

EAST BRANDYWINE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 8 of 2024

AN ORDINANCE OF THE TOWNSHIP OF EAST BRANDYWINE, CHESTER COUNTY, PENNSYLVANIA, AUTHORIZED BY THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE AMENDING THE EAST BRANDYWINE TOWNSHIP CODE, CHAPTER 399, TITLED "ZONING," AND KNOWN AS THE EAST BRANDYWINE TOWNSHIP ZONING ORDINANCE OF 1989, BY AMENDING SECTIONS 399-30.B AND 399-36.B TO CLARIFY THOSE TRACTS ELIGIBLE FOR THE USE OF THE TRADITIONAL NEIGHBORHOOD DEVELOPMENT OPTION IN THE R-2 RESIDENTIAL DISTRICT AND THE R-3 RESIDENTIAL DISTRICT

IT IS HEREBY ENACTED by the Board of Supervisors of East Brandywine Township, Chester County, Pennsylvania, that Chapter 399 of the Code of East Brandywine Township, titled "Zoning," is amended as set forth in Sections 1 and 2 hereinbelow:

SECTION 1. Article VI, R-2 Residential District, Section 399-30.B, is amended as set forth in Exhibit A attached hereto and incorporated herein by reference, specifically by deleting text indicated by ~~strikethrough~~ and adding text indicated by underlining.

SECTION 2. Article VII, R-3 Residential District, Section 399-36.B, is amended as set forth in Exhibit B attached hereto and incorporated herein by reference, specifically by deleting text indicated by ~~strikethrough~~ and adding text indicated by underlining.

SECTION 3. 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 that this Ordinance would have been adopted had such unconstitutional, illegal, or invalid sentence, clause, section, or part thereof not been included herein.

SECTION 4. 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 All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.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 5. Effective Date. This Ordinance shall be effective 5 days following enactment, as by law provided.

ENACTED this 21 day of November, 2024.

**BOARD OF SUPERVISORS
EAST BRANDYWINE TOWNSHIP**

ATTEST:



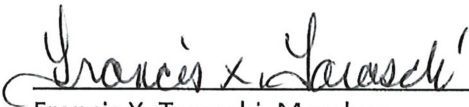
Kyle P. Scribner, Chairman



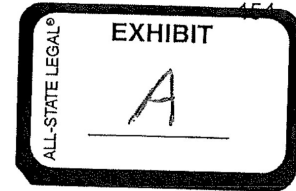
Lisa Taraschi, Secretary



Carl K. Croft, Vice Chairman



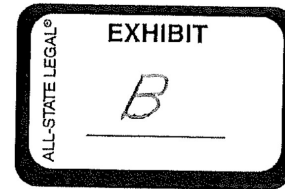
Francis X. Taraschi, Member



§ 399-30. Standards and criteria for conditional uses.

- A. Home occupations. Any home occupation permitted as a conditional use under the terms of § 399-93D shall comply with the requirements of § 399-93E.
- B. TND-2 Traditional Neighborhood Development Overlay District. Eligibility for use of the traditional neighborhood development (TND-2) terms shall be deemed an overlay on the affected tracts, as designated on the Zoning Map attached to Chapter 399 as Attachment 2, Development Strategy Plan, dated June 27, 2013, which is contained in Appendix A of this chapter and which is incorporated herein by reference and made a part hereof.¹ The TND-2 Overlay District offers additional development opportunities beyond those of the underlying R-2 District. To utilize this overlay opportunity, a tract must satisfy the standards and criteria of this section and the requirements for a conditional use established by this chapter. **[Added 7-16-2014 by Ord. No. 02-2014²]**
 - (1) Statement of intent. The intent of this section is to provide regulations and written and graphic design guidelines to:
 - (a) Address the purposes, objectives, and standards of Article VII-A, Traditional Neighborhood Development, of the Pennsylvania Municipalities Planning Code.³
 - (b) Provide, through adherence to the amended Manual of Written and Graphic Design Guidelines, assistance to applicants in the preparation of proposals for traditional neighborhood development in accordance with § 708-A of the Pennsylvania Municipalities Planning Code.⁴ **[Amended 12-3-2015 by Ord. No. 11-2015]**
 - (c) Complement and improve the vitality, economic strength, and appearance of the Guthriesville Village core area as a means of implementing the Comprehensive Plan.
 - (d) Place buildings to help form a streetscape.
 - (e) Provide street walls to form the traditional neighborhood character.
 - (f) Provide for off-street parking at the rear or side of buildings.
 - (2) Written and graphic design guidelines.
 - (a) All new infill development and redevelopment within the Traditional Neighborhood Development (TND-2) Overlay District shall be consistent with the amended Manual of Written and Graphic Design Guidelines in Appendix B of this chapter, which Appendix B is incorporated by reference and made a part hereof.⁵ **[Amended 12-3-2015 by Ord. No. 11-2015]**
 - (b) All applicants for infill development and redevelopment shall utilize Appendix B

1. Editor's Note: Appendix A is included as an attachment to this chapter.
2. Editor's Note: This ordinance superseded former Subsection B, Village extension development, added 2-1-2000, as amended.
3. Editor's Note: See 53 P.S. § 10101 et seq.
4. Editor's Note: See 53 P.S. § 10708-A. The Guthriesville Village Manual of Written and Graphic Design Guidelines is included as an attachment to this chapter in Appendix B.
5. Editor's Note: Appendix B is included as an attachment to this chapter.



§ 399-36. Standards and criteria for conditional uses.

- A. Home occupations. Any home occupation permitted as a conditional use under the terms of § 399-93D shall comply with the requirements of § 399-93E.
- B. TND-2 Traditional Neighborhood Development Overlay District. Eligibility for use of the Traditional Neighborhood Development (TND-2) terms shall be deemed an overlay on the affected tracts, as designated on the Zoning Map attached to Chapter 399 as Attachment 2, Development Strategy Plan, dated June 27, 2013, which is contained in Appendix A of this chapter, which is incorporated herein by reference and made a part hereof.¹ The TND-2 Overlay District offers additional development opportunities beyond those of the underlying R-3 District. To utilize this overlay opportunity, a tract must satisfy the standards and criteria of this section and the requirements for a conditional use established by this chapter. **[Added 7-16-2014 by Ord. No. 02-2014]**
- (1) Statement of intent. The intent of this section is to provide regulations and written and graphic design guidelines to:
- (a) Address the purposes, objectives, and standards of Article VII-A, Traditional Neighborhood Development, of the Pennsylvania Municipalities Planning Code.²
 - (b) Provide, through adherence to the amended Manual of Written and Graphic Design Guidelines, assistance to applicants in the preparation of proposals for traditional neighborhood development in accordance with § 708-A of the Pennsylvania Municipalities Planning Code.³ **[Amended 12-3-2015 by Ord. No. 11-2015]**
 - (c) Complement and improve the vitality, economic strength, and appearance of the Guthriesville Village core area as a means of implementing the Comprehensive Plan.
 - (d) Place buildings to help form a streetscape.
 - (e) Provide street walls to form the traditional neighborhood character.
 - (f) Provide for off-street parking at the rear or side of buildings.
- (2) Written and graphic design guidelines.
- (a) All new infill development and redevelopment within the Traditional Neighborhood Development (TND-2) Overlay District shall be consistent with the amended Manual of Written and Graphic Design Guidelines in Appendix B of this chapter, which Appendix B is incorporated by reference and made a part hereof.⁴ **[Amended 12-3-2015 by Ord. No. 11-2015]**
 - (b) All applicants for infill development and redevelopment shall utilize Appendix B and shall prepare and submit their own specific manual with details on their particular project.

1. Editor's Note: Appendix A is included as an attachment to this chapter.

2. Editor's Note: See 53 P.S. § 10101 et seq.

3. Editor's Note: See 53 P.S. § 10708-A. Said manual is included as an attachment to this chapter in Appendix B.

4. Editor's Note: Appendix B is included as an attachment to this chapter.