

## **NEW DEFINITIONS FOR THE TRANSIT DISTRICT**

**DEVELOPMENT TRACT** – The gross area within all boundary property lines of a parcel, site, piece of land, or property that is the subject of a development application.

**FLOOR AREA RATIO** – Floor area divided by gross tract area net of existing utility and road rights-of-way.

**LIBRARY** - A place in which literary, musical, artistic, or reference materials (such as books, manuscripts, recordings, or films) are kept for use.

**MIXED-USE** – One (1) building or one (1) lot used partly for residential use and partly for non-residential use.

**MULTI-MODAL TRANSPORTATION CENTER** - A public transit station served primarily by a commuter rail train which provides direct connections/transfers to bus or taxi service, an interconnected pedestrian walkway system, park and ride facilities, retail and service establishments and residential neighborhoods.

**PARKING, OFF-STREET** - Parking of motor vehicles as an accessory use located upon the same lot as a permitted principal use to serve the parking requirements and needs of the principal use.

**PARKING, SHARED** - Parking for uses which is open to the public or in common with other property owners, rather than on individual lots restricted to customers or clients of each individual use.

**PUBLIC SPACE** - Space devoted to uses for public enjoyment consisting of elements such as, but not limited to, green areas, plazas, walks, promenades, arcades, and fountains. Areas devoted to this purpose shall be easily and readily accessible to the public. Such space shall not permit parking or maneuvering for vehicles.

**RECREATION, PASSIVE** - Those recreational pursuits which can be carried out with little alteration or disruption to the area in which they are performed. Such uses include, but are not limited to, hiking, picnicking, board and table games. Passive recreation shall not include activities that require the use of motorized vehicles such as all-terrain vehicles (ATV's).

**SCHOOL, TECHNICAL** - A school conducted for profit for such instruction as business, computers, art, music, trades, handicraft, dancing or riding.

**SIDEWALK** - An improved all-weather paved area parallel to and separate from the street which is used as a pedestrian walking area.

STREETSCAPE - A design term referring to all the elements that constitute the physical makeup of the street and that as a group define its character, including street trees, lighting, sidewalks and crosswalks.

STRUCTURED PARKING - See "Parking Structure."

SURFACE PARKING FACILITY - A parking area for motor vehicles where there is no building above or below the parking area.

## **TRANSIT DISTRICT**

### **§208-80. Purpose.**

Transit Districts are intended to be consistent with Article VIIA of the PA Municipalities Planning Code (Act 247). The primary purpose of the TD Transit District is to guide the redevelopment opportunities consistent with the intent of the Township's Comprehensive Plan, specifically the Paoli Community Master Plan, that are supportive of a multi-modal transportation center and sensitive to the surrounding neighborhoods. In addition, the purposes of this article are to:

- A. Permit development that is complimentary to the multi-modal transportation center and helps to further define the prominence and importance of this core area to the Paoli community.
- B. Tie the streetscape and pedestrian amenities of this district into adjacent mixed-use and residential areas, further promoting walkability.
- C. Provide for comprehensively planned integrated mixed-use development according to a Master Plan consistent with the goals and objectives of the Township and Chester County.

### **§208-81. Use regulations.**

There shall be permitted, consistent with an approved Master Plan, any one or more of the following uses and no other:

- A. Multi-modal transportation center.
- B. Multi-family dwelling or apartment house, including accessory uses as permitted in §208-12.G.
- C. Retail store (excluding automobile sales) not to exceed 10,000 square feet of gross floor area.
- D. Office.

- E. Personal services.
- F. Library.
- G. Restaurant (excluding drive-in/drive-thru facility). Outdoor dining is permitted if the seating is at least 100 feet from a residential zoning district.
- H. Structured parking, subject to the provisions of §208-83.1 and §181-49 of the Township's Subdivision and Land Development Ordinance.
- I. Signs when erected and maintained in accordance with the provisions of Article XXV.
- J. The following uses when authorized as a Conditional Use pursuant to §208-117:
  - (1) Retail store (excluding automobile sales) with more than 10,000 square feet but less than 20,000 square feet of gross floor area.
  - (2) Surface parking, subject to the requirements of §208-83.1 and §208-103.

**§208-82. Area, bulk, height and buffer regulations.**

Every building or use shall comply with the following requirements, provided that in the case of a combination of buildings erected on a lot in accordance with a unified plan, the group as a unit shall comply.

- A. Frontage. Every building shall have frontage on a street or internal roadway.
- B. Lot area and width. A lot area of not less than one (1) acre (43,560 s.f.) is required for development. Each lot shall have a lot width of not less than 100 feet at the building line.
- C. Maximum Floor Area Ratio (FAR). The total amount of square feet of gross floor area among all uses shall not exceed 0.8 times the gross tract area. For purposes of this definition and the bonus square footage described below, the tract area shall exclude existing utility rights-of-way and existing road rights-of-way. Applicants are eligible for bonus square footage by achieving LEED's certification pursuant to §208-83.1.G.
- D. Residential Floor Area. In no event shall the square footage designated for residential use exceed 60% of the gross floor area of an occupied building. The square footage of structured parking facilities shall be excluded for purposes of this calculation.
- E. Impervious coverage. Not more than 85% of the lot area may be covered by impervious surface.
- F. Front yard. There shall be a front yard on each street on which the lot abuts, the depth of which shall be at least twenty-five (25) feet.

- G. Side yards. No side yard shall be required. In any case where side yards are provided, although they are not required, each side yard shall be not less than ten (10) feet in width.
- H. Rear yard. There shall be a rear yard, the depth of which shall be at least ten (10) feet when abutting a nonresidential district or use and at least twenty-five (25) feet when abutting a residential district or use.
- I. Building placement. No building shall be closer than twenty five (25) feet from any street line or twelve (12) feet from an internal roadway or common parking area curb line.
- (1) The distance between buildings which are not more than forty-two (42) feet in height shall be not less than thirty (30) feet. However, this distance may be reduced to not less than ten (10) feet if the following conditions are met:
    - (a) Not more than one (1) of the buildings has windows, doors or any other openings facing the area between the buildings.
    - (b) The combined length of buildings which do not meet the thirty (30) feet between buildings required shall not exceed 210 feet along any single frontage, measured in a straight line from the exterior points of the buildings.
  - (2) The distance between buildings which are more than forty-two (42) feet in height shall not be less than thirty-five (35) feet.
  - (3) No portion of any structure shall cross a municipal boundary.
  - (4) No dwelling shall be placed within seventy-five (75) feet of the nearest railroad track, nor within fifty (50) feet of a railroad right-of-way line.
- J. Height.
- (1) Minimum. The minimum height of any building shall not be less than twenty-eight (28) feet.
  - (2) Maximum. The maximum height of any building shall not be more than forty-five (45) feet, except that any portion of a building that lies more than 150 feet from an existing residential use may be increased to seventy (70) feet.
- K. Buffer. Along each property line which directly abuts a residential district or use, a buffer area of not less than twenty-five (25) feet shall be provided. All such buffer areas shall be landscaped subject to the provisions of §208-102.B.

- L. Public spaces. At least ten (10) percent of the land area within the development tract shall be improved as public space and shall comply with the standards in §208-83.1.B. below.

**§208-83. Master Plan requirements.**

- A. Plan requirement. Development within the Transit District shall be shown on a Master Plan as required by this section, which shall include the location of the multi-modal transportation center on the site proposed for development.
- (1) Where a Master Plan encompasses both Willistown and Tredyffrin Townships, approval of each Township must be received before construction activity can commence.
  - (2) Once the Master Plan has been approved, permits shall be issued only pursuant to approved Land Development or Subdivision Plans consistent with the approved Master Plan.
  - (3) The Master Plan tract may be subdivided for separate ownership or lease (or as otherwise required by the Municipalities Planning Code or the Subdivision and Land Development Ordinance), but only if the subdivision does not interfere with the development or use of the Master Plan tract in accordance with the approved Master Plan.
- B. Submission requirements. The Master Plan shall be prepared by a registered surveyor or engineer, landscape architect, land planner or similarly qualified person. The Master Plan shall be consistent with the Township's Comprehensive Plan and contain the following:
- (1) Description of how the proposed Master Plan is consistent with the Township's Comprehensive Plan and a rationale to justify any deviation from the Comprehensive Plan. Included shall be provision for a multi-modal transportation center, and facilities and space to accommodate all other anticipated modes of transportation, including commuter parking, bus/shuttle connections and bicycles.
  - (2) Proposed general layout including the multi-modal transportation center, other structures, parking areas and public spaces.
  - (3) Land uses within the proposed development site, with a table listing the amount of total non-residential floor area by type of use (for example, retail or office) and the total number of dwelling units.
  - (4) Proposed pedestrian and vehicular connections from within the site to the multi-modal transportation center and to adjoining areas.

- (5) A traffic and circulation study demonstrating that vehicular and pedestrian access to the proposed development site, and specifically including the multi-modal transportation center, will be engineered and constructed to accommodate projected peak hour circulation. All vehicular access to properties in the development site shall be by means of collector roadways constructed in accordance with the Circulation System Plan of the Paoli Community Master Plan or by means of new local roadways installed as feeder streets to collector roadways constructed in accordance with the Circulation System Plan, unless an alternative plan achieving similar ends is approved by the Board of Supervisors. Facilities and road design shall ensure safety and protection against congestion in the surrounding area from vehicular traffic resulting from the proposed development plan. Development of the multi-modal transportation center shall anticipate and accommodate subsequent development. Roadways shall connect to the existing roadway network and make feasible construction of roadways to further extend the network and to lead toward the installation of roadways to effectively complete the Circulation System Plan, or a similarly approved plan. Circulation patterns within the site shall be designed and developed as an integral part of the total development project with direct access to the multi-modal transportation center or waiting area from other parts of the development site.
- (6) A study detailing the required commuter parking that is acceptable to the public transit providers, as detailed in signed letters to the applicant from the public transit providers.
- (7) A plan for accommodating space needed for short-term bus and shuttle stacking within proximity of the multi-modal transportation center.
- (8) A community impact study which analyzes the potential effects and impacts of the Master Plan upon the following community facilities: emergency services, fire protection, solid waste disposal, recreation, transportation, school facilities and school district budgets, public utilities, and Township services and revenues.
- (9) Natural features that may impact development or should be incorporated into the Master Plan.
- (10) A concept plan for stormwater management.
- (11) A plan for public sewer and public water.
- (12) The land uses of properties within 300 feet of any part of the property included in the Master Plan.
- (13) A plan for reservation, ownership and maintenance of public spaces and facilities.
- (14) Implementation/construction phasing schedule, including the timing of construction of the multi-modal transportation center, parking for the

transportation center and other development, road improvements, and other infrastructure.

- (15) Information about how the remediated Superfund site will be impacted by implementation of the Master Plan.

C. Master Plan approval. The Master Plan shall be approved as a conditional use subject to the requirements of §208-117 and shall be consistent with the following:

- (1) The intent and purpose of the Township's Comprehensive Plan and the Transit District.
- (2) The provision of a multi-modal transportation center, and facilities and space to accommodate all other anticipated modes of transportation, including commuter parking, bus/shuttle connections and bicycles.
- (3) Facilities and road design to:
  - (a) carry out the Circulation System Plan of the Paoli Community Master Plan as adopted in December 2001, or an alternate plan approved by the Board of Supervisors;
  - (b) ensure safety and protect against congestion in the surrounding area from vehicular traffic resulting from the proposed plan;
  - (c) provide suitable vehicular connections to and from the surrounding arterial highways and collector roads; and,
  - (d) provide suitable pedestrian connections to and from the surrounding road network.
- (4) Appropriate consideration of the site's natural resources, including protection against soil erosion, water contamination and flooding.
- (5) Location of land uses which take into account: suitability with respect to topography and drainage; impact on municipal services, utilities and public or quasi-public facilities; compatibility with surrounding land uses; and preservation of environmentally sensitive areas.
- (6) Inclusion of the multi-modal transportation center and adequate infrastructure to support the multi-modal transportation center in the first phase of implementation.
- (7) An adequate program for ownership and maintenance of any proposed public or quasi-public spaces and facilities.

- (8) Certification on the plan that all subsequent land development and/or subdivision plans for properties within the Transit District will be consistent with the approved Master Plan and comply with all applicable ordinance requirements.

D. Amendments. Amendments to the Master Plan must be submitted by the applicant to the Township for approval. When one or more of the following conditions in the Master Plan are being considered, amendments will be reviewed and adopted subject to the procedures outlined in Section C above. All other amendments will be approved by the Zoning Officer.

- (1) Increasing the amount of non-residential floor area or the number of dwelling units by more than ten (10) percent from the total amount approved for the development tract in the Master Plan;
- (2) Decreasing the amount of public or quasi-public space by more than ten (10) percent;
- (3) Rearranging the land uses in a manner that will increase the impact of the proposed development by more than ten (10) percent on a road or other public facility or otherwise result in a change in traffic patterns.
- (4) Changing or upgrading the road infrastructure included on the Master Plan.

### **§208-83.1. Special development regulations.**

In order to encourage a safe and attractive pattern of development, each use shall comply with the applicable provisions of §208-102 and the following additional requirements:

A. Parking. Each use shall comply with the off-street parking and off-street loading requirements of §§208-103 and 208-104, except that a minimum of two (2) parking spaces per dwelling unit shall be provided. Loading spaces serving multi-family uses shall be located as close as possible to entranceways for the purpose of facilitating the efficient handling of household items such as laundry and groceries. When this chapter imposes a different restriction upon the use of buildings or premises than are imposed or required by §§208-103 and 208-104, the provisions of this chapter shall prevail. In addition, each use shall also comply with the following standards:

- (1) Surface parking.
  - (a) All principal and accessory parking uses that contain in excess of 150 spaces shall be structured. In no case shall an accessory parking area or structure occupy more than half the lot area of the lot containing the principal use that the parking area or structure serves.
  - (b) Surface parking facilities are permissible within side and rear yards provided where no structure exists between the street and the surface

parking facility, such facility shall be enclosed by a knee-high wall or row of landscaping. In no case shall surface parking facilities be located within 20 feet of a street line or internal roadway.

(2) Structured parking.

- (a) Structured parking facilities may contain retail or commercial space along the entire length of each first floor facade which faces a street.
- (b) All or a portion of the non-handicapped parking spaces in a structured parking facility may be reduced to a minimum dimension of 8.5' x 18' at an angle of 75 degrees with a minimum aisle width of 17' (one-way only), provided that at least twenty (20) percent more spaces than the required minimum are provided and available for use by the general public.

(3) Shared parking. In order to encourage the efficient use of land and resources, applicants are permitted to share off-street parking facilities for mixed-use developments or for uses located sufficiently close to one another that have different peak parking demands or operating hours. In order to utilize this provision, applicants must:

- (a) Provide a parking demand analysis for each use that exceeds 2,400 square feet of gross floor area for review by a traffic engineer or consultant approved of by the Township Engineer. The analysis must demonstrate that adequate parking will be provided for the uses on-site during peak hours. The analysis should generally be consistent with the published recommendations of the Institute of Traffic Engineers (ITE). Data collected from similar or comparable uses to the proposed use may also be submitted for review. For any change of use involving shared parking, a new parking demand analysis shall be submitted as determined necessary by the Zoning Officer.
- (b) Demonstrate that the shared parking shall be located no further than 1,000 feet from an entrance to the buildings and uses they are intended to serve.
- (c) Provide a written, legally-binding agreement among the owners of record, their tenants, and those with which parking facilities are shared for review and approval by the Township.

B. Public spaces. The required public spaces shall comply with the following standards:

- (1) Public space shall be designed to provide an area for passive recreation or similar informal activities.
- (2) Public space shall abut and be accessible and generally visible from a public sidewalk or other public area designed to facilitate pedestrian circulation or

relieve pedestrian congestion. Such space shall be provided at the same level as the abutting public sidewalk or pedestrian area.

- (3) Public space shall be accessible to persons with disabilities throughout the entire area.
- (4) Public space shall contain seating, permanent landscaping and lighting for night time use. There shall be sufficient natural light to permit the maintenance of plants without artificial lighting. Such space may contain tables and facilities for food service, but a majority of the space shall be available for use by the general public without charge or purchase of any services which may be offered.
- (5) All such space shall be open without restriction to the general public at least during normal business hours and during periods of heavy pedestrian movement in the area.
- (6) An interior space which functions as a building lobby shall not be used as public space unless it also functions as a through-block passage accessible to the general public and contains seating available for use by the general public.
- (7) A legally binding agreement shall be executed providing for the permanent maintenance of the public space by the owner of the property.

C. Design standards. Each use shall comply with the following design standards:

- (1) The street level façade shall be substantially transparent and shall include windows and door openings that encourage safe pedestrian circulation.
- (2) Variation in architectural design is strongly encouraged to avoid facades typical of continuous strip development. Use of variation in color, texture, height and orientation may be required to provide architectural diversity and individuality for various buildings. Buildings must consider the project's setting, massing, proportions, scale, façade treatment and materials in relationship to the surrounding architectural context.
- (3) Main entrances should face streets and expanses of unbroken walls are discouraged.
- (4) Walls and fences shall be uniform and compatible with regard to architectural style, color and building material. Appropriate materials include iron gating, stone or brick. No chain link or stockade fencing is permitted. Walls greater than 40 feet in length shall incorporate some form of visual relief, including but not limited to pattern breaks, varying wall construction and materials, vertical features such as columns, or combinations of the above.

D. Utilities. All electric and communications lines shall be underground.

- E. Sidewalks. Sidewalks shall be provided on all streets and as needed on internal roadways so as to create direct pedestrian linkages throughout the district and the Paoli area, in particular to the multi-modal transportation center.
- F. Streetscape. The streetscape design regulations §181-46.M(11) of the Township Subdivision and Land Development Ordinance shall be provided for all developments.
- G. Green buildings. Applicants whose buildings and/or site development achieve certification by the U.S. Green Building Council (USGBC) at or above the “Silver” level rating as defined by the Leadership in Energy and Environmental Design (LEED) Green Building Rating System are eligible for bonus square footage. The maximum additional Floor Area Ratio for such certification shall not exceed 0.2 times the gross tract area. The tract area shall exclude existing utility rights-of-way and existing road rights-of-way. The standard shall be LEED-NC Version 2.2 for new construction, LEED-CI Version 2.0 for interior improvements to existing commercial spaces, and LEED-ND Version 2.0 for neighborhood development, or as such standards are most recently amended. Applicants are strongly encouraged to achieve the highest LEED’s certification possible in multiple categories.
- H. Stormwater best management practices. Applicants are strongly encouraged to consider innovative stormwater Best Management Practices that can accomplish multiple objectives, e.g., contribute to infiltration and provide water to growing plants and trees. Since the majority of storm events in this region are small (one inch or less), applicants are directed to examine bioretention facilities and rain gardens as complementary to landscape features. In addition, applicants are encouraged to consider construction of “green roof” buildings capable of managing small storm events through rooftop landscaping. Such facilities offer both an attractive amenity to the community and help manage the small rainfall events common to this geographic region.
- I. Signs. A signage plan, which shall include wayfinding signs, shall be submitted and approved prior to final land development approval. Signs shall be consistent across the development site and comply with the sign regulations in Article XXV of this chapter.