

ORDINANCE NO. 2018 - 258

BOROUGH OF AVONDALE
CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE AMENDING THE AVONDALE
BOROUGH ZONING ORDINANCE OF 1963, AS
AMENDED, TO ALLOW FOR RESIDENTIAL USES,
SUBJECT TO CERTAIN LIMITATIONS, WITHIN THE
TC – TOWN CENTER ZONING DISTRICT OF
AVONDALE BOROUGH, CHESTER COUNTY.

WHEREAS, the Borough Council of Avondale Borough (“Borough Council”) has determined that allowing certain residential uses within Town Center Zoning District of the Borough of Avondale will benefit the Borough of Avondale and its residents;

WHEREAS, Borough Council has determined that allowing limited residential uses within the Town Center Zoning District will contribute to the revitalization of the Town Center and its commercial use;

WHEREAS, Borough Council desires to amend the Avondale Borough Zoning Ordinance of 1963, as amended (the “Zoning Ordinance”) in order to allow for such residential uses.

NOW THEREFORE, BE IT HEREBY ENACTED AND ORDAINED, BY THE COUNCIL OF THE BOROUGH OF AVONDALE, CHESTER COUNTY, PENNSYLVANIA, TO FUTHER AMEND THE AVONDALE BOROUGH ZONING ORDINANCE, AS FOLLOWS:

SECTION I. Part 7 of the Zoning Ordinance is hereby amended to include a new use by right under Section 7.2.A. as follows:

“14. Residential use within a pre-existing building subject to the following:

- a) Such residential use shall not be located within any portion of the first floor of a multi-storied building;
- b) Such residential use within a multi-storied building shall not have direct pedestrian access to the residential unit from the frontage of the building along Pennsylvania Avenue, First Street or West State Street. Residential access shall be from the rear of the building;
- c) Such residential use shall be permitted within the first floor of a single storied building if a portion of the building is utilized for one of the preceding Uses by Right in the TC District and provided that the

residential unit (including access) does not front along Pennsylvania Avenue, First Street or West State Street.

SECTION II. 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 Borough Council that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

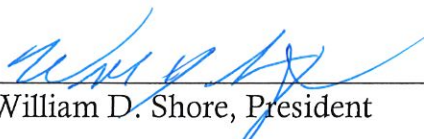
SECTION III. REPEALER.

All other ordinances or parts of ordinances, conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION IV. EFFECTIVE DATE.

This Ordinance shall be effective upon enactment as by law provided.

PASSED by Borough Council this 20 day of February, 2017

BY: 
William D. Shore, President

APPROVED this 20 day of February, 2017.

BY: 
Doris Howell, Mayor

ENACTED this 20 day of February, 2017.

BY: 
Rebecca Brownback, Borough Manager/Secretary

I HEREBY CERTIFY the foregoing is a true and correct copy of the said Ordinance duly adopted at a regular meeting of Borough Council held on the 20 day of February, 2017.

BY: Rebecca Brownback
Rebecca Brownback, Borough Manager/Secretary