

ORDINANCE NO. HR-

Tredyffrin Township
Chester County, Pennsylvania

AN ORDINANCE AMENDING THE TREDYFFRIN TOWNSHIP ZONING ORDINANCE BY:

- **AMENDING 208-6.B., DEFINITIONS, TO PROVIDE ADDITIONAL DEFINITIONS RELATING TO NEW PAOLI ZONING DISTRICTS;**
- **DELETING ARTICLE XVIII, SPECIAL PAOLI DEVELOPMENT DISTRICT;**
- **ADDING ARTICLE XVIII TO CREATE A NEW TOWN CENTER DISTRICT;**
- **ADDING ARTICLE XX TO CREATE A NEW TRANSIT DISTRICT;**
- **AMENDING ARTICLE XXV, SIGNS, TO DELETE SECTION 208-128, SIGNS PERMITTED IN THE SPECIAL PAOLI DEVELOPMENT DISTRICT;**
- **AMENDING ARTICLE XXV, SIGNS, TO ADD A NEW SECTION 208-128 PROVIDING REGULATIONS FOR SIGNS IN THE TRANSIT DISTRICT AND TOWN CENTER DISTRICT;**
- **AMENDING ARTICLE XXIV, GENERAL PROVISIONS, TO DELETE SECTION 208-99.D, RESTORATION; AND**
- **AMENDING ARTICLE XXIV, GENERAL PROVISIONS, TO ADD A NEW SECTION 208-99.D, RESTORATION, PROVIDING REGULATIONS FOR RESTORATION OF NONCONFORMING BUILDINGS DAMAGED OR DESTROYED BY FIRE OR OTHER CAUSE.**

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Tredyffrin Township, as follows:

SECTION I: Section 208-6.B., Definitions, is amended by adding the following terms and definitions in correct alphabetical sequence:

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.

SECTION II: Article XVIII, Special Paoli Development District, is hereby deleted.

SECTION III. A new Article XVIII, Town Center District, is hereby added as follows:

§208-68. Purpose.

Town Center Districts are intended to be consistent with Article VIIA of the PA Municipalities Planning Code (Act 247) and are designed to improve the aesthetic quality and walkability of the area and streetscape, support the economic viability of the area, and promote opportunities for mixed-use buildings which permit residential and non-residential uses above or behind non-residential uses.

§208-69. Use regulations.

Mixed uses are encouraged. Land and buildings may be used and occupied for any one or combination of the following uses, and no other, unless otherwise specified:

- A. The following residential uses are permitted as stand-alone uses where the lots containing such uses do not have frontage along a major arterial highway as defined in the Township's Comprehensive Plan; and are permitted as part of a mixed-use development, provided no residential use shall be permitted on the ground floor of a mixed-use development when the development has frontage on a major arterial highway, unless approved pursuant to §208-69K below:
 - (1) Single-family attached dwelling (townhouse).
 - (2) Two-family detached dwelling (duplex).
 - (3) Multi-family dwelling.
- B. Retail (excluding auto sales).
- C. Office.
- D. Personal services.
- E. Public or private club or lodge.
- F. Technical school.
- G. Library.
- H. Restaurant (excluding drive-in/drive-thru facility), provided that any outdoor consumption shall meet all of the following requirements:
 - (1) Outdoor seating must be contiguous to the establishment preparing the food being served and shall not extend beyond the limits of the establishment's frontage(s).

- (2) If any outdoor seating extends into any public right-of-way, an unobstructed walkway at least six (6) feet wide shall be maintained for pedestrian circulation.
- I. Surface parking facility, subject to the requirements of §208-72.D below, §208-103 and §181-49 of the Township Subdivision and Land Development Ordinance.
- J. Structured parking facility, subject to the requirements of §208-72.D below and §181-49 of the Township's Subdivision and Land Development Ordinance.
- K. The following stand-alone uses when authorized as a conditional use pursuant to §208-117:
 - (1) Single-family attached dwelling (townhouse), two-family detached dwelling (duplex), or multi-family dwelling (apartment house), when any lot containing such use:
 - (a) has frontage on a major arterial highway;
 - (b) abuts a railroad;
 - (c) has a maximum lot depth, measured from the major arterial highway, of 125 feet;
 - (d) has a maximum of one (1) curb cut per one hundred feet of frontage and sufficient turning area to negate the necessity for any vehicle to back out onto the major arterial highway; and
 - (e) is not feasible for mixed-use development, as demonstrated by the applicant.
 - (2) Day-care center, provided that:
 - (a) Outdoor play or instruction areas shall be located at least fifty (50) feet from any street line or property line and shall be provided with landscape screening sufficient to buffer adjoining properties from noise or other disturbances.
 - (b) In addition to the general parking requirements of §208-103, an off-street dropoff area shall be provided which is sufficient to accommodate not less than one (1) vehicle per five (5) individuals enrolled.
- L. Signs when erected and maintained in accordance with the provisions of Article XXV.

§208-70. Area, bulk, height and buffer requirements.

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

- A. Lot area and width. The lot area shall not be less than 7,500 square feet and the lot width at the building line shall be not less than fifty (50) feet.
- B. Lot area per dwelling unit. Each two-family detached dwelling (duplex) development shall have a lot area per dwelling unit of not less than 6,000 square feet. Each single-family attached dwelling (townhouse) development shall have a lot area per dwelling unit of not less than 2,900 square feet per dwelling unit. Each multi-family dwelling (apartment house) development shall have a lot area per dwelling unit of not less than 2,100 square feet.
- C. Building footprint. For single use non-residential buildings, the maximum gross floor area of the ground floor shall be 10,000 square feet. For residential or mixed use buildings, the maximum gross floor area of the ground floor shall be 15,000 square feet. Applicants for residential or mixed use developments may be eligible for bonus square footage pursuant to §208-71 below.
- D. Impervious coverage. For lots with frontage along a major arterial highway, not more than 90% of the lot area may be covered by impervious surface. For lots without frontage along a major arterial highway, not more than 70% of the lot area may be covered by impervious surface.
- E. Front yard. There shall be no minimum front yard setback, except that distance necessary to provide the required sidewalks and streetscape.
- F. Side yards. No side yard shall be required, except that where a lot abuts a residential district in the Township or a similar district in an adjoining municipality, a side yard shall be provided which shall be not less than twenty (20) feet in width. If a side yard is provided where none is required, it must be a minimum of ten (10) feet.
- G. Rear yard. No rear yard shall be required, except that where a lot abuts a residential district in the Township or a similar district in an adjoining municipality, a rear yard shall be provided which shall be not less than twenty-five (25) feet in depth. If a rear yard is provided where none is required, it must be a minimum of ten (10) feet.
- H. Height.
 - (1) Minimum. The minimum height of any building shall not be less than twenty-eight (28) feet.
 - (2) Maximum.

- (a) For any building set back more than twenty (20) feet from the street line, the maximum height of any building shall not be more than twenty-eight (28) feet.
- (b) For any building set back twenty (20) feet or less from the street line, the maximum height of any building shall not be more than forty-two (42) feet. Applicants for mixed use developments may be eligible for bonus height pursuant to §208-71 below.

I. Buffer. Where a property line directly abuts a single-family residential district or use or where a property line abuts a street and a single-family residential district or use is located across the street, a buffer area of not less than fifteen (15) feet in width shall be provided, subject to the provisions of §208-102.B. No parking shall be permitted in this buffer area.

§208-71. Zoning bonuses.

- A. The Board of Supervisors, after review and recommendation by the Planning Commission, may authorize modification of the provisions and requirements of §208-70.B, C and H above regulating building lot area per dwelling unit, building footprint and building height if an application for development is deemed to be in compliance with the spirit of the Zoning Ordinance and the Tredyffrin Township Comprehensive Plan and advances the goals and objectives described therein.
- B. The modification shall take the form of zoning bonuses and must be authorized as a conditional use. During the conditional use hearing, detailed development plans must be presented, and conditional use approval may be granted only in return for specific action on the part of the applicant which advances and implements the planning concepts prescribed for the Town Center District. The application shall be submitted in accordance with the provisions of §208-117.
- C. Eligibility for zoning bonuses. The zoning bonuses may only be granted by the Board of Supervisors conditional to such specific reciprocal action on the part of the applicant which, by determination of the Board, furthers the objectives and general planning concepts of the Town Center District and the Comprehensive Plan. Applicants shall provide a list of the reciprocal actions being proposed and the rationale for choosing the particular actions which, in the determination of the applicant, justify the granting of a zoning incentive. Examples of actions which warrant consideration by the Board are:
 - (1) Providing publicly available, non-patron, off-street parking in excess of the minimum number of spaces required by §208-103. The number of spaces to be provided shall be at least an additional twenty (20) percent above the required minimum or ten (10) spaces, whichever is greater.

- (2) Renovating existing building facades to incorporate public art or unique architectural features into the design of the structure.
- (3) Achieving 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. 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.
- (4) Installing innovative stormwater Best Management Practices, such as construction of “green roof” buildings capable of managing small storm events through rooftop landscaping or bioretention facilities and rain gardens as complementary landscape features.
- (5) For residential or mixed-use buildings, providing a minimum of 75% of required parking within a structured parking facility.
- (6) Similar cooperative actions indicating a desire to further the goals and objectives of the Township Comprehensive Plan.

D. Conditional zoning bonuses may be granted as follows:

- (1) Lot area per dwelling unit bonus. For residential or mixed-use buildings, the maximum lot area per dwelling unit may be decreased to 1,800 square feet.
- (2) Building footprint bonus. Additional gross floor area of the ground floor up to a maximum of 25,000 s.f. for residential or mixed-use buildings.
- (3) Height bonus. Additional height up to a maximum of fifty-six (56) feet for mixed-use buildings, subject to the following conditions:
 - (a) Setbacks. A building setback of an additional fifteen (15) feet shall be made for that portion of the building that exceeds forty-two (42) feet in height and faces a street.
 - (b) Windows. Except for first floor/ground floor use, the windows for all buildings shall be all vertical in orientation, or all horizontal in orientation. Windows shall not be arranged such that vertical and horizontal orientation is mixed.

§208-72. Special development regulations.

- A. Sidewalks. Sidewalks shall be provided between a building and the street.

- B. Streetscape. The streetscape design regulations in §181-46.M(11) of the Township Subdivision and Land Development Ordinance shall be provided for all developments.
- C. Mixed-use development. No residential use shall be permitted on the ground floor of a mixed-use development when the development has frontage on a major arterial highway as defined in the Township's Comprehensive Plan, unless approved pursuant to §208-69K below.
- D. 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 and one-quarter (2.25) parking spaces per dwelling unit shall be provided for each multi-family dwelling use. 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.
- (1) Surface parking lots.
- (a) Surface parking must be located between the principal structure and the side and rear lot line, 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.
 - (b) On corner lots, the parking shall be located along the street with the lesser amount of commercial and pedestrian activity.
 - (c) Parking areas must be interconnected, to the extent feasible, with parking areas on adjacent properties to facilitate pedestrian and vehicular circulation. When interconnected parking areas are not immediately feasible, the applicant must provide access easements and design the parking area to facilitate future connections.
- (2) Structured parking.
- (a) Structured parking is encouraged. Structured parking facilities are required to be designed to enhance the pedestrian-friendly streetscape and the character of the surrounding buildings and uses.
 - (b) Facades that are visible from the street or sidewalk shall be complementary to nearby commercial facades in terms of building materials and architectural design. Exterior finish materials shall be of an enduring quality. Synthetic stucco, concrete block and simulated wood products may not be used as primary exterior finish materials. Vehicular

entrances to parking structures should be designed using residential or neighborhood commercial architectural treatments such as recesses, peaked roof forms and arches with the intention of minimizing the appearance of a parking garage. The use of chains, bars or similar security devices that are visible from a street shall be prohibited.

- (c) Any structured parking facility with frontage on a major arterial highway shall contain retail or commercial space along the entire length of each first floor façade which faces a street. Such commercial or retail space may be relieved only by the vehicular entranceway to the garage area.
 - (d) Any structured parking facility with frontage along a street other than a major arterial highway shall not be required to contain retail or commercial space but shall be required to contain facades that enhance the streetscape of the existing neighborhood. Such façades may be relieved only by the vehicular entranceway to the garage area.
- (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 approval by the Township Engineer that demonstrates 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 500 feet from the 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.

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

- (1) Front façade.
 - (a) The front façade of any building shall promote an attractive and pedestrian-friendly streetscape. Characteristics to be considered in making

such assessment shall include, but not be limited to, style, location, materials, scale and window/door placement. Varied building designs that avoid long, flat facades are required.

- (b) No more than forty (40) feet of continuous facade shall be created for any new building at the first floor level. Any building which is wider than forty (40) feet at the first floor level shall have a recess of at least four (4) feet at intervals of twenty (20) feet.
 - (c) A continuous façade shall be created along the sidewalk frontage, except for a first floor break in the street wall that may be created for a vehicular entranceway to a structured parking facility, where such break in the street wall does not exceed thirty (30) feet in width.
- (2) No building shall be a windowless box. Doors and windows shall constitute no less than 60% of all exterior walls for buildings containing non-residential uses.
 - (3) No building shall have opaque windows.
 - (4) If the first floor front façade is set back from the edge of sidewalk by more than five (5) feet, the area between the front façade and the edge of sidewalk shall be used for enhanced pedestrian spaces and amenities, such as a landscaped plaza or courtyard, a sculpture garden, or other civic-like space accessible to pedestrians.
 - (5) Exterior amenities, to be owned and maintained by the property owner, such as benches, information kiosks, bike facilities, bus shelters and/or publicly-accessible privately-owned plazas shall be provided on private property or within adjoining public rights-of-way.

§208-73 (Reserved.)

§208-74 (Reserved.)

§208-75 (Reserved.)

SECTION IV. Article XX is amended to create TD Transit Districts as follows:

§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.

SECTION V: §208-128, Signs permitted in SPDD Special Paoli Development Districts, of Article XVIII, Sign Regulations, is hereby deleted.

SECTION VI. A new §208-128, Signs in TD Transit Districts and TCD Town Center Districts is added to read as follows:

In TD Transit Districts and TCD Town Center Districts, signs are permitted for the following purposes only and only under the following conditions:

A. Business Identification Signs

- (1) Freestanding Signs. Not more than one freestanding sign may be placed on, adjacent to or facing each street upon which the property fronts. In the case of a shopping center or group of four or more commercial uses on a single lot with more than 300 linear feet of frontage on a street, two freestanding signs, indicating only the name of the center and individual uses therein may be placed on, adjacent to or facing said street. In no case shall the total area of all such signs on any single sign pylon exceed forty (40) square feet.
 - (a) No freestanding sign may be erected closer than ten (10) feet to any side property line.
 - (b) The topmost edge of freestanding signs shall not be more than fifteen (15) feet above ground level. All other signs, including façade-mounted signs, shall not be more than eighteen (18) feet above ground level or not more than twenty-four (24) inches above the main cornice line of the building on which erected, whichever is the lesser distance.
- (2) Wall signs. The total area of all wall signs placed on or facing any one street frontage on any lot shall not exceed ten (10) percent of the façade area of the ground floor of the portion of the building which it occupies or 100 square feet, whichever is less.
- (3) Projecting signs. The total area of all projecting signs used to identify a single commercial use or establishment shall not exceed six (6) square feet.
- (4) Sign Design. The design and lettering of individual signs within a shopping center or within an identifiable group of retail stores shall be compatible with the architecture, landscaping and with the general signage theme if such theme has been established for the center or group. If no such theme has been established, signs shall be compatible with conforming signs of contiguous establishments.
- (5) Special Signs. Special signs such as directories, banners, super graphics and the like are permitted when specifically approved as a conditional use by the Board of Supervisors.

- B. Identification signs in conjunction with a permitted residential or other non-commercial use shall be ground-mounted (monument signs) and shall be subject to the provisions of §208-125.B. hereof.
- C. Directional signs.
 - (1) Directional signs may contain no advertising and may be erected only upon the lot to which it relates.
 - (2) No directional sign may exceed four (4) square feet in area.
 - (3) A maximum of two (2) signs at each driveway shall be permitted.
- D. Temporary Signs.
 - (1) Signs giving notice of the sale or rental of the property on which the sign is located shall be permitted only during the time at which the sale or rental of the property is occurring.
 - (2) Signs of contractors, mechanics, painters, paperhangers or artisans performing work on the property upon which the sign is erected shall be permitted only during the time at which the work is being undertaken.

SECTION VII: §208-99.D, Restoration, of Article XXIV, General Provisions, is hereby deleted.

SECTION VIII: An new §208-99.D, Restoration, is added to read as follows:

§208-99. Nonconforming buildings or uses.

- D. Restoration. Building reconstruction to restore a building containing a nonconforming use shall commence within one (1) year of the date the building was destroyed or condemned and shall be carried on without interruption.
 - (1) Nonresidential uses. A building containing a nonconforming nonresidential use which has been damaged or destroyed by fire or other cause to an extent of not more than 75% of its value, or a nonconforming nonresidential building which has been legally condemned, may be reconstructed and used for the same nonconforming nonresidential use, provided that the reconstructed building shall not exceed the height, footprint, area and volume of the building destroyed or condemned.
 - (2) Residential uses. A building containing a nonconforming residential use which has been damaged or destroyed by fire or other cause, or a nonconforming residential building which has been legally condemned, may be reconstructed and

used for the same nonconforming residential use, regardless of the extent of damage, provided that the reconstructed building shall not exceed the height, footprint area and volume of the building destroyed or condemned.

SECTION IX: This Ordinance shall become effective thirty-one (31) days from enactment.

ENACTED and ORDAINED this _____ day of _____, 2007, by the Board of Supervisors of Tredyffrin Township.

**BOARD OF SUPERVISORS
TREDYFFRIN TOWNSHIP**

ATTEST:

By: _____
Chairman

Manager