

BOROUGH of KENNETT SQUARE
COUNTY of CHESTER, COMMONWEALTH of PENNSYLVANIA

ORDINANCE NO. 949

AN ORDINANCE OF THE BOROUGH OF KENNETT SQUARE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE BOROUGH OF KENNETT SQUARE ZONING ORDINANCE BY AMENDING CHAPTER 23 – ZONING, TO ADDRESS REVITALIZATION/ADDITIONAL USES OF PROPERTIES WITHIN THE C-2 ZONING DISTRICT.

BE IT ENACTED AND ORDAINED by the Borough Council of Kennett Square Borough, Chester County, and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. The Kennett Square Borough Zoning Ordinance, Article III, Section 23-6, Definitions, as heretofore amended, is hereby amended to revise the definition of “Building Height” as follows:

"Building height" means the vertical distance measured from the median level of the existing grade of the building to:

- (1) The highest point of the roof in the case of a flat roof; or
- (2) The mean height between eaves and ridge of a pitched roof provided that the portion of the building above the maximum building height is for decorative purposes only.

For the purposes of determining the Maximum Building Height, Building Height does not include basement or cellar/below grade parking, roof-top mechanical equipment, air conditioners, elevator penthouses, chimneys, spires, cupolas, steeples and similar rooftop appurtenances and/or architectural features designed solely to conceal roof-mounted mechanical equipment.

SECTION 2. The Kennett Square Borough Zoning Ordinance, Article III, Section 23-19, C-2 Secondary Commercial District, as heretofore amended, is hereby amended to add the following Section 23-19(b)(19), as follows:

- (19) Revitalization/Additional Uses of Properties, pursuant to Section 23-19(k).

SECTION 3. The Kennett Square Borough Zoning Ordinance, Article III, Section 23-19, C-2 Secondary Commercial District, as heretofore amended, is hereby amended to add the following Section 23-19(k), as follows:

(k) Revitalization/Additional Uses of Properties. In order to achieve the purpose of helping to transform portions of the Borough's central business district, to provide increased housing opportunities, to encourage the revitalization of unoccupied, underperforming commercial and/or non-residential uses, and to encourage a mix of residential and non-residential properties that are complimentary to one another, the rehabilitation, revitalization and reuse of properties is permitted within the C-2 Zoning District, on properties with direct frontage on State Street, within the C-2 District Revitalization/Additional Use Overlay District, pursuant to the following provisions:

(1) In addition to those uses permitted in Section 23-19(b) above, single family, townhouse and multifamily uses shall be permitted by right as part of a Revitalization/Additional Uses of Properties.

(2) Design and development regulations.

- i. The minimum overall tract area shall be two (2) acres, if not contiguous within 50 feet, and no individual lot or non-contiguous lot shall be less than 15,000 square feet.
- ii. Density: apartments – 1/500 square feet of gross lot area; attached and semi-detached dwellings – 1/1,800 square feet of gross lot area; and detached dwellings – 1/2000 square feet of gross lot area.
- iii. A minimum of two percent (2%) of the tract area shall be built and maintained for public facilities such as a pocket park and/or parkette, or other similar recreational and/or public gathering area.
- iv. No more than three (3) bedrooms shall be built and maintained for each multi-family dwelling unit proposed hereunder.
- v. All buildings shall be built and maintained with variations to the front facades. At a minimum, there shall be a two (2) foot horizontal break every linear fifty foot (50 ft.) of frontage in the form of recesses and/or projections in order to create visual interest.
- vi. All single-family, townhouse and multi-family dwelling units shall have at least one (1) of the following features: balconies, bay windows, porticoes, stoops, pent eave roofs, or other like-type elements, in order to add visual interest to the building.
- vii. No building shall exceed 400 feet in width along a street frontage.
- viii. Off-street parking shall be provided at one parking space per bedroom.

- ix. No mid-block curb cuts shall be permitted along a primary street frontage, except as required by the Americans with Disabilities Act.
 - x. All proposed development shall have shade trees an average interval of 40 feet on center.
 - xi. All proposed development shall have sidewalks along the frontages at a minimum width of four feet six inches (4'-6").
- (3) The following lot area, lot width, building coverage, impervious surface coverage and height regulations shall apply to the Revitalization/Additional Uses of Properties.

TABLE 14 - DIMENSIONAL REQUIREMENTS					
	Minimum Lot Area (sq. ft.)	Minimum Lot/Parcel Width (feet)	Maximum Building Coverage	Maximum Building Height	Maximum Impervious Surface Coverage
Residential Uses	15,000	100 feet	85%	55 feet*	90%
Non-Residential Uses	See Section 23-19(g)				

- * Architectural features including, but not limited to, parapets, to conceal roof-mounted mechanical equipment shall be limited to 48 inches. Elevator penthouses shall be limited to 72 inches.

Minimum Yard Requirements.

TABLE 15 – MINIMUM SETBACKS AND YARD REQUIREMENTS					
	Minimum Setback from Front Yard (feet)	Minimum Individual Side Yard (feet)	Minimum Total Side Yards (feet)	Minimum Rear Yard (feet)	Maximum Front Yard Setback (feet)
Residential Uses	0	5	10	25*	8

- * If the use is multi-family residential and the building has no facing windows to the property line, the setback may be reduced to five feet (5') for no more than 50% of the property line.

SECTION 4. The Zoning Map of the Borough of Kennett Square is hereby amended, as reflected in Exhibit "A" hereto, to incorporate and depict the C-2 District Revitalization/Additional Use Overlay District.

SECTION 5. APPLICABILITY. The provisions hereof shall supersede any ordinances or parts of ordinances which are inconsistent herewith.

SECTION 6. SEVERABILITY. If any provision, 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 Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 7. EFFECTIVE DATE. This Ordinance shall become effective five (5) days from enactment.

SECTION 8. The Code of Ordinances of the Borough of Kennett Square, Chester County, as amended, shall remain unchanged and in full force and effect except as amended, supplemented and modified by this Ordinance. This Ordinance shall be codified into, and become a part of, the Code of Ordinances of the Borough of Kennett Square, as amended, upon adoption.

DULY ENACTED AND ORDAINED this 17th day of June, 2019.

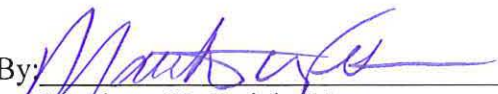
**BOROUGH COUNCIL
BOROUGH OF KENNETT SQUARE
CHESTER COUNTY, PENNSYLVANIA**

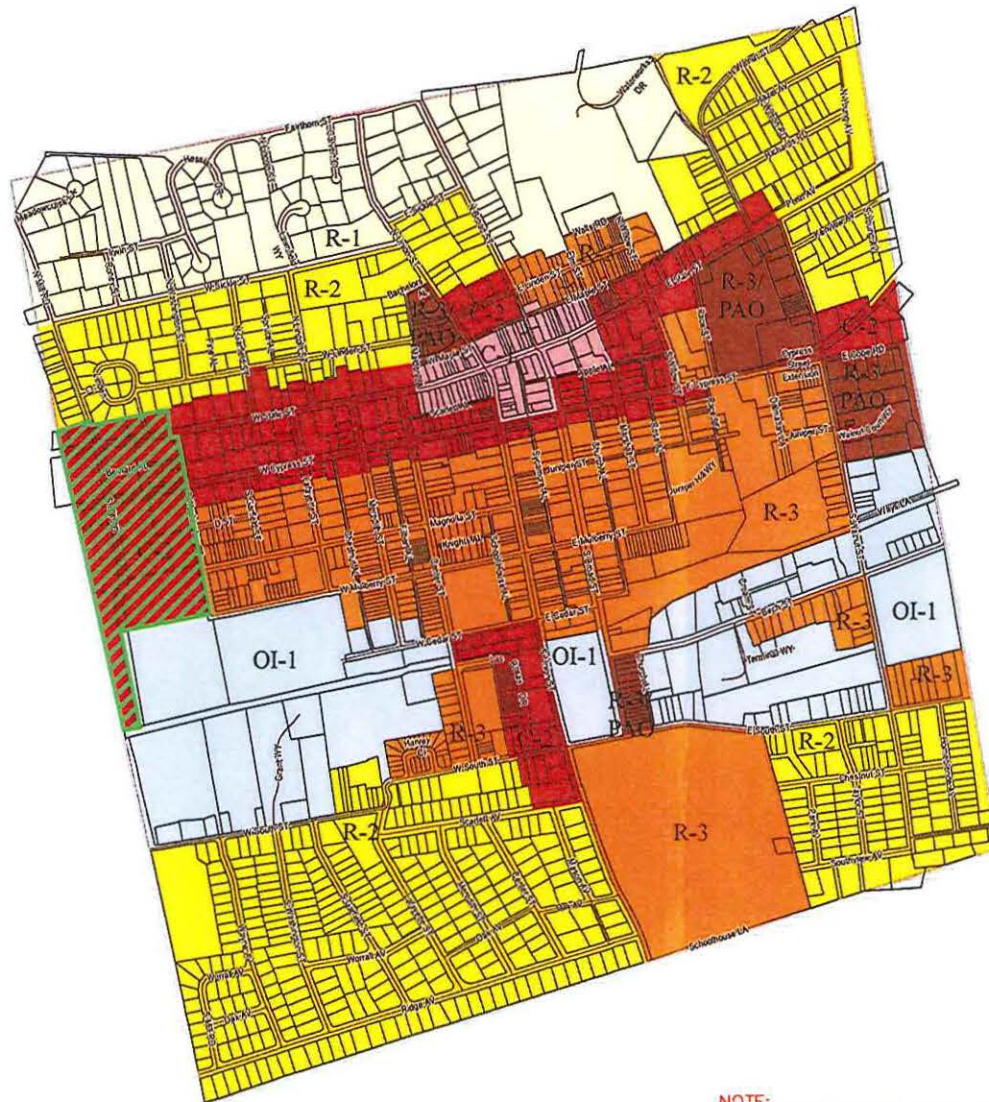
ATTEST:

By: 
Rachel J. Berkowitz
Borough Secretary

By: 
J. Douglas Doerfler
Council President

This Ordinance is hereby examined and approved by me this 17th day of June, 2019.

By: 
Matthew W. Fetick, Mayor



Kennett Square Zoning Districts

- C-1 - Kennett Center Primary Retail
- C-2 - Secondary Commercial
- OI-1 - Office & Industrial
- R-1 - Low Density Residential
- R-2 - Residential (7500 sq. ft. lots)
- R-3 - Medium Density Residential
- R-3/PAO - Medium Density Residential/Professional Office

- Road Centerlines
- Parcels
- Municipal Boundary
- C-2 DISTRICT REVITALIZATION/ADDITIONAL USE OVERLAY



NOTE:
ZONING MAP TAKEN FROM KENNETT
SQUARE BOROUGH MUNICIPAL ZONING
MAP DATED SEPTEMBER 12, 2011

THE LOFTS AT STATE STREET

KENNETT SQUARE BOROUGH, CHESTER COUNTY, PA

C-2 DISTRICT REVITALIZATION/ADDITIONAL
USE OVERLAY MAP

ADVANCED
Leaservices

A MONTROSE ENVIRONMENTAL GROUP COMPANY
1000 ANDERSON DRIVE, SUITE A
WEST CHESTER, PENNSYLVANIA 19380
Tel: 610.682.1100 Fax: 610.682.1101 Web: www.advancedleaservices.com

1" = 1,000'	
Drawn By	FES
Checked By	DTW
Project Name	GP
Project No.	20183601
Issue Date	04/26/2018
Sheet No.	1 OF 1
Project Number	0