



# THE COUNTY OF CHESTER



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July 3, 2019

William Ethridge, AICP, Director of Planning & Zoning  
Westtown Township  
P.O. Box 79  
Westtown, PA 19395

Re: Zoning Ordinance Amendment – A/C Agricultural/Cluster Residential District; and Flexible Development Procedure Standards  
# Westtown Township – ZA-06-19-15939

Dear Mr. Ethridge:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on June 4, 2019. We offer the following comments to assist in your review of the proposed amendment.

### DESCRIPTION:

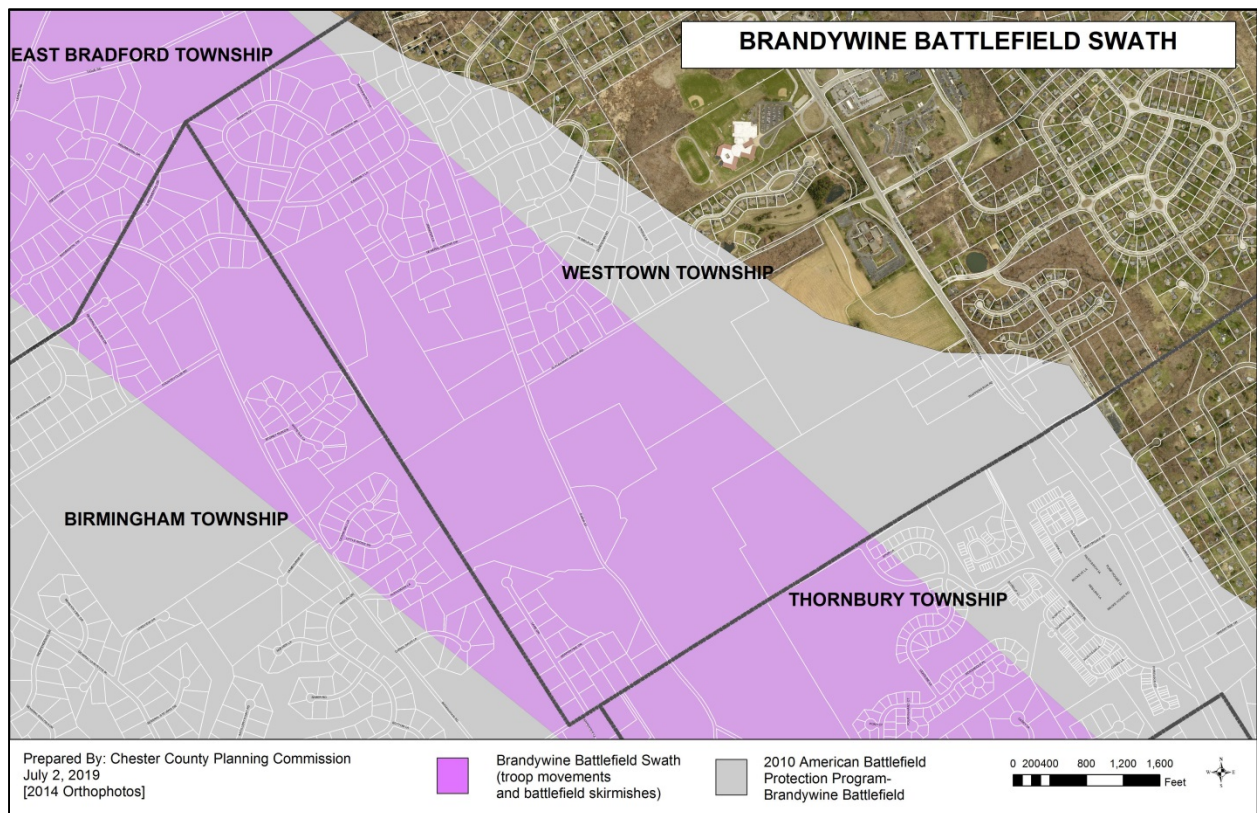
1. Westtown Township proposes the following amendments to its Zoning Ordinance:
  - A. Add definitions for the following terms to Section 170-201: Brandywine Battlefield Swath; Historic Resource(s); Historical Landscape; Scenic Landscape(s); and Scenic View(s);
  - B. Amend the Statement of Intent of the A/C Agricultural/Cluster Residential District in Section 170-500;
  - C. Amend Subsection C(3) of Section 170-503, pertaining to design standards for collector roads and pedestrian trails in the A/C Agricultural/Cluster Residential District;
  - D. Amend the Statement of Intent, Applicability to Base Zoning District, Permitted Base Density and Potential Bonus Density, and Density Standards for the Flexible Development Procedure in Article IX;
  - E. Add subsection J, “Article IX, Flexible Development Procedure, §170-904”, and subsection K, Stormwater Management, to the Design Standards for the Flexible Development Procedure in Section 170-905;
  - F. Amend the open space standards of the Flexible Development Procedure in Section 170-907;
  - G. Amend the Minimum Tract and Lot Area, and Maximum Density of Tract Usage standards for the A/C Agricultural/Cluster Residential and R-1 Residential districts in Section 170-1519;
  - H. Add Section 170-1519.B(5), Bonus Density for Historic Preservation, subject to conditional use approval (we note that these standards appear to be identical to the existing standards forth in Section 170-904.A.2(c)[1], which is proposed to be deleted); and
  - I. Amend subsection (1)(h) of Section 170-2009.D, Standards for Conditional Use Approval.

2. On July 2, 2019, Westtown Township submitted a revised version of this zoning amendment to the County Planning Commission. Our comments on the latest version of this amendment will be addressed in a separate review letter.

COMMENTS:

3. We acknowledge that the proposed definition of “Brandywine Battlefield Swath” references a graphic included on page 4 of the County Planning Commission’s December 7, 2016 review of the conditional use application for the development of the Crebilly Farm, situated on the west side of Route 202 between Street Road (Route 926) and West Pleasant Grove Road (CCPC# CU-11-16-14546). This graphic depicts the approximate location of troop movements and battlefield skirmishes in this area of the Township, based upon the Brandywine Battlefield Study and the Battlefield Preservation Plan, overlaid on top of the proposed conditional use application.

The following graphic depicts the location of the Brandywine Battlefield Swath in this area of the Township, extending to the adjoining municipal boundaries with Thornbury, Birmingham and East Bradford Townships. The previously prepared graphic does not depict the swath extending to all adjoining municipal boundaries.



We suggest, for ease of use purposes, that the graphic referenced in the proposed definition be included as an attachment to the Township Zoning Ordinance.

4. We suggest that the last sentence in Section 170-904.E(3)(i) on page 6 of the draft Ordinance be revised to include the following phrase (or similar language) at the end of this sentence: “to maximize energy efficiency and sustainable development.”

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5. We acknowledge that proposed Section 170-904.J(a) on page 7 states that, for development activity under the flexible development procedure standards, historical landscapes and scenic views within or across any tract subject to flexible development shall be protected to the greatest extent practicable. We recommend that this statement of intent be revised to include “historic resources” after “scenic views.” We also recommend that the Township consider incorporating a requirement for a historic resource impact study for project sites that contain, or are directly adjacent to, inventoried historic resources. We note that the Township’s 2019 Comprehensive Plan (page 6-3) states that, in the context of development plan submissions, the submission of a Historic Resource Impact Study could be required where inventoried historic resources are located on or adjacent to a site proposed for development, and measures to mitigate identified impact could also be required as part of development approval. Additionally, “Appreciate” Objective A of *Landscapes3*, the 2018 County Comprehensive Plan, is to preserve historic resources in their context while supporting appropriate reuse as a vital part of our community infrastructure and character. Additional information on this issue is available online at: [www.chescoplanning.org/Landscapes3/1c-Appreciate.cfm](http://www.chescoplanning.org/Landscapes3/1c-Appreciate.cfm).
6. We acknowledge, and endorse, that the proposed minimum common open space area requirements for the flexible development procedure set forth in Section 170-907.A(6) on page 8 will also exclude existing or proposed impervious surface, stormwater management facilities, and wastewater treatment and disposal facilities, in addition to wetlands, water bodies, watercourses, fifty percent of any area of prohibitive slope, and fifty percent of any lands subject to floodplain regulations.
7. While the bonus density for historic preservation standards in Section 170-1519(5)(a) on page 9 references open space parcels, Section 170-907.A(6) on page 8 excludes existing impervious surfaces in open space. We suggest that the Township consider revising Section 170-907.A(6) on page 8 to state “...fully exclude any existing (other than historic resource) or proposed impervious surfaces...”
8. We endorse the Township’s progressive use of the bonus density incentives set forth in Section 170-1519.B.(5).
9. We suggest that the Township replace the term “sites” in the first sentence of Section 170-1519(5)(a) on page 9 with the term “resources.” The use of the terms “sites,” “structures,” and “resources” needs to be reviewed and utilized consistently in these proposed standards.

**RECOMMENDATION: The Township should consider the comments in this letter before acting on the proposed zoning ordinance amendment.**

We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,



Paul Farkas  
Senior Review Planner