

**KENNETT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. 294

AN ORDINANCE OF THE TOWNSHIP OF KENNETT, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE KENNETT TOWNSHIP ZONING ORDINANCE TO REVISE THE PROVISIONS GOVERNING THE C - COMMERCIAL DISTRICT TO INCLUDE PROVISIONS FOR A RANGE OF COMMERCIAL AND MIXED-USES, INCLUDING TRADITIONAL NEIGHBORHOOD DEVELOPMENT (TND); REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE

WHEREAS, the Board of Supervisors of Kennett Township has enacted the Kennett Township Zoning Ordinance which contains, *inter alia*, provisions establishing and governing the C – Commercial Zoning District; and

WHEREAS, the Board of Supervisors desires to strengthen the economic base of the Township by providing for a range of commercial and mixed use options in the C-Commercial Zoning District; and

WHEREAS, the Board of Supervisors desires to add an option for the development of a Traditional Neighborhood Development (TND) in the C – Commercial District that compliments and serves as a transition between commercial districts and higher-density uses in Kennett Square Borough and medium-density uses in Kennett Township while strengthening the economic base of the Township; and

WHEREAS, the Board of Supervisors has determined that the revisions to the C – Commercial Zoning District made herein are in the best interests of the health, safety, and welfare of the residents of Kennett Township;

NOW, THEREFORE, be it, and it is hereby **ORDAINED** by the Board of Supervisors of Kennett Township, Chester County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED** by authority of same as follows:

I. Article X of the Code of Ordinances of Kennett Township is amended to read as follows:

SECTION 240-1000. PURPOSE

The purpose of this district is to provide opportunities for a range of commercial and mixed-uses, including Traditional Neighborhood Development (TND). The district is designed to accommodate commercial establishments and mixed-uses and that complement and serve as a transition between commercial districts and higher density uses in the Borough and medium density uses in the Township and that strengthen the economic base of the Township. In addition, it is the intent of the district to achieve applicable purposes and community development objectives in Article I.

SECTION 240-1001. USE REGULATIONS

A. Uses permitted by right for any one (1) or more of the following principal purposes, so long as applicable area and bulk requirements and other standards can be met for each principal use:

1. Retail use, not including convenience store, with a maximum gross leasable floor area of ten thousand (10,000) square feet existing on its current lot and at the effective date of this Article.
2. Personal service establishment with a maximum gross leasable floor area of ten thousand (10,000) square feet existing on its current lot and at the effective date of this Article.
3. Business or professional office, including medical or dental arts, with a maximum gross leasable floor area of ten thousand (10,000) square feet existing on its current lot and at the effective date of this Article.
4. Health care uses per § 240-1914 existing on its current lot and at the effective date of this Article.
5. Eating or drinking establishment without drive-through service or outdoor dining with a maximum gross leasable floor area of ten thousand (10,000) square feet existing on its current lot and at the effective date of this Article.
6. Single-family detached dwelling existing on its current lot and at the effective date of this Article.
7. Two-family dwelling (twin and/or duplex) existing on its current lot and at the effective date of this Article.
8. Multifamily dwelling per § 240-1924 existing on its current lot and at the effective date of this Article.
9. TND Infill per § 240-1003.
10. Adaptive reuse of a historic resource per § 240-1602.
11. Municipal use.
12. Timber harvesting per § 240-1802.G.
13. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any principal by-right use as permitted in this district shall be permitted by right on the same lot as the principal use and subject to applicable provisions for accessory uses of Article XIX. 14. The following specific accessory uses shall also be permitted by right when on the same lot with the associated principal use as permitted and subject to applicable provisions:
 - a. Sale of agricultural products, Secondary agricultural business, and Agritourism per § 240-1903.
 - b. No-impact home-based business per § 240-1915.
 - c. Home-based business per § 240-1915.
 - d. Keeping of animals as an accessory use per § 240-2020.
 - e. Bed-and-breakfast inn or home per § 240-1905.
 - f. Accessory dwelling unit per with § 240-1901.
 - g. Renewable energy system per § 240-1929.
 - h. Outdoor dining per § 240-1901.
 - i. Electric vehicle charging area per § 240-202 and 2003.
 - j. Temporary residential use per § 240-1905 as applicable.

B. Uses permitted by special exception when authorized by the Zoning Hearing Board:

1. Child or adult day-care center existing on its current lot and at the effective date of this Article.
 2. Public utility facility existing on its current lot and at the effective date of this Article.
 3. Club or lodge existing on its current lot and at the effective date of this Article.
 4. Hotel or motel per § 240-1916 existing on its current lot and at the effective date of this Article.
 5. Mixed-use per § 240-1922 existing on its current lot and at the effective date of this Article.
 6. Indoor Agricultural use per § 240-1903 existing on its current lot and at the effective date of this Article.
 7. Automotive and vehicular repair per § 240-1904 existing on its current lot and at the effective date of this Article.
 8. Automotive service station and/or convenience store per § 240-1904 existing on its current lot and at the effective date of this Article.
 9. The following specific accessory uses shall be permitted by special exception when on the same lot with the customarily associated principal special exception use as permitted, subject to the applicable provisions:
 - a. Family day-care home per § 240-1915.
 - b. Applicable accessory use to a permitted special exception principal use not provided under § 240-1001.A.
- C. Uses permitted by conditional use when authorized by the Board of Supervisors.
1. Automotive and vehicular sales existing on its current lot and at the effective date of this Article per § 240-1904.
 2. Public use existing on its current lot and at the effective date of this Article, excluding sanitary landfill, dump, junkyard, and penal institution.
 3. Business park per § 240-1906 existing on its current lot and at the effective date of this Article.
 4. Congregate care campus per § 240-1925 existing on its current lot and at the effective date of this Article.
 5. The following specific accessory uses shall in addition be permitted by conditional use when on the same lot with the customarily associated principal use as permitted and subject to the applicable provisions:
 - a. Helipad per § 240-1901.
 - b. Applicable accessory use to a permitted conditional use principal use not provided under § 240-1001.A.

SECTION 240-1002. AREA AND BULK REGULATIONS

The following area and bulk regulations shall apply to individual uses within this district, except as otherwise indicated for a specific use.

- A. Minimum lot size.
1. When served by individual on-lot sewer and/or water system: One (1) acre.

2. When served by community or public sewer and water system: Ten thousand (10,000) square feet.
- B. Minimum lot width.
1. Lots of less than one (1) acre.
 - a. At building line: Fifty (50) feet.
 - b. At street line: Fifty (50) feet.
 2. Lots of one (1) acre or more.
 - a. At building line: One-hundred (100) feet.
 - b. At street line: One-hundred (100) feet.
- C. Minimum front yard setback depth: Twenty (20) feet. Where parking is located within the minimum front yard, parking areas shall be separated from the public street right-of-way by a landscaped buffer area at least ten (10) feet in width and meeting requirements in Article XX for landscaping and buffering.
- D. Minimum side yard setback width.
1. Each individual side yard: Ten (10) feet, and Aggregate of both side yards: Twenty-five (25) feet.
 2. Each side yard when abutting residential district or lot: Forty (40) feet.
- E. Minimum rear yard setback depth.
1. Rear yard: Twenty (20) feet.
 2. When abutting residential district or lot: Fifty (50) feet.
- F. Maximum building coverage: Fifty percent (50%).
- G. Maximum lot coverage: Sixty-five percent (65%).
- H. Minimum green space: Ten percent (10%) except for open space design development and other uses where open space, recreation, or green space are required. Up to five percent (5%) of such green space may be used for green stormwater management.
- I. Maximum building height: Forty-five (45) feet, which shall not include mechanical equipment, air conditioners, elevator penthouses, chimneys, spires, cupolas, steeples and similar appurtenances and/or architectural features designed solely to conceal roof mounted mechanical equipment.
- J. Front yard setback depth for infill lots.
1. Where an infill lot (an unimproved lot of record) is sited between two (2) improved lots, the front yard shall be the average of the adjacent existing front yards.

2. Where an infill lot (an unimproved lot of record) is sited adjacent to one (1) improved lot, the front yard shall be the average of the adjacent existing front yard and the required front yard setback in Subsection C.

SECTION 240 -1003. TND INFILL

A. Purpose and Terminology.

1. The TND Infill is established to provide development and redevelopment options in the C Commercial district, the intention of which is to:
 - a. Promote compatible infill development and redevelopment, sustainable development principles, existing building reuse, and commercial and mixed-use investment in the Township.
 - b. Promote a compact, walkable, mixed-use, and interconnected community area as a transitional and interactive area with Kennett Square Borough and its higher densities, with the flexibility to accommodate greater density, mixed-uses, and evolving market demand and uses.
 - c. Implement the Township Comprehensive Plan.
 - d. Provide opportunities for Transfer of Development Rights in order to protect open space, agriculture, and rural areas of the Township
 - e. Comply with Act 247 Article VII-A, Traditional Neighborhood Development, and in particular, its purposes and objectives such as encouraging and allowing for innovation for mixed-use pedestrian-oriented walkable development; a more efficient use of land; denser housing opportunities; public space; as well as continuing to foster a sense of place and community.
 - f. Be used in concert with the General Manual of Written and Graphic Design Guidelines (also referred to as TND Infill Design Guidelines).
2. In addition to terms in Article II, the following terms shall apply:

ALTERNATIVE PARKING STRATEGIES AND APPROACHES: A plan and/or proposal to provide alternative parking strategies that meet the intent and function of the existing parking requirements, with a focus on alternative modes of transportation other than a single-user automobile. Examples include the provision of bicycle parking, car-share locations, electrical vehicle charging, shuttle buses and/or the provision of bus stops, valet services, etc. The requested reduction in parking requirements associated with the alternative parking strategy shall be based on regional examples and/or well-recognized sources of parking data.

CO-WORKING SPACE: A facilitated environment containing desks or other workspaces and facilities and is used by a recognized membership who share the site for uses similar to Business or Professional Office services (or their equivalent) in order to interact and collaborate with each other as part of a community. Rules for membership and participation in the co-working space are explicit, transparent and are available to by the public. Co-working spaces may host classes or networking events which are open either to the public or to current and prospective

members. Fabrication tools are limited to those which do not generate noise or pollutants in excess of what is customary within a typical office environment.

DESIGN REVIEW COMMITTEE (DRC): A committee appointed by the Township to oversee the detailed design and implementation of the architectural aspects of a TND, and to assess a TND proposal in comparison with the TND Infill Design Guidelines and provide advisory recommendations on the same to the Township.

DEVELOPMENT STRATEGY PLAN: A plan depicting features of and information about a TND proposal that is used to illustrate the concept for the TND development and to promulgate the form of a TND to meet the TND Infill Design Guidelines.

GENERAL MANUAL OF WRITTEN AND GRAPHIC DESIGN GUIDELINES or TND INFILL DESIGN GUIDELINES: A document in the Subdivision and Land Development Ordinance that provides written and graphic design standards for TNDs.

GROUND-FLOOR ACTIVATION: An attribute of any use located on the floor in a building where it meets the sidewalk, street, or public space that promotes an active pedestrian realm, experience, and relationship.

SPECIFIC MANUAL OF WRITTEN AND GRAPHIC DESIGN GUIDELINES: A document that provides written and graphic design standards for a particular TND proposal, prepared by the applicant to be consistent with the General Manual of Written and Graphic Design Guidelines (also referred to as the TND Infill Design Guidelines) of the Subdivision and Land Development Ordinance.

MIXED-USE BUILDING: A type of mixed-use building where the commercial use is on the ground-floor and dwellings are on the floors above.

OPEN-AIR MARKET: A type of temporary use that is an occasional, temporary, or periodic market held in an open area or temporary structure where groups of individuals or individual sellers offer goods for sale to the public and must comply with the Special Event Permit.

OVERALL TND DESIGN OBJECTIVES: The design elements, principles, and attributes of a specific TND that create the character of the place, as described in the Purposes herein.

PUBLIC SPACE: Common open land and area used as a green space, passive recreation, squares, plazas, courtyards, playgrounds, tot lots, parks, and landscaped and/or hardscaped civic spaces, but exclusive of buildings, streets, alleys, service lanes, parking, and paved service surfaces such as for trash areas or outdoor storage.

STREETSCAPE PLAN: A plan depicting all features proposed within a streetscape,

TND COMMON OPEN SPACE: Open space and public space of a TND, not including stormwater management areas, streets, alleys, service lanes, and parking areas.

B. Conditions for Eligibility.

1. Minimum tract size: Ten thousand (10,000) sq. ft.

2. Sewer and Water: Public sewer and public water shall be required.
 3. Overall TND Infill Design Objectives: TND Infill proposals shall be consistent with the Overall TND Design Objectives of the General Manual of Graphic Design Guidelines.
 4. TND Infill Design Guidelines: TND Infill proposals shall be consistent with the General Manual of Graphic Design Guidelines.
 5. Development strategy plan: TND Infill proposals shall be consistent with the General Manual of Written and Graphic Design Guidelines.
 6. Design Review Committee: TND Infill proposals shall be subject to review and recommendations of the Design Review Committee.
 7. TDR-Transferable Development Rights: TDRs per Article XXII shall be permitted, and Development Rights shall be acquired prior to the filing of any TND Infill plans.
- C. Use Regulations. A maximum of fifty percent (50%) of any proposal shall be single-family detached dwellings, two-family dwellings, and/or townhouse dwellings, and a maximum of seventy-five percent (75%) of any proposal shall be in other forms of multifamily dwellings.
1. Uses permitted by right for any one (1) or more of the following principal purposes, so long as applicable area and bulk requirements and other standards can be met for each principal use:
 - a. Retail use.
 - b. Live-work unit.
 - c. Eating or drinking establishment.
 - d. Bank or other financial institution.
 - e. Catering establishment.
 - f. Cottage brewing, distilling, or winemaking industry per § 240-1910.
 - g. Personal service establishment.
 - h. Co-working space.
 - i. Studio.
 - j. Business or professional office.
 - k. Indoor recreation per § 240-1927.
 - l. Museum, library, community center, or theater § 240-1912.
 - m. Hotel or motel per § 240-1916.
 - n. Veterinary hospital per § 240-1918.
 - o. Car wash per § 240-1904.
 - p. Funeral home and/or crematory per § 240-1913
 - q. Multifamily dwelling per § 240-1924.
 - r. Mixed-use per § 240-1922
 - s. Convenience store.
 - t. Transitional housing per § 240-1934.
 - u. Parking garage or lot per Article XX.
 - v. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any principal use permitted in the TND Infill shall be permitted by right on the same lot as the principal use and subject to applicable provisions for accessory uses of Article XIX.
 - w. The following specific accessory uses shall also be permitted by right when on the same lot with the associated principal use and subject to applicable provisions of Article XIX:

- 1) Uses permitted in § 240-1001.A.14 unless other specified
- 2) Parking garage and lot
- 3) Commercial warehousing or storage that constitutes less than forty percent (40%) of the gross leasable floor area
- 4) Keeping of hens per § 240-2020
- 5) Public art
- 6) Eating or drinking establishment mobile or temporary)
- 7) Drive-through service per § 240-1901
- 8) Public space
- 9) Open air market

2. Other uses, particularly creative uses, not otherwise listed in Subsection 1 shall provide proof by the applicant as to how the use meets the intents of TND Infill, and with review and recommendation by the Zoning Officer and Design Review Committee.

D. Ground Floor Activation: The following uses and accessory uses, if located on the ground floor of a building must activate the street, sidewalk, and/or public space and must be consistent with TND Infill Design Guidelines.

1. Personal Services
2. Business or Professional Office
3. Recreation
4. Museum, Library, Community Center, Art Center/Studio, or Theatre
5. Hotel/Motel
6. Dwellings
7. Parking
8. Other appropriate uses that meet the intent of ground floor activation per the Zoning Officer and Design Review Committee

E. Parking Requirements by use unless parking requirements in Article XX are better suited to the TND Infill and use(s). Multiple uses shall share parking to the greatest extent possible. Whenever shared parking is proposed, agreements for cross-access shall be provided in a form acceptable to the Township.

Principal Use	Parking
Nonresidential uses	Minimum 2, Maximum 5 spaces per 1,000 SF GLFA
Hotel/Motel	Minimum 1 parking space per room
Residential uses parking spaces per DU	Minimum 1, Maximum 1/bedroom
Mixed-uses	Total of all uses unless applicant can prove lesser parking is needed
Other Uses	Parking of closest permitted use

F. Area and Bulk Regulations.

1. Minimum lot size: One-thousand five hundred (1,500) square feet
2. Minimum lot width: Twenty-five (25) feet
3. Residential use maximum gross density: Twelve (12) units per acre, except as may be increased as up to twenty-four (24) units through the use of approved green building design, renewable energy, or TDRs.
4. Nonresidential use maximum gross density: four thousand (4,000) square feet per acre, except as may be increased up eight thousand (8,000) square feet through the use of approved green building design, renewable energy, or TDRs.
5. Mixed-use maximum gross density shall be the total of residential and nonresidential gross density.
6. Maximum building coverage: up to eighty-five percent (85%) upon condition of meeting Township stormwater management ordinance and any other applicable Township ordinance requirements.
7. Maximum Lot Coverage: up to ninety percent (90%) upon condition of meeting Township stormwater management ordinance and any other applicable Township ordinance requirements.
8. Minimum front yard setback depth shall be a built-to line: 0 Feet and must be consistent with General Manual of Design Guidelines the TND Infill.
9. Minimum side yard setback depth: Five (5) feet and must be consistent with General Manual of Design Guidelines for the TND Infill.
10. Minimum rear yard setback depth: Ten (10) feet and must be consistent with General Manual of Design Guidelines for the TND Infill.
11. Minimum Green Space and Public Space: Fifteen percent (15%)
 - a. Minimum green space: Ten percent (10%)
 - b. Minimum public space: Five percent (5%)
 - c. Up to ten percent (10%) credit of the total fifteen percent (15%) requirement may be permitted if trails, sidewalks, pedestrian amenities, and/or other features are provided and/or improved and shown to be consistent with the General Manual of Design Guidelines for the TND Infill.
 - d. Up to ten percent (10%) credit of the green space portion of the requirement may be permitted when using Transferable Development Rights to preserve the equivalent acreage in another appropriate part of the Township as deemed and approved by the Board of Supervisors and shown to be consistent with the General Manual of Design Guidelines for the TND Infill.
12. Building and ground floor height: For purposes of TND Infill, it shall be assumed that a building story is typically between ten (10) and twelve (12) feet in height inclusive of interior room height and space for building mechanicals such as HVAC ducts.
 - a. Residential use maximum building height: Thirty-five (35) feet, except as may be increased to up forty-five (45) feet through the use of approved green building design, renewable energy, or TDRs.
 - b. Nonresidential use maximum building height: Forty-five (45) feet, except as may be increased up to sixty (60) feet through the use of approved green building design, renewable energy, or TDRs.

- c. Mixed-use maximum building height: Forty-five (45) feet, except as may be increased up to sixty (60) feet through the use of approved green building design, renewable energy, or TDRs.
 - d. All building and uses minimum ground floor height (floor to floor): Twelve (12) feet, however where the proposed use directly or indirectly abuts an existing building(s), the average height of the existing building(s) existing floor to floor height shall be used instead.
 - e. Any use proposed for the increased maximum height a greater height must be consistent with General Manual of Design Guidelines for TDR Infill.
- G. Relationship to Other Ordinance Requirements. These TND regulations pertain to the zoning aspect of a proposed TND.
- 1. Relationship to other Zoning Ordinance Requirements. TND Infill requirements and the General Manual of Graphic and Written Design Guidelines for TND Infill shall apply and supersede in the case of conflict or overlap with other zoning regulations.
 - 2. Relationship to Subdivision and Land Development Ordinance (SLDO) Requirements. All SLDO requirements shall apply; however, in the case of a conflict or overlap, the General Manual of Graphic and Written Design Guidelines for TND Infill and zoning TND Infill requirements shall apply and supersede.
 - 3. Relationship to any other Township ordinances. All requirements in other Township ordinances, such as for stormwater management, erosion and sediment control, and impact studies shall apply; however, in the case of a conflict or overlap, the General Manual of Graphic and Written Design Guidelines for TND Infill and zoning TND Infill requirements shall apply and supersede.
- H. Application standards and procedures.
- 1. Procedures for the TND Infill.
 - a. The applicant is highly encouraged to meet with Zoning Officer and DRC prior to completing a zoning application form. In order to assist with discussion, applicant may bring concept information that illustrate the proposed TND Infill, which may entail general architectural style/aspects (e.g., building types, elevations, and materials); street activation strategies; types of uses; existing historic and natural resources; and building arrangement. Through this discussion, the overall outline of function and form can be articulated.
 - b. The Applicant shall submit a complete zoning permit for an TND Infill that includes:
 - 1) Specific Manual of Written and Graphic Design Guidelines to illustrate streetscape, public space, building arrangement, and architectural aspects of the TND Infill proposal and that demonstrates conformance to the General Manual of Written and Graphic Design Guidelines.
 - 2) A Development Strategy Plan shall depict development features of the TND, including all existing and proposed buildings, structures, streets, parking, sidewalks, trails, and public spaces. Such plan shall show an interconnected network of streets and alleys, pedestrian areas and walkability, proposed

mixed uses, ground floor activation, common TND open space, building renderings, and other elements to fulfill the purpose of the TND Infill. Such plan shall provide information regarding the form, scale, massing, and architectural features of the project.

- 3) A Streetscape Plan shall depict all features proposed within the streetscape, including: street trees; street lights; lighting; sidewalks; crosswalks; paving materials, speed tables; on-street parking; on-street parking counts; curb bulb-outs; pedestrian gathering areas (active or passive); bike lanes; bike racks; and any other feature associated with the design of the streetscape and all proposed streets, alleys, lanes, service drives, cartways, rights-of-ways, and other vehicle or pedestrian thoroughfares and their dimensions.
 - 4) A Public Realm Plan shall depict all features that are part of the public realm including: public space; recreation, open space, sidewalks; walkways; trails and trail connections; pathways; outdoor seating areas; pedestrian gathering areas, public art; and other related features and amenities.
 - 5) Additional supporting materials, maps, illustrations, etc., shall also be submitted as applicable.
- c. The Design Review Committee (DRC) shall informally review and comment on submissions (prior to formal review by the Planning Commission) in order to provide informal advisory comments to the applicant.
- d. An application may be denied on the basis of its failure to demonstrate consistency with the following:
- 1) Development that does not exhibit consistency with the Overall TND Design Objectives in the General Manual of Written and Graphic Design Guidelines of the Subdivision and Land Development Ordinance.
 - 2) Development that does not exhibit consistency with the Design Guidelines in the General Manual of Written and Graphic Design Standards
 - 3) Development that does not submit a completed application package as described in this Section.
 - 4) A lack of an integrated street and alley grid network, and/or a street pattern that is similar to the existing development pattern; however, the use of curvilinear streets is discouraged, and cul-de-sacs shall not be permitted.
 - 5) A lack of on-street parking.
 - 6) A lack of sidewalks and pedestrian facilities.
 - 7) Failing to provide at least 10% of housing units that are affordable-by-design where applications are proposing affordable-by-design.
- e. The Specific Manual of Written and Graphic Design Guidelines, a development strategy plan, landscape plan, and public realm plan shall be included with all preliminary and final plan submissions.
- I. Design Review Committee (DRC). DRC is a Township Committee intended to provide informal, advisory review of TND Infill submittals which shall consist of the following members:

- Planning Commission Members (members who are on a Planning Commission Subcommittee designated for this purpose)
 - Members of the Historical Commission
 - Township Zoning Officer and/or Building Code Official
 - Professional Planning Consultant
 - Professional Architect
- J. If any changes are made during preliminary or final plan review, the DRC must be consulted. Minor SLDO reviews and approvals can be reviewed and approved by the Zoning Officer.
- K. Zoning approvals shall follow Article XXV. If any changes are made in regard to zoning approvals, the DRC must be consulted.

SECTION 240-1004. DESIGN STANDARDS

The following design standards as applicable for permitted uses in this district shall include:

- A. Supplemental use standards, per Article XIX.
- B. General standards, including Outdoor Storage, Screening, Outdoor Lighting, Off-Street Parking, and Vehicular Access and Traffic Control, per Article XX.
- C. Sign Standards, per Article XXI.
- D. Natural Resources Standards, per Article XVIII.
- E. Historic Resources Standards, per Article XVI.
- F. The following development standards shall be applied to uses permitted in this district:
 1. New development and adaptive reuse to preserve historic resources shall be designed to complement the historic character in regard to building placement, style, bulk, construction materials, proportion, massing, and site design.
 2. The use of a grid street pattern, and/or a street pattern that is similar to the existing development pattern, is the preferred design of new roads. The use of curvilinear streets and cul-de-sacs is discouraged.
 3. A pedestrian orientation shall be encouraged and sidewalks or walking paths provided, where possible.
 4. Off-street parking shall be located to the side or rear of buildings.
 5. The removal of mature trees and site vegetation shall be minimized per Article XVIII.
 6. Every effort should be made to locate new structures with regard to existing site features, the development pattern of the area, and in such a manner as to minimize changes to the existing contours and original topography of the site.
 7. Mechanical systems, trash receptacles, and dumpsters shall be located in rear or side yards and shall be screened from view per Article XX.
 8. Outdoor display of merchandise for sale shall be permitted as per Article XX.
 9. Utility lines shall be underground unless otherwise approved by the Board of Supervisors.
 10. Manufacturing activities shall be carried on in completely enclosed buildings. Only related ancillary storage may be permitted outdoors per Article XX.
 11. Uses shall conform to the applicable regulations of the United States Environmental Protection Agency (EPA), Pennsylvania Department of Environmental Protection

(PADEP) and Chester County Health Department, including regulation of the treatment and disposal of industrial or sanitary wastes.

12. No use shall engage in the storage of nonhazardous waste material as defined by Pennsylvania Act 97 of 1980 (Solid Waste Management Act) on the lot for any period beyond fourteen (14) days.
 13. Existing and proposed streets shall meet specifications determined by the Township Engineer as adequate for this district in general and the proposed use in particular; such street specifications may exceed those set forth in the Subdivision and Land Development Ordinance.
 14. Evidence of adequate water supply and sewage system and service for proposed use(s) shall be provided to the Township.
 15. Vehicular access shall be designed to limit the number of new access points and potential for turning movement conflict per Article XX. Where practical, access to adjoining lots with frontage along arterial and collector streets and highways shall be combined so as to limit potential turning movement and pedestrian movement conflicts.
- II. All ordinances or parts thereof inconsistent with this Ordinance are hereby repealed to the extent of the inconsistency.
- III. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance, the Code of Ordinances of Kennett Township or the Kennett Township Zoning Ordinance.
- IV. This Ordinance shall become effective five (5) days following its legal enactment.

ENACTED and ORDANED this _____ day of _____, 2022.

ATTEST:

BOARD OF SUPERVISORS OF KENNETT TOWNSHIP

Eden R. Ratliff, Secretary

Richard L. Leff, Chairman

Scudder G. Stevens, Vice-Chairman

Geoffrey Gamble, Member