

Ordinance 03-06

An Ordinance to Amend the West Bradford Township Zoning Ordinance 77-01 as previously amended by Adding Certain Sections, Amending Certain Sections and Deleting Certain Sections

NOW THEREFORE, be it enacted and ordained, by the Board of Supervisors of West Bradford Township, Chester County, Pennsylvania, as follows:

Section 1

Add the following Definitions to Section 201 (or replace definitions as noted):

Change **Accessory Building** to:

Accessory Building and Structures: A building or structure subordinate to the principal building on a lot and used for purposes customarily incidental to those of the principal building.

Cuts: Manufacturers' catalog sheets, including photographs or pictures showing the design of the fixture and the performance data for the luminaire. The "cuts" also show lighting fixture supports, poles, and the light standards, which are proposed with applicable notes.

Footcandle (fc): A quantitative unit for measuring illumination equivalent to the illumination produced by a plumber's candle (standard source) measured at a distance of one foot (1') on (1) lumen per square foot.

Illumination: The density of luminous flux on a surface.

Isolux Diagram: A line plotted on any appropriate set of coordinates which shows all the points of a surface where the illumination is the same as an isolux (isofoot-candle) line. When a series of such lines for various illumination levels are plotted on the same set of coordinates, an "isolux diagram" is formed.

Luminaire: A complete lighting unit: lighting unit assembly (including reflectors, glassware, socket, etc.) and accessories for mounting.

Reflector: A surface or element of a luminaire designed to direct light in a desired direction.

Section 2

Add the following paragraph to Section 405.6.H., Unified Development Area District:

When a side yard setback for a residence that is less than fifteen (15) feet is established through the use of this section, then that same dimension shall apply

to accessory structures. Otherwise, the side yard for accessory structures shall be fifteen (15) feet.

Section 3

Amend Section 405.6.I. to read as follows (Unified Development Area District):

- I. Rear yard setback distances shall be not less than twenty (20) feet, except for lots that border open space as defined by Section 405.3.D. On lots that border open space at the rear yard, as defined by this Ordinance, accessory structures shall have a setback of at least five (5) feet; residences shall be not less than twenty (20) feet.

Section 4

Add the following section to the Institution/Mixed Use Zoning District:

602.2 B

- (14) Philanthropic animal care facility, used for the housing, treating and adoption of animals, e.g. Society for the Prevention of Cruelty to Animals facility or Animal Humane Society facility.

Section 5

Delete the existing paragraph in Section 802.6 Lighting and replace it with the following:

While in use the parking and loading and ingress and egress area of any commercial or industrial zoning district shall be provided with lighting in accordance with the following:

A. Plan Requirements

- a. Lighting Plan. The location and type of all proposed exterior lighting fixtures for parking areas shall be indicated on the lighting plan, along with the expected hours of operation. On all pedestrian and vehicular use areas indicated on the lighting plan, an isolux diagram shall be drawn to sufficiently indicate the illumination levels furnished by each luminaire and the pattern of coverage on these areas. Reproduction of the cuts shall be transferred to the lighting plan for each type and configuration of proposed exterior lighting.
- b. Landscape Plan. The location and type of all proposed exterior lighting fixtures shall be indicated on the landscape plan to ensure that there is no conflict between the location of light standards and the location of trees, and that trees will not adversely affect lighting patterns. Lighting fixture locations shall be indicated on the plan by symbol.

B. Design Standards

- a. Lighting for safety purposes to illuminate parking and/or pedestrian areas shall conform to the following:
 - i. Lighting shall be designed so that the illumination does not appear beyond the property line on which the lighting originates at levels above two-tenths (0.2) footcandles.
 - ii. Parking areas shall be lighted using support poles or lighting standards. The fixtures shall be located within or adjacent to parking areas, in raised traffic islands, parking bay separators, or adjacent landscape areas. Parking areas shall not be lighted by means of floodlighting attached to buildings. Poles or standards shall be located so as not to be damaged by automobiles being parked (front overhang: minimum thirty-nine inches [39"]; rear overhang: minimum sixty inches [60"]).
 - iii. The maximum height of outdoor lighting standards and fixtures shall not exceed twenty feet (20') in height, measured from the ground level to the top of the fixture.
 - iv. All light fixtures shall be of the shielded type and provided with deflector light cut-off shields.
 - v. Site lighting shall not be lighted by means of flood lights attached to buildings, except for single-family dwelling units.
- C. Applicability. The submission requirements under this section shall be part of the submission of any subdivision and land development applications, where applicable. Any application for subdivision or land development, which includes the installation of outdoor lighting, shall not be considered complete unless accompanied by the appropriate submittals as outlined in this section.

Section 6

Add the following to Section 805 Accessory Use Regulations:

- E. Accessory retaining, landscaping and ornamental walls may encroach the side, rear and front yard setbacks subject to the following regulations:
 - (1) All walls, whether a retaining, landscaping or ornamental wall, shall be at least three (3) feet from any property line or street right-of-way.

- (2) Any wall that is over three (3) feet six (6) inches in height, measured from ground level at the base of the wall along the highest face, shall be at least a distance equal to that height from any property line or street right-of-way.
- (3) Any ornamental free-standing wall in a front yard shall not exceed four (4) feet in height, measured from the ground level at the base of the wall along the highest face.
- (4) Walls shall not be located so as to interfere with sight distance for a driveway, public or private street. An applicant for a zoning permit for a wall as described in this section shall bear the responsibility to provide plans to enable the Zoning Officer to determine compliance with this section.
- (5) A qualified professional who shall provide a signed and sealed plan with the specification and design for that installation shall design any wall exceeding four (4) feet in height. If any wall is to be constructed with manufactured materials, use of a design professional shall be as recommended by the manufacturer, regardless of height.
- (6) Installation of any wall, as anticipated by this accessory use section, shall conform to any applicable building code requirements as adopted by West Bradford Township.

Section 7

Add the following to Section 805 C (Private, Non-Commercial Swimming Pools):

- a. Where a wall of a dwelling unit serves as part of the barrier (fence) and contains a door that provides direct access to the pool, the applicable provisions of the Township's building code shall regulate that access.
- b. Pool fencing shall not be located beyond a distance, to be measured from the water's edge, that is two (2) times the greatest distance measured across the surface of the pool.

Section 8

Add the following sections to Section 809 Sign Regulations:

809.1

- I. Area attraction directional sign – Signs containing only the name of an area attraction and an arrow or other directional symbol indicating the route to the same. The determination of attraction shall be as defined in the Pennsylvania Department of Transportation Signage Guidelines. An 18-hole public golf course shall be considered an Attraction with or without listing in the PennDOT Guidelines.

809.3

Z. Area attraction directional signs shall conform to the following:

- (1) The signs shall be used only for area attractions that are located in West Bradford Township.
- (2) No such sign shall be wider than eighteen (18) inches or longer than forty-eight (48) inches.
- (3) The top of the sign shall be not higher than seven (7) feet above the surface of the adjoining road.
- (4) No area attraction shall place more than three (3) such signs within West Bradford Township.
- (5) Such signs shall contain only the name of the attraction and directional arrow and/or distance to the attraction. The sign shall contain no advertising.
- (6) No more than two (2) such signs may be placed at any one (1) corner of an intersection.
- (7) No such sign may be erected, placed, installed or maintained without the permission of the owner of the real property involved. The signs may be erected within the right-of-way for a public highway when permission has been obtained from the government agency that has control over the use of the right-of-way.
- (8) No such sign may be erected, placed, installed or maintained without a permit therefore having been obtained from the Zoning Officer.
- (9) The signs shall be white letters on green background mounted on 0.080 gauge aluminum (or equivalent material) with engineer grade reflective sheeting.
- (10) The signs shall be mounted on "breakaway posts" or other posts meeting the criteria of PennDOT specifications for highway signs.
- (11) Such signs shall be maintained in a functional manner. Failure to maintain the signs in such a manner shall allow the removal of the signs by Township officials after fourteen (14) days have passed from notification to the applicant of a deficiency in maintaining the sign.

Section 9 – Severability

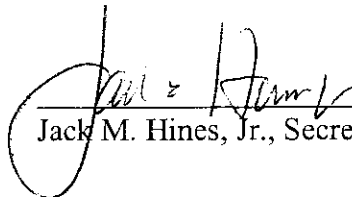
If any sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is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

Section 10 – Effective Date

The Ordinance shall become effective five (5) days after enactment as by law provided.

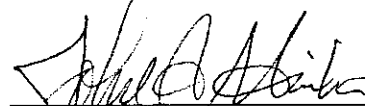
Enacted this 11th day of March 2003 by the Board of Supervisors of West Bradford Township.

Attest:

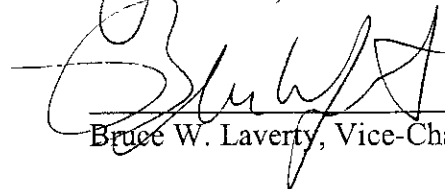


Jack M. Hines, Jr., Secretary

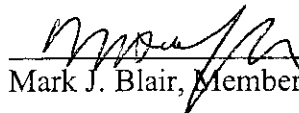
Board of Supervisors:



John A. Haiko, Chairman



Bruce W. Lavery, Vice-Chairman



Mark J. Blair, Member