

**CALN TOWNSHIP**  
**CHESTER COUNTY, PENNSYLVANIA**

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF CALN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CALN TOWNSHIP ZONING ORDINANCE OF 2005, AS AMENDED, WHICH IS CODIFIED IN CHAPTER 155 OF THE CALN TOWNSHIP CODE, SPECIFICALLY TO REZONE A PORTION OF CHESTER COUNTY TAX PARCEL 39-4-115 FROM R-4 MEDIUM TO HIGH DENSITY RESIDENTIAL TO TV-1 THORNDALE VILLAGE AND TO AMEND ARTICLE VII “RESIDENTIAL LAND USE AND DEVELOPMENT REQUIREMENTS”, SECTION 155-54.B AND C TO ADOPT NEW AREA AND BULK REQUIREMENTS FOR MULTIFAMILY TOWNHOUSE USES AND DEVELOPMENT IN THE TV-1 ZONING DISTRICT.**

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Board of Commissioners of Caln Township that the Caln Township Zoning Ordinance of 2005, as amended, which is codified in Chapter 155 of the Caln Code is hereby amended as follows:

**SECTION 1.** The Caln Township Zoning Map which is adopted in Article III of the Ordinance titled, “Zoning Map and Zoning Districts”, Section 155-15, titled, “Official Zoning Map”, shall be revised to rezone a portion of the following parcel of property from R-4 Medium to High Density Residential District to TV-1 Thorndale Village District as depicted on the revised Zoning Map which is attached hereto as Exhibit “A” and is incorporated herein by reference:

<u>Parcel No.</u>	<u>Legal Owner</u>	<u>Property Address</u>
39-4-115	Allan I. Cohen Michael H. Cohen et al	4109 Lincoln Highway

**SECTION 2.** Section 155-54.B entitled “Multifamily townhouse uses and developments” is amended as follows:

“B. All multifamily townhouse unit developments shall be designed in accordance with the following general design requirements:

- (1) The minimum amount of land in the development shall be 25 contiguous 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 Commissioners shall consider contiguous parcels of land that are physically separated by existing public roads, utility easements or rights-of-way, streams and/or other natural features, provided that the applicant demonstrate that the multifamily townhouse unit 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 capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.
- (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 capacities to service the development in accordance with the terms specified on all pertinent municipal agreements.
- (4) The maximum permitted residential density (townhouse units per gross acre) for multifamily townhouse unit developments in the R-4 District shall not exceed 4.0 townhouse units per gross acre. The maximum permitted residential density (townhouse units per gross acre) for multifamily townhouse unit developments in the TV-1 District shall not exceed 4.0 townhouse units per gross acre.
- (5) A minimum of 50% of the gross area of the multifamily townhouse unit development shall be set aside as common open space.”

**SECTION 3.** Section 155-54.C entitled “Multifamily townhouse uses and developments” is amended as follows:

“C.(1) A multifamily townhouse unit development in the R-4 District shall be designed to comply with the following minimum and maximum dimensional requirements:

- (1) The minimum width of a townhouse unit shall be 24 feet per unit.
- (2) The building setback line should be established 30 feet from the right-of-way line or 40 feet from the curblines.
- (3) The minimum building separation from other groups of townhouse units within the development shall be as follows:
  - (a) The separation shall be 40 feet when the townhouse unit groups are side to side.
  - (b) The separation shall be 50 feet when the townhouse unit groups are side to rear.
  - (c) The separation shall be 60 feet when the townhouse unit groups are rear to rear.

- (4) All townhouse units within the development shall be located at least 50 feet from any property line or property which is not owned by the applicant in predevelopment conditions.
- (5) The number of townhouse units, attached in a common row, shall not exceed eight attached townhouse units.
- (6) The maximum height of a townhouse unit shall be 35 feet.
- (7) No more than 25% of the total area of the development shall be covered by buildings.
- (8) No more than 40% of the total area of the development shall be covered by impervious surfaces.

C.(2). A multifamily townhouse unit development in the TV-1 District shall be designed to comply with the following minimum and maximum dimensional requirements:

- (1) The minimum width of a townhouse unit shall be 20 feet per unit.
- (2) The building setback line should be established 20 feet from the curblines.
- (3) The minimum building separation from other groups of townhouse units within the development shall be as follows:
  - (a) The separation shall be 20 feet when the townhouse unit groups are side to side.
  - (b) The separation shall be 40 feet when the townhouse unit groups are side to rear.
  - (c) The separation shall be 40 feet when the townhouse unit groups are rear to rear.
- (4) All townhouse units within the development shall be located at least 25 feet from any property line or property which is not owned by the applicant in predevelopment conditions.
- (5) The number of townhouse units, attached in a common row, shall not exceed eight attached townhouse units.
- (6) The maximum height of a townhouse unit shall be 35 feet.
- (7) No more than 25% of the total area of the development shall be covered by buildings.

(8) No more than 40% of the total area of the development shall be covered by impervious surfaces.

(9) Notwithstanding any other provision in this Chapter to the contrary, where more than 50% of the tract is comprised of lands within the one-hundred-year floodplain, areas delineated as wetlands and/or areas with a slope of 20% or greater, more than 50% of the common open space may be located within these constrained lands provided that a minimum of 10% of the required common open space is suitable for active recreation.”

**SECTION 4. Severability.** The provisions of this Ordinance are severable, and if any article, section, subsection, clause, sentence or part thereof shall be held or declared illegal, invalid or unconstitutional by any court of competent jurisdiction, the decision shall not affect or impair any of the remaining articles, sections, subsections, clauses, sentences or parts thereof of this Ordinance. It is hereby declared to be the intent of the Board of Commissioners that this Ordinance would have been adopted if such illegal, invalid or unconstitutional article, section, subsection, clause, sentence or part thereof had not been included herein.

**SECTION 5. Repealer.** All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

**SECTION 6. Effective Date.** This Ordinance shall become effective upon enactment as by law provided.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

ATTEST:

**CALN TOWNSHIP  
BOARD OF COMMISSIONERS**

\_\_\_\_\_  
Don Vymazal  
Township Secretary

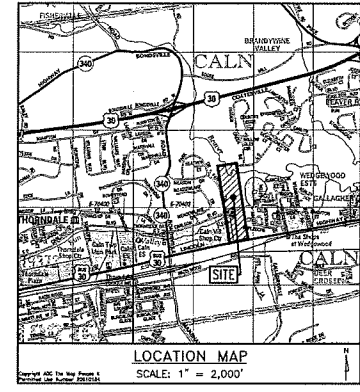
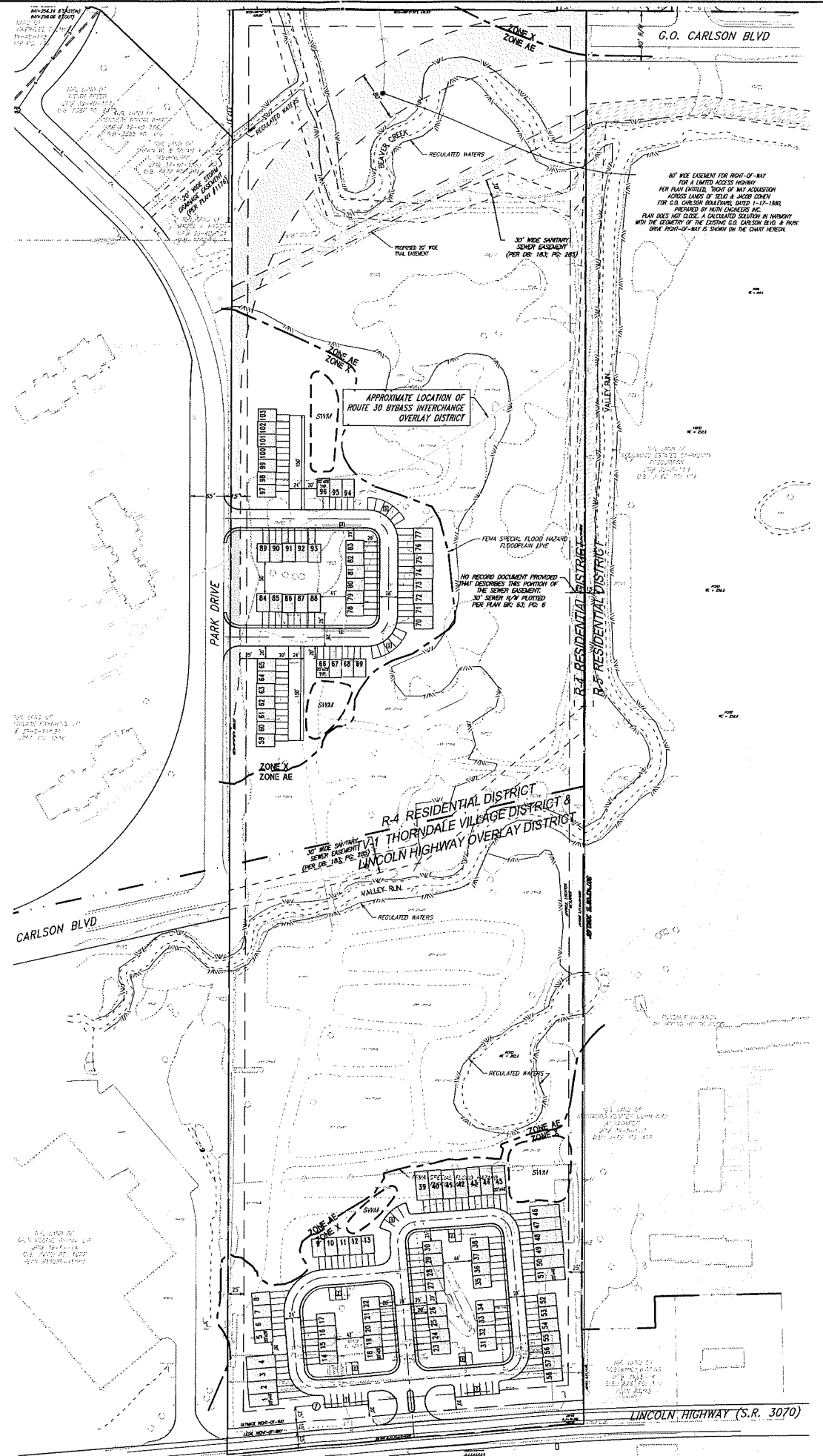
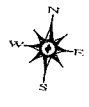
\_\_\_\_\_  
Paul Mullin, President

\_\_\_\_\_  
Joshua B. Young, Vice President

\_\_\_\_\_  
Mark Evans, Commissioner

\_\_\_\_\_  
Jane Kennedy, Commissioner

\_\_\_\_\_  
Lorraine M. Tindaro, Commissioner



**DLHowell**  
 Civil Engineering  
 Land Planning  
 Environmental  
 www.DLHowell.com  
 1250 Wrights Lane  
 West Chester, PA 19380  
 Phone: (610) 918-9002  
 Fax: (610) 918-9003

**LEGEND**

- PROP. PROPERTY LINE
- PROP. EASEMENT
- PROP. RIGHT-OF-WAY
- PROP. MONUMENT
- PROP. IRON PIPE
- PROP. EASEMENT
- PROP. ELEC. LINE
- PROP. UTILITY POLE
- PROP. GAS LINE
- PROP. SAN. SEWER LINE
- PROP. SAN. SEWER LATERAL
- PROP. WATER LINE
- PROP. FIRE WATER LINE
- PROP. HYDRANT
- PROP. MANHOLE

**WAIVERS REQUESTED:**

- A WAIVER IS HEREBY REQUESTED FROM SECTION 137-37A. OF THE CALV TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO ALLOW THE MINIMUM WIDTHS OF THE CENTER LINE FOR HORIZONTAL CURVES ON LOCAL STREETS TO BE REDUCED TO 25 FEET.
- A WAIVER IS HEREBY REQUESTED FROM SECTION 137-39A. OF THE CALV TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO ALLOW THE ROAD CARRYWAY WIDTH TO BE REDUCED TO 24 FEET WITH NO RIGHT-OF-WAY.
- A WAIVER IS HEREBY REQUESTED FROM SECTION 137-43A. OF THE CALV TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE TO ALLOW SIGNAGE TO BE LOCATED ON ONLY ONE SIDE OF THE PROPOSED STREET.

**ZONING DATA TABULATION**  
 CALV TOWNSHIP ZONING ORDINANCE  
 SITE ZONED R-4 & TV-1  
 ARTICLE V8 - RESIDENTIAL LAND USE AND DEVELOPMENT REQUIREMENTS  
 SECTION 155-54 - MULTIFAMILY TOURNHOUSE USES AND DEVELOPMENTS

MINIMUM CONTIGUOUS LAND AREA	MINIMUM DENSITY	MINIMUM OPEN SPACE	MINIMUM WIDTH OF TOWNHOUSE UNIT FROM CURBLINE	MINIMUM BUILDING SEPARATION SIDE TO SIDE	MINIMUM PERMETER SETBACK	MINIMUM TOWNHOUSE HEIGHT	MINIMUM INTERVIOUS COVERAGE
25 ACRES	4.0 BU/GROSS ACRE = 116,004	50%	24 FT.	40 FT.	5 FT.	35 FT.	40%
25 ACRES	103 UNITS	250% +	20 FT.	20 FT.	5 FT.	35 FT.	40%

SECTION 155.54(C) - TOWNHOUSE DIMENSIONAL REQUIREMENTS

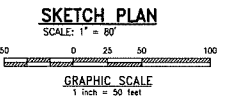
MINIMUM WIDTH OF TOWNHOUSE UNIT FROM CURBLINE	24 FT.
MINIMUM BUILDING SEPARATION SIDE TO SIDE	40 FT.
MINIMUM PERMETER SETBACK	5 FT.
MINIMUM TOWNHOUSE HEIGHT	35 FT.
MINIMUM INTERVIOUS COVERAGE	40%

(\*) GREATER THAN SIZE OF THE COMMON OPEN SPACE IS LOCATED WITHIN THE 100-YEAR FLOODPLAIN

**PARKING TABULATION**

REQUIRED PARKING:	MULTI-FAMILY TOWNHOUSE UNIT DEVELOPMENT: 2.0 SP/UNIT = 2.0 X 103 =	206 SPACES
VISITOR PARKING:	1 SP/2.5 UNITS = 103 UNITS	41 SPACES
TOTAL PROPOSED PARKING SPACES:	(103 GARAGE SPACES, 103 DRIVEWAY SPACES, 43 VISITOR SPACES)	249 SPACES

- SURVEY NOTES:**
- RECORD OWNER: SUE COHEN & JACOB COHEN, 4109 LINCOLN HIGHWAY, INDEPENDENCE, PA 19372.
  - SOURCE OF TITLE DATA: RECORD BOOK 8754, PAGE 50.
  - TAX PARCEL #: 39-4-115.
  - LOT AREA: 29,021 ACRES (GROSS); 28,729 ACRES (NET OF PAVEMENT).
  - BOUNDARY INFORMATION SHOWN IS FROM FIELD SURVEY BY HOWELL PLANE SURVEYING, LLC, PERFORMED DURING NOVEMBER & DECEMBER, 2013.
  - CONTIGUOUS & TOPOGRAPHIC INFORMATION PLOTTED FROM AERIAL SURVEY BY HOWELL MAPPING, INC. BASED ON PHOTOS DATED NOVEMBER 23, 2013. NEARING SCALE 1"=350'. AERIAL MAPPING WAS PRODUCED TO NATIONAL MAP ACCURACY STANDARDS. CHECKING CONTROL AND SUPPLEMENTAL DATA BY HOWELL PLANE SURVEYING, LLC. DATA WAS NOT EQUIVALENT TO GPS CONTROL & HAS AN RMSE (RMS ERROR) OF 0.0011 (EPOCH201010000) (AS DETERMINED BY GPS OBSERVATION). SITE BEHIND FIRE HYDRANT OUTLET (TOP OF NORTH ARROW) NEAR THE NORTHEAST CORNER OF THE PROPERTY, AS SHOWN HEREON, CONTAINING INTERNAL 2".
  - UNDERGROUND UTILITIES SHOWN WERE PLOTTED FROM OBSERVABLE EVIDENCE AT THE TIME OF SURVEY AND INFORMATION FROM PLANS SUPPLIED BY UTILITY COMPANIES. NO GUARANTEE IS MADE THAT UNDERGROUND UTILITIES ARE ACCURATELY OR COMPLETELY SHOWN HEREON.
  - THE 50' WIDE DISTING LEGAL RIGHT-OF-WAY OF S.R. 3070 (LINCOLN HIGHWAY) WAS TAKEN FROM COMPARISON OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DRAWINGS FOR CONSTRUCTION AND COMPLETION OF RIGHT-OF-WAY ROUTE NO. 142 SECTION NO. 1 IN CHESTER COUNTY FROM STA. 163+00 TO STA. 178+50, DATED JULY 11, 1933 AND FROM COMMONWEALTH OF PENNSYLVANIA DEPARTMENT OF TRANSPORTATION DRAWINGS FOR CONSTRUCTION OF STATE ROUTE 3070 SECTION NO. 1 IN CHESTER COUNTY FROM STA. 15+00 TO STA. 15+00, DATED 1-28-2001.
  - A PORTION OF THE PROPERTY IS LOCATED WITHIN SPECIAL FLOOD HAZARD ZONE AE, AN AREA DETERMINED TO BE WITHIN THE 1% ANNUAL CHANCE FLOOD PLAN AS PER THE NATIONAL FLOOD INSURANCE FLOOD MAPS FOR CHESTER COUNTY, PA. MAP NO. 1402020001P, PANEL 142 OF 300, DATED SEPTEMBER 29, 2006. REVISED TO REFLECT LATER EFFECTIVE: JANUARY 13, 2011 & MAP NO. 1402020001P, PANEL 200 OF 300, DATED SEPTEMBER 29, 2006. REVISED TO REFLECT LATER EFFECTIVE: JANUARY 3, 2012. FLOOD PLAIN BOUNDARIES SHOWN HEREON WERE SCALED FROM THE ABOVE MENTIONED MAP & DIGITAL LINE FILES PROVIDED BY FEMA.
  - WETLANDS BOUNDARY LINES SHOWN HEREON ARE SCALED FROM SKETCH PROVIDED BY HOWELL ENGINEERING, LLC. FOR SITE VISIT PERFORMED ON OCTOBER 27, 2013. WETLANDS WERE NOT FIELD RECORDED AND ALL WETLANDS BOUNDARY LINES ARE APPROXIMATE. AREAS OF WETLANDS ARE CONTAINED WITHIN THE GREATER AREA OF FEMA FLOODPLAIN. NO WETLANDS EXIST UNDER AREAS OF FILL. HOWEVER, THESE TESTS WERE NOT COMPLETED FOR THIS PURPOSE.
  - SOILS INFORMATION PROVIDED WITH SUPPORT FROM THE NATURAL RESOURCES CONSERVATION SERVICE. SOILS ATTRIBUTE DATA IS DERIVED FROM THE NRCS SOIL DATA MAP.



**SKETCH PLAN**

OWNER: E. KAHN DEVELOPMENT  
 PROJECT: 4108 EAST LINCOLN HIGHWAY  
 LOCATION: CALV TOWNSHIP, CHESTER COUNTY, PA.

DATE:	06/27/23
SCALE:	1" = 80'
DRAWN BY:	JTE
CHECKED BY:	DLH
PROJECT NO.:	3366
DATE FILED:	06/27/23
PLATTER:	06/27/23
DRAWING NO.:	SK-1C
SHEET:	1 of 1