



TOWNSHIP OF NEWTOWN
DELAWARE COUNTY, PENNSYLVANIA
ORDINANCE NO. 2019-04

AN ORDINANCE To Amend the Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, PRD Planned Residential Development, to modify the mix requirements; modify the Floor Area Ratio to 0.3058; amend parking requirements for multi-family buildings; and provide for design standards for townhouses, two-family and twin dwellings within Mixed-Use Areas.

The Board of Supervisors of the Township of Newtown Hereby Ordains:

Section 1. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35 B. (2) (a) and (b), shall be amended as follows:

(2) Mix requirements

(a) Residential uses. Within mixed-use areas, at least 10%, but no more than ~~50%~~70% of the new gross floor area shall be devoted to residential uses. Existing buildings and uses shall not be part of this calculation.

(b) Retail uses. Within mixed-use areas, at least ~~20%~~15%, but no more than ~~75%~~50%, shall be devoted to retail, restaurant, markets, or cinema uses. Existing buildings and uses shall not be part of this calculation.

Section 2. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35 C. (2), shall be amended to read as follows:

(2) Not more than 30% of the total tract area shall be occupied by buildings including parking structures, and not more than 60% of the total tract area shall be covered with imperious materials. The overall floor area ratio of a PRD development shall not exceed 0.3058. ~~A parking structure is a building and shall be included in the calculation of said 30%.~~

Section 3. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35 C. (5) (b), shall be amended to read as follows:

(b) For multifamily residential units, there shall be at least 1.5 parking spaces per unit, which may be comprised of on-street, off-street, and garage spaces, but must include a minimum of 0.25 garage spaces per unit, 0.5 garage parking space, and 1.25 off street parking spaces per unit.

Section 4. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35 C. (6) (a) shall be amended and a new subsection (d) is added as follows:

(a) Setback to curbline of an Arterial or Collector street: fifteen-foot minimum. Setback to other streets, accessways or parking: ten-foot minimum.

(d) Notwithstanding the foregoing requirements of (6) (a), (b), and (c), townhouse, two-family residential and twin dwellings located east of the Loop Road and north of Winding Way Extension shall be governed by the following dimensional requirements:

[1] Minimum unit width: 22 feet for townhouses and 20 feet for two-family residential and twin dwellings.

[2] Front building setback to curb line of a street, common driveway or edge of paving:

(i) 10 feet minimum setback if no vehicular access is taken from the street, common driveway or edge of paving, or

(ii) 22 feet minimum setback if vehicular access is provided from the street, common driveway, or edge of paving.

[3] Rear building setback to a curb line of a street, common driveway or edge of paving: 18'.

[4] Building to Building Separation Distance: 20 feet side to side; 35 feet side to front, and 50 feet front to front and rear to rear.

[5] There shall be no more than five single-family townhouse dwellings in a row, or five two-family dwellings in a row.

[6] Building height: No more than 3½ stories and no part of a building shall exceed 45 feet.

Section 5. Nothing in this Ordinance or in Chapter 172 of the Code of the Township of Newtown, as hereby amended, shall be construed to affect any suit or proceeding in any Court, any rights acquired, or liability incurred, any permit issued, or any cause or causes of action existing under the said Chapter 172 prior to the adoption of this amendment.

Section 6. The provisions of this Ordinance are severable, and if any section, sentence, clause, part or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of the court shall not affect or impair the remaining

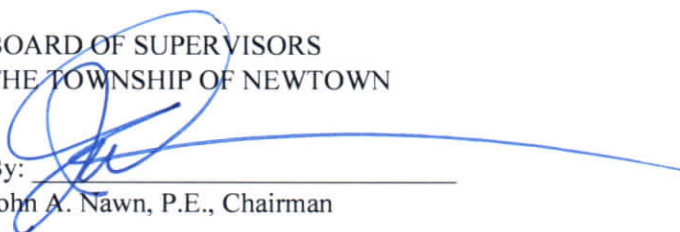
sections, sentences, clauses, parts, or provisions of this Ordinance. It is hereby declared to be the intent of the Board that this Ordinance would have been adopted as if such illegal, invalid, or unconstitutional section, sentence, clause, part or provision had not been included herein.


Section 7. This Ordinance shall take effect and be in force from and after its approval as required by law.

ENACTED by the Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania, this 28th day of October, 2019.



BOARD OF SUPERVISORS
THE TOWNSHIP OF NEWTOWN

By: 
John A. Nawn, P.E., Chairman

ATTEST: 
Stephen M. Nease
Township Manager/Secretary