

East Bradford Township Zoning Ordinance Update



Memorandum – January 19, 2023

To: Planning Commission

From: Chris Patriarca, AICP – Chester County Planning Commission

Handouts: Article VI: R-3, Residential District (1st Draft)
Article VII: R-4, Residential District (1st Draft)
Definitions: C and D

Article VI: R-3, Residential District (1st Draft)

This draft is based on the existing [Article VI R-3 Residential District](#). The revised and reorganized article incorporates existing content and new content and clarifications as necessary. Included is also the current version for reference as well as link to exiting ordinance in the new draft.

Article VII: R-4, Residential District (1st Draft)

This draft is based on the existing [Article VII R-4 Residential District](#). The revised and reorganized article incorporates existing content and new content and clarifications as necessary. Included is also the current version for reference as well as link to exiting ordinance in the new draft.

Definitions: C and D (1st Draft)

As the definitions Article is very long, we will review pieces of it throughout. Ones highlighted in red are not presently utilized in the ordinance. Ones highlighted in yellow are new proposed definitions.

Chris Patriarca, AICP

Senior Community Planner

Chester County Planning Commission
601 Westtown Road, Suite 270, West Chester, PA 19380
610-344-6505 | www.chescoplanning.org



Article VI: R-3 – Residential District

SECTION 115-600. PURPOSE (Currently §115-17)

- A. It is the intent of the R-3 District, as outlined by the East Bradford Township Comprehensive Plan, to encourage medium-density residential development which is compatible with established land use patterns; located in areas of the Township which contain environmental features generally suitable for such development; and accessible to transportation systems and community facilities appropriate for such development. The R-3 District is designed to provide a transition between areas of low- and high-density residential use and encourage and promote paced development throughout the Township by permitting medium-density residential uses to fully develop in the R-3 District before the lower density areas of the Township. The R-3 District provides the flexibility of residential uses on a lot-by-lot basis as well as an open space development option that encourages the preservation of open space, surface and groundwater supplies, and soils for on-lot sewage disposal systems.

SECTION 115-601. RESIDENTIAL DEVELOPMENT OPTIONS (Currently §115-18(A), (B), (C))

- A. Land and buildings utilized for residential development in this district may be used for the purposes listed below, when developed in accordance with one of the following development options:
1. Conventional development option in accordance with this article.
 2. Open space development option where approved by the Board of Supervisors as a conditional use, in accordance with this article and §115-49.
- B. Applicants under either development option are strongly encouraged to submit a sketch plan to the East Bradford Township Planning Commission and to discuss community development objectives, arrangement of the development with respect to views of the project from adjacent roads and properties, open space and resource conservation objectives, sewage facilities planning and other matters relevant to the purpose of this article.
- C. No tract may be used for more than one of the permitted residential development options.

SECTION 115-602. USES PERMITTED BY RIGHT (Currently §115-18(C)(1))

- A. Under any development option, a building may be erected, altered, or used and a lot may be used for one of the following principal uses as provided below and no other:
1. Single-family detached dwelling.
 2. Agriculture, per §115-11D.
 3. Forestry, per §115-11E.
 4. General Municipal Use

SECTION 115-603. USES PERMITTED BY SPECIAL EXCEPTION (Currently §115-18(C)(3)) *(ADUs could also be added here based on further PC discussion).*

- A. The following uses shall be permitted by special exception, when authorized by the Zoning Hearing Board, subject to the provisions of §115-xxxx and the specific sections listed below:
1. Except as provided by §115-402(A)(4) above, ~~municipal~~, county, state, and federal uses, excluding educational uses, dumps, sanitary landfills and corrective or penal institutions. *(Solicitor review for this as it relates to potential preemption conflicts)*
 2. Religious uses, per §115-xxxx. *(Supplemental use standards for religious facilities will also reference back to standards for accessory uses such as educational facilities and day care centers)*
 3. Educational uses, per §115-xxxx.

SECTION 115-604. CONDITIONAL USES (Currently §115-18(C)(1))

- A. The following uses shall be permitted by conditional use, when authorized by the Board of Supervisors, subject to the provisions of §115-77 and the specific sections listed below:
1. *Two-family dwelling.*
 2. Open space development option, per §115-49.
 3. Major home occupations, per §115-48.
 4. Commercial recreational uses, per §115-xxxx(C).
 5. Adaptive reuse of Class I or Class II historic resource, per §§115-131.2 and 115-131.3.

SECTION 115-605. ACCESSORY USES AND STRUCTURES

- A. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any of the principal uses in this district shall be permitted by right on the same lot as the principal use. These uses include:
1. Customary residential and agricultural accessory uses.
 2. A swimming pool, per §115-xxxx.
 3. No-impact home-based businesses.
 4. Secondary farm business, per §115-xxxx.
 5. Solar energy systems, per §115-151.

SECTION 115-606. AREA AND BULK REGULATIONS (Currently §115-19)

Unless specifically stated otherwise or differing for a specific use as authorized by this Chapter, the following shall be the minimum area and bulk regulations for the district.

A. Density of development

1. Under the conventional development option, the maximum permissible number of lots or dwelling units on any tract shall be determined by compliance with the area and bulk criteria herein.
2. Under the open space development option, the maximum permissible number of lots or dwelling units on any tract shall be:
 - a. Single-family detached dwelling: 1.0 dwelling units per acre of net tract area, maximum.
 - b. Two family dwellings: 0.75 dwelling units per acre of net tract area, maximum.

B. Lot coverages

1. Building coverage: Fifteen percent (15%) maximum.
2. Lot coverage: Twenty percent (20%) maximum.

C. Principal structure

1. Net lot area: One (1) acre, per §115-6.
2. Lot width at building line: One hundred fifty (150) feet.
3. Lot width at street line: Fifty (50) feet.
4. Front yard setback: Fifty (50) feet.
5. Side yard setback: Twenty (20) feet minimum with not less than fifty (50) feet total for both yards.
6. Rear yard setback: Fifty (50) feet.
7. Building height: Three (3) stories above grade plane or thirty-five (35) feet.

D. Additional standards

1. Area and bulk regulations for the open space development option. Under the open space development option, no minimum lot area is prescribed; rather, specific lot and yard area standards shall apply per §115-49C(3). (Currently §115-19(B))
2. Agriculture uses shall be subject to the standards per §115-1601(A). (Currently §115-19(E))
3. General Municipal Use shall be subject to the standards per §115-xxxx. (Currently §115-19(D))
4. Educational uses shall be subject to the standards per §115-xxxx. (Currently §115-19(F)(2))

5. Religious uses shall be subject to the standards per §115-xxxx. **(Currently §115-19(F)(1))**
 6. In addition to area and bulk regulations enumerated herein, the following shall apply for all principal buildings and uses within the vicinity of a Class I or Class II historic resource:
 - a. Historic setback line: 150 feet minimum from any Class I or Class II historic resource, regardless of whether such resource is located upon a tract or lot itself. **(Currently §115-19(H))**
- E. Accessory structure(s).
1. Area and bulk regulations for accessory structures shall be subject to the standards per §115-17xx. **(Currently §115-11(F))**

SECTION 115-607. DESIGN STANDARDS **(Currently §115-20)**

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

- A. Signs, per **Article XVIII**.
- B. Natural Features Protection Standards, per **Article XIV**.
- C. Historic Resource Protection Standards, per **Article XV**.
- D. General and Design Standards, per **Article XVII**.
- E. Off-street Parking and Loading, per **§115-58**.
- F. Stormwater Management, per **Chapter 94**.

ARTICLE VI
R-3 Residential District
[Added 3-21-1988 by Ord. No. 97-1988]

§ 115-17. Purpose; applicability.

- A. It is the intent of the R-3 District, as outlined by the East Bradford Township Comprehensive Plan, to encourage medium-density residential development which is compatible with established land use patterns; located in areas of the Township which contain environmental features generally suitable for such development; and accessible to transportation systems and community facilities appropriate for such development. The R-3 District is designed to provide a transition between areas of low- and high-density residential use and encourage and promote paced development throughout the Township by permitting medium-density residential uses to fully develop in the R-3 District before the lower density areas of the Township. The R-3 District provides the flexibility of residential uses on a lot-by-lot basis as well as an open space development option that encourages the preservation of open space, surface and groundwater supplies, and soils for on-lot sewage disposal systems. **[Amended 11-8-2005 by Ord. No. 9-2005]**
- B. In the R-3 Residential District, the following regulations shall apply.

§ 115-18. Use regulations. [Amended 4-9-1996 by Ord. No. 2-96; 11-25-1998 by Ord. No. 3A-1998¹]

- A. Land and buildings in this district may be used for the purposes listed below, when developed in accordance with one of the following development options:
 - (1) Conventional development option in accordance with this article.
 - (2) Open space development option where approved by the Board of Supervisors as a conditional use, in accordance with this article and § 115-49.
- B. Applicants under either development option are strongly encouraged to submit a sketch plan to the East Bradford Township Planning Commission and to discuss community development objectives, arrangement of the development with respect to views of the project from adjacent roads and properties, open space and resource conservation objectives, sewage facilities planning and other matters relevant to the purpose of this article.
- C. No tract may be used for more than one of the permitted residential development options. Under any development option, a building may be erected, altered or used and a lot may be used for any one of the following purposes as provided below: **[Amended 4-10-2001 by Ord. No. 2-2001; 4-9-2002 by Ord. No. 4-2002]**
 - (1) Any use permitted by right, condition or special exception in the R-1 District shall likewise be permitted by right, condition or special exception in the R-3 District, except that land application of sludge shall not be permitted.
 - (2) Municipal campus in accordance with § 115-19D. **[Added 10-8-2013 by Ord. No. 5-2013²]**

1. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

- (3) The following uses may be permitted as a special exception when authorized by the Zoning Hearing Board, subject to the provisions of this chapter contained in Article XVI:
 - (a) Religious and educational uses, further subject to the area and bulk regulations in § 115-19 and design standards in § 115-20.³

§ 115-19. Area and bulk regulations. [Amended 4-9-1996 by Ord. No. 2-96; 11-25-1998 by Ord. No. 3A-1998⁴]

A. Density of development.

- (1) Under the conventional development option, the maximum permissible number of lots or dwelling units on any tract shall be determined by compliance with the area and bulk criteria herein.
- (2) Under the open space development option, the maximum permissible number of lots or dwelling units on any tract shall be determined by multiplying the net tract area by one of the following factors and rounding the product down to the next lower whole number (i.e., 21.6 would be rounded to 21). **[Amended 11-8-2005 by Ord. No. 9-2005]**
 - (a) Single-family detached dwelling: 1.0 dwelling units per acre of net tract area, maximum.

B. Area and bulk regulations for the open space development option. Under the open space development option, specific lot and yard area standards shall apply per § 115-49C(3).

C. Area and bulk regulations for the conventional development option. Under the conventional development option, the following shall apply for all uses, except agricultural:

- (1) Net lot area: one acre minimum. **[Amended 11-8-2005 by Ord. No. 9-2005; 12-13-2006 by Ord. No. 8-2006]**
- (2) Lot width at building line: 150 feet.
- (3) Lot width at street line: 50 feet minimum.
- (4) Lot coverage: 20% maximum.
- (5) Building coverage: 15% maximum.
- (6) Building setback line: 50 feet minimum.

2. Editor's Note: This ordinance also provided that former Subsection C(2) be renumbered as Subsection C(3).

3. Editor's Note: Former Subsection C(3) and (4), regarding two-family dwellings and multifamily dwellings, respectively, which immediately followed this subsection, were repealed 4-9-2002 by Ord. No. 4-2002.

4. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

- (7) Side yard: 20 feet minimum with not less than 50 feet total for both yards.
 - (8) Rear yard: 50 feet minimum.
 - (9) Building and accessory building or structure height: three stories above grade plane or 35 feet maximum. **[Amended 9-13-2011 by Ord. No. 3-2011]**
- D. Municipal campus shall be subject to the following area and bulk regulations: **[Added 10-8-2013 by Ord. No. 5-2013⁵]**
- (1) Lot area: three acres minimum.
 - (2) Building coverage: 40% maximum.
 - (3) Landscaped open space: 15% minimum.
 - (4) Lot width at street line: 150 feet minimum.
 - (5) Lot width at the building line: 300 feet minimum.
 - (6) Front yard: 50 feet minimum.
 - (7) Rear yard: 50 feet minimum.
 - (8) Side yards: 15 feet minimum, except where abutting residential uses, which shall be 30 feet minimum.
- E. Agricultural uses shall be subject to § 115-11D of this chapter.
- F. Uses permitted by special exception in the R-3 District shall be subject to area and bulk regulations as follows: **[Amended 4-10-2001 by Ord. No. 2-2001]**
- (1) Religious uses shall be subject to the area and bulk regulations in § 115-15E.
 - (2) Educational uses shall be subject to the following area and bulk regulations:
 - (a) Net lot area: 10 acres minimum. **[Amended 11-8-2005 by Ord. No. 9-2005; 4-11-2007 by Ord. No. 2-2007]**
 - (b) Lot width at building line: 600 feet minimum.
 - (c) Lot width at street line: 100 feet minimum.
 - (d) Lot coverage: 15% maximum.
 - (e) Total building coverage, including accessory buildings and/or structures: 10% maximum. The term "structure" shall include stadiums and/or bleachers.
 - (f) Principal building setback line: a distance equal to the maximum building length measured along the principal longitudinal axis of the building.

5. Editor's Note: This ordinance also provided that former Subsections D through G be redesignated as Subsections E through H, respectively.

- (g) Principal building side and rear yards: two times the maximum building depth, the depth being measured perpendicular to the principal longitudinal axis of the building.
 - (h) Accessory buildings and structures setback line: 100 feet from all property lines.
 - (i) Building and accessory building or structure height: three stories above grade plane or 35 feet maximum. **[Amended 9-13-2011 by Ord. No. 3-2011]**
- G. Residential accessory structures may be erected by right as follows: **[Amended 8-10-2004 by Ord. No. 4-2004; 4-14-2009 by Ord. No. 2-2009]**
- (1) Front yard. Accessory structures may be located in front yard areas on lots of one acre or greater in area, provided:
 - (a) The accessory structure complies with the applicable minimum building setback requirements;
 - (b) The accessory structure shall not be located in the area bounded by the outside walls of the principal building and a perpendicular (or radial in cases of roadway curvature) boundary line originating on each side of the principal building from the edge of the outermost face of the wall to the road right-of-way line. In the case of interior lots, the lot line at the frontage of the lot, absent of the access strip, that is most perpendicular or radial to the road right-of-way line shall be utilized to make the determination;
 - (c) If the footprint area of the accessory structure is less than 30% of the footprint area of the primary structure, the accessory structure shall be located no closer to the front lot line than 75% of the total distance from the primary structure to the front lot line. If the footprint area of the accessory structure is equal to or greater than 30% of the footprint area of the primary structure, the accessory structures shall be located no closer to the front lot line than 90% of the total distance from the primary structure to the front lot line; and
 - (d) No accessory structure in a front yard shall have a building height, mass or floor area greater than that of the principal building.
 - (2) Side and rear yards. Accessory structures shall be set no closer to a side or rear lot line in any yard area than the greatest dimension (length, width or height) of the structure itself unless the accessory structure complies with the appropriate area and bulk regulations of the underlying district.
- H. In addition to area and bulk regulations enumerated herein, the following shall apply for all principal buildings and uses within the vicinity of a Class I or Class II historic resource: **[Added 11-8-2005 by Ord. No. 9-2005]**

- (1) Historic setback line: 150 feet minimum from any Class I or Class II historic resource, regardless of whether such resource is located upon a tract or lot itself.

§ 115-20. Design standards.

The following design standards shall apply:

- A. For residential and agricultural uses, parking regulations as established by § 115-58 of this chapter.
- B. For all uses permitted in this district: **[Amended 12-13-2006 by Ord. No. 8-2006; 9-9-2008 by Ord. No. 2-2008]**
 - (1) Screening standards as established by § 115-52 of this chapter.
 - (2) Storage standards as established by § 115-53 of this chapter.
 - (3) Landscaping standards as established by § 115-45.1 of this chapter.
 - (4) Access and traffic control standards as established by § 115-55 of this chapter.
 - (5) Interior circulation standards as established by § 115-56 of this chapter.
 - (6) Lighting standards as established by § 115-57 of this chapter.
 - (7) Off-street parking regulations as established by § 115-58 of this chapter.
 - (8) Standards limiting emission of smoke, fumes, odors, etc., as established by § 115-60 of this chapter.

Article VII: R-4 – Residential District

SECTION 115-700. PURPOSE (Currently §115-21)

- A. It is the intent of the R-4 District, as outlined in the East Bradford Township Comprehensive Plan, to provide the opportunity for medium-density to high-density residential development to occur in areas which are compatible with established land use patterns, located in areas of the Township which contain environmental features generally suitable for such development and accessible to transportation systems and community facilities necessary to support such development.

SECTION 115-701. USES PERMITTED BY RIGHT (Currently §115-22(A), (B))

- A. A building may be erected, altered or used and a lot may be used for any of the following purposes by-right and for no others:
1. Single-family detached dwelling.
 2. Agriculture, per §115-11D and §115-76. *(This could be potentially be struck as the only R-4 parcel that could do this would be UPI 51-7-88 that has 17 acres. The ASA parcel in the R-4 is open space ties to Darlington Ridge.)*
 3. Forestry, per §115-11E.
 4. General Municipal Use.

SECTION 115-702. USES PERMITTED BY SPECIAL EXCEPTION (Currently §115-22(E)) *(ADUs could also be added here based on further PC discussion).*

- A. The following uses shall be permitted by special exception, when authorized by the Zoning Hearing Board, subject to the provisions of §115-xxxx and the specific sections listed below:
1. Public utility operating facilities ~~for local service.~~
 2. ~~Municipal~~, County, state, or federal uses excluding dumps, sanitary landfills and corrective or penal institutions. *(Solicitor review for this as it relates to potential preemption conflicts)*
 3. Religious uses, per §115-xxxx. *(Supplemental use standards for religious facilities will also reference back to standards for accessory uses such as educational facilities and day care centers)*
 4. Educational uses, per §115-xxxx.
 5. ~~Community living arrangement.~~ *(If this remains, a solicitor review will need to occur as the provision relates to Fair Housing laws)*

SECTION 115-703. CONDITIONAL USES (Currently §115-22(D))

- A. The following uses shall be permitted by conditional use, when authorized by the Board of Supervisors, subject to the provisions of §115-77 and the specific sections listed below:

1. Two-family dwelling.

1. Commercial recreational uses, per §115-xxxx(C).
2. Mobile home parks, per Article XIV.
3. Major home occupations, per §115-48.
4. Open space development option, including single-family, two-family and multifamily dwellings, subject to the provisions of §115-49.
5. Congregate care campus, per §115-xxxx.
6. Adaptive reuse of Class I or Class II historic resource pursuant to the provisions of §115-131.2 and §115-131.3.

SECTION 115-704. ACCESSORY USES AND STRUCTURES (Currently §115-22(C))

- A. Except as otherwise indicated in this Chapter, accessory uses customarily incidental to any of the principal uses in this district shall be permitted by right on the same lot as the principal use. These uses include:
1. Customary residential and agricultural accessory uses.
 2. A swimming pool, per §115-xxxx.
 3. No-impact home-based businesses.
 4. Secondary farm business, per §115-xxxx. *(This could be potentially be struck as the only R-4 parcel that could do this would be UPI 51-7-88 that has 17 acres. The ASA parcel in the R-4 is open space ties to Darlington Ridge.)*
 5. Solar energy systems, per §115-151.

SECTION 115-706. AREA AND BULK REGULATIONS (Currently §115-23(A), (B))

Unless specifically stated otherwise or differing for a specific use as authorized by this Chapter, the following shall be the minimum area and bulk regulations for the district.

A. Lot coverages

1. Building coverage:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: Fifteen percent (15%) maximum.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Fifteen percent (15%) maximum.
2. Lot coverage:

-
- a. Single-family detached dwellings with on-site sewer and/or on-site water: Twenty percent (20%) maximum.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Twenty-five percent (25%) maximum.
- B. Principal structure
1. Net lot area:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: One (1) acre, per §115-6.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: 25,000 square feet minimum. There shall be no interior lots permitted in this district under this section.
 2. Lot width at building line:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: One hundred fifty (150) feet.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Eighty (80) feet.
 3. Lot width at street line:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: **One hundred fifty (150) feet. (Increased from 50 feet)**
 - b. Single-family detached dwellings with off-site sewer and off-site water service: **Eighty (80) feet. (Increased from 50 feet)**
 4. Front yard setback:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: Fifty (50) feet.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Fifty (50) feet.
 5. Side yard setback:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: Twenty (20) feet minimum with not less than fifty (50) feet total for both yards.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Fifteen (15) feet.
 6. Rear yard setback:
 - a. Single-family detached dwellings with on-site sewer and/or on-site water: Fifty (50) feet.

- b. Single-family detached dwellings with off-site sewer and off-site water service: Forty (40) feet.
7. Building height:
- a. Single-family detached dwellings with on-site sewer and/or on-site water: Three (3) stories above grade plane or thirty-five (35) feet.
 - b. Single-family detached dwellings with off-site sewer and off-site water service: Three (3) stories above grade plane or thirty-five (35) feet.
- C. Additional standards

(Currently §115-23(F))

1. The following shall apply to development under the open space development option, where approved by the Board of Supervisors as a conditional use:
 - a. Under the open space development option, the maximum permissible number of lots or dwelling units on any tract shall be determined by multiplying the net tract area by one of the following factors and rounding the product down to the next lower whole number (i.e., 21.6 would be rounded to 21).
 1. Single-family detached dwelling: 1.7 dwelling units per acre of net tract area, maximum.
 2. Two-family dwellings: 2.5 dwelling units per acre of net tract area, maximum.
 3. Multifamily dwellings: 3.5 dwelling units per acre of net tract area, maximum.
 - b. The area and bulk regulations of §115-49C shall apply.
 - c. The proposed development shall be served by public water and public sewer.
 - d. Open space requirements for the open space development option shall be subject to the provisions of §115-49. Not less than fifty percent (50%) of the total tract area shall be designated and used exclusively for open space in mobile home parks. The design, ownership, maintenance, and preservation of open space shall be further subject to the provisions of §115-50 of this chapter.
2. Agriculture uses shall be subject to the standards per §115-xxxx. **(Currently §115-22(B))**
3. Forestry shall be subject to the standards per §115-11E. **(Currently §115-22(B))**
4. Religious uses shall be subject to the standards per §115-xxxx.
5. Educational uses shall be subject to the standards per §115-xxxx.
6. Mobile home parks shall be subject to the standards per Article XIV. **(Currently §115-23(C))**

7. Congregate care campus shall be subject to the standards per §115-xxxx. **(Currently §115-23(G))**
8. In addition to area and bulk regulations enumerated herein, the following shall apply for all principal buildings and uses within the vicinity of a Class I or Class II historic resource:
 - a. Historic setback line: 150 feet minimum from any Class I or Class II historic resource, regardless of whether such resource is located upon a tract or lot itself. **(Currently §115-23(H))**

D. Accessory structure(s). **(Currently §115-23(E))**

1. Area and bulk regulations for accessory structures shall be subject to the standards per §115-17xx.

SECTION 115-607. DESIGN STANDARDS (Currently §115-25)

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

- A. Signs, per **Article XVIII**.
- B. Natural Features Protection Standards, per **Article XIV**.
- C. Historic Resource Protection Standards, per **Article XV**.
- D. General and Design Standards, per **Article XVII**.
- E. Off-street Parking and Loading, per **§115-58**.
- F. Stormwater Management, per **Chapter 94**.

ARTICLE VII
R-4 Residential District
[Added 3-21-1988 by Ord. No. 97-1988]

§ 115-21. Purpose; applicability.

- A. It is the intent of the R-4 District, as outlined in the East Bradford Township Comprehensive Plan, to provide the opportunity for medium-density to high-density residential development to occur in areas which are compatible with established land use patterns, located in areas of the Township which contain environmental features generally suitable for such development and accessible to transportation systems and community facilities necessary to support such development.
- B. In the R-4 Residential District, the following regulations shall apply.

§ 115-22. Use regulations.

A building may be erected, altered or used and a lot may be used for any of the following purposes and for no others:

- A. Single-family detached dwellings.
- B. Agriculture (subject to the provisions of §§ 115-11D and 115-76, of this chapter) and forestry (subject to the provisions of § 115-11E of this chapter). **[Amended 1-11-2005 by Ord. No. 1-2005; 11-8-2005 by Ord. No. 9-2005]**
- C. Any of the following accessory uses shall be permitted:
 - (1) Customary residential and agricultural accessory uses.
 - (2) A swimming pool, provided that it is located in the rear yard or side yard of the dwelling to which it is accessory and located at least 15 feet from any lot line and enclosed with a barrier that is constructed in accordance with the East Bradford Building Code, Chapter 45 of the East Bradford Code. **[Amended 8-10-2004 by Ord. No. 4-2004]**
 - (3) No-impact home-based businesses. **[Amended 10-8-2002 by Ord. No. 7-2002]**
 - (4) The sale of farm products subject to the provisions of § 115-74 of this chapter.
 - (5) Noncommercial greenhouses.
 - (6) Solar energy systems, as an accessory use, subject to the provisions of § 115-151 of this chapter. **[Added 8-10-2010 by Ord. No. 2-2010]**
- D. The following uses shall be permitted as conditional uses when authorized by the Board of Supervisors subject to the provisions of this chapter and, in particular § 115-77: **[Amended 4-9-1996 by Ord. No. 2-96; 11-25-1998 by Ord. No. 3A-1998¹]**
 - (1) Recreation, subject to § 115-50 of this chapter.

1. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

- (2) Mobile home parks, subject to the provisions of Article XIV of this chapter.
 - (3) Major home occupations, subject to the provisions of § 115-48 of this chapter.
 - (4) Open space development option, including single-family, two-family and multifamily dwellings, subject to the provisions of § 115-49 of this chapter.
 - (5) Congregate care campus.
 - (6) Adaptive reuse of Class I or Class II historic resource pursuant to the provisions of §§ 115-131.2 and 115-131.3.² **[Added 11-8-2005 by Ord. No. 9-2005]**
- E. The following uses may be permitted as special exceptions when authorized by the Zoning Hearing Board subject to provisions of this chapter contained in Article XVI:
- (1) Public utility operating facilities for local service.
 - (2) Municipal, county, state or federal uses excluding dumps, sanitary landfills and corrective or penal institutions.
 - (3) Educational or religious use.³
 - (4) Community living arrangement.

§ 115-23. Area and bulk regulations.

- A. The following shall apply for single-family detached dwellings with on-site sewer and/or on-site water: **[Amended 11-8-2005 by Ord. No. 9-2005]**
- (1) Net lot area: one acre minimum. **[Amended 4-11-2007 by Ord. No. 2-2007]**
 - (2) Lot width at building line: 150 feet minimum.
 - (3) Lot width at street line: 50 feet minimum.
 - (4) Lot coverage: 20% maximum.
 - (5) Building coverage: 15% maximum.
 - (6) Building setback line: 50 feet minimum.
 - (7) Side yard: 20 feet minimum with not less than 50 feet total for both yards.
 - (8) Rear yard: 50 feet minimum.
 - (9) Building and accessory building or structure height: three stories above grade

2. Editor's Note: Former Subsection D(7), regarding telecommunication antennas, added 8-10-2010 by Ord. No. 2-2010, which immediately followed this subsection, was repealed 7-14-2015 by Ord. No. 10-2015.

3. Editor's Note: Former Subsection E(4) and (5), regarding nursing homes, which immediately followed this subsection, were repealed 11-25-1998 by Ord. No. 3A-1998. (Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.) Said ordinance also redesignated Subsection E(6) as E(4).

plane or 35 feet maximum. **[Amended 9-13-2011 by Ord. No. 3-2011]**

- B. The following shall apply for single-family detached dwellings with off-site sewer and off-site water service:
- (1) Net lot area: 25,000 square feet minimum. There shall be no interior lots permitted in this district under this section. **[Amended 11-8-2005 by Ord. No. 9-2005; 4-11-2007 by Ord. No. 2-2007]**
 - (2) Lot width at building line: 80 feet minimum. **[Amended 8-10-2004 by Ord. No. 4-2004]**
 - (3) Lot width at street line: 50 feet minimum.
 - (4) Lot coverage: 25% maximum.
 - (5) Building coverage: 15% maximum. **[Amended 9-9-2008 by Ord. No. 2-2008]**
 - (6) Building setback line: 50 feet minimum.
 - (7) Side yard: 15 feet minimum.
 - (8) Rear yard: 40 feet minimum.
 - (9) Building and accessory building or structure height: three stories above grade plane or 35 feet maximum.⁴ **[Amended 9-13-2011 by Ord. No. 3-2011]**
- C. The following shall apply for mobile home parks with off-site sewer and off-site water service, in accordance with the provisions of Article XIV:
- (1) Total tract area: 10 acres minimum.
 - (2) Gross density: four dwelling units per acre maximum. **[Amended 9-9-2008 by Ord. No. 2-2008]**
 - (3) Net lot area: 5,000 square feet minimum per mobile home, with a minimum lot width of 50 feet. **[Amended 11-8-2005 by Ord. No. 9-2005; 4-11-2007 by Ord. No. 2-2007]**
 - (4) Tract width at building line: 300 feet minimum.
 - (5) Tract coverage: 40% maximum.
 - (6) Building coverage: 25% maximum.
 - (7) Setbacks: 50 feet minimum from a public street right-of-way; 75 feet minimum from any adjacent property; and 25 feet between mobile homes and other structures.

4. Editor's Note: Former Subsections C and D, regarding two-family and multifamily dwellings, which immediately followed this subsection, were repealed 11-25-1998 by Ord. No. 3A-1998. (Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.) Said ordinance also provided for the renumbering of the remaining subsections.

- (8) Building height: 15 feet maximum.
- D. Uses permitted by special exception in the R-4 District shall be subject to regulation as follows: **[Amended 11-25-1998 by Ord. No. 3A-1998⁵; 4-10-2001 by Ord. No. 2-2001]**
- (1) Public utility operating facilities for local service and permitted municipal, county, state or federal uses shall be subject to the area and bulk regulations contained in § 115-15E of this chapter.
 - (2) Religious and educational uses shall be subject to the area and bulk regulations contained in § 115-19E of this chapter.
 - (3) Community living arrangements shall be subject to the regulations contained in § 115-86E of this chapter.
- E. Residential accessory structures may be erected by right as follows: **[Amended 8-10-2004 by Ord. No. 4-2004; 4-14-2009 by Ord. No. 2-2009]**
- (1) Front yard. Accessory structures may be located in front yard areas on lots of one acre or greater in area, provided:
 - (a) The accessory structure complies with the applicable minimum building setback requirements;
 - (b) The accessory structure shall not be located in the area bounded by the outside walls of the principal building and a perpendicular (or radial in cases of roadway curvature) boundary line originating on each side of the principal building from the edge of the outermost face of the wall to the road right-of-way line. In the case of interior lots, the lot line at the frontage of the lot, absent of the access strip, that is most perpendicular or radial to the road right-of-way line shall be utilized to make the determination;
 - (c) If the footprint area of the accessory structure is less than 30% of the footprint area of the primary structure, the accessory structure shall be located no closer to the front lot line than 75% of the total distance from the primary structure to the front lot line. If the footprint area of the accessory structure is equal to or greater than 30% of the footprint area of the primary structure, the accessory structures shall be located no closer to the front lot line than 90% of the total distance from the primary structure to the front lot line; and
 - (d) No accessory structure in a front yard shall have a building height, mass or floor area greater than that of the principal building.
 - (2) Side and rear yards. Accessory structures shall be set no closer to a side or rear lot line in any yard area than the greatest dimension (length, width or height)

5. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

of the structure itself unless the accessory structure complies with the appropriate area and bulk regulations of the underlying district.

- F. The following shall apply to development under the open space development option, where approved by the Board of Supervisors as a conditional use: **[Added 4-9-1996 by Ord. No. 2-96; amended 11-25-1998 by Ord. No. 3A-1998⁶]**
- (1) Under the open space development option, the maximum permissible number of lots or dwelling units on any tract shall be determined by multiplying the net tract area by one of the following factors and rounding the product down to the next lower whole number (i.e., 21.6 would be rounded to 21).
 - (a) Single-family detached dwelling: 1.7 dwelling units per acre of net tract area, maximum.
 - (b) Two-family dwellings: 2.5 dwelling units per acre of net tract area, maximum.
 - (c) Multifamily dwellings: 3.5 dwelling units per acre of net tract area, maximum.
 - (2) The area and bulk regulations of § 115-49C shall apply.
 - (3) The proposed development shall be served by public water and public sewer.
- G. The following shall apply to congregate care campus use: **[Added 11-25-1998 by Ord. No. 3A-1998⁷]**
- (1) Net lot area: 10 acres minimum. **[Amended 4-11-2007 by Ord. No. 2-2007]**
 - (2) Lot width at building line: 500 feet minimum.
 - (3) Lot width at street line: 500 feet minimum.
 - (4) Lot coverage: 35% maximum.
 - (5) Building coverage: 15% maximum.
 - (6) Building and accessory building or structure height: three stories above grade plane or 35 feet maximum, provided that building height can be increased to four stories above grade plane or 50 feet maximum if sufficient additional building setback is provided at a ratio of two additional feet of building height for each five additional feet of building setback. **[Amended 9-13-2011 by Ord. No. 3-2011]**
- H. In addition to area and bulk regulations enumerated herein, the following shall apply for all principal buildings and uses within the vicinity of a Class I or Class II historic resource: **[Added 11-8-2005 by Ord. No. 9-2005]**

6. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

7. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

- (1) Historic setback line: 150 feet minimum from any Class I or Class II historic resource, regardless of whether such resource is located upon a tract or lot itself.

§ 115-24. Community facilities. [Amended 11-25-1998 by Ord. No. 3A-1998;⁸; 11-8-2005 by Ord. No. 9-2005]

Open space requirements for the open space development option shall be subject to the provisions of § 115-49. Not less than 50% of the total tract area shall be designated and used exclusively for open space in mobile home parks. The design, ownership, maintenance and preservation of open space shall be further subject to the provisions of § 115-50 of this chapter.

§ 115-25. Design standards.⁹

The following design standards shall apply:

- A. For single-family detached residential and agricultural uses, parking regulations as established by § 115-58 of this chapter.
- B. For all uses permitted in this district: **[Amended 12-13-2006 by Ord. No. 8-2006; 9-9-2008 by Ord. No. 2-2008]**
 - (1) Screening standards as established by § 115-52 of this chapter.
 - (2) Storage standards as established by § 115-53 of this chapter.
 - (3) Landscaping standards as established by § 115-45.1 of this chapter.
 - (4) Access and traffic control standards as established by § 115-55 of this chapter.
 - (5) Interior circulation standards as established by § 115-56 of this chapter.
 - (6) Lighting standards as established by § 115-57 of this chapter.
 - (7) Off-street parking regulations as established by § 115-58 of this chapter.
 - (8) Standards limiting emission of smoke, fumes, odors, etc., as established by § 115-60 of this chapter.
- C. In addition to the design standards set forth above, congregate care campus use, which is permitted by conditional use in this district, shall comply with off-street loading regulations as established by § 115-59 of this chapter. **[Amended 11-25-1998 by Ord. No. 3A-1998¹⁰]**

8. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

9. Editor's Note: Former § 115-25, Site development standards, was repealed 11-25-1998 by Ord. No. 3A-1998. (Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.) Said ordinance also provided for the renumbering of former § 115-26 to § 115-25.

10. Editor's Note: Ordinance No. 3A-1998 readopted the text of Ord. No. 3-1998 because of concern that Ord. No. 3-1998 was not properly advertised before it was adopted on 10-13-1998.

§ 115-26

§ 115-26

§ 115-26. (Reserved)

Article II: Definitions

CERTIFIED HISTORIC DISTRICT — An historic district which has been delineated by East Bradford Township and certified for historical significance by the Pennsylvania Historical and Museum Commission in accordance with Pa. Act 167 of 1961.

CERTIFIED HISTORIC STRUCTURE — A building or other structure identified by East Bradford Township and listed in the National Register of Historic Places or located within a registered historic district and certified by the Secretary of the Interior as being of historical significance to the district.

CHARACTERISTIC LANDSCAPE ELEMENTS — Topographic, vegetative and structural features of the landscape typically viewed from public roads or rights-of-way within East Bradford Township, including but not limited to:

1. Open agricultural landscapes.
2. Woodlands, tree lines, hedgerows and visually prominent individual trees.
3. Steep banks, hillsides and ridge lines of prominent topographical relief.
4. Visually prominent wetlands and watercourses.
5. Buildings, sites, structures, objects and districts identified on the East Bradford Township Historic Resources Map, as defined in §115-122 of the Code.
6. Clusters of buildings arranged so as to have the appearance of a single landscape unit, especially groups of buildings typically clustered as a farmstead and used or formerly used predominantly for agricultural purposes, and/or groups of buildings typically constituting a crossroads village.

CLASS I, CLASS I DOE OR CLASS II HISTORIC RESOURCE — Historic resources as defined in §115-122A(1), (2) and (3), respectively, of this chapter.

CLEAR CUTTING — The felling of all trees on a tract of land, or any portion thereof, at one time.

CO-LOCATION or CO-LOCATED — The mounting of one or more WCFs, including antennas, on an existing tower-based WCF, or on any structure that already supports at least one non-tower WCF.

COMMUNITY LIVING ARRANGEMENT — Any of the following facilities licensed, operated or permitted under the authority of the Department of Welfare of the Commonwealth of Pennsylvania or other state department or agency: group foster homes for children; community residential facilities for the mentally retarded, disabled or challenged; community residential facilities for the psychiatrically disabled; and family-based group homes. This

definition does not include day-care centers, nursing homes, general or special hospitals, prisons or jails.

COMMUNITY SPACE — Areas containing community amenities, including but not limited to plazas, mail kiosks, game courts, gazebos, dog parks, etc.

COMPLETELY DRY SPACE — A space which will remain totally dry during flooding; the structure is designed to prevent the passage of water and water vapor.

CONFERENCE CENTER — A building or assemblage of buildings designed as a place to accommodate university faculty, staff, students and visitors for the purpose of holding or conducting meetings or conferences. A conference center may be constructed to provide accommodations for a limited number of visiting attendees.

CONGREGATE CARE CAMPUS — A building or group of buildings on a lot dedicated primarily to the care of the elderly and consisting of two or more of the following uses:

1. Community resources center.
2. Day-care center for adults.
3. Assisted living facilities.
4. Nursing home (extended care facility).
5. Uses accessory to and located on the same lot as the congregate care campus, including but not limited to medical clinics, professional offices and medical testing laboratory facilities, provided that such uses shall be an integral part of the congregate care campus and shall be operated and maintained substantially in conjunction with the congregate care campus facilities.

CONTRIBUTING RESOURCE — A resource in an historic district or historic complex which, as filed with the National Register or the Bureau for Historic Preservation, support the district's or complex's historical significance through location, design, setting, materials, workmanship, feeling and association.

CONVENIENCE STORE — A commercial use, principally engaged in the sale of retail goods for individual and household consumption, that is limited in size and intended to provide service primarily to a local neighborhood. Such a use shall be classified as a convenience store if, at minimum, it offers for sale the following items: groceries, household dry goods and prepared or take-out foods (hot and/or cold) intended for consumption off the premises. Any location for a convenience store shall be characterized by well-managed vehicular access and sufficient parking.

CROSSWALK — A public right-of-way used for pedestrian travel across a roadway or traffic aisle at an intersection or any portion of a block to provide safe pedestrian access to adjacent roads, lots, parking areas, sidewalks, or public use areas.

CUMULATIVE SUBSTANTIAL DAMAGE — Flood-related damages sustained by a structure on two separate occasions during a ten-year period for which the cost of repairs at the time of each such flood event, on average, equals or exceeds 25% of the market value of the structure before the damages occurred.

DAY-CARE CENTER — Any premises operated for profit in which adult or child day care is provided simultaneously for six or more adults or children who are not relatives of the operator. "Relative," for the purposes of this definition, means parent, guardian, child, stepparent, stepchild, grandparent, grandchild, brother, sister, half-brother, half-sister, aunt, uncle, niece or nephew.

DBH (Diameter at breast height) — The point at which existing trees located upon a property are to be measured. The measurement shall be taken at 4 1/2 feet above mean ground level.

DECLARATION OF LAND RESTRICTION (NON-CONVERSION AGREEMENT) — A form signed by the property owner to agree not to convert or modify, in any manner that is inconsistent with the terms of the permit and these regulations, certain enclosures below the lowest floor of elevated buildings and certain accessory structures. The form requires the owner to record it on the property deed to inform future owners of the restrictions.

DEMOLITION — The razing or destruction, whether entirely or in part, of a building, structure, site or object. "Demolition" includes the removal of any building, structure or object from its site, or the removal or destruction of the facade or surface.

DETERMINATION OF ELIGIBILITY (DOE) — An historic resource determined by the Secretary of the Interior as meeting the National Register criteria, but which is not listed in the National Register.

DEVELOPMENT — Any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; dredging; drilling operations; storage of equipment or materials; and the subdivision of land.

DEVELOPMENT AREA — A specific area designated within the PU Planned University District intended to be devoted to the construction of a building or buildings for uses permitted in the PU Planned University District and proposed to be constructed and completed under a single development plan. The development area shall include the required open space in accordance with the terms of this chapter and **Article XXIII**.

DINING HALL — A structure, or part of a structure, within the university campus used to receive, store (dry and/or cold), prepare and serve food products to students, faculty, staff and visitors to the university. Food may be served in the dining hall or may be provided for take-out. A dining hall may be operated by the University or by contract between the university and a

private firm, or by a combination of both, provided that there shall be no exterior advertisement regarding the private firm or firms operating the dining hall. Seating capacity in dining halls shall be limited to 500 persons.

DISTRIBUTED ANTENNA SYSTEMS (DAS) — A network of spatially separated antenna sites connected to a common source that provides wireless service within a geographic area or structure.

DISTRICT, HISTORIC — A geographically definable area (urban or rural, small or large) possessing a significant concentration, linkage or continuity of sites, buildings, structures or objects united by past events or aesthetically by plan or physical development.

DOMESTIC WASTE — Normal wastes from kitchens, water closets, lavatories and laundries in residences, offices, hotels, stores, restaurants, hospitals, schools, commercial establishments, industrial establishments and similar services.

DOUBLE PARKING — Parking stalls proposed in parallel or in series where a vehicle parked in the interior stall cannot exit the stall unless a vehicle parked in the exterior stall first exits.

DRIPLINE — A generally circular line, the circumference of which is determined by the outer reaches of a tree's widest branching points.

DUMP — A lot or portion of a lot used for the deposit and storage of refuse, including, but not by way of limitation, garbage, ashes and rubbish. The definition of "dump" does not include a sanitary landfill as defined by this chapter when operated in accordance with standards established by the Pennsylvania Department of Health or the Chester County Health Department.

DWELLING UNIT — A building or entirely self-contained portion thereof containing complete housekeeping facilities, for occupancy by only one family (including any domestic servants living or employed on the premises) with no enclosed space (other than vestibules, entrances or other hallways or porches) in common with any other dwelling unit. Dwelling units may be contained in the following structures:

1. **SINGLE-FAMILY DETACHED**—A building having only one dwelling unit from ground to roof, independent outside access and open space on all sides.
2. **TWO-FAMILY**—A building containing two dwelling units (detached, semidetached or attached), including but not limited to twin or duplex:
 - a. **TWIN**—A building containing two dwelling units, separated by a party wall, each having independent outside access and open space on three sides.
 - b. **DUPLEX**—A building containing two dwelling units from ground to roof, each of which has independent outside access and open space on all sides.

3. **MULTIFAMILY**—A building containing three or more dwelling units, including four-family dwellings (fourplex, quadraplex), townhouses (single-family attached) and apartment buildings.
 - a. **FOUR-FAMILY DWELLING (FOURPLEX, QUADRAPLEX)** — A building containing four dwelling units, each of which has independent outside access, two nonparallel walls in common with adjacent dwelling units and open space on two nonparallel sides.
 - b. **TOWNHOUSE (SINGLE-FAMILY, ATTACHED)** — A building containing not more than seven dwelling units separated by parallel party walls, each of which has only one dwelling unit from ground to roof, independent outside access, not more than two walls in common with adjacent units and open space to the front and rear (internal units) or front, rear and one side (end units).
 - c. **APARTMENT** — A building containing three or more dwelling units separated by party walls, which may have more than one dwelling unit from ground to roof and common outside access and hallways.