

Executive Summary: 2016 Westtown Township Sustainable Community Assessment

Between April and May 2016, staff from the Brandywine Conservancy's Municipal Assistance Program conducted a focused assessment of Westtown Township's plans, policies, and ordinances (collectively, the "framework") as these pertain to community sustainability. Using the rapid assessment approach allowed staff to investigate Westtown's broad and complex framework given limited time and resources, while yielding clear recommendations for future action.

Sustainability is widely accepted term used to refer to: *an approach that meets the needs of the existing generation while not compromising the needs of future generations, while protecting the rights of both.* It is also commonly understood to mean *the responsible use of natural resources such that renewable ones are not drawn down beyond their ability to regenerate, and non-renewable ones are used to the minimum possible extent.*

The primary purpose of this assessment is to inform the Comprehensive Plan Update effort. Where the Township is found to be weak in one or more aspects of community sustainability, the Plan can supply ideas that when pursued, can help strengthen the Township in this regard. By adopting and then actively implementing the updated Plan, the Board of Supervisors will help to create a more sustainable Westtown. This assessment also identifies Township zoning, subdivision, and stormwater management ordinance provisions that should be revised or refined as part of a comprehensive ordinance update already planned by the Board to start once the new Comprehensive Plan is adopted.

Brandywine Conservancy staff performed its assessment by carefully reviewing the following Township documents, and confirming its findings with Township staff and the Task Force co-chairs:

- ✓ Westtown Township Act 537 Official Sewage Facilities Plan Special Study: Sewage Needs Of Existing Residences (2012)
- ✓ Westtown Township Growth Management Plan (2001)
- ✓ Westtown Township Open Space, Recreation, and Environmental Resources Plan Update (2014)
- ✓ Westtown Township Chapter 132: Sewer System Collection and Conveyance Regulations (2013)
- ✓ Westtown Township Chapter 144: Stormwater Management (2013)
- ✓ Westtown Township Chapter 170: Zoning (1991)
- ✓ Westtown Township Chapter 149: Subdivision of Land

The actual results of the rapid assessment of Westtown’s plans, policies, and regulations are provided in a series of charts that start on page four of the complete Westtown Township Sustainable Community Assessment.

For the purposes of this Executive Summary, the Township’s plans, policies, and regulations, with respect to furthering a sustainable Westtown, are evaluated on the following pages as “strengths” or “weaknesses”.

Natural Resource Protection	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ Township has identified the need to protect its natural resources for many years, starting with the 2001 Growth Plan and most recently with its 2014 Open Space, Recreation, and Environmental Resources Plan. ✓ Natural resources have been inventoried, mapped, and most recently, prioritized for protection. ✓ Provisions exist within the zoning ordinance (Chapter 170) to provide modest protection of constrained lands – i.e, floodplains, wetlands & hydric soils, and steep slopes. ✓ More recently, good provisions to protect riparian buffers and wetlands have been added through the stormwater management ordinance (Chapter 144). 	<ul style="list-style-type: none"> ✓ The subdivision and land development ordinance (Chapter 149) is old and its provisions are weak and inconsistent with the zoning and stormwater ordinances with regard to protection of natural resources. ✓ Protection of remaining prime farmland soils is limited to voluntary conservation actions by landowners and through a developer’s use of the flexible development procedure, although set aside of such soils as part of the development’s open space has not led to their continued use for commercial agricultural purposes. ✓ Required riparian buffer widths are inadequate for maximizing their water quality benefits, and restoration of impacted buffers is not required. ✓ The Township’s resource protection has largely been obtained through municipal parkland acquisition or through local regulations when land developments are proposed.

Water Quality and Quantity	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ Township has planned for growth and supporting infrastructure starting with the 2001 Growth Plan and corresponding Act 537 Sewage Facilities Plans, updates, and special studies. ✓ Township recently adopted a new Stormwater Management Ordinance based on Chester County’s 167 model ordinance and is able to require more innovative and effective stormwater management/Best Management Practices for new development, redevelopment, and additions to existing development. 	<ul style="list-style-type: none"> ✓ Township sewer planning has outdated the 2001 Growth Plan. ✓ Township has developed lots with on-lot sewage disposal systems where replacement drainfields may be infeasible due to existing lot sizes, although Township studies are underway to identify feasible solutions for failing on-lot systems. ✓ Older subdivision and land development ordinance provisions related to stormwater management, and to a lesser extent, zoning ordinance provisions, are weaker and inconsistent with new stormwater management ordinance. ✓ There is a need for more innovative “green stormwater infrastructure” solutions to help satisfy State and Federal MS4 and TMDL requirements.

Land Use and Community Character	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ Township has planned and zoned for nearly two decades to accommodate regional growth, and the result is a fairly diverse mix of residential, retail and service commercial, office, institutional, and recreational uses within township borders. ✓ Westtown has also participated with neighboring municipalities in addressing regional planning issues. ✓ The zoning ordinance contains a flexible residential development procedure that requires a portion of the property proposed for such development to be left in permanent open space use while the rest is used for buildings, roads, and other infrastructure. ✓ The Township has recently adopted a comprehensive Open Space, Recreation, and Environmental Resources Plan that includes numerous recommendations specific to natural and cultural resources and preserving a desirable, quiet-suburban quality of life. ✓ The Board of Supervisors has a five-member Historic Commission that reports to it on historic resource issues. 	<ul style="list-style-type: none"> ✓ A sprawling, low-density, residential development pattern largely exists throughout the township, with limited mixing of residential and non-residential uses. ✓ The Township lacks travel modes other than the personal vehicle, such as trails and/or sidewalks that can link people to different uses. ✓ These are ingredients of an “auto-dependent”, less-than-sustainable, community. ✓ Existing zoning does not encourage more compact, mixed-use, higher density, development, except perhaps at Township’s border along West Chester Pike. ✓ The existing zoning lacks innovative provisions such as Traditional Neighborhood Development (TND) or Transferable Development Rights (TDR). ✓ Only limited regulatory means exist for the Board of Supervisors to use to achieve preservation of historic resources.

Climate Change	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ DVRPC's greenhouse gas audit of the region includes Westtown Township. ✓ The zoning ordinance currently permits home occupations and live-work units which can help reduce vehicle commuter trips. ✓ The establishment of trails and the linking of open space between developments is supported by the Open Space, Recreation, and Environmental Resources Plan and Subdivision and Land Development Ordinance. 	<ul style="list-style-type: none"> ✓ Most Township residents are largely auto-dependent for employment, shopping, recreation, and other needs due to the existing land development pattern, resulting in greater emission of greenhouse gases due to dependency on personal vehicles for most trips. ✓ No Township incentives are currently offered for utilizing green building techniques; no landowner or Township incentives exist for encouraging reforestation of riparian buffers or upland areas.

Renewable Energy and Energy Conservation	
Strength	Weakness
<ul style="list-style-type: none"> ✓ The Zoning Ordinance recently was amended recently to facilitate resident and business use of renewable energy systems (ex., solar, wind, geothermal) when accessory to these land uses, and when proposed as a free-standing commercial use. 	<ul style="list-style-type: none"> ✓ Township's 2001 Plan and SLDO do not promote energy conservation, nor do codes promote building construction to LEED, Energy Star, or other green building standards.

Mobility and Transportation	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ Planning efforts since 2001 have included a focus on township and regional traffic and circulation issues and solutions. The two major roads (Route 202 and Route 926) transecting the Township are controlled by PennDOT (as is Route 3, West Chester Pike along the Township’s eastern edge). ✓ Some developments have been required by the Board of Supervisors to install sidewalks. ✓ More recently, a new stormwater management ordinance supports the use of porous pavement (to reduce run-off) and increased parking lot landscaping (for cooling in summer). ✓ Oakbourne Park has a multi-use trail. ✓ The newly adopted Open Space, Recreation, and Environmental Resources Plan calls for trails at other parks and for a Township-wide Trails Master Plan. 	<ul style="list-style-type: none"> ✓ Extensive use of cul-de-sacs (single-ended streets) within residential subdivisions, which require lengthy trips compared with looping streets or grid street patterns, and prevent logical street (and pedestrian) connections between contiguous developments. ✓ The Township has an auto-dependent transportation system with no public trail links or ordinance requirements for new trails. ✓ Sidewalks are only required when requested by BOS. ✓ No public transit modes are available (SCOOT?). ✓ Regulatory ordinances do not offer developer incentives to establish more compact, mixed-use, nodal developments of a density or intensity that would support public transit.

Community Health and Safety	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ The Township owns and maintains an extensive number of active and passive parks for its residents and visitors to use. ✓ Recently updated its Open Space, Recreation, and Environmental Resources Plan. ✓ The Subdivision and Land Development Ordinance requires either dedication of public parkland as part of new residential development, or the provision of a fee-in-lieu to the BOS. ✓ A mandatory recycling program exists township-wide. ✓ Accessory dwellings are allowed by zoning on residential lots. ✓ The Township has accommodated a wide diversity of residential housing types, particularly in the last decade, including elderly care centers. 	<ul style="list-style-type: none"> ✓ The Township lacks sidewalks along many of its major and secondary streets, and offers limited pedestrian or bicycle links between neighborhoods and parks, schools, and commercial shopping areas. ✓ The recreational fee-in-lieu amount is not aligned with the Township’s newly adopted recreation plan and capital improvements. ✓ Affordable or work-force housing is in limited supply. ✓ The Township currently offers few, if any, developer incentives to provide housing for these segments of the population.

Food Production and Security	
Strengths	Weaknesses
<ul style="list-style-type: none"> ✓ The Township still has a few large and viable farms, although one of which is again proposed for residential development. At least one farm, which is part of a major institution, should remain. ✓ The Township has an active Agricultural Security Area program with several large properties enrolled, protecting them from public nuisance suits and increasing their eligibility for Chester County’s voluntary Purchase of Development Rights (Easement) program. ✓ The current zoning ordinance allows some complementary uses on farms that helps support farming economics, including produce markets. It also supports non-farm residential uses of 5 acres or larger in other districts to establish a farm stand, and agriculture is permitted in residential districts, possibly including poultry for egg production. ✓ Township has an actively used community garden for Township residents at Oakbourne Park. ✓ Open space set-aside as part of residential developments, particularly those containing suitable soils, could be used for community gardens, commercial vegetable farms or community supported agriculture. 	<ul style="list-style-type: none"> ✓ Township has traditionally not excluded non-farm residential uses and subdivisions from being established on agricultural lands, slowly reducing the agricultural mass needed to maintain viable commercial agricultural operations. ✓ No farmland has been permanently protected, either through Township efforts or through voluntary actions of private landowners.

Recommendations that Lead to a More Sustainable Westtown

Westtown Township can become a more sustainable community beginning with the development of its comprehensive plan update that incorporates the findings and applicable recommendations of the complete Sustainable Community Assessment. Upon this Plan's adoption by the Board of Supervisors, amendments to the Township's Zoning, Subdivision and Land Development, and Stormwater Management Ordinances should be made fairly immediately to help insure that Township decision-making on ordinance-related matters will be consistent with the new Plan. Thereafter, consistent actions by the Board of Supervisors and its appointed commissions and committees as recommended in the adopted Comprehensive Plan will strengthen Westtown as a sustainable municipality.

See pages 39 through 46 of the Westtown Township Sustainable Community Assessment for the actual recommendations.

Summary of Weakness in Current Regulations and Policies

Natural Resource Protection	
Facet of Sustainability	Source of Weakness
Protect: floodplains	§170-401: x Selective cutting allowed up to 25' from stream.
Protect: riparian buffers	§170-407: x Inconsistent with more recent regulations of Ch. 144.
Protect: wetlands and hydric soils	2001 Growth Plan: x Does not add or suggest specific measures to protect and preserve creek valleys. §170-403: x No provisions for protecting existing wetlands via buffers.
Protect: steep slopes	§170-402: x Minimal restrictions and guidelines with respect to logging and woodcutting on prohibitive slopes; x Allows for uses in precautionary slopes based on underlying zoning (some guidelines established).
Protect: rare species	OSRER: x States that there is no reference to PNDI (Pennsylvania Natural Diversity Index) or species of special concern in Township ordinances.

Water Quality and Quantity	
Facet of Sustainability	Source of Weakness
Identify native and drought-tolerant plants for use in required landscaping plans	§149-925: x Landscape plan does not require the use of native plants or drought tolerant plants; x inconsistent with stormwater ordinance requirements regarding use of native plants.
Update the community's Act 537 plan based on the future land-use plan	Act 537 Plans: x Act 537 Plan Special Study (2012) is not consistent with the future land use plan (2001 Growth Plan).

Land Use and Community Character	
Facet of Sustainability	Source of Weakness
Steer growth and new development to the most appropriate places within community/region	Zoning Map: x Most of Township is zoned for, and has formed a relatively low-density suburban development pattern, which has not yet proved to be economically, socially or environmentally sustainable.
Encourage and/or incentivize infill development and redevelopment of previously-disturbed lands	Zoning Map, §170: x Majority of the Township zoned for relatively low-density suburban-type development.
Adopt and implement Smart Growth principles	Zoning Map, §170: x Most areas of Township zoned in a suburban style, which separates uses and encourages car-dependency.
Preserve, through zoning and other means, the community's significant historical and scenic resources	OSRER: x Only one resource within the Township is listed on the National Register of Historic Places. §170-500: x No other specific ordinance provision for protecting historic, archaeological, or scenic resources, notably the Brandywine Battlefield National Historic Landmark.

Climate Change	
Facet of Sustainability	Source of Weakness
Enact ordinances to encourage mixed use/Transit-Oriented Developments (TODs)	2001 Growth Plan: x Future Land Use Plan/Map does not promote sufficient density to support public transit.
Incentivize green building techniques for new developments and redevelopment projects	x No specific planning or ordinance provisions.
Promote and incentivize reforestation on open space	x No specific planning or ordinance provisions.

Renewable Energy and Energy Conservation	
Facet of Sustainability	Source of Weakness
Encourage new residential/commercial buildings to achieve LEED, Energy Star, or other green building standards	x No specific ordinance or planning provisions.

Mobility and Transportation	
Facet of Sustainability	Source of Weakness
Establish sidewalks in residential and mixed-use areas	§149-916: x Sidewalks, bike paths, and other paths are not required (they may only be required at the discretion of the Township).
Require bike racks at appropriate locations in new/infill developments	SLDO: x Bicycle parking not required anywhere.
Codify “complete streets” principles in the SLDO and embrace PennDOT’s new Smart Transportation design standards which emphasize context-sensitive design	x No specific ordinance provisions.
Limit the creation of new cul-de-sacs	§170: x No requirement for street connectivity. §149-901: x Allows for cul-de-sacs, though limits their length.

Community Health and Safety	
Facet of Sustainability	Source of Weakness
Provide adequate active and passive recreational opportunities	§149-921: x Fee-in-lieu rate is minimal and needs to be amended to reflect today's recreational costs.
Create incentives to promote a diverse housing supply that includes affordable housing	x Little promotion of diverse housing stock or "work-force housing."
Permit second-story (and greater) residential uses in commercial and mixed-use zoning districts	§170-800: x No other specific provisions for multi-family residential above non-residential structures.

Food Production and Security	
Facet of Sustainability	Source of Weakness
Incentivize the permanent preservation of agricultural lands	Zoning Ordinance: x With the exception of the Flexible Development option, no special zoning attention given to the preservation of existing agricultural lands.

Glossary of Terms

Accessory housing: A secondary dwelling unit which is self-contained and may be attached or unattached, located on the property of a single family home.

ASA: Agricultural Security Area, enabled through the State but established by a municipality to help protect farmers and other landowners conducting normal farming practices from public nuisance suits brought on by their neighbors. Lands must be located within an ASA to take advantage of this “right to farm” provision, and must be in an ASA to be eligible for the County/State purchase of development rights program (agricultural easements).

Complete streets: Complete streets are designed and operated to enable safe access for all users, including pedestrians, bicyclists, motorists, and transit riders of all ages and abilities. Complete streets make it easy to cross the street, walk to shops and bicycle to work. They allow buses to run on time and make it safe for people to walk to and from train stations.

Conservation: The use of natural resources in a sustainable manner.

Context sensitive design: Usually referring to a transportation facility that fits its physical setting and preserves scenic, aesthetic, historic and environmental resources, while maintaining safety and mobility.

Density: A measurement of residential development intensity, usually expressed in the number of dwelling units per acre.

ECHO Housing: A small, temporary housing unit that can be installed in the back yard of a residential lot – most commonly used to accommodate older adults.

Greenway: Linear open space that could be in either public or private ownership, and which offers conservation and/or recreation opportunities.

Green infrastructure: Lower-cost, environmentally-integrated, techniques for stormwater management.

Infill: Usually referring to development of small lots or parcels bordered on at least two sides by existing development. The last remaining developable lots on a block of established housing or commercial buildings.

Intensity: A measurement of commercial or industrial development intensity within a defined area, usually expressed in total gross square feet of building area.

Low impact development: Development that has less impact on the natural environment than traditional development. This practice emphasizes conservation and use of natural features, aimed at providing a more sustainable means of protecting water quality.

Mixed-use development: Allowing for more than one use in a building, or a set of buildings. An example of this would be allowing commercial on the bottom floor, and residential above.

Nodal development: Concentrating development in existing or new centers and around planned roadway and intersection improvements at a higher density than the surrounding area. Provides a mix of residential, commercial, and service opportunities in a compact walkable area, reducing automobile trips by providing bicycle and pedestrian amenities such as sidewalks, visible crosswalks, streetscape improvements, and street furniture.

Official map: An “official map” is a combined map and ordinance designed to implement the goals and community vision set forth in the Comprehensive Plan. The official map shows the locations of planned future public lands and facilities such as transportation, recreational parks and trails, and open space. When properties with these shown facilities are proposed for development, the municipality responsible for development approval has up to one year to acquire some or all of the land being sought for public use, or in the case of a trail, a trail or public access easement.

Porous pavement: A form of asphalt paving constructed with pores to allow water to drain through the asphalt to an underlying stone, gravel, or sand medium that facilitates infiltration to the underlying aquifer.

Preservation: Keeping an environmental area protected in its natural state.

Riparian: Belonging or related to the bank of a water body, river, stream, wetland, lake, pond, or impoundment.

Riparian buffer: A vegetated area, including trees, shrubs, and herbaceous vegetation, adjacent to a water body.

Traditional Neighborhood Development (TND): A compact form of land development, emulating a small town or village that typically consists of a range of housing types, shops, stores, and small industries of a similar scale, and places for the public to assemble or play, with attention to building architecture, and arranged around streets and walkways laid out on a grid pattern to promote walkability. A traditional neighborhood development (TND) is most often established through a specific set of provisions, or through a TND overlay district, within the zoning ordinance.

Transferable Development Rights (TDR): is a way to allow the right to develop a property to move to another property. For example, a farmer can sell the right to develop his farmland to a developer who is then allowed to build at higher than usual density in a planned growth area. The TDR program gives the farmer financial returns without selling his farmland for development. The public benefits both from the farmer preserving his farmland through the sale of his development rights and from the developer building more concentrated development in a planned growth area.

Transit Oriented Development (TOD): A form of higher-density, mixed-use development that is focused around a significant public transit station, whether bus, rail, or subway, and the financial success of which, is somewhat dependent on commuters.

Wetland or wetlands: Those areas inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances, do support, a

prevalence of vegetation typically adapted for life in saturated soil conditions, including swamps, marshes, bogs, ponds, lakes, and similar areas. Wetlands shall include any area so delineated by the National Wetlands Inventory of the U.S. Fish and Wildlife Service and all lands regulated as wetlands by the Pennsylvania Department of Environmental Protection (PADEP) or the U.S. Army Corps of Engineers (ACE).