

Prioritized List of Ordinance/Code Proposed Changes and Status Updates

Created: January 29, 2019

	Ordinance Name	Description of Changes/Status	Proposed	Originator	Priority
1	Sign Ordinance Update	Solicitor is updating based on comments received at 1/23/19 PC meeting	Summer 2015		1
2	Bi-Directional Antennas	Tentatively Scheduled for 3/20/2019 PC meeting	October 2013		1
3	New Accessory Structure Setbacks	ChesCo is reviewing ordinance language as of 2/21	Aug 2017		1
4	Convert Accessory Dwelling Units into Rental Dwelling Units by Special Exception	ChesCo is reviewing ordinance language as of 2/21	Aug 2017		1
5	170-1605. G. (2). n Major home occupations	Correct reference from 170-1700D to 170-1708.A			1
6	170-602.D R-1 Residential Area and Bulk Regulations	Residential Cluster per 170-1602 which has been deleted (replaced by Flexible Development.) Remove 170-602.D and renumber as necessary.			1
7	149-910 Street Construction	This section could be revised to remove the reference to "PennDOT Seldom Used Specifications 1983" and more appropriately Reference PennDOT Publication 46.			1
8	149-910.D Paving - Bituminous Surface Course ID-2A	This section could be revised to remove the reference to Bituminous Surface Course ID-2A. This section should be completely re-written to include a modern specification of the Superior Asphalt Paving System (Superpave).			1
9	149-803 Stormwater Management in the Land Development Ordinance	This section could be completely removed since the Township Stormwater regulations were installed as a "stand alone - §144" section in 2013.			1
10	144-301T General Requirements	A typo appears in the code. The ordinance should correctly read "seventy-five" (75), not fifty, which was the original language from the Chester County Model ordinance.			1
11	Lighting waivers	Remove lighting requirements in residential from the code			1
12	170-1502 Projections into setbacks and setback exceptions	Safety issue for access for emergency equipment			1

13	170-1509 Storage	Reword this section to apply to residential situations			1
14	Stormwater	§144-311.B.2 HDPE Pipes to be used in areas not supporting traffic loads. This request has been made on several applications and been granted by the BOS frequently enough to warrant amending the code.			2
15	Definitions “lot area” and “tract area”	The definition of “Lot Area” and “Tract Area” are treated differently in Zoning			2
16	Lot Area	<p>The acreage contained within the property lines of a lot, as defined in the deed or as shown on an approved subdivision plan. Such acreage shall be exclusive of the following:</p> <p>A. Any area used for gas, oil, natural gas, electric, or communications transmission facilities, whether below or above ground, that do not serve the lot or lots traversed.</p> <p>B. Any area within a street or other transportation right-of-way, existing or proposed.</p> <p>C. Any area within a permanent drainage easement.</p> <p>D. Every lot created by subdivision shall have a contiguous and uninterrupted area equal to 75% of the minimum lot area required by the applicable zoning district which is unencumbered by wetlands, one-hundred-year floodplains, steep slopes and/or stormwater management basins/facilities.</p>			2
17	Update to Alarms Ordinance	Treasurer is reviewing as of Nov 2018			2
18	Open Space	<p>When the Flexible Development option was added to the Ordinance, it included an extensive Open Space description -170-907. It was decided to refer the Open Space requirements in all other districts to this section in order to avoid repetition.</p> <p>While there are requirements for some portion of the Open Space be useable for active recreation, storm water management often occupies a significant area. Revising the open space definition and regulations has been suggested.</p>	May 2017		3
19	Revise Floodplain Ordinance	Based on comments received during review in 2017, PC members indicated a desire to make some changes with Beth Uhler’ assistance			3
20	Buffers & Screening - MU and R-3 Districts	<p>Present regulations generally require buffers between districts rather than between uses. (except for commercial vs residential).</p> <p>Possibility for problems in MU and R-3 districts where residential and non-residential uses are permitted. The MU District is presently developed as residential except for one tract (5 acres?) currently industrial which could be redeveloped for any use permitted in the C1 District.</p>			3

21	170-900 Flexible Development	170-904.C There are no lot size limits in Flex. For single family dwellings the only control of lot size is the requirement that there can be only 4 lots per acre in the area used for single family dwellings (smallest lots could be just under 11,000 square feet). 170-904. E. (3). (10) Setbacks - The only setback regulations for dwellings in Flex are 30 feet behind the curb line and 30-foot separation between structures. This applies to decks, sheds, and even dwellings. (Not to swimming pools, however.)			3
22	170-1513.B Interior circulation and streets minimum widths	Consider reducing the minimum paved width of streets on low traffic volume streets.			3
23	149-915 Driveways	PC has suggested on several occasions that the Board adopt a free standing driveway ordinance.			3
24	Proposed Additions to the Code (1)	§170-1600 – Consider adding Drive Thru Regulations Recall Dunkin’ Donuts			3
25	Proposed Additions to the Code (2)	§170-1600 – Consider adding MS4 Assist Regulations Recall the Maneri Property 1126 Kolbe Lane, Rustin and Crebilly CU			3
26	Proposed Additions to the Code (3)	§149-1514 – Consider adding a Belgian Block Section of Code with detail.			3
27	Proposed Additions to the Code (4)	§170-1600 – Parking has become popular for compact cars, oversized vehicle, electric vehicle, seniors citizen and new or expecting parents.			3
28	Proposed Additions to the Code (5)	§170-1600 – Truck Turning Templates are not required by ordinance and should be added to the preliminary/ final plan set requires. All vehicles for emergency response, delivery, trash, and recycling should be provided to major applications.			3
29	Parking Regulations Update	Times, circumstances, streets, locations			4
30	Residential Chicken Ord.	Tabled indefinitely	July 2015		4
31	High tunnels or “hoop houses”	No adoption deadline	May 2018	House Bill No. 1486	4
32	Conditional Use Posting Requirements	Brought before BOS in summer 2017 (WIP), not scheduled before the PC or BOS	Summer 2017		4
33	Administrative Preliminary or Final Waivers	Modern applications contain so much information that that boundary between preliminary and final has become almost negligible far as engineering detail. Very infrequently have I seen a request for the waiver from preliminary to prelim/ final denied.			?

34	Landscaping Waivers	<ul style="list-style-type: none"> • Westtown Woods: §149-925-I.5 – Street Trees within 5 feet of property and within 10 feet of side lot lines • §149-924.D which would require a separate tree protection plan. • Fairshare Builders: §149-924.D(12)(b) – Regarding the request to waive the full amount of compensatory trees, the site was formerly a tree nursery. • Rustin Residential: §149-925-I.5 – Street Trees within 10 feet of side lot lines. <p><i>-Considering that these requests are handled on a case-by-case basis, I see no reason to make changes to the Code. -KM</i></p>			?
35	Medical Services (curative amendment)	<p>Adopted by BOS 7/16/2018. PC and BOS noted at the time that Medical Services may be appropriate in more zoning districts than just POC. (R-3, C-1, C-2). Consider amending by-right uses in these zoning districts to allow Medical Services, and to make existing medical services conforming to code.</p>			?