

TOWNSHIP OF NEWLIN  
CHESTER COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2013-03

**AN ORDINANCE OF THE TOWNSHIP OF NEWLIN, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE NEWLIN TOWNSHIP CODE, BEING THE SUBDIVISION AND LAND DEVELOPMENT ORDINANCE, DELETING CERTAIN USES OTHERWISE PROVIDED FOR ACROSS THE UNIONVILLE REGION; DELETING REFERENCES TO OPTIONS 2 AND 5 RESIDENTIAL SUBDIVISIONS; INCORPORATING REFERENCES TO THE UNIONVILLE AREA REGIONAL COMPREHENSIVE PLAN; AND, RENUMBERING SECTIONS TO REFLECT DELETED AND NEW USES.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of Newlin Township, Chester County, Pennsylvania, and it is hereby ENACTED and ORDAINED, that the Newlin Township Code of Ordinances, being the Subdivision and Land Development Ordinance, is amended as follows;

**SECTION 1. Article I, Section 101,** is amended to read as follows:

This Ordinance shall be known and may be cited as the **Newlin Township Subdivision and Land Development Ordinance of 1999, as amended.**

**SECTION 2. Article I, Section 102 B., E., and I.,** are amended to read as follows:

- B.** To implement the policies and goals expressed in the Unionville Area Regional Comprehensive Plan and the Newlin Township Open Space, Recreation and Environmental Resources Plan of 1994.
- E.** To coordinate proposed streets with existing or other proposed streets, parks, or other features of the Unionville Area Regional Comprehensive Plan and the Newlin Township Open Space, Recreation and Environmental Resources Plan of 1994.
- I.** To ensure that the layout and arrangement of the subdivision or land development plan is in conformance with the approved articles or chapters of the Unionville regional Comprehensive Plan and to any regulations or maps adopted in furtherance thereof.

**SECTION 3. Article II, Section 201** is amended by deleting the following definitions: ADULT COMMERCIAL USE; AMUSEMENT PARK; ANIMAL SHELTER; AUTOMOBILE SALES; AUTOMOBILE SERVICE STATION; AUTOMOTIVE REPAIR FACILITIES; BANKING, DRINKING ESTABLISHMENT; HELIPORT; HELISTOP; HIGHWAY COMMERCIAL DEVELOPMENT; HOSPITAL; HOTEL; INDUSTRIAL PARK; JUNKYARD; MEDICAL CENTER;

MINI WAREHOUSE; MOTEL; OFFICE BUILDING; OFFICE PARK; PLANNED COMMERCIAL SHOPPING CENTERS; RECREATIONAL FACILITY; RESORT; RESTAURANT, FAST FOOD; RESTAURANT, FAST FOOD WITH DRIVE THROUGH SERVICE; RETIREMENT COMMUNITY; SANITARY LANDFILL; WAREHOUSE; WHOLESAL TRADE; and, WHOLESAILING.

**SECTION 4. Article II, Section 201** is amended by adding or amending the following definitions and inserting them in alphabetical order to read as follows:

**COMMERCIAL USE, NEIGHBORHOOD** - Commercial uses, located in Embreeville and Mortonville villages, intended primarily for the use of local residents. Neighborhood commercial uses include retail businesses for the sale of food, drugs, flowers, household goods, newspapers, stationary, art supplies, fine art sales, and tobacco; and personal service uses, including barber or beauty shops, tailor shop, photographic studios, shoe repair, and similar types of businesses, but shall not include convenience stores as defined elsewhere in this ordinance.

**HISTORIC RESOURCE (or Structure)** - Any structure, parcel, or site that is:

- A. Listed individually on the National Register of Historic Places (a listing maintained by the Department of the Interior) or preliminary determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- B. Certified or preliminary determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- C. Individually listed on a state inventory of historic places in states with historic preservation programs that have been approved by the Secretary of the Interior;
- D. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - 1. By an approved state program as determined by the Secretary of the Interior; or
  - 2. Directly by the Secretary of the Interior in states without approved programs, or
- E. Any building, site or parcel identified as having historic or cultural value in either the Chester County Newlin Township Historic Resource Atlas of 2010, the Unionville Area Regional Comprehensive Plan Chapter 4 of 2011 or the Newlin Township Open Space, Recreation and Environmental Resources Plan of 1994, and all locations listed in the National Register of Historic Places.

**LIVE/WORK UNIT** – A single dwelling unit consisting of both a commercial/office and a residential component that is occupied by the same resident. The live/work unit shall be the primary dwelling of the occupant.

**RECREATION, OUTDOOR** - A leisure time facility designed and equipped for the conduct of sports activities, including swimming, boating, tennis and other court games, baseball and other field sports, playground and other outdoor activities, but excluding amusement parks, go-cart tracks, shooting ranges, fueling activity and other activities which generate noise objectionable to a residential environment.

**SECTION 5. Article IV, Section 403 F. 2. E.** is amended to read as follows:

- e. the compatibility of the proposal with respect to the objectives and policy recommendations of the Unionville Area Regional Comprehensive Plan and the Open Space, Recreation and Environmental Resources Plan; and

**SECTION 6. Article V, Sections 500 E. 9.** is amended to read as follows:

- 9. Historic structures and sites as identified in the Chester County Newlin Township Historic Resource Atlas of 2010, the Unionville Area Regional Comprehensive Plan Chapter 4 of 2011 or Newlin Township Open Space, Recreation and Environmental Resources Plan of 1994.

**SECTION 7. Article V, Section 500 N., Table 4** is amended to read as follows:

<b>Table 4 - Minimum Perimeter Greenbelt Width (feet)</b>			
<b>Land Use</b>	<b>Front</b>	<b>Side</b>	<b>Rear</b>
Option 1 Residential Developments (neutral density: see Zoning Ordinance Section 304)	15	10	15
Option 3 Residential Developments (estate lots: see Zoning Ordinance Section 304)	30 feet or one-half the distance between the perimeter lot line and the nearest dwelling, whichever is greater		
Option 4 Residential Developments (country properties)	Not Required		
Commercial	10	20 feet or one-half the distance between the perimeter lot line and the structure, whichever is greater	
Industrial	20	40 feet or one-half the distance between the perimeter lot line and the structure, whichever is	

		greater
Recreational	10	15
All Other Land Uses (except agricultural)		20 feet or one-half the distance between the perimeter lot line and the structure, whichever is greater

**SECTION 8. Article VI, Section 601 H. 2.** is amended to read as follows:

- Plans requiring subdivision and land development approval shall be designed to protect existing historic resources as listed in the Chester County Newlin Township Historic Resource Atlas of 2010, the Unionville Area Regional Comprehensive Plan Chapter 4 of 2011 or the Newlin Township Open Space, Recreation and Environmental Resources Plan of 1994. The protection of an existing historic resource shall include the conservation of the landscape immediately associated with and significant to that resource, to preserve its historic context. Where, in the opinion of the Township, a plan will have an impact upon an historic resource, the developer shall mitigate that impact to the satisfaction of the Township by modifying the design, relocating proposed lot lines, providing landscape buffers, or other approved means.

**SECTION 9. Article VI, Sections 602 B. 5.** Is deleted in its entirety.

**SECTION 10. Article IX, Section 908 A. 4., Table 6** is amended to read as follows:


Table 6 - Trip Generation Rates	
Housing Type	Average Weekday Trip Generation Rates
Single-Family Detached	9.6 trips/dwelling unit
Single-Family Semi-Detached (twin), Duplex, Attached (townhouse)	5.9 trips/dwelling unit
Multi-Family (apartments)	6.6 trips/dwelling unit
Mobile Home Park	4.8 trips/dwelling unit

**SECTION 11.** Effective Date. This Ordinance shall become effective five (5) days after enactment as by law provided.

ENACTED AND ORDAINED this 11<sup>th</sup> day of February 2013, by and on behalf of the Board of Supervisors of NEWLIN TOWNSHIP.

BOARD OF SUPERVISORS OF  
NEWLIN TOWNSHIP

BY:   
Janie Baird, Chairman

BY:   
Robert Pearson, Vice Chairman

BY:   
William Kelsall, Member

ATTEST:

  
Gail Abel - Township Secretary