
HONEY BROOK TOWNSHIP
CHESTER COUNTY, PA

ORDINANCE #140 - 2008

AN ORDINANCE OF THE TOWNSHIP OF HONEY BROOK AMENDING THE HONEY BROOK TOWNSHIP ZONING ORDINANCE OF 2003, AS AMENDED, TO ADD THE ROCKLYN STATION TND OVERLAY DISTRICT AND REGULATIONS, INCORPORATE A MANUAL OF DESIGN GUIDELINES FOR USE WITH THE TND OVERLAY DISTRICT, AND AMEND VARIOUS PROVISIONS OF THE TOWNSHIP ZONING ORDINANCE REFERENCING THE TND OVERLAY DISTRICT.

SECTION 1.

A. Amend Section 27-202 to add the following definitions:

Civic Spaces – public areas of access within a development approved under the TND-Traditional Neighborhood Development Overlay District, including the following:

- A. *Park* - public natural preserve available for unstructured recreation.
- B. *Green* - public space designed for unstructured recreation and community gatherings which is spatially defined at least in part by landscaping and in part by buildings; it includes paths, lawns, and trees.
- C. *Square* - public space designed for unstructured recreation and community gatherings which is spatially defined by buildings and includes paths, lawns, and trees.
- D. *Playground* - public space set aside for organized recreation and play; it contains recreational furniture and equipment approved by the Township and/or playing fields.

Live-work Unit - A structure that consists of a principal retail or commercial (i.e., neither a home occupation nor a non-residential) use, where clients or customers are served, that is located in the front of the structure's first floor, or in its entire first floor. The remaining space is comprised of a single residential unit that is intended to be occupied by the retail or commercial business operator. Live-work units may be attached to each other.

Retail Store, Grocery - A retail use whose merchandise sales of consumable fresh foods, prepared foods, and dry food ingredients total 80% or more of the store's total gross annual sales.

Street furniture - The benches, waste cans, bicycle racks, public art, and other structures that help to make the street a public, more welcoming, and usable space.

Workforce Housing. Generally, housing that is affordable to working households that do not qualify for publicly subsidized housing, but that cannot afford appropriate market-rate housing in their community. Specifically, workforce housing that is affordable to working households with incomes between \$60,000 and \$70,000 in 2006/2007 dollars. The lower figure represents the income needed to purchase a median priced home in nearby Lancaster, PA, while the higher figure is 120 percent of the area median income for residents of Honey Brook Township.

B. Amend the following definition contained in Section 27-202:

Retail Store – a use in which merchandise is sold or rented to the general public, but not including the following: adult movie theater; adult bookstore; manufacturing; tavern; car wash; auto/truck fuel sales; auto/truck/boat or other motor vehicle sales, service, or repair; convenience store; or any restaurant. The term includes retail uses whose merchandise sales of consumable fresh foods, prepared foods, and dry food ingredients total less than 20% of the store's total gross annual sales.

C. Revise the definition of "Lot area" contained in Section 27-202 to read as follows:

Lot area, net - the gross area of the lot, but excluding all of the following conditions or features:

A. Any area within an easement established for gas, oil, natural gas, electric, or communications transmission facilities, whether below or above ground, that do not exclusively serve the lot traversed.

B. Any area within an easement or right-of-way established for a driveway that does not serve the lot traversed.

C. Any area within an easement established for water supply or wastewater facilities that do not serve the lot.

D. Any area comprising a stormwater management basin and above ground stormwater conveyances, a lake, or a pond, but not including on-lot berms.

E. Any area overlaid by the Steep Slope Conservation District as regulated by §27-1303.

F. Any area overlaid by the Flood Hazard District as regulated by §27-1302.

G. Any area overlaid by the Riparian Corridor Conservation District, as regulated by §27-1304.

H. Any area designated as wetland, except where such area already is excluded under subsection .F above.

I. Any accessway or right-of-way connecting a flag lot to a street, except where the access strip is of sufficient size to comply with the area and bulk requirements for a separate lot in the applicable zoning district.

In addition, the lot area shall be contiguous and shall not be divided completely by any of the above-cited features, with the exception of easements described in subsections .A and .D that are for underground facilities.

SECTION 2. Amend Section 27-301.2 to state as follows:

2. Further, areas contained within the following zoning overlay districts:

FH – Flood Hazard District;

SSC – Steep Slope Conservation District;

RCC – Riparian Corridor Conservation District;

WHP – Wellhead Protection District;

TND – Traditional Neighborhood Development District;

are, in addition to the otherwise applicable provisions of this Chapter, subject to the terms of §27-1302, "FH – Flood Hazard District"; §27-1303, "SSC – Steep Slope Conservation District"; §27-1304, "RCC – Riparian Corridor Conservation District"; §27-1305, "WHP – Wellhead Protection District"; and Part 24, "TND – Traditional Neighborhood Development," respectively.

SECTION 3. Amend Section 27-703.3 as follows:

A. Amend subsection 703.3.A to add new subsection (8) which shall state:

(8) Maximum permitted density: 0.9 x net lot area

B. Amend subsection 703.3.B to add new subsection (8) which shall state:

(8) Maximum permitted density: 1.25 x net lot area

SECTION 4. Amend Section 27-703.4 as follows:

A. Amend subsection 703.4.A to add new subsection (8) which shall state:

(8) Maximum permitted density: 1.4 x net lot area

B. Amend subsection 703.4.B to add new subsection (8) which shall state:

(8) Maximum permitted density: 1.9 x net lot area

SECTION 5. Amend Section 27-703.5.B to state as follows:

B. Maximum density:

(1) Without the use of transferable development rights: two dwelling units per acre of net lot area.

(2) With the use of transferable development rights: four dwelling units per acre of net lot area.

SECTION 6. Amend Section 27-703.6.B to state as follows:

B. Maximum density:

(1) Without the use of transferable development rights: three dwelling units per acre of net lot area.

(2) With the use of transferable development rights: five dwelling units per acre of net lot area.

SECTION 7. Amend Section 27-803.2.A to add new subsection (8) which will state as follows:

(8) Maximum permitted density: 1.5 x net lot area.

SECTION 8. Amend Section 27-803.2.B to add new subsection (8) which will state as follows:

(8) Maximum permitted density: 2.25 x net lot area.

SECTION 9. Amend Section 27-803.2.C to add new subsection (8) which will state as follows:

(8) Maximum permitted density: 2.0 x net lot area.

SECTION 10. Amend Section 27-803.2.D to add new subsection (8) which will state as follows:

(8) Maximum permitted density: 3.0 x net lot area.

SECTION 11. Amend Section 27-803.2.E(2) to state as follows:

(2) Maximum density:

(a) Without the use of transferable development rights: 2.5 dwelling units per acre of net lot area.

(b) With the use of transferable development rights: 4.5 dwelling units per acre of net lot area.

SECTION 12. Amend Section 27-803.2.F(2) to state as follows:

(2) Maximum density:

(a) Without the use of transferable development rights: 3.5 dwelling units per acre of net lot area.

(b) With the use of transferable development rights: six dwelling units per acre of net lot area.

SECTION 13. Amend Section 27-903.2.F to state as follows:

F. Maximum impervious surface:

(1) Without the use of transferable development rights: 40% of the lot area.

(2) With the use of transferable development rights: 60% of the lot area.

SECTION 14. Amend Section 27-1002.1 by deleting subsection 1002.1.R. Renumber the remainder of the section in order.

SECTION 15. Amend Section 27-1002.3 as follows:

A. Delete subsection 1002.3.E. Renumber subsections 1002.3.F through .H as subsections 1002.3.E through .G.

B. Add new subsection 1002.3.H as follows:

H. Treatment Center, when in accordance with the standards in §27-1604.S.

SECTION 16. Amend Section 27-1104.2.B. and 27-1104.2.C to state as follows:

B. In the FR – Farm Residential District:

(1) Without the use of transferable development rights: by 1.0.

(2) With the use of transferable development rights: by 1.5.

C. In the R – Residential District:

(1) Single-family detached dwellings:

(a) Without the use of transferable development rights: by 1.25.

(b) With the use of transferable development rights: by 2.0.

(2) Two-family dwellings:

(a) Without the use of transferable development rights: by 1.75.

(b) With the use of transferable development rights: by 3.0.

SECTION 17. Amend Section 27-1204.A to add new subsection 1204.A(6) as follows:

(6) TND – Traditional Neighborhood Development Overlay District.

SECTION 18. Amend Section 27-1204.B(2) as follows:

A. Revise subsection (a), opening paragraph, to state as follows:

(a) Each development right proposed for residential use on a receiving area tract, under the terms of this Chapter, shall be equivalent to the following number of dwelling units and shall entitle the developer to that number of additional dwellings on the site, except for uses proposed pursuant to Part 24 of this Chapter which are found in subsection (b) below:

B. Add new subsection (b) which shall state as follows:

(b) Each development right proposed for residential use on a receiving area tract pursuant to Part 24 of this Chapter shall be equivalent to the following number of dwelling units and shall entitle the developer to that number of additional dwellings on the site:

1) 1.2 single-family detached dwelling units per development right, or 2.4 single-family detached dwelling units per development right where the dwelling units meet workforce housing criteria.

2) 1.4 two-family dwellings units per development right, or 2.8 two-family detached dwelling units per development right where the dwelling units meet workforce housing criteria.

3) 1.6 townhouse or quadraplex dwelling units per development right, or 3.2 townhouse or quadraplex dwelling units per development right where the dwelling units meet workforce housing criteria.

4) 2.0 apartment or condominium dwelling units per development right, or 4.0 apartment or condominium dwelling units per development right where the dwelling units meet workforce housing criteria.

C. Renumber current subsections (b) and (c) as subsections (c) and (d), respectively.

SECTION 19. Amend Section 27-1302 as follows:

A. Add new subsection 1302.6 which shall state as follows:

6. *Uses Permitted by Conditional Use.* Land development and uses proposed pursuant to Part 24 of this Chapter may encroach within the hydric soils of the FH – Flood Hazard District with conditional use approval, only when clear evidence is provided: that applicable standards including, but not limited to, stormwater management, impact mitigation, and/or erosion control, are achieved; and that no practicable alternative exists to development land, or to create or modify uses, consistent with the provisions of said Part 24, especially the *Rocklyn Station Strategic Development Plan*, which may be revised by the Board of Supervisors in accordance with the Pennsylvania Municipalities Planning Code.

B. Renumber current subsections 1302.6 through .10 as new subsections 1302.7 through .11.

C. Revise the title of new subsection 1302.11 to state as follows:

11. *Standards for Review of Conditional Use, Special Exception, or Variance Applications.*

SECTION 20. Amend Section 27-1502.3.B to state as follows:

B. No area within an attached or detached garage accessory to an individual dwelling unit shall be included in calculating the area needed to meet the minimum off-street parking requirements of this Chapter, except for uses proposed pursuant to Part 24 where the garage may be used to calculate compliance with the parking requirements established in this Part.

SECTION 21. Amend Section 27-1503.1, .2 and .4 to state as follows:

1. All parking spaces shall be on the same lot or tract as the principal building which they serve, although parking shared between compatible uses permitted in Part 24 is both allowed and encouraged, pursuant to the provisions of this Part.

2. No parking or paved area, except for permitted driveways, accessways, or on-street parking required pursuant to Part 24, shall directly abut a street. Each such area shall be separated from the street by a curb, planting strip, wall, or other suitable barrier against vehicles.

4. Parking areas may occupy no more than 50 percent of any front yard, and shall not occupy any part of the front yard for uses allowed pursuant to Part 24 of this Chapter except where such uses are clearly consistent with the *Rocklyn Station Strategic Development Plan*, which may be revised by the Board of Supervisors in accordance with the Pennsylvania Municipalities Planning Code.

SECTION 22. Amend Section 27-1507 as follows:

A. Add new subsection .H which shall state as follows:

H. *Parking Requirements for Part 24, TND – Traditional Neighborhood Development Overlay District.* The following shall be the minimum number of parking spaces required for each land use proposed pursuant to Part 24 of this Chapter. The Township reserves the right to establish parking requirements for uses not specified below. In order to reduce heat generation and stormwater runoff from paved surfaces, all uses proposed pursuant to Part 24 of this Chapter shall adhere to the standards in the remainder of this paragraph, to the extent practicable.

Specifically, all uses shall share twenty (20)% of their parking with other compatible uses proposed by the same applicant. If potential shared parking areas already exist, approval of that owner, including the Township for on-street parking, must be obtained. Applicants are also encouraged to consider the use of pervious parking to meet principal parking needs. The Township will also consider a reduction in the parking requirements established herein if it shown that the provided parking will meet the day-to-day needs of the proposed uses, and that peak parking needs (e.g., holiday periods) can be met with a pervious set-aside area (e.g., grass pavers).

All parking requirements established by this section shall be met using a combination of on-street and off-street parking, where off-street parking is located to the rear of buildings or if necessary, to the side.

(1) *Residential*. Two spaces per dwelling unit, except that 1.5 spaces per dwelling unit shall be provided where dwelling units are included in live-work units or in buildings whose principal use is non-residential.

(2) *Municipal, government, and other gathering places (e.g., theater, church)*. One space for every four seats.

(3) *Office*. Three spaces per 1,000 square feet of gross leasable area.

(4) *Retail uses and financial institutions*. Four spaces per 1,000 square feet of gross leasable area.

(5) *Restaurants, taverns, or industrial uses*. Refer to requisite sections of the Parking Schedule, listed above.

SECTION 23. Amend Section 27-1604.Q to state as follows:

Q. Section reserved for future use.

SECTION 24. Add new Part 24, TND – Traditional Neighborhood Development Overlay District, as follows:

Part 24

TND – Traditional Neighborhood Development Overlay District

§27-2401. Intended Purposes

The purposes of the TND (Traditional Neighborhood Development) Overlay District are:

A. To create incentives for a traditional development pattern in the Rocklyn Station area of Honey Brook Township by facilitating new development in a village-like setting that utilizes development rights transferred from the Township's agricultural and other natural resource protection areas;

B. To provide for a mix of residential, retail, office, and service establishments, and places of community assembly and recreation, in proximity to each other, the scale of which facilitates and promotes non-motorized travel within Rocklyn Station;

C. To establish standards for a unified, coordinated, and organized arrangement of buildings, streets, sidewalks, trails, alleys, service and parking areas, and civic spaces to facilitate safe and convenient access for pedestrians, bicyclists, and automobiles;

D. To establish standards for a unified and historically compatible arrangement of streetscape and landscape improvements, including lighting, signage, street trees, and pedestrian amenities;

E. To provide opportunities for development at the scales, form, uses, and intensities that are consistent with the objectives for designated growth set forth in: Article VIIA of the Pennsylvania Municipalities Planning Code (Act of 1968, PL 805, #247); *Landscapes*, the Chester County Comprehensive Plan; *Comprehensive Plan Update, 2000-2020, Honey Brook Township*; and, the applicable plans cited in §27-2403; and/or,

F. To create incentives for pedestrian-oriented uses that protect the public health, safety, and welfare consistent with the regulating plans for Rocklyn Station as cited in §§27-2403.D and 27-

2403.E, including, but not limited to, the *Rocklyn Station Strategic Development Plan* (Figure 2) which may be revised by the Board of Supervisors in accordance with the Pennsylvania Municipalities Planning Code, and to create disincentives for auto-oriented strip development; and/or,

G. To reduce automobile dependency and greenhouse gas emissions, while promoting development that is environmentally, economically, and socially sustainable over the long term; these development patterns are also intended to promote environmentally sound and energy efficient buildings and neighborhoods.

§27-2402. Applicability

A. The opportunity to develop in accordance with the provisions of this TND Overlay District shall be deemed an overlay on any tract within the boundaries of the TND Overlay District, offering additional choices beyond those of the applicable underlying zoning district(s). To utilize this overlay opportunity, development plans must comply with the standards and criteria of this Part. The TND Overlay District shall have no effect on the permitted uses available through the underlying zoning districts. To the extent that the regulations and requirements within this Part differ from other provisions of the Honey Brook Township Zoning Ordinance of 2003, as amended, the regulations and requirements of this Part shall govern.

B. Mixed development based part on applicable underlying zoning provisions and part on the provisions of this TND Overlay District shall be permitted. The Township may approve the modification of otherwise applicable standards for that portion of the development undertaken in accordance with the underlying zoning district, where such modifications serve to integrate such development into an overall plan consistent with the objectives of the TND Overlay District.

C. The TND Overlay District comprises the following three Sub-districts: TND-MU – Traditional Neighborhood Development-Mixed Use; TND-MR – Traditional Neighborhood Development-Mixed Residential; and, TND-R – Traditional Neighborhood Development-Residential. The boundaries of these sub-districts are identified on the Honey Brook Township Zoning Map. All uses proposed within the three Sub-districts of the TND Overlay District shall comply with all applicable provisions of this Part, and all other applicable ordinances and regulations.

§27-2403. Qualifying Conditions

A. All uses in the TND Overlay District shall be served by public water and sewer services in adequate capacity for the intended use(s).

B. All land development and any uses proposed pursuant to the TND Overlay District shall document that transferable development rights (TDRs) were purchased, pursuant to Part 12 of this Chapter, at the ratio of lot area in acres, as given in subpart C., below, multiplied by 0.25 (net tract area x 0.25). This requirement applies even if TDRs are not utilized according to any other provision of this Part. If TDRs are purchased in accordance with this Section, said TDRs shall be applied toward the TDRs required for additional density, impervious coverage, or building height as allowed elsewhere in this Part, or said TDRs shall be retired.

Specifically, and pursuant to §27-2412, apartment building height can be increased to 45 feet with receipt of TDRs; apartment building impervious surface can be increased to 60% with receipt of

TDRs; nonresidential building height can be increased to 45 feet with receipt of TDRs; and, the impervious cover of nonresidential buildings can be increased to 60% with receipt of TDRs.

C. *Calculation of Density.* The allowed density for a potential development site utilizing this Overlay is identified in §27-2412. This density shall be based on the calculation of lot area as given below:

1. Start with the gross lot area of the development tract, after deleting existing rights-of-way for existing streets.
2. Delete land area within lots of non-residential principal uses.
3. Delete 50 percent of the area of lands within delineated wetlands, as defined and regulated in §27-1304.
4. Delete 50 percent of the area of lands within the FH – Flood Hazard District, as regulated in §27-1302.
5. Delete 50 percent of the area of lands within the SSC – Steep Slope Conservation District, as regulated in §27-1303.
6. Where a tract contains land with more than one of the above features, such area shall be excluded once in the calculation.

The resulting acreage will be used in the calculation of density as identified in §27-2412.

D. Any land development or uses proposed pursuant to the TND Overlay District that consolidates at least two (2) existing lots that are less than two (2) acres each in size as of the time of adoption of this section, and that can not be developed or used in accordance with the provisions of this Part, is not subject to the minimum TDR purchase requirements in §27-2403.B above.

E. All uses proposed within the TND Overlay District shall be consistent with the applicable sections and recommendations of the *Comprehensive Plan Update, 2000-2020, Honey Brook Township*.

F. All land development and any uses proposed within the area covered by the *Rocklyn Station Strategic Development Plan* shall be substantially consistent with said *Plan* with respect to building location, form, and use, as well as with respect to streetscape design and use.

G. Any application for subdivision or land development in accordance with this Part shall be accompanied by submission of architectural drawings and/or plans of sufficient detail to illustrate the character of the intended exterior design of all structures, including:

1. massing, scale, proportion, roofline, relationship among façade elements;
2. relationship to the streetscape; and,
3. demonstration that the submitted architectural designs are consistent with, and promote, the requirements of this Part.

In approving any subdivision or land development plans, the Township may specifically approve conformance to submitted architectural plans.

H. All development and any uses within the TND Overlay District shall be consistent with, and where applicable, set aside appropriate lands for, any public improvements planned and reserved in accordance with the Honey Brook Township Official Map, which may be revised by the Board of Supervisors in accordance with the Pennsylvania Municipalities Planning Code. Such improvements may include but shall not be limited to new streets, sewer and water lines, civic spaces, and potential park or school sites.

I. The Township may require, as a condition of subdivision or land development approval, where applicable, appropriate means to guarantee adherence to approved plans and/or architectural drawings, if such guarantee is an essential means by which the proposed development will comply with the purposes and standards set forth for the TND Overlay District. The Township may further require that prior to the issuance of any building permit, the Township shall certify that submitted plans conform to any previously approved and applicable architectural plans, as well as to the *Rocklyn Station Strategic Development Plan*.

J. All land development with a residential component proposed pursuant to this Part shall be required to provide twenty (20) percent of the dwelling units as workforce housing, to be administered consistent with current Township policies and programs in this regard and subject to documentation satisfactory to the Township which will be recorded at the time of final plan approval. Part 12 of this Chapter establishes the TDR bonuses available to meet this requirement. Exempt from the workforce housing requirement are live-work units or residential units that meet the criteria specified in §§27-2405.C and 27-2405.D.

§27-2404. Use Standards

A. The following uses are allowed by-right in all three Sub-districts (i.e., MU, TND-MR, TND-R) of the TND Overlay District and only when the requirements of §§27-2402 and 27-2403 are met:

1. Single-family detached dwellings.
2. Two-family dwellings.
3. Home occupation, when in accordance with §§27-1602.O and 27-1603.D.
4. Elder cottage housing opportunity, when in accordance with the standards in §27-1603.C.
5. Accessory buildings and uses customarily incidental to any permitted use, when in accordance with the standards in §27-1602.C and all other applicable provisions of this Part.
6. Municipal use.
7. Personal care home.

B. The following uses are allowed by-right only in the TND-MR and MU Sub-districts of the TND Overlay District and only when the requirements of §§27-2402 and 27-2403 are met:

1. Multiple-family dwelling.

2. Continuing care development when in accordance with the standards in §27-1604.J, except that where developed under this TND Overlay District, the basis for establishment of density shall be as provided herein in lieu of that provided in the base zoning district.

3. Live-work units.

C. The following uses are allowed by-right only in the MU Sub-district of the TND Overlay District and only when the requirements of §§27-2402 and 27-2403 are met; similar uses may be approved by the Township:

Non-residential uses

1. Bank or similar financial institution.
2. Business or professional office.
3. Contractor's shop.
4. Convenience store.
5. Craftsman or artisan shop.
6. Personal service enterprise.
7. Repair shop.
8. Retail sales.
9. Bed-and-breakfast establishment.
10. Club or lodge.
11. Day care facility for children or adults.
12. Dry cleaner, laundry, laundromat.
13. Funeral home.
14. Home improvement or building supply showroom and/or sales.
15. Hotel, motel, inn.
16. Medical, dental, or veterinary office or clinic.
17. Recreation facility, including health club.
18. Restaurant, excluding those with drive-through service.
19. Tavern.

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20. Emergency services station.
 21. Municipal use.
 22. Bus station, when in accordance with the standards in §27-1604.D.
 23. Church and related uses, when in accordance with the standards in §27-1604.G.
 24. Public, private, or trade school, when in accordance with the standards in §27-1604.O.
 25. Communications antenna attached to or mounted on a structure, when in accordance with the standards in §27-1603.B.
 26. Park and ride commuter lot.

Residential uses

27. Dwelling unit or units which meet the requirements of Section §27-2405 below and those set forth in Section §27-2412.

§27-2405. Dimensional Standards

A. All new development and redevelopment shall adhere to: the narrative standards in this Part, as applicable; the applicable dimensions of blocks, streets, and buildings, including densities, setbacks, heights, etc. in §27-2412; and to the Exhibit A: Rocklyn Station Manual of Design Guidelines. Exhibit A is incorporated herein by reference and made a part thereof.

B. Building size and location is prescribed by the following standards:

1. Retail Stores, other permitted non-residential uses, residential uses, and mixes thereof, shall be located as shown on the *Rocklyn Station Strategic Development Plan*.

2. Unless the use is a Retail Store, Grocery, the building footprint of any retail store or other permitted non-residential uses shall be no greater than 15,000 square feet. At its discretion, the Township may permit a retail store or other allowed commercial use to have a building footprint of up to 25,000 square feet if it is shown that the use is consistent with the *Rocklyn Station Strategic Development Plan*. The footprint of a Retail Store, Grocery may exceed the footprint limitations set forth above where its location is as shown on the *Rocklyn Station Strategic Development Plan* and all applicable standards in this Part are adhered to.

3. The location, type, and density of buildings on solely residential streets, as shown on the *Rocklyn Station Strategic Development Plan*, may be varied as long as all applicable standards in this part are adhered to.

C. Density of any land development shall be based on dwelling unit type and the extent to which TDRs are utilized as set forth herein and in accordance with Part 12 of this Chapter. Where more than one type of dwelling unit is provided, density shall be calculated proportionately and such that sufficient area is allocated to each dwelling unit type to meet all applicable requirements herein and in §27-2412.

D. In the TND-MU Sub-district, live-work units (as defined in §27-202) are allowed by the provisions of this Part and are encouraged. The dwelling unit portion of the live-work unit shall have a minimum area of 650 square feet. In all cases, the live-work unit shall meet the applicable requirements of §27-2412.

E. In the TND-MU Sub-district, buildings containing principal non-residential uses may also contain two or more residential dwelling units which shall adhere to the following:

1. The ground floor, or at a minimum the front portion thereof, shall be used for the principal non-residential use and the dwelling units shall be arranged to form an integral part of the remainder of the building.
2. Any dwelling unit shall have a floor area of not less than sixty hundred fifty (650) square feet.
3. Entrance to any dwelling unit may be shared with another unit or units, but shall be independent of the non-residential use or uses.
4. The parking required for each dwelling unit shall be provided in accordance with §27-1507.H.
5. Where the dwelling units are to be created above the ground floor, requisite approvals of interior layout, emergency exits, etc. shall be obtained from the Pennsylvania Department of Labor and Industry, and a copy provided to the local fire company upon receipt of such approval.

F. Other residential development in the TND-MU Sub-district, exclusive of live-work unit(s) and dwelling units constructed subject to §27-2405.E. above, shall conform to the Building Dimension standards for the TND-MR Sub-district as established in §27-2412.

G. On any tract greater than twenty (20) acres in area existing at the time of adoption of this Part, no more than seventy (70) percent of the net tract area may be used to comply with the Building Dimension standards for residential development. The remaining thirty (30) percent shall be used or set aside for permitted non-residential purposes, but may include live-work units and dwelling units constructed subject to §§27-2405.C and 27-2405.D above.

H. All proposed uses shall achieve the "Certified" standard for, as applicable, New Construction and Major Renovation; Schools; Retail; or, Homes under the US Green Building Council's Leadership in Energy and Environmental Design (LEED) program. Refer to: <http://www.greencommunitiesonline.org/> for additional information regarding the application of LEED standards to workforce housing.

§27-2406. Design Standards

A. All land development and proposed uses shall adhere to the narrative standards in this Part and to Exhibit A: Rocklyn Station Manual of Design Guidelines, as applicable. All proposed land development and uses shall substantially conform to the *Rocklyn Station Strategic Development Plan* where detail is shown regarding: building and/or dwelling unit, location, form, and use(s); street location and layout; and, building and/or dwelling unit relationship to said streets.

B. Streets within the Sub-districts of the TND Overlay District shall be laid out in accordance with the Honey Brook Township Official Map following the street patterns shown on the *Rocklyn Station Strategic Development Plan*. In all cases, streets shall follow a net-like pattern of street blocks and interconnecting streets and alleys (block length is specified in §27-2412), pedestrian ways, and sidewalks, facilitating both vehicular and pedestrian circulation. The circulation system shall be spatially defined by buildings, street furniture, and landscaping as specified elsewhere in this Part. Overall, vehicular access shall be designed to limit the number of new access points to public streets, to limit potential for turning movement conflict, and to adhere to applicable traffic calming standards (i.e., *Traffic Calming Handbook*, Pennsylvania Department of Transportation). Where practicable, access to adjoining parcels shall be combined so as to limit potential turning movement and pedestrian movement conflicts.

C. Transitions between different land uses within the TND Overlay District shall be established so as to avoid distinct visual differences, such as in the scale of buildings. Similar land-use types within a Sub-district shall front one another, while dissimilar land-use types in differing Sub-districts shall abut along rear yards, alleys, or rear parking areas. Side and rear yards for new or infill dwelling units, where abutting an existing residential uses, shall be no less than the applicable minimum setback set forth in the underlying zoning.

D. All utilities shall be designed in accordance with §22-624.

E. Civic spaces shall be provided as required by this Part and specifically, by §27-2412. Civic spaces may be offered for dedication to the Township, which offer the Township shall not be obligated to accept.

F. As established in §27-2412, the right-of-way (ROW) line for any new streets detailed on the *Rocklyn Station Strategic Development Plan* shall be modified consistent with approved plans such that the legal ROW line is at the edge of the sidewalk or building façade.

G. *Pedestrian and Vehicular Access.* Sidewalks, pathways, and non-motorized multi-use trails shall be provided throughout TND Overlay District, creating a completely linked network connecting all uses and open space areas. Specifically:

1. Pedestrian access within the TND Overlay District shall be designed to provide convenient, safe, and direct access between the various uses within the District and other nearby concentrations of development.

2. Sidewalks shall generally be provided across the frontage of each lot as determined by the Township.

3. Sidewalks on streets which are fronted by predominately commercial uses shall not be required to be separated from street curbs by a vegetative planting strip. Rather, trees in tree islands, located consistent with §27-2406.G.1 herein, and tree furniture shall provide separation between pedestrians and cars at appropriate intervals along said streets.

4. Sidewalks on streets which are fronted by predominately residential uses shall be separated from street curbs by a planting strip no less than five (5) feet wide, planted with native grasses or other herbaceous plant materials.

5. Where provided, sidewalks shall be constructed of concrete. Sidewalks shall be no less than five (5) to six (6) feet in width and may, at the discretion of the Township, be required to be eight (8) to ten (10) feet in width along the frontage of commercial or mixed-use properties or where streetscape amenities such as benches, trash receptacles, bicycle racks or similar amenities are provided pursuant to the following section.

6. Design and location of sidewalks may be adjusted as necessary to permit conservation of significant existing vegetation, historic structures, or other significant landscape features.

7. The *Rocklyn Station Strategic Development Plan* shows the location of desired pedestrian connections that are in addition to sidewalks and are required for any development or redevelopment within the TND Overlay District. Any drawings or plans created and submitted consistent with §27-2403.F shall recommend potential trail connections, whose final locations and construction materials will be subject to the approval of the Township.

8. Parking areas within the TND Overlay District shall be designed and landscaped so as to appear broken in mass, in proportion to the scale of structural development. Compliance with the Americans with Disabilities Act, coordination of access to parking areas, provision of non-paved overflow parking areas, and shared parking among adjacent uses all shall be required. Refer to Part 15 of this Chapter for applicable parking standards. Parking shall not be provided in the front yard except where it is clearly consistent with the *Rocklyn Station Strategic Development Plan*. All off-street parking shall be located at the rear of the lot, or if necessary, to the side of the lot, accessed by private alleys or driveways, and shall be screened from view from any public street, non-motorized accessway, or neighboring residence. On-street parking shall be required, consistent with the *Rocklyn Station Strategic Development Plan*, and shall be included in the calculation of available parking.

9. To the extent that parking areas are visible from public streets, visual impacts shall be mitigated through introduction of landscape screening, landscape walls, use of pedestrian paving materials, or other design means. On- and off-street parking areas shall utilize pervious paving materials, bioswales, islands landscaped with native plant materials, etc. to the greatest extent practicable in order to maximize the potential for groundwater infiltration, consistent with Chapter 20 of the Township Code.

10. Streets shall be designed to calm traffic speeds and promote pedestrian movement.

11. Alleys shall be provided to move vehicular access to the rear of the principal structures and thereby improve the appearance of the streetscape, and shall be at least sixteen (16) feet in width if designed for two-way travel, with a maximum of eighteen (18) feet in width, and twelve (12) feet in width if designed for one-way travel. Private driveways accessing four (4) or fewer dwelling units and not dedicated for public use may be nine (9) feet in width.

H. *Landscape and Streetscape Design*. All lands not utilized to provide for permitted impervious cover shall be left in their natural state or landscaped with appropriate native vegetation or other suitable landscape material. In addition:

1. Street trees shall be provided in accordance with §22-629, and shall be planted within the street right-of-way as directed by the Township.

2. Streetscape and pedestrian amenities shall be provided as in coordination with adjacent properties. In addition, the following specific requirements apply to the MU Sub-district: at least one public trash receptacle in each block; public benches of approved design at intervals of no greater than one hundred (100) feet on each block; and, at least one bike rack on each block. The Township reserves the right to require the provision of container(s) for the recycling of accepted materials. Sidewalks shall be eight (8) to ten (10) feet wide in the vicinity of provided amenities.

3. The Township may require the above-referenced, or similar, streetscape and pedestrian amenities as appropriate in the TND-MR and TND-R Sub-districts (e.g., adjacent to or within a required civic space).

I. *Architectural Design.* To the extent practicable, all new construction and/or additions to existing structures within the TND Overlay District shall be designed with either a traditional architectural character or may be a contemporary expression of traditional styles and forms, respecting the scale, proportion, roof pitch, character, and materials of historic examples in and near the Rocklyn Station area, in accordance with the following standards:

1. Where any individual building façade is visible from any public right-of-way or civic space (including internal civic spaces within a development) and exceeds forty (40) feet in length, there shall be both a clear dimensional differentiation of roofline, and an offset in façade of at least ten (10) feet to create effective façades that are no longer than forty (40) feet. Street trees with tree wells, or other streetscape and pedestrian amenities pursuant to §27-2406.H.2, shall be used to balance façade offsets. The Township may allow a building with a façade longer than forty (40) feet if the proposed design emulates characteristic historical building forms such as barns, stables, churches, meeting houses, or other public buildings. Building arrangements which rely on repeated use of the same long façade element shall not be approved. Where an individual building façade exceeds forty (40) feet in length, the building design or use layout shall limit the length of the streetscape frontage occupied by any one use to the greatest extent practicable by providing for inviting, interior accessory or independent business uses within the streetscape-fronting portion of the building (e.g. the café and/or floral operations within a grocery store, or a small, independent service or retail use). In all cases, blank walls, facades, and windows shall be kept to a minimum.

2. Where the *Rocklyn Station Strategic Development Plan* calls for attached buildings whose façades total more than forty (40) feet, these buildings shall be designed with a clear differentiation in façade treatment but on the same plane (i.e., without offset(s)).

3. No more than twenty (20) percent of the building coverage (ground floor footprint) of all buildings containing principal non-residential uses shall have only one (1) floor of habitable floor area, excluding basements and attics. All other buildings shall have a minimum of two (2) stories of space usable for specified residential or non-residential uses.

J. All proposed uses with the TND Overlay District shall adhere to the provisions of Chapter 22 of the Township Code.

§27-2407. Modifications

Where clearly consistent with the *Rocklyn Station Strategic Development Plan* and any other provision of this Part, the Township may, with a positive recommendation from its Planning Commission, permit the modification of the standards set in §27-2412. Applicable standards (e.g., lot

area, width, setbacks, etc.) may be modified up to a maximum variance of twenty five (25) percent from either minimum requirements or maximum allowances, where practicable. No modifications to maximum permissible density nor required civic spaces shall be permitted.

§27-2408. Off-Street Parking and Loading

Refer to the relevant requirements in Part 15 of this Chapter.

§27-2409. Signs

Refer to the relevant requirements in Part 14 of this Chapter.

§27-2410. General Regulations

Refer to the relevant requirements in Part 17 of this Chapter.

§27-2411. Street Lights

Refer to the relevant requirements as provided for in this Part and in Chapter 22 of the Township Code.

§27-2412. Dimensions and Standards by Sub-District and Building Use Standards

SUB-DISTRICT APPLICABLE DIMENSION OR STANDARD	TND-MU, Traditional Neighborhood Development Mixed Use	TND-MR, Traditional Neighborhood Development Mixed Residential	TND-R, Traditional Neighborhood Development Residential
DENSITY¹			
Maximum, without receipt of TDRs ²	Non-residential controlled by area and bulk regulations; residential per TND-MR	<u>Single-family</u> : 2.0 du ³ /net acre <u>Two-family</u> : 2.5 du/net acre <u>Townhouses</u> : 3.0 du/net acre <u>Apartment</u> : 5.0 du/net acre	<u>Single-family</u> : 1.5 du/net acre <u>Two-family</u> : 2.0 du/net acre
Maximum, with receipt of TDRs	Non-residential controlled by area and bulk regulations; residential per TND-MR	<u>Single-family</u> : 3.0 du/net acre <u>Two-family</u> : 4.0 du/net acre <u>Townhouses</u> : 6.0 du/net acre <u>Apartment</u> : 15.0 du/net acre	<u>Single-family</u> : 2.5 du/net acre <u>Two-family</u> : 3.0 du/net acre
BLOCK and LOT			
Block Perimeter Length, maximum	1,700 ft. Or 2,000 ft. for blocks with internal parking	2,000 ft.	2,000 ft.
Tract Area (TND-MU) Or Lot Area (TND-MR, TND-R) minimum – maximum	<u>Land Development of Principal Non-residential uses</u> : 2 ac. Minimum net tract area	<u>Single-family</u> : 7,500 sq.ft. – 10,000 sq.ft. <u>Two-family, Townhouses</u> : 5,000 sq.ft. – 7,500 sq.ft. <u>Apartment Building</u> : see footnote ⁴	<u>Single-family</u> : 10,000 sq.ft. – 15,000 sq.ft. <u>Two-family</u> : 6,000 sq.ft. – 10,000 sq.ft.
Lot Width, Street Line: minimum	---	<u>Single-family</u> : 25 ft. <u>Two-family</u> : 25 ft. per du	<u>Single-family</u> : 25 ft <u>Two-family</u> : 25 ft. per du

¹ See §27-2403.I and Part 12 of this Chapter for density bonuses available with the construction of workforce housing.

² TDR: Transferable Development Rights, pursuant to this Part and Part 12. “Additional” refers to TDRs which may be purchased in addition to those required by §27-2403.B.

³ du: residential dwelling unit.

⁴ Minimum floor area, per each du in an apartment building: 650 square feet.

		Townhouses: 20 ft. per du Apartment Building: 50 ft.	
Lot Width, Building Setback Line: minimum	---	Single-family: 65 ft., except 45 ft. with alley service Two-family: 40 ft. per du, except 30 ft. with alley service Townhouses: n/a Apartment Building: n/a	Single-family: 75 ft Two-family: 45 ft. per du
Lot Depth, minimum	---	Single-family, Two-family: 100 ft. Townhouses: n/a Apartment Building: n/a	100 ft.
BUILDING SETBACKS			
Front	<u>Non-residential uses, minimum:</u> 0 ft., measured from the right-of-way (ROW) ⁵ OR 8 ft. to accommodate building entryway (e.g.,) or sidewalk <u>Non-residential uses, maximum:</u> 15 ft.	Single-family, Two-family, Townhouse, <u>minimum:</u> 0 ft. Single-family, Two-family, Townhouse, <u>maximum:</u> 15 ft. ⁶ Apartment Building, <u>minimum:</u> 20 ft. Apartment Building, <u>maximum:</u> 40 ft.; 50 ft. setback required from existing arterial or collector street, whichever is greater	<u>Minimum, for all allowed uses:</u> 15 ft. ⁷ <u>Maximum, for all allowed uses:</u> 25 ft.
Side	<u>Non-residential uses, minimum:</u> 5 ft. ⁸ <u>Non-residential uses, maximum:</u> 15 ft. ⁴	Single-family, Two-family, <u>minimum:</u> 10 ft. ⁹ Single-family, Two-family, <u>maximum:</u> 15 ft. Townhouse, <u>minimum and maximum from end unit:</u> 10 ft. Apartment Building, <u>minimum and maximum from end unit:</u> 20 ft., except 40 ft. when another apartment building is adjacent use, or 50 ft. from existing arterial or collector street, whichever is greater	<u>Minimum, for all allowed uses:</u> 10 ft. <u>Maximum, for all allowed uses:</u> 20 ft.
Rear	<u>Non-residential uses, minimum:</u> 25 ft. <u>Non-residential uses, maximum:</u> 35 ft.	Single-family, <u>minimum:</u> 25 ft. ¹⁰ Single-family, <u>maximum:</u> 35 ft. ¹¹ Two-family, Townhouse <u>minimum:</u> 20 ft. Two-family, Townhouse <u>maximum:</u> 30 ft. Apartment Building, <u>minimum:</u> 20 ft. Apartment Building,	<u>Minimum, for all allowed uses:</u> 35 ft. <u>Maximum, for all allowed uses:</u> 45 ft.

⁵ Where ROW line is adjusted per approved plans such that the ROW is at the edge of the sidewalk or building façade.

⁶ Front yard setback is 25 feet for the garage with a door that faces the street; either setback is measured from the cartway.

⁷ Front yard setback is 25 feet for the garage with a door that faces the street; either setback is measured from the cartway.

⁸ Side yard setback is 0 feet for the side where units are attached.

⁹ Side yard setback is 0 feet for the side where units are attached.

¹⁰ Detached garage can be located within the rear yard setback when served by an alley, but no less than 20 feet from the alley.

¹¹ Detached garage can be located within the rear yard setback when served by an alley, but no less than 20 feet from the alley.

Other	---	<p><u>maximum: 40 ft.</u></p> <p><u>Townhouse</u>, setback from common parking, minimum: 20 ft.; maximum, 40 ft.</p> <p><u>Townhouse</u>, unit width, minimum: 20 ft.; maximum, 30 ft.</p> <p><u>Townhouse, Apartment Building</u>, maximum length of structure, connected or not: 150 ft.</p>	---
BUILDING HEIGHT	<p><u>Non-residential uses, maximum: 30 ft.</u>¹²</p> <p><u>Residential uses, maximum: 45 ft.</u> when building provides du's as integral part of building that contains principal non-residential use; i.e. receipt of TDRs is not required</p>	<p><u>Single-family, Two-family, Townhouse, Apartment Building maximum: 35 ft.</u>¹³</p>	<p><u>Maximum, for all allowed uses: 35 ft.</u></p>
IMPERVIOUS COVER, Maximum per Individual Building Lot, except where noted	<p><u>Whatever portion of tract planned for non-residential uses: 30%</u>¹⁴</p>	<p><u>Single-family: 45%</u></p> <p><u>Two-family: 50%</u></p> <p><u>Townhouses: 50%</u></p> <p><u>Apartment Building: 50%</u>¹⁵</p>	<p><u>Single-family: 40%</u></p> <p><u>Two-family: 50%</u></p>
CIVIC SPACES	<p>Required: construction of the greens and/or squares shown on the <i>Rocklyn Station Strategic Development Plan</i> (adopted 2008), or greens or squares, each a maximum 350 ft. walking distance from any other green or square. For parcels > 20 acres, one green shall be a central green with a minimum size of 1 acre and minimum width of 150 feet. See Definitions (Part 2) for additional details for greens and squares.</p>	<p>Required: construction of the greens and/or squares shown on the <i>Rocklyn Station Strategic Development Plan</i>, or greens or squares, each a maximum 350 ft. walking distance from any other green or square. For parcels > 20 acres, one green shall be a central green with a minimum size of 1 acre and minimum width of 150 feet. See Definitions (Part 2) for additional details for greens and squares.</p>	<p>Required: construction of the greens, squares, and/or parks shown on the <i>Rocklyn Station Strategic Development Plan</i>, or parks, greens, or squares, each a maximum 500 ft. walking distance from any other park, green, or square. For parcels > 20 acres, one green shall be a central green with a minimum size of 1 acre and minimum width of 150 feet. See Definitions (Part 2) for additional details for greens and squares.</p> <p><u>AND: One playground per 40 single family du's.</u> See Definitions (Part 2) for additional details regarding playgrounds.</p>

SECTION 25. Add the Rocklyn Station Manual of Design Guidelines, attached herein as Exhibit A to Part 24.

¹² Nonresidential building height can be increased to 45 feet with receipt of TDRs.

¹³ Apartment building height can be increased to 45 feet with receipt of TDRs.

¹⁴ Impervious cover of nonresidential building can be increased to 60% with receipt of TDRs.

¹⁵ Apartment building impervious surface can be increased to 60% with receipt of TDRs.

SECTION 26. Add the "Rocklyn Station Revised Strategic Development Plan" map as the TND – Traditional Neighborhood Development Overlay District map and the "Rocklyn Station Revised Strategic Development Plan Suggested Detail" map as the inset to the TND Overlay District map, as attachments to the Township Zoning Ordinance. These maps together are enclosed as Exhibit B.

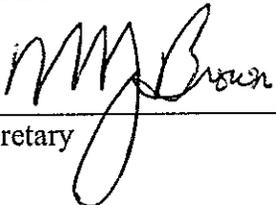
SECTION 27, SEVERABILITY. If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors of Honey Brook Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 28, REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 29, EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

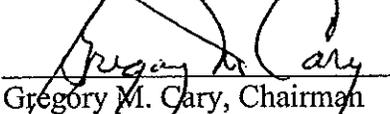
SO IT IS ENACTED AND ORDAINED this 10th Day of December, 2008.

ATTEST:

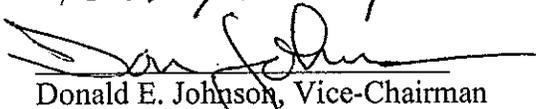


Secretary

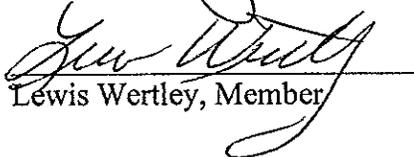
HONEY BROOK TOWNSHIP
BOARD OF SUPERVISORS



Gregory M. Cary, Chairman



Donald E. Johnson, Vice-Chairman



Lewis Wertley, Member