC Overlay District which is used for a residential use or zoned residential, shall stop serving customers by 9:00 p.m. and clear all tables of food, beverage and customers on or before 10:00 p.m. Sunday through Thursday. On Friday and Saturday, customer service shall stop at 11:00 p.m. and all tables shall be cleared of food, beverage and customers on or before 12:00 a.m.

(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.

(7) Signs in DC Overlay District.

A. The following types of signs shall be permitted in the DC Overlay District:

(1) Any sign permitted in residential districts which relates to a use permitted in the district.

(2) Real estate and development signs advertising the sale, rental, or development of premises, provided that:

(a) The sign area shall not exceed eight (8) square feet and, if freestanding, shall not exceed a sign height of eight (8) feet above mean grade.

(b) No more than one sign shall be erected for each 500 feet of street frontage.

(c) Signs shall not be illuminated.

(d) Off-premises signs advertising the sale, rental or development of premises shall be prohibited within these districts.

(3) Business or related signs in accordance with the following regulations:

(a) Sign area. The total sign area of all signs placed on a lot or on any one premises shall not exceed 1.5 square feet for each one linear foot of the front building facade. Where a building fronts on more than one street, only one street frontage may be used to calculate the total allowable sign area. The total sign area for any one sign in the DC Overlay District shall not exceed seventy-five (75) square feet, unless otherwise specified in this section. Permanent window signs shall not be included in the computation of total permitted sign area. The total area of all window signs, including both temporary and permanent window signs, shall be limited to 25% of the glass area and such signs shall not obscure views from the outside to the interior of retail establishments.

(b) Wall signs. A total of three wall signs shall be permitted per building, with one such sign on the building façade that fronts on a street. The total sign area for any one wall sign shall not exceed seventy-five (75) square feet. No wall sign shall exceed a sign height of twenty-five (25) feet above existing grade or project above any cornice, parapet wall, roofline, or building facade.

(c) Awning signs.

[1] Awning signs shall be permitted and shall be included in the computation of permitted sign area and shall be permitted to display only the business name, logo, street address, proprietor, or property address. Letters, logos, and numerals shall not exceed a height of thirty (30) inches. The minimum clearance between the vertical face and the walkway shall not be less than seven (7) feet. Awnings shall not project more than five feet from the face of the building, except where located above an entrance to a building, in which case the maximum projection shall not exceed ten (10) feet. All awnings must be a minimum of three (3) feet from the curbline. No awning sign shall exceed a sign height of seventeen (17) feet

above existing grade or project above any cornice, parapet wall, roofline, or building facade.

[2] Letters, numerals, and logos shall be permitted on the sloped surface of an awning, provided that the business served by the awning sign does not use a wall sign(s), and provided further that the letters, numerals and logos on the sloped surface of an awning shall not exceed more than 25% of the area of the sloped surface.

[3] Awning signs shall not be internally illuminated, but may be illuminated by lights installed above the awning, in conformance with the illumination standards of §455-84.D.

(d) Freestanding ground signs.

[1] For a unified development identification sign, one freestanding ground sign shall be permitted. Where the unified development fronts a tract exterior arterial or collector street, one freestanding ground sign shall be permitted for each arterial or collector street frontage, provided that a minimum street frontage of 150 feet is maintained between signs. Unified development identification signs are not permitted on a tract's exterior local street.

[a] Freestanding ground signs shall not exceed a sign area of six (6) square feet or a sign height of six (6) feet above mean grade.

[b] A freestanding ground sign shall contain only the name, address, logo, and/or telephone number of the unified development.

[2] For a tenant identification signs, a maximum of four (4) freestanding ground signs,

identifying tenants within a unified development shall be permitted.

[a] One sign shall be permitted to be a maximum area of seventy-five (75) square feet along a tract's exterior arterial street. The other three signs shall not exceed a maximum area of forty-five (45) square feet each and shall only be permitted within the tract or along a tract's exterior collector street. Tenant identification signs are not permitted on a tract's exterior local street.

[b] Tenant identification signs shall be a maximum of eight (8) feet in height above mean grade.

[3] A freestanding ground sign shall contain only the name and logo of the permitted use.

[4] A freestanding ground sign shall not be located within the right-of-way and shall be set back a minimum distance of ten (10) feet from the street cartway. No sign shall be so located as to present a hazard to motorists or pedestrians.

(e) Projecting signs. Each multifamily building shall be permitted to have one projecting sign identifying the name of the multifamily development. Projecting signs shall not project more than four feet from the face of the building. The total sign area for any one projecting sign in the DC Overlay District shall not exceed thirty-five (35) square feet. No part of the sign shall be less than eight (8) nor more than the height of the building or thirty-five (35) feet, whichever is less. Not more than one projecting sign per street frontage shall be permitted, and no projecting signs shall be permitted within twenty-five (25) feet of another. Projecting signs may not be internally illuminated, but may be indirectly illuminated in accordance with the provisions of this Article XI.

(f) Sidewalk signs. A limit of one portable sidewalk sign per business shall be permitted and may be placed within the sidewalk, so long as each portable sign shall not exceed nine (9) square feet, and a minimum clear walking width of four (4) feet shall be maintained on the sidewalk. Sidewalk signs shall be constructed of weather-resistant materials, such as wood, plastic or metal. No sidewalk sign shall contain foil, mirrors, bare metal, or other materials that could create hazardous conditions to motorists, bicyclists, or pedestrians. No sidewalk sign may contain lights of any kind. Sidewalk signs must be sufficiently weighted or constructed to keep the sign in the approved location. All sidewalk signs shall be taken indoors at the close of each business day. The area of sidewalk signs shall not be included in the computation of total permitted sign area.

(g) Temporary advertising signs for special events, including banners or displays on private property within the DC Overlay District constructed of cloth, light fabric, or similar materials when approved by the Zoning Officer for a period of not more than thirty (30) cumulative days in any one calendar year. Such signs, when added to the sign area of any other signs on the premises, shall not accumulate in size to exceed 30% of the sign area permitted for permanent signs within the district where located or be in a position, or of a color, that presents a hazard to pedestrians or motorists.

(h) Parking garage signs. One parking garage wall sign not facing the tract's external street shall be permitted per side on a parking garage serving a unified development. The sign shall be a maximum area of thirty (30) square feet and may identify tenants served by the parking garage. No parking garage wall sign shall exceed a sign height of seventeen (17) feet above existing grade or project above the parapet wall.

SECTION 13. Section 455-79 (entitled "Prohibited Signs"), Subsection L thereof, as amended, shall be amended as follows:

"L. Illuminated tubing, excluding temporary signs for seasonal decorations, which outlines rooflines, doors, windows or wall edges."

SECTION 14. The following terms shall be added to Section 455-132 (entitled "Definitions; Word Usage"), as amended:

"**FLOOR AREA RATIO**-the ratio which is determined by dividing the gross floor area of all buildings on a tract by the net tract area.

RESIDENTIAL FLOOR AREA RATIO-the ratio which is determined by dividing the gross floor area of all floors of all buildings which are used for a residential use on a tract by the net tract area.

NON-RESIDENTIAL FLOOR AREA RATIO--the ratio which is determined by dividing the gross floor area of all floors of all buildings which are used for non-residential uses on a tract by the net tract area.

TRACT – The combined lot or lots that are held in single ownership and are proposed for development.

NET TRACT AREA – The gross lot area of the lot or lots that are held in single ownership and are proposed for 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 eighteen (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, professional office, personal service commercial, restaurant, fast food restaurant without drive through service, 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 15. 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 16. 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 17. Effective Date. This Ordinance shall be effective five (5) days following enactment as by law provided.

ENACTED AND ORDAINED this _____ day of _____, 2015.

ATTEST:

BOARD OF SUPERVISORS
EASTTOWN TOWNSHIP

_____

BY: _____
Fred Pioggia, Chairman

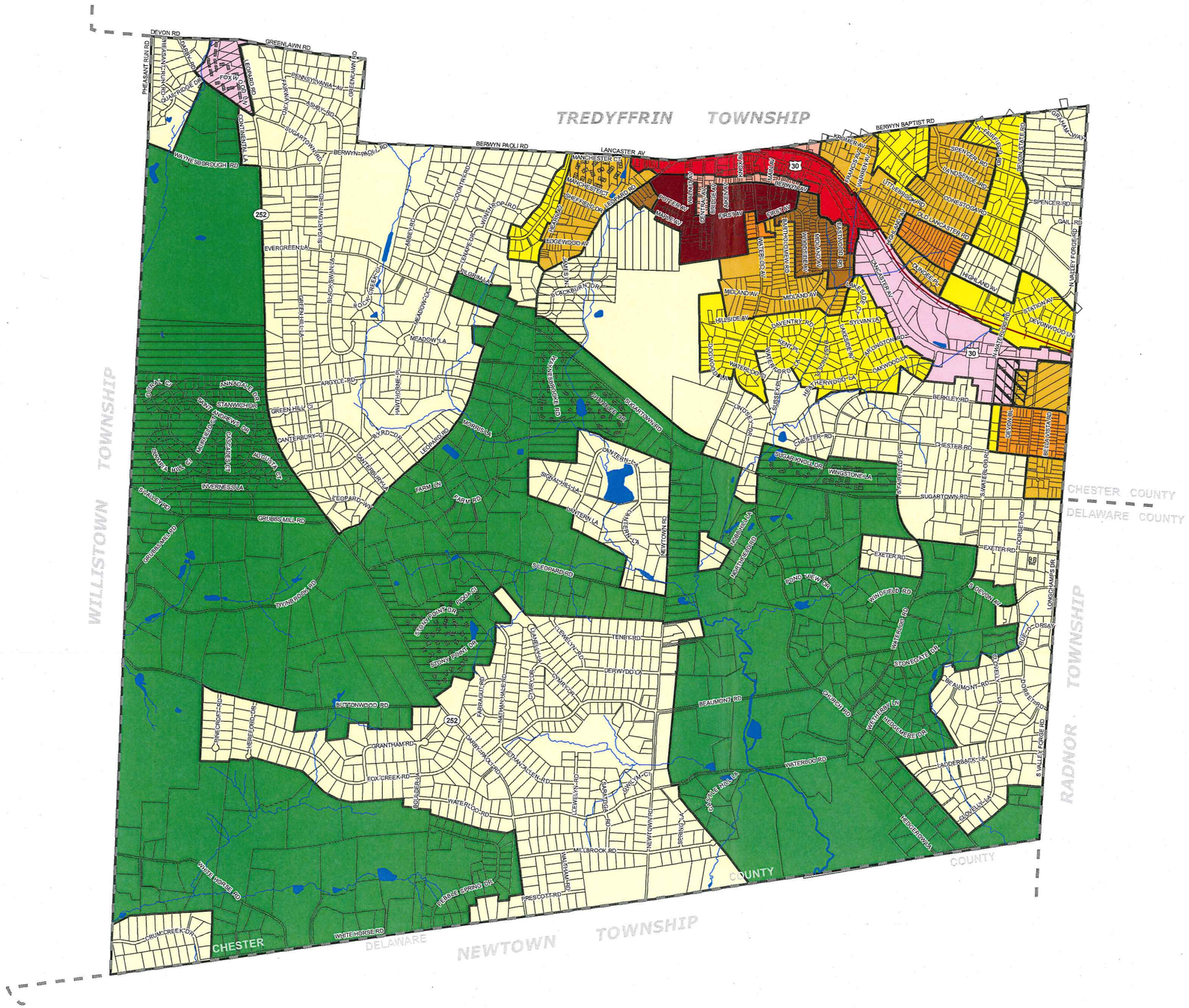
_____
Christopher D. Polites, Vice-Chairman

_____
James W. Oram, Jr.

_____
Marc J. Heppe

_____
Betsy Fadem

EXHIBIT A



Easttown Township Zoning Map

Zoning Adopted: June 18, 2007

Amended: _____, 2015

Zoning

- AA - Residential
- R-1 - Residential
- R-2 - Residential
- R-3 - Residential
- R-4 - Residential
- R-5 - Residential
- PBO - Planned Business Office
- VB - Village Business
- VT - Village Transition
- VR - Village Residential

Zoning Overlay Districts

- MF-A - Multi-family A
- MF-B - Multi-family B
- PA - Planned Apartments
- DC - Devon Center

- SEPTA Line
- Municipal Boundaries
- Parcel Boundaries

0 1,000 2,000 Feet

1 inch = 2,000 feet

Notes:

1. Map derived from Chester County GIS zoning map printed 02/16/2007.
2. Map includes changes based on zoning amendment on April 6, 2009. Tax Parcel Numbers (55-2-180 and 55-2-180.1) were changed from from R-1 Residential to R-5 Residential zoning.
3. Map includes changes based on Ordinance No. 417-13 on August 19, 2013. Village Transition, Village Residential, and Village Business Zoning Districts were added.
4. Map includes changes based on Ordinance No. _____ enacted on _____. DC Devon Center Overlay District was added.

Data Source: Parcels & Roads - Chester County GIS, Zoning - Easttown Township

Date: 11/10/2015

ARRO

EXHBIT "B"
Figure 3-1
Land Use Table

Principal Land Use	**Zoning District**
	DC
Accessory use*	BR
Accessory dwelling unit*	
Apartment accessory to a nonresidential use*	
Automobile car wash	
Automobile gasoline service station	
Automobile gasoline service station and convenience store	
Automobile repair	
Automobile sales	
Bank or financial institution	
Bed-and-breakfast	
Building materials – storage and sale	
Commercial child/adult care	
Commercial recreation	
Commercial center	
Continuing care retirement community	
Convenience store	
Drive-through service	
Dwelling, multifamily (building/development)**	
Dwelling, multifamily as adaptive reuse	
Dwelling, single-family	
Dwelling, townhouse (3-6 units per building)	CU
Dwelling, two-family, twin	CU
Dwelling, two-family, duplex	CU
Dwelling, two-family, duplex as adaptive reuse	
Educational use	
Farm	
Forestry*	
Funeral home	
Golf club	
Grocery store	
Home occupation, minor*	
Home occupation, major*	
Hospital	
Hotel, motel, or inn	
Laundry or dry cleaning	
Light industry/manufacturing	
Lot averaging development	

Nursery/landscaping sales - service	
Outdoor café	CU
Parking lot/garage	
Personal service commercial use	
Place of worship	
Planned commercial shopping center	
Professional office	
Public and government facility	
Restaurant	
Restaurant, fast-food	
Retail commercial use	
Riding stable	
Sale of agricultural products	
Theater	
Unified Development	CU
Veterinary clinic	
Wholesale trade business	
Warehouse	
Wireless communications facility	

EXHIBIT "C"
Figure 3-2
Dimensional Requirements Table

Zoning District	Dimensional Requirements	Minimum Setback and Maximum Height Requirements
		Principal and Accessory Structures
DC	See Section 455-33.1	See Section 455-33.1