

POCOPSON TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 1 – 2023

AN ORDINANCE OF THE TOWNSHIP OF POCOPSON, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE POCOPSON TOWNSHIP CODE OF ORDINANCES, AS AMENDED, TO REVISE CHAPTER 250, TITLED “ZONING” TO UPDATE REQUIREMENTS FOR PREEXISTING PARCELS LESS THAN TWO NET ACRES; AND OTHER MISCELLANEOUS PROVISIONS CONTAINED HEREIN.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of Pocopson Township that Chapter 250, “Zoning”, Article III, “Residential and Agricultural Zoning District” of the Pocopson Township Code of Ordinances, as amended, shall be amended as follows:

SECTION 1. Section 250-19.C, shall be amended to read as follows, with underlined interlineations denoting additions of language and strike through interlineations denoting removal of language:

C. Preexisting parcels less than two net acres in area.

~~Parcels or lots existing prior to the adoption of these provisions and comprising less than two net acres in area may not be further subdivided.~~

1. Where such ~~parcel-lots~~ is the result of development approved under previously applicable PRD or cluster development provisions, ~~such the area and bulk provisions,~~ as recorded in applicable subdivision/land development plans, shall apply. Any building shall comply with all other applicable standards set forth in §250-17 or as otherwise provided for in this chapter. However, the parcel or lot shall not be subdivided, even if such subdivision would have been permitted under the area and bulk provisions as recorded on the applicable subdivision/land development plan.

2. In all other cases, the following shall apply:

(~~a~~) Uses shall be limited to single-family detached dwellings and customary accessory residential uses excluding accessory apartments on lots with less than 1 1/2 net acres.

(~~b~~) Any building shall comply with all applicable standards set forth in § 250-17 and as otherwise provided in this chapter.

(~~c~~) Maximum impervious coverage per lot: 15% of net acreage except that, where approved at the discretion of the Zoning Hearing Board as a special exception, the maximum impervious coverage may be increased to no more than 30% of the net acreage, subject to the following:

(a) The sewage system shall be certified adequate for the size of the dwelling by the Chester County Health Department.

(b) The Township Engineer shall certify that adequate stormwater recharge or storage facilities exist or shall be installed to handle all roof drainage and resolve any existing problems and any increase in runoff.

(c) No such increase in impervious coverage shall be permitted where any building requiring such increase shall require the installation of a sand-mound or other nonconventional sewage system on a substandard lot of less than one acre.

(4d) Maximum building coverage per lot: 10% except that, where approved at the discretion of the Zoning Hearing Board as a special exception, the maximum building coverage on a lot of less than one acre may be increased to 20%, so long as any increase in total impervious coverage beyond 15% meets the criteria set forth in Subsection C(3) above.

(5e) Minimum front and rear yard setbacks:

(a) Forty feet from any residential street or adjacent property.

(b) One hundred feet from any Township-defined collector road.

(6f) Minimum side yard setbacks: 10 feet for one yard; 40 feet aggregate.

(7g) Maximum building height: 35 feet measured in accordance with BOCA.

(h) No subdivision of the parcel shall be permitted.

SECTION 2. 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 therein.

SECTION 3. REPEALER. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance. Notwithstanding the foregoing, the adoption of this amendment and the repeal of ordinances shall not affect the any right or liability established, accrued or incurred under any legislative provision of the Township prior to the effective date of this ordinance

or any action or proceeding brought for the enforcement of such right or liability or any cause of action acquired or existing.

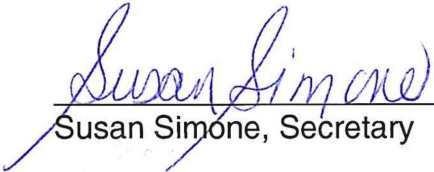
SECTION 4. GENERAL CODE. General Code is hereby authorized to make non-substantive formatting and numbering changes necessary to clarify references to other sections of the Pocopson Township ordinances and/or codification and to bring the Ordinance into conformity with the Pocopson Township ordinances/codification.

SECTION 5. EFFECTIVE DATE. This Ordinance shall become effective five days after enactment as provided by law.

ENACTED AND ORDAINED this 23rd day of October, 2023.


ATTEST:

**BOARD OF SUPERVISORS
POCOPSON TOWNSHIP**



Susan Simone, Secretary

Elaine DiMonte, Chairwoman



Ricki Stumpo, Vice-Chairwoman



Raymond McKay, Supervisor