

**TOWNSHIP OF NEWTOWN
DELAWARE COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2014- 01

**AN ORDINANCE To Amend The Code Of The Township Of Newtown,
Chapter 172, Zoning, Article XXE, PRD Planned Residential Development**

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 172-100.33, Title, Section B, Short title, is hereby amended as follows:

Short title. This Ordinance shall be known and may be cited as “The Township of Newtown Planned Residential Development Ordinance of 2009, as revised to 2014.”

Section 2. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section A, Eligibility Criteria, Subsection (2) is hereby amended to read as follows:

The Total Tract Area subject to PRD Development shall contain at least 200 acres. The Total Tract Area may add or include existing developed land provided the land complies with the applicable PRD District regulations and is located within PRD zoned land.

Section 3. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section B, Use Regulations, Subsection (3)(a) is hereby amended to read as follows:

With the exception of single-use office buildings located adjacent to West Chester Pike, and existing or redeveloped buildings, no building within the PRD Development shall have a building footprint in excess of 40,000 square feet, except that one (1) building shall be permitted to have a building footprint of up to 75,000 square feet and two (2) buildings shall be permitted to have building footprints of up to 45,000 square feet.

Section 4. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsections (1)(e) and (g) are hereby amended to read as follows:

(e) All buildings shall be set back a minimum distance of ten (10) feet from curb lines of all other existing or proposed streets. Such setback areas shall be devoted to walkways, street trees, green areas, or a combination thereof. Limited driveway and road access through such setbacks shall be permitted. No off-street parking shall be permitted within such setback areas.

...

(g) All buildings shall be set back a minimum distance of ~~250~~200 feet from the current right-of-way of both Route 252 north of Winding Way and along Goshen Road. In no case shall a building be set back less than 100 feet from any property outside of the Tract zoned R1 or R2. Driveways and parking are permitted in the foregoing setback.

Section 5. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsection (8) is hereby amended to read as follows:

~~Non-residential uses~~New non-residential buildings, other than office buildings located west of the Loop Road shall be governed by the following additional dimensional requirements:

Section 6. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsection (9) is hereby amended to read as follows:

Office buildings located west of the Loop Road (Medical Drive) and within 1000 feet of West Chester Pike shall be governed by the following additional dimensional requirements:

Section 7. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsections (9)(a) and (b) are hereby amended to read as follows:

(a) The required minimum building setback from West Chester Pike shall be 200 feet from the existing curb line. All buildings shall be set back a minimum distance of ten (10) feet from the curb lines of all other existing or proposed streets. No off-street parking shall be permitted within 100 feet of West Chester Pike. No setbacks shall be required from interior lines abutting other lots within the PRD.

(b) The required minimum building setback from adjacent properties shall be 100 feet, except that the Board of Supervisors may, upon individual application, reduce the setback to not less than 75 feet from all right-of-way lines against which the lot abuts where it is shown by the applicant that such reduction in setback is necessary due to the unusual slope, size or topography of the lot.

Section 8. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsections (10)(b)[1], [4], [5] and [7] are hereby amended to read as follows:

[1] Minimum unit width: ~~30 feet~~24 feet, except that a two-family dwelling shall be a minimum of 20 feet.

...

[4] Building Height: No more than three 3½ stories. The height of a two-family dwelling building shall not exceed 3½ stories or 45 feet, whichever is greater.

[5] There shall be no more than five single-family townhouse dwellings in a row, or 10 two-family dwellings in a building.

...

[7] Sidewalks shall be located on at least one side of all residential streets within ~~Sector 3~~ residential areas located outside of mixed use areas, which shall be 4 feet in width and have a 4 foot green area between the sidewalk and curb.

Section 9. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsection (11)(b) is hereby amended to read as follows:

Existing ~~buildings~~ building square footage may be demolished and rebuilt, provided that all replacement of existing ~~buildings shall~~ building square footage shall be constructed within the curtilage of the building demolished or to be rebuilt and shall also comply with the use, area, bulk and dimensional requirements of the SU-1 zoning district, except with regard to the following:

Section 10. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section C, Area and dimensional regulations, Subsections (11)(c) is hereby added as follows:

Compliance with the Design Guidelines shall not apply as it relates to the Architectural Character and Elevations, and Building Materials of the rebuilt or redeveloped building square footage.

Section 11. The Code of the Township of Newtown, Chapter 172, Zoning, Article XXE, Section 172-100.35, Development Standards, Section D, General development regulations governing PRD development, Subsection (5) is hereby amended to read as follows:

The architectural design of all non-residential buildings within the PRD Development shall be substantially consistent with approved Design Guidelines, subject to such revisions as are hereafter agreed to by the parties. This section does not apply to redevelopment of existing non residential building square footage on the site.

Section 12. 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 13. 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 14. 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 9th day of June, 2014.

BOARD OF SUPERVISORS
THE TOWNSHIP OF NEWTOWN

By: 
Joseph V. Catania, Chairman

ATTEST: 