

LONDON GROVE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 225 – 2023

AN ORDINANCE OF THE TOWNSHIP OF LONDON GROVE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE LONDON GROVE TOWNSHIP ZONING ORDINANCE OF 2017, AS AMENDED IN ORDINANCE NO. 213 ADOPTED ON OCTOBER 3, 2018 TO ADD DEFINITIONS OF “APARTMENT BUILDING” AND “APARTMENT COMPLEX” IN SECTION 27-202; TO AMEND SECTION 27-1002.2 TO ADD A SUBPARAGRAPH F TO ALLOW APARTMENT BUILDINGS AND APARTMENT COMPLEXES BY CONDITIONAL USE IN THE COMMERCIAL DISTRICT; TO AMEND THE INTRODUCTORY SENTENCE IN SECTION 27-1003 TO PROVIDE DIFFERENT AREA AND BULK REQUIREMENTS FOR AN APARTMENT BUILDING AND APARTMENT COMPLEX IN THE COMMERCIAL DISTRICT AND TO ADD A NEW SECTION 27-1006 TO ADD REGULATIONS FOR APARTMENT BUILDINGS AND APARTMENT COMPLEXES IN THE COMMERCIAL DISTRICT.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of London Grove Township that the London Grove Township Zoning Ordinance of 2017, as amended, is hereby further amended as follows:

SECTION 1. The following definitions shall be added to Section 27-202:

Apartment Building – A single building on a single lot which contains at least three dwelling units which may be separated horizontally and/or vertically.

Apartment Complex – A group of two or more apartment buildings built on a lot or lots which shall include common amenities and recreational facilities for the use of the apartment residents, such as, but not limited to office space for the uses associated with the apartment development, swimming pools, fitness rooms, recreation areas, open space, common parking areas and private garages for apartment residents.

SECTION 2. Section 27-1002.2 shall be amended to add the following subparagraph F:

“F. Apartment building and apartment complexes.”

SECTION 3. The introductory sentence in Section 27-1003 shall be amended to state as follows:

“The following regulations shall apply to all the uses permitted in the Commercial District, except apartment buildings and apartment complexes.”

SECTION 4. A new Section 27-1006, titled, “Apartment buildings and apartment complexes” shall be added and provide as follows:

“§ 27-1006. Apartment buildings and apartment complexes.

- A. Apartment buildings in the Commercial District are permitted by conditional use and shall be designed in accordance with the standards in this § 27-1006.A.
- (1) There shall be a minimum contiguous land area of four gross acres.
 - (2) The apartment building shall be served by public sanitary sewage and public water supply facilities.
 - (3) The building setback line shall be 30 feet from the existing right-of-way line or ultimate right-of-way, whichever is greater.
 - (4) The maximum length of any apartment building shall not exceed 120 feet.
 - (5) The maximum depth of any apartment building shall not exceed 80 feet.
 - (6) All apartment buildings shall be located at least 30 feet from any side or rear property line.
 - (7) The maximum building cover shall be 25%.
 - (8) The maximum impervious cover shall be 40%.
 - (9) The maximum building height shall be 35 feet.
 - (10) The apartment building shall be designed in accordance with the following architectural, landscaping and exterior enhancement standards:
 - (a) A landscaping plan shall be submitted to the Township for consideration and approval as part of the conditional use application.
 - (b) The apartment building shall provide a buffer yard and planting screen along the property lines at the perimeter of the development tract sufficient to protect the privacy of the adjacent property owners. In no instance shall the buffer yard be less than 10 feet in width when the proposed yard abuts an existing nonresidential use and no less than 25

feet in width when the yard abuts a residential use. The design of the landscaped and planting screen shall be subject to the approval of the Board of Supervisors as part of the conditional use application. The use of existing mature trees (six inches in caliper, as measured at breast height) is encouraged and may be utilized as part of the required buffer yard.

(11) The off-street parking areas and access drives shall be designed in accordance with the following provisions:

(a) The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver.

(b) Common parking areas and access drives shall be located a minimum of 20 feet from the apartment building. Common parking areas shall be a minimum of 20 feet from all street rights-of-way and exterior lot lines of the development.

(c) The entrance- and exit ways to parking areas shall have a minimum width of 12 feet for each lane of traffic entering or leaving the areas.

(d) All common parking areas shall be sufficiently screened and landscaped in accordance with the standards in § 27-1806 of this chapter.

(e) The minimum number of required number off-street parking spaces for the development shall be two and half (2.5) spaces per dwelling unit.

(f) Each parking space shall have a minimum area of 180 square feet (ten feet wide by 18 feet long).

(12) Exterior storage areas for trash and rubbish shall be completely screened from view on three sides by fencing and landscaping. All trash and rubbish shall be contained in vermin proof containers.

(13) The provisions specified herein for common open space do not relieve the applicant of complying with other requirements for open space and recreation as specified within the London Grove Township Code.

B. Apartment complexes in the Commercial District are permitted by conditional use and shall be designed in accordance with the standards in this § 27-1006.B.

(1) There shall be a minimum contiguous land area of 15 gross acres. "Contiguous land area" shall be defined as a parcel of land that is owned under a single deed

or parcels of land that are owned under multiple deeds, provided that the parcels of land are contiguous to each other having common deed boundaries and are not physically separated by parcels of land owned by other individuals or parties. The Board of Supervisors shall consider contiguous parcels of land that are physically separated by utility easements or rights-of-way, streams and/or other natural features, provided that the applicant demonstrates that the apartment development can be harmoniously designed.

- (2) All of the uses contained within the development shall be served by public sanitary sewage disposal facilities. As part of the conditional use application, the applicant shall provide evidence that there are sufficient public sewer capacities to service the development.
- (3) All of the uses contained within the development shall be served by public water supply facilities. As part of the conditional use application, the applicant shall provide evidence that there are sufficient public water capacities to service the development.
- (4) The maximum permitted residential density (apartment units per net acre) for apartment buildings shall be 12 units per acre.
- (5) A minimum of 20% of the gross area of the apartment development shall be set aside as common open space. No more than 60% of the common open space shall be located on lands within areas that are located within the one- hundred-year floodplain, areas delineated as wetlands and/or areas with a slope of 20% or greater.
- (6) The total number of individual apartment units contained within a single building shall not exceed 36 apartment units.
- (7) The building setback line shall be 20 feet from the existing right-of-way line or ultimate right-of-way, whichever is greater.
- (8) The minimum building separation from other groups of apartment buildings within the development shall be as follows:
 - (a) The separation shall be 30 feet when the apartment buildings are side-to- side.
 - (b) The separation shall be 30 feet when the apartment buildings are side-to- rear.
 - (c) The separation shall be 30 feet when the apartment buildings are rear-to- rear.
- (9) The maximum length of any apartment building shall not exceed 240 feet.

- (10) The maximum depth of any apartment building shall not exceed 80 feet.
- (11) All apartment buildings shall be located at least 20 feet from any side or rear property line.
- (12) The maximum building cover shall be 35%.
- (13) The maximum impervious cover shall be 80%.
- (14) The maximum building height shall be 60 feet.
- (15) The apartment development shall be designed in accordance with the following architectural, landscaping and exterior enhancement standards:
 - (a) A landscaping plan shall be submitted to the Township for consideration and approval as part of the conditional application.
 - (b) The apartment development shall provide a buffer planting strip and buffer area along the property lines at the perimeter of the development tract sufficient to protect the privacy of the adjacent property owners. In no instance shall the buffer yard be less than 10 feet in width when the proposed yard abuts an existing nonresidential use and no less than 25 feet in width when the yard abuts a residential use. The design of the landscaped and planting screen shall be subject to the approval of the Board of Supervisors as part of the conditional use application. The use of existing mature trees (six inches in caliper, as measured at breast height) is encouraged and may be utilized as part of the required buffer yard.
- (16) Where feasible, the front building lines or facades of the apartment building shall be staggered or offset.
- (17) The off-street parking areas and access drives shall be designed in accordance with the following provisions:
 - (a) The parking areas shall not be designed or located to require cars to back into streets in order to leave the parking areas. All dead-end parking lots shall provide adequate areas in which emergency and commercial vehicles can safely maneuver and subject to the approval of the Board of Supervisors as part of the conditional use application. .
 - (b) Common parking areas and access drives shall be located a minimum of 20 feet from all buildings and structures within the development. Common parking areas shall be a minimum of 20 feet from all street rights-of-way and exterior lot lines of the development.
 - (c) All common parking areas shall be sufficiently screened and landscaped in accordance with the standards in § 27-1806.3 of this

chapter.

- (d) The minimum number of required number off-street parking spaces for the development shall be two and half (2.5) spaces per dwelling unit.
 - (e) Each parking space shall have a minimum area of 180 square feet (ten feet wide by 18 feet long).
- (18) Exterior storage areas for trash and rubbish shall be completely screened from view on three sides by fencing and landscaping. All trash and rubbish shall be contained in vermin proof containers.
- (19) The provisions specified herein for common open space do not relieve the applicant of complying with other requirements for open space and recreation as specified within the London Grove Township Code.
- (20) The apartment complex development shall incorporate sidewalks and/or trails for pedestrian circulation.
- (21) In addition to the dwelling units, an apartment complex may contain the following nonresidential uses:
 - (a) Office space utilized for the purpose of conducting customary business, sales, meetings and/or maintenance which are directly associated with the apartment development.
 - (b) Indoor recreation and/or community center for use by the residents of the apartment buildings.
 - (c) Active and passive recreation uses within the open space areas of the apartment development.
 - (d) Garage/storage units dedicated to the use of the residents.
 - (e) Electric Vehicle (EV) charging stations dedicated to the use of the residents. EV charging stations shall be located a minimum of 25' (twenty-five feet) from a structure.”

SECTION 5. Section 27-2009.1 shall be amended to state as follows:

“(1) In all districts, the residential parking requirements shall be two spaces per dwelling unit including single-family and two-family dwellings, except when townhouses and single-family dwellings in lots less than 18,000 square feet are proposed, in which case an additional two off-street guest spaces for visitors shall be provided for each unit constructed. The parking requirement for apartment buildings and apartment complexes in the Commercial District shall be 2.5 spaces per dwelling unit.”

SECTION 6. 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 7. 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 8. EFFECTIVE DATE. This Ordinance shall be effective in five days as provided by law.

ENACTED AND ORDAINED this 10 day of May, 2023.

ATTEST:

**BOARD OF SUPERVISORS OF
LONDON GROVE TOWNSHIP**



Dawn Maciejczyk, Secretary

BY: 

Stephen Zurl, Chairman



Christina Fanning, Vice Chairperson

John Lee Irwin, Member

Kevin Runey, Member



David Connors, Member