

**WILLISTOWN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO 6 OF 2024

AN ORDINANCE PURSUANT TO THE PENNSYLVANIA MUNICIPALITIES PLANNING CODE, AMENDING CHAPTERS 73, 93, 109, 123, AND 139 OF THE CODE OF ORDINANCES OF WILLISTOWN TOWNSHIP, BEING THE WILLISTOWN TOWNSHIP ENVIRONMENTAL PROTECTION ORDINANCE, THE WILLISTOWN TOWNSHIP NUISANCES ORDINANCE, THE WILLISTOWN TOWNSHIP SOIL EROSION AND SEDIMENTATION CONTROL ORDINANCE, AND THE WILLISTOWN TOWNSHIP ZONING ORDINANCE BY DEFINING VARIOUS TERMS; BY CORRECTING SEVERAL SECTION REFERENCES; BY ADDING A THRESHOLD FOR TREE SIZE BEING REMOVED; BY ADDING ITEMS TO THE ALTERATION OF BMPS; BY AMENDING THE DELINEATION AND DEFINITION OF PROHIBITIVE AND PRECAUTIONARY SLOPES; BY CONSOLIDATING PLAN REVIEW CONTENT AND CONSULTANTS; BY REVISING SPECIFIC DESIGN STANDARDS; BY REPLACING CLUSTER DEVELOPMENT WITH OPEN SPACE CONSERVATION DISTRICT; BY AMENDING THE SIGN SECTION; BY ADDING INFORMATION SUBMITTED TO THE ZONING HEARING BOARD; BY REQUIRING ADDITIONAL DETAIL TO ZONING PERMITS; AND BY ADDING REFERENCE TO THE TOWNSHIP FEE SCHEDULE THROUGHOUT.

BE IT AND IT IS HEREBY ENACTED by the Board of Supervisors of Willistown Township, Chester County, as follows:

SECTION 1. The Code of the Township of Willistown, Chapter 73 thereof, being the Willistown Township Environmental Protection Ordinance of 1995, as amended (the "Environmental Protection Ordinance"), Article I, General, Section 73-4 Definitions, shall be amended by revision to and creation of the following:

WOODLAND

Generally, an ecosystem characterized by a dense and extensive tree cover. More particularly, a plant community predominantly of healthy trees and other woody vegetation, well-stocked and growing closely together.

SECTION 2. The Environmental Protection Ordinance, Article IV, Conservation of Valued Woodlands and Other Vegetation Section 73-13A, shall be amended by revision to and creation of the following:

- A. Except in conjunction with routine property maintenance and forestry as defined and regulated in Chapter 139, the following regulations shall apply:
 - (1) Healthy, well-stocked woodlands or wooded lots.
 - (a) No wooded lot of two acres or more, either created by subdivision or currently existing, shall be disturbed in such a manner that the number of trees having a caliper of six (6) inches or greater on the lot prior to any disturbance shall be reduced by more than twenty-five percent (25%) by such disturbance. Where a unified development or grading plan for a subdivided tract is to be submitted, this standard may be applied to the entire tract proposed for development or grading, rather than to the individual lots of which the tract consists.

- (b) In instances where disturbance or tree cutting of more than twenty-five percent (25%) of those existing trees having a caliper of six (6) inches or greater is considered desirable, as determined by a forester in accordance with sound forest management practices, the individual removing such trees shall replace one hundred ten percent (110%) of the total caliper inches removed in excess of twenty-five percent (25%) with new plantings of trees having at least a five (5) inch caliper. Upon approval of the Township, applicants of predominantly wooded sites shall be permitted to substitute vegetation other than trees for required tree plantings. The replacement trees shall be installed within two years of commencement of land disturbance.
- (c) Design, maintenance and guarantee of such plantings shall be in conformance with Article X, Landscaping, Buffering and Screening; Development and Construction Standards.
- (d) The Township shall have discretion to require renovation of unhealthy or unsafe trees having a caliper of six (6) inches or greater. Every effort shall be made to retain as much woodland as possible of a size and configuration which will promote its growth and natural regeneration.

SECTION 3. The Environmental Protection Ordinance, Article VI, Floodplain Conservation District Section 73-18B, shall be amended by revision to and creation of the following:

- B. Permits required. A permit and applicable fee shall be required before any construction or development is undertaken within any area of Willistown Township.

SECTION 4. The Environmental Protection Ordinance, Article VII, Steep Slope Conservation District, Section 73-31 Designation and Interpretation of District Boundary, subsection A, shall be amended by revision to and creation of the following:

- A. The Steep Slope Conservation District consists of two areas which are delineated and defined as follows:
 - (1) Prohibitive slope. Prohibitive slopes are those of greater than twenty-five percent (25%) slope as based upon and mapped using two-foot contours from a topographic survey of the property (i.e., sloping more than twenty-five (25) feet vertical over a distance of one hundred (100) feet horizontal), where such slope exists for five (5) contiguous two (2)-foot contour intervals in any continuous horizontal increment along the slope of fifty (50) feet or more.
 - (2) Precautionary slope. Precautionary slopes are those of fifteen percent (15%) to twenty-five percent (25%) slope as based upon and mapped using two-foot contours from a topographic survey of the property (i.e., sloping fifteen (15) feet to twenty-five (25) feet vertical over a distance of one hundred (100) feet horizontal), where such slope exists for five (5) contiguous two (2)-foot contour intervals in any continuous horizontal increment along the slope of fifty (50) feet or more.

SECTION 5. The Environmental Protection Ordinance, Article VIII, Stormwater Management, Section 73-44 Prohibitions, subsection D, shall be amended by creation of the following:

- D. Alteration of BMPs.
 - (3) No person shall allow the BMP or conveyance to exist in a condition which does not conform to the approved Plan or this agreement; and
 - (4) No person shall dispose of, discharge, place or otherwise allow pollutants including, but not limited to, deicers, pool additives, household chemicals, and automotive fluids to directly or indirectly enter any BMP or conveyance.

SECTION 6. The Environmental Protection Ordinance, Article XII, Riparian Buffer Area (RBA) Conservation District, Section 73-62 Use Regulations, subsection A(2)(a), shall be amended by revision to the following:

- (a) Road, street, or driveway crossing which is within 15° of perpendicular to the water body.

SECTION 7. The Code of the Township of Willistown, Chapter 93 Nuisances, adopted 1993, as amended, Section 93-5 Noise Disturbance by Construction Activity, shall be amended by revision to and creation of the following:

A. Noise disturbance by construction activity.

- (1) It shall be unlawful within the Township of Willistown for any person or persons to operate construction vehicles or equipment or demolition equipment or to commence construction activity which results in noise before 7:00 a.m. Monday through Friday and before 9:00 a.m. on Saturday and Sunday.
- (2) All such construction activity shall cease at 8:00 p.m. each day, provided that the construction equipment is not being used in conjunction with agricultural activities, an emergency or a repair of a public utility, e.g., gas main, water main, electrical power line, etc., in which case this section shall not apply.

SECTION 8. The Code of the Township of Willistown, Chapter 109 Soil Erosion and Sedimentation Control thereof, adopted 1974, as amended, Section 109-2 Plan and permit required for certain activities, shall be amended by revision to and creation of the following:

Whenever the topography and vegetation are to be disturbed, a plan for the control of erosion and sediment is required.

- D. Whenever the topography or vegetation is to be disturbed and the proposal involves less than one (1) acre, a permit shall be required, subject to Subsection E of this section.

SECTION 9. The Code of the Township of Willistown, Chapter 109 Soil Erosion and Sedimentation Control thereof, adopted 1974, as amended, Section 109-9 Fees, shall be amended by revision to and creation of the following:

A fee as stipulated within the Township Fee Schedule is required upon initial submission of an application under this chapter. Costs of all inspections will be billed to the applicant as inspections are completed. Payments shall be made within thirty (30) days, and no occupancy permit will be issued until all payments have been made.

SECTION 10. The Code of the Township of Willistown, Chapter 123 thereof, being the Willistown Township Subdivision and Land Development Ordinance, as amended (the "Subdivision Ordinance"), Article IV, General Procedure, Section 123-11 Submission of a Sketch Plan, shall be amended by revision to and creation of the following:

Submission of a sketch plan is strongly encouraged, and the applicant is encouraged to discuss the following: 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; and sewage facilities planning and other relevant matters. The purpose of the sketch plan is to afford the applicant the opportunity to consult early and informally with the Township Planning Commission before preparation of subsequent preliminary and/or final plans. Sketch plans shall be submitted as per the specific procedures in §123-16A(2)(a).

SECTION 11. The Subdivision Ordinance, Article V, Plan Requirements and Procedures, Section 123-16 Sketch Plan, shall be amended by revision to and creation of the following:

A. Procedure.

(1) Submission of sketch plan.

- (a) Submission of a sketch plan **is** strongly encouraged. Submission of a sketch plan does not constitute formal subdivision or land development application.
- (b) Sufficient copies of the sketch plan may be submitted to the Township for distribution to the Planning Commission, Township Consultants, and as applicable other Township Boards and Commissions prior to the Planning Commission meeting at which the sketch plan is to be discussed.

SECTION 12. The Subdivision Ordinance, Article V, Plan Requirements and Procedures, Section 123-17 Preliminary Plan, shall be amended by revision to and creation of the following:

A. Procedure.

(1) Submission of preliminary plan.

(b) Official submission of a preliminary plan to the Township shall consist of:

- [1] One (1) copy of the application (both paper and electronic) of the application for review of preliminary subdivision or land development plan on the form designated by the Township for this purpose.
- [2] A sufficient number of copies (both paper and electronic as specified on the application form) of the preliminary plan and all supporting plans and information to enable proper distribution and review, as required by the Board.

(c) Copies of the preliminary plan and all required supplemental data shall be initially submitted to the Township, together with the required fees and escrow deposit established in accordance with the terms of this Subdivision and Land Development Ordinance. The Township shall note the date of receipt of the application, fees and escrow deposit. The application shall not be deemed to be submitted until a complete application and the required fees and the required escrow deposit have all been submitted. The Township staff shall make a preliminary review of the application. If the Township determines that the application is defective on its face, the applicant will be notified who may request the return of all submissions for the purpose of correction and resubmission. A request for the return of all submissions shall be deemed to be a withdrawal of the application.

(d) Acceptance; copies of materials; additional reviews and reports.

- [1] Upon submission of a complete application, together with all required fees and escrow deposits, the Township shall accept the application, plans and other required materials and shall transmit the requisite number of copies of the plans and other required materials to the Township Planning Commission, the Township Consultants, and other Township Boards and Commissions as applicable. In addition, copies shall be transmitted to:

(2) Review of preliminary plan.

(a) Township Planning Commission.

- [1] The Township Planning Commission shall review all plans referred to it and shall consider any recommendations made by any county agency, the Township Consultants, and other Township Boards and Commissions as applicable and any other persons or entity who shall have submitted comments with respect to any such application.

(b) Board of Supervisors.

- [2] In acting on the preliminary subdivision or land development plan, the Board shall review the plan, the comments of the Planning Commission, Township Consultants, and other Township Boards and Commissions as applicable, Chester County Planning Commission and all other reviewing agencies and comments from public hearings, if any, to determine conformity of the application to the standards of this and any other applicable ordinance. The Board may specify conditions, changes, modifications, or additions to the application which the Board deems necessary and may decide to grant preliminary approval subject to such conditions, changes, modifications or additions, citing appropriate ordinance provisions upon which the Board relies in specifying such conditions. For the purposes of Section 508 of the Pennsylvania Municipalities Planning Code, the Township Planning Commission is the body which first reviews the application. All applications for approval of a plat, whether preliminary or final, shall be acted upon by the Board of Supervisors and communicated to the applicant within ninety (90) days following the date of the regular meeting of the Planning Commission next following the date the application is filed, provided that, should said next regular meeting of the Planning Commission occur more than 30 days following the filing of the application, said ninety-day period shall be measured from the 30th day following the day the application is filed.

SECTION 13. The Subdivision Ordinance, Article V, Plan Requirements and Procedures, Section 123-18 Final Plan, shall be amended by revision to and creation of the following:

A. Procedure.

(1) Submission of final plan.

(e) Official submission of a final plan to the Township shall consist of:

- [1] One (1) copy of the application (both paper and electronic) for review of final subdivision or land development plan on the form designated by the Township for this purpose.
- [2] The number of copies (both paper and electronic as specified on the application form) of the final plan and all supporting plans and information to enable proper distribution and review, as required by the Board.
- (f) Copies of the final plan and all required supplemental data shall be initially submitted to the Township, together with the required fees and escrow deposit established in accordance with the terms of this Subdivision and Land Development Ordinance. The Township shall note the date of receipt of the application, fees and escrow deposit. The application shall not be deemed to be submitted until a complete application and the required fees and the required escrow deposit have all been submitted. The Township shall make a preliminary review of the application. If the Township determines that the application is defective on its face, he shall notify the applicant, who may request the return of all submissions for the purpose of correction and resubmission. A request for the return of all submissions shall be deemed to be a withdrawal of the application.
- (g) Acceptance; copies of materials; additional reviews and reports.
- [1] Upon submission of a complete application, together with all required fees and escrow deposits, the Township shall accept the application, plans and other required materials and shall transmit the requisite number of copies of the plans and other required materials to the Township Consultants, and other Township Boards and Commissions as applicable. In addition, copies shall be transmitted to:

(2) Review of final plan.

(a) Township Planning Commission.

- [1] The Planning Commission shall review the final plan submitted and the recommendation of the Township Consultants, and other Township Boards and Commissions as applicable and any other reviewing agency submitting comments.

(b) Board of Supervisors.

[6] Copies of the final plan as finally approved, with the appropriate endorsement of the Board of Supervisors and the Township Engineer, shall be distributed as follows:

[a] At least three (3) copies, two (2) of which shall be recorded in accordance with §123-18A(5) to the applicant.

[b] One (1) copy to the County Planning Commission.

[c] One (1) copy to the County Health Department.

[d] One (1) copy to be retained in the Township files, together with one copy of all supporting materials.

SECTION 14. The Subdivision Ordinance, Article VI, Design Standards, Section 123-22 Lots and Lot Sizes, subsection G shall be amended by revision to and creation of the following:

G. Lot restrictions; access strip.

(3) An interior lot shall have an access strip with a minimum width of twenty-five (25) feet connecting to a street. Such access strip shall have a minimum width of twenty-five (25) feet for its entire depth and shall not be counted toward the required minimum lot area per the applicable Zoning District within Chapter 139 of the Township Code.

SECTION 15. The Subdivision Ordinance, Article VI, Design Standards, Section 123-24 Cul-de-sac and Other Single-access Streets, subsection A shall be amended by revision to the following:

A. Cul-de-sac streets permanently designed as such shall not serve more than twenty-four (24) lots nor exceed one thousand six hundred (1,600) feet in length from existing streets or from proposed streets having more than one access. The Board, at its sole discretion, may approve lengths in excess of one thousand six hundred (1,600) feet if the configuration of the tract puts constraints on alternative access or if similar site design problems exist so that in the opinion of the Board the purposes of the Subdivision and Land Development Ordinance will be more satisfactorily accomplished by permitting such additional length. Cul-de-sac streets shall have a minimum length of two hundred fifty (250) feet and shall be provided at the closed end with a paved turnaround having a minimum diameter to the outer pavement edge of ninety (90) feet and a minimum right-of-way diameter of one hundred ten (110) feet. Plans submitted under the requirements of the Open Space Conservation District shall be permitted to modify the requirements for cul-de-sac streets consistent with approved street right-of-way and cartway widths pursuant to §123-25 upon approval by the Planning Commission and the Board of Supervisors.

SECTION 16. The Subdivision Ordinance, Article VI, Design Standards, Section 123-25 Rights-of-way and Street Widths, subsection A shall be amended by the addition of the following note:

Reference Map 12 Circulation Plan of the Willistown Township Comprehensive Plan of 2023 for collectors (major & minor) and local roads.

SECTION 17. The Subdivision Ordinance, Article VI, Design Standards, Section 123-33 Driveways, subsection C shall be amended by revision to and creation of the following:

C. The sight distance at the intersection of a proposed driveway with any state, Township or private road shall be maintained as specified in §123-28 of this Subdivision and Land Development Ordinance.

SECTION 18. The Code of the Township of Willistown, Chapter 139 thereof, being the Willistown Township Zoning Ordinance of 1981, as amended (the "Zoning Ordinance"), Article II,

Definitions and Word Usage, Section 139-6 Definitions, shall be amended by revision to and creation of the following:

CLUSTER DEVELOPMENT (Remove, repealed 6-28-99, Ord 2-99)

EASEMENT

A limited right to use the property of another. Common easements include driveways, private roads, equestrian use, pedestrian, and utility rights-of-way for electric, sewer, water, or communication lines. Most easements contain legal descriptions and are detailed within deeds.

HISTORIC RESOURCE(S)

All buildings, sites, structures, objects and districts inventoried by the Willistown Township Historical Commission as having potential historical or architectural significance.

STREET

E. MARGINAL ACCESS STREET

A local street, parallel and adjacent to a collector or arterial street (but separated from it by a reserve strip), which provides access to abutting properties and controls intersections with collector or arterial streets.

WOODLAND

Generally, an ecosystem characterized by a dense and extensive tree cover. More particularly, a plant community predominantly of healthy trees and other woody vegetation, well-stocked and growing closely together.

SECTION 19. The Zoning Ordinance, Article IV, RU Rural Districts, Section 139-13 Area and Height Regulations, subsection A shall be amended by revision to and creation of the following:

- A. Lot area and width. Except as otherwise provided in §139-153E (OSC Open Space Conservation District) a lot area of not less than four acres per family shall be provided for every principal building erected, altered or used; and each lot shall have a lot width of not less than three hundred (300) feet at the building line.

SECTION 20. The Zoning Ordinance, Article V, RA Residence Districts, Section 139-18 Area and Height Regulations, shall be amended by revision to and creation of the following:

Every lot on which a principal building is erected, altered or used shall comply with the following area requirements, subject also to the special provisions of §§139-150-157 of the OSC Open Space Conservation District.

SECTION 21. The Zoning Ordinance, Article VI, RA-1 Residence Districts, Section 139-23 Area Regulations, shall be amended by revision to and creation of the following:

Every lot on which a principal building is erected, altered or used shall comply with the following area requirements, subject also to the special provisions of §§139-150-157 of the OSC Open Space Conservation District.

SECTION 22. The Zoning Ordinance, Article VII, R-1 Residence Districts, Section 139-28 Area Regulations, shall be amended by revision to and creation of the following:

Every lot on which a principal building is erected, altered or used shall comply with the following area requirements, subject also to the special provisions of §§139-150-157 of the OSC Open Space Conservation District.

SECTION 23. The Zoning Ordinance, Article XVIII, Signs, Section 139-110 Use and Location Requirements, subsections B-N shall be amended by revision to and creation of the following:

- B. Professional, accessory use or name signs, indicating the name, profession, or activity of the occupant of a dwelling, and trespassing signs, or signs indicating the private nature of a driveway or premises, provided that the area on one (1) side of any such sign shall not exceed two (2) square feet. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (No permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962.)
- C. Signs advertising the sale or rental of a premises upon which they are erected, when erected by the owner or a broker or other person interested in the sale or rental of such premises, may be erected and maintained, provided that the size of any sign is not in excess of six (6) square feet and not more than one (1) sign is placed upon any property in single and separate ownership, unless such property fronts upon more than one (1) street, in which event one (1) such sign may be erected on each frontage. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (No permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962.)
- D. Signs advertising the sale or development of the premises upon which they are erected, when erected in connection with the development of the premises by a builder, contractor, developer or other person interested in such sale or development, may be erected and maintained, provided that the size of any such sign is not in excess of twenty (20) square feet and not more than one (1) sign is placed upon any property in single and separate ownership, unless such property fronts upon more than one (1) street, in which event one (1) such sign may be erected on each frontage. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (Permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962, and current fee in accord with the fee schedule for such signs.)
- E. Signs indicating the location and direction of premises available for or in the process of development, but not erected upon such premises, and having inscribed thereon the name of the owner, developer, builder or agent may be erected and maintained, provided that the size of any such sign is not in excess of six (6) square feet and not in excess of four (4) feet in length, and not more than one (1) such sign shall be erected on each five hundred (500) feet of street frontage. Signs permitted under this subsection may not be affixed to utility poles, traffic signs or traffic signals. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (Permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962, and current fee in accord with the fee schedule for such signs.)
- F. Signs bearing the word "sold" or the word "rented," with the name of the person affecting the sale or rental, may be erected, and maintained, provided that the conditions specified in Subsection C hereof are complied with. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (No permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962.)
- G. Temporary signs of mechanics, painters and other artisans may be erected and maintained during the period that such persons are performing work on the premises on which such signs are erected, provided that the size thereof is not more than twelve (12) square feet, such signs are removed

promptly upon completion of the work, and the conditions specified in Subsection C hereof are complied with. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (Permit required if more than six (6) square feet and current fee in accord with the fee schedule for such signs).

- H. Identification signs of schools, colleges, churches, hospitals, sanitariums or other institutions of a similar nature, provided that the size of any sign is not in excess of twenty (20) square feet and not more than one sign is placed on a property in a single and separate ownership, unless such property fronts upon more than one (1) street, in which event one (1) such sign may be erected on each frontage. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (Permit required if more than six (6) square feet and current fee in accord with the fee schedule for such signs. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962.)
- I. Signs advertising the sale of farm products when permitted by this chapter, provided that the size of any such sign is not in excess of six (6) square feet, not more than two (2) signs are used, and the signs shall only be displayed when such products are on sale. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections.
- J. Business, commercial, or industrial signs, as follows
 - (1) General standards relating to all business, commercial, or industrial districts:
 - (a) Signs shall be erected on the same premises as the use to which they relate. Directional signs relating to the same use shall be permitted on-site or off-site subject to the provisions contained in this subsection and Subsection E. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. (Permit required. NOTE: See resolution adopted by the Board of Supervisors on January 9, 1962, and current fee in accord with the fee schedule for such signs.)
 - (b) Directional signs shall not exceed six (6) square feet on any one (1) side. See Subsection E.
 - (c) Ground signs shall not exceed an overall height of fifteen (15) feet or be located within or project into a public right-of-way. Height shall include posts and/or main supports/independent structures, as well as roofs or coverings.
- K. Signs supporting a candidate for public office may be erected and maintained in accordance with applicable state and federal regulations.
- L. Temporary event signs intended for short-term use and pertaining to business events or community events may be erected and maintained, provided that the size of any such sign is not excess of twelve (12) square feet, and provided that such signs may not be erected more than thirty (30) days prior to the event, and provided that such signs must be removed within five (5) days after the event. In no case shall such signs be displayed for more than sixty (60) days. All signs shall be placed outside of the road right-of-way and not block the visibility/sight lines at intersections. In the event of a violation of this provision, any or all enforcement remedies under the Municipalities Planning Code may be brought against the owner of the property on which the signs were placed and/or the organization sponsoring the event.
- M. Permanent development entrance signs intended to discreetly identify the name of a residential development. Such signs shall be ground signs, as defined herein, and shall not exceed six (6) square feet in size, including surface area of lettering and framing but excluding posts and/or main supports. The maximum height of such signs shall not exceed four (4) feet above grade, including posts and/or

main supports. Signs may be placed on both sides of the development entrance and at multiple entrances if such exist, outside of the road right-of-way; location of signs may not obstruct sight distance for proper ingress and egress. Signs must be constructed of natural materials, including wood, stone or brick, and must be designed to be compatible with the local community character. (Permit and current fee required in accord with the fee schedule for such signs.)

- N. Vertical flagpole signs shall be permitted as a temporary sign provided that under no circumstances shall such signs exceed twelve (12) square feet or be placed closer than twenty (20) linear feet from each other. In no case shall such signs be displayed for more than sixty (60) days. (Permit and current fee required in accord with the fee schedule for such signs).

SECTION 24. The Zoning Ordinance, Article XVIII, Signs, Section 139-110.1 Standards for Signs Based on Type of Construction, shall be amended by revision to and creation of the following:

A. Classifications of signs.

- (2) Wall sign. A sign erected or displayed on or parallel to the surface of a building. Wall signs shall not extend beyond the edge of any wall or other surface to which they are mounted and shall project no more than six (6) inches from its surface.

B. Regulations.

(1) Ground sign.

- (c) No ground sign shall project to a point nearer than five (5) feet to the public right-of-way; where compliance with this standard nevertheless creates an obstruction of view, further setback may be required.

C. Area of signs. The following regulations shall be used in computing the area of signs:

- (1) The area of a sign shall be interpreted to include all lettering, wording, and accompanying designs and symbols, together with the background, whether open or enclosed, on which they are displayed, including the trim and frame.
- (2) Where the sign consists of individual letters or symbols attached to or painted on a surface, building, wall or window, the area shall be measured as that of the smallest rectangle or triangle, including the sign background, which encompasses all the letters and symbols.
- (3) In computing the square foot area of a double-face sign, only one (1) side shall be considered, provided that both faces are identical in size. If the interior angle formed by the two (2) faces of the double-faced sign is greater than forty-five degrees (45°), then both sides of such sign shall be considered in calculating the sign area.
- (4) Unless otherwise specified, all square footage is maximum size permitted.

SECTION 25. The Zoning Ordinance, Article XVIII, Signs, Section 139-111 General Restrictions, subsection J shall be amended by revision to and creation of the following:

- J. The area of any sign shall be the product computed as described in §139-110.1C.

SECTION 26. The Zoning Ordinance, Article XIX, Administration, Section 139-113 Zoning Permit, subsections G and H shall be amended by revision to and creation of the following:

- G. A Zoning Permit Application, available at the Township Office and on the Township website, shall be required, completed by the applicant, and issued by the Township prior to the first occupancy of an

accessory apartment. Without limiting the foregoing, said application form shall specifically indicate that the factual representations made therein by the applicant are subject to the structures and penalties applicable to unsworn statements made to civil authorities. In issuing such permit, the Zoning Officer shall be satisfied that the accessory apartment and its use comply with all regulations applicable thereto, including, without limitation, the requirement for off-street parking in connection therewith. Each zoning permit for accessory apartment occupancy as issued by the Zoning Officer shall prominently indicate that it is valid for a period of one (1) year from the date of issuance and that continued occupancy of the accessory apartment beyond that period shall be unlawful unless, prior thereto, the owner applies for and receives a renewed permit.

H. No building permit shall be issued without a valid zoning permit.

SECTION 27. The Zoning Ordinance, Article XIX, Administration, Section 139-117 Fees and Deposits, subsection A shall be amended by revision to and creation of the following:

A. Fees required in the administration of this chapter or in connection with any hearing to be held at the request of any person in connection with this chapter or any ordinance, resolution or other regulation of Willistown Township relating to land use or any control thereof shall be paid at the time application is made for a permit or for a hearing. The Fee Schedule is on the Township website for all applications.

(1) All fees and deposits shall be paid to the Township and shall be for the use of the Township.

(2) No building or zoning permit or use and occupancy permit or any other permit shall be issued by the Township until all fees and costs set forth herein have been paid.

SECTION 28. The Zoning Ordinance, Article XX, Zoning Hearing Board, Section 139-121 Expenditures for Services; Fees, subsections A and B shall be amended by revision to and creation of the following:

A. Within the limits of funds appropriated by the Board of Supervisors, the Zoning Hearing Board may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. Members of the Zoning Hearing Board, including the alternate member when designated in accordance with §139-120B of this article, may receive compensation for the performance of their duties, as may be fixed by the Board of Supervisors annually by resolution. In no case, however, shall the amount of compensation exceed the rate authorized to be paid to the members of the Board of Supervisors.

B. Any applicant before the Zoning Hearing Board shall complete and submit the Zoning Hearing Board Application, available at the Township Office and on the Township website, along with the appropriate filing fee, as established by resolution of the Board of Supervisors and in accordance with the terms of §139-117. Fees for said hearings may include compensation for the secretary and members of the Zoning Hearing Board, public notice and advertising costs, and necessary administrative overhead connected with the hearing.

SECTION 29. The Zoning Ordinance, Article XX, Zoning Hearing Board, Section 139-122 Hearings, subsection A(1) shall be amended by revision to and creation of the following:

The Zoning Hearing Board shall conduct hearings and make decisions in accordance with the following requirements.

A. Time and place.

- (1) The Zoning Hearing Board shall fix a reasonable time and place for public hearings and shall give notice thereof as follows:
 - (e) When the Zoning Hearing Board shall so order, by mailing a notice thereof to the owner, if his residence is known, or to the occupier of every lot within three hundred (300) feet of the lot or building in question, provided that failure to give the notice required by this subsection shall not invalidate any action taken by the Zoning Hearing Board.

SECTION 30. The Zoning Ordinance, Article XXVI, OSC Open Space Conservation District, Section 139-155 Design Standards, subsections A and C shall be amended by revision to and creation of the following:

- A. Viewsheds, scenic vistas and significant visual landscapes.
 - (2) In addition, dwellings and accessory buildings shall be configured so as to be located outside of broad, open vistas visible from roads or other public vantage points as inventoried in the Township's Comprehensive Plan.
- C. Scenic roads. Dwellings and accessory buildings shall be configured so as to be situated outside the immediate boundaries of scenic roads, as defined and inventoried in the Township's Comprehensive Plan. To achieve this objective, dwellings and accessory buildings should be sited outside the scenic road's visual corridor, whenever possible. Where the applicant claims that dwellings or accessory buildings cannot be situated outside the immediate boundaries of scenic roads, it shall be the burden of the applicant to demonstrate why this is not possible and how the proposed design creates the minimum possible disturbance of views along the scenic road. To the extent that any portion of a structure must be located within the scenic road's visual corridor, such siting shall be contingent upon the submission and approval by the Township Planning Commission of a plan for the mitigation of such impacts. Such plans shall identify the locations and dimensions of the proposed structure(s), the architectural style proposed and shall demonstrate how the structure(s) shall be effectively screened from the scenic road and/or designed to minimize disruption of views from the scenic road. At a minimum, views of dwellings and accessory buildings from scenic roads shall be minimized by the use of changes in topography, existing vegetation or additional landscaping.

SECTION 31. Severability. The provisions of this Ordinance are intended to be severable, and if any section, sentence, clause, part or provision hereof shall be held to illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of the Board of Supervisors that this Ordinance would have been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provisions had not been included herein.:

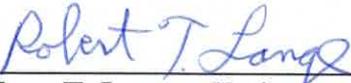
SECTION 32. Effective Date. This Ordinance shall be effective five (5) days from the date of enactment.

SECTION 33. Repealer. All other ordinances and resolutions or parts thereof as they are inconsistent with this Ordinance are hereby repealed.

- SIGNATURES ON NEXT PAGE -

ENACTED and ORDAINED this 9th day of September, 2024.

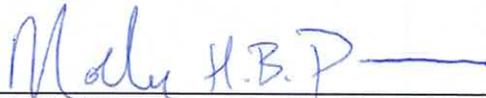
**BOARD OF SUPERVISORS
WILLISTOWN TOWNSHIP**



Robert T. Lange, Chair

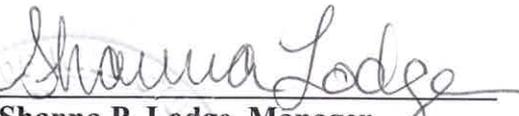


William R. Shoemaker, Vice Chair



Molly H.B. Perrin, Member

ATTEST:



Shanna P. Lodge, Manager

