

**ORDINANCE NO. 170-2016
WEST VINCENT TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA**

**AN ORDINANCE AMENDING THE WEST VINCENT TOWNSHIP SUBDIVISION
AND LAND DEVELOPMENT ORDINANCE TO PROVIDE FOR PURPOSES AND
REQUIREMENTS IN SUPPORT OF THE TOWNSHIP SUSTAINABILITY PLAN**

WHEREAS, the Board of Supervisors has met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, *et seq.*, for the adoption of the proposed ordinance;

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and welfare of the Township and its citizens;

WHEREAS, the Board of Supervisors desires to amend the Township Subdivision and Land Development Ordinance to revise certain purposes and requirements in support of the West Vincent Township Sustainability Plan;

WHEREAS, the Board of Supervisors of West Vincent Township has met the procedural requirements of 53 P.S. § 10101, *et seq.*, the Pennsylvania Municipalities Planning Code; and

WHEREAS, the Township, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of West Vincent Township will be served by this amendment of the West Vincent Township Subdivision and Land Development Ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED by the Board of Supervisors for West Vincent Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

**SECTION 1. ORDINANCE AMENDMENT. THE WEST VINCENT TOWNSHIP
SUBDIVISION AND LAND DEVELOPMENT ORDINANCE IS HEREBY
AMENDED AS FOLLOWS:**

- A. The West Vincent Township Subdivision and Land Development Ordinance, Section 103.A, Purpose, is hereby deleted in its entirety and replaced with the following language:**

A. The layout or arrangement of the subdivision or land development and all other characteristics of the subdivision or land development shall conform to the Phoenixville Regional Comprehensive Plan, hereinafter referred to as the Comprehensive Plan for West Vincent Township and the West Vincent Township Sustainability Plan enacted January 2012, both of which may be amended from time to time, and shall further the orderly and appropriate use of the land.

B. The West Vincent Township Subdivision and Land Development Ordinance, Section 503.F.2, Submission and Review of Sketch Plan, Sketch Plan Submission and Review, is hereby amended as follows:

2. The Planning Commission shall review the sketch plan in accordance with the criteria contained in this Ordinance and with other applicable ordinances of the Township and the West Vincent Township Sustainability Plan. It shall provide informal dialogue with the applicant and advise him/her as promptly as possible of the extent to which the proposed subdivision or land development conforms to the relevant standards of this Ordinance, and will discuss possible plan modifications that would increase its degree of conformance. Aspects of the sketch plan that shall specifically be evaluated include but are not limited to:

- a. the location of all areas proposed for land disturbance (streets, foundations, yards, septic disposal systems, storm water management areas, etc.) with respect to notable features of natural or cultural significance as identified on the applicant's Existing Resources and Site Analysis Plan and on the Township's Map of Potential Conservation Areas;
- b. the potential for street connections with existing streets, other proposed streets, or potential developments on adjoining parcels;
- c. the location of proposed access points along the existing road network;
- d. the proposed building density and impervious coverage;
- e. the compatibility of the proposal with respect to the objectives and policy recommendations of the Comprehensive Plan and the Open Space and Recreation Plan; and
- f. consistency with the Township Zoning Ordinance.

The Commission shall also submit its written comments to the applicant and the Board. The diagrammatic sketch plan may also be submitted by the Board of Supervisors or the Planning Commission to the Chester County Planning Commission for review and comment.

SECTION 2. REPEALER. All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 3. REVISIONS. The West Vincent Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

SECTION 4. SEVERABILITY. In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

SECTION 5. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

SECTION 6. FAILURE TO ENFORCE NOT A WAIVER. The failure of West Vincent Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

ORDAINED AND ENACTED by the Board of Supervisors for West Vincent Township, Chester County, Pennsylvania, this 20th day of June, 2016.

ATTEST:

Tammy Swavely, Secretary

**WEST VINCENT TOWNSHIP
BOARD OF SUPERVISORS**

John Jacobs, Chairman

David Brown, Vice Chairperson

Mike Schneider, Member