

ORDINANCE 2017-03

**BOROUGH OF DOWNINGTOWN
CHESTER COUNTY, PENNSYLVANIA**

AN ORDINANCE AMENDING THE CODES OF THE BOROUGH OF DOWNINGTOWN, CHESTER COUNTY, PENNSYLVANIA, AS AMENDED, CHAPTER 256, ENTITLED "SUBDIVISION AND LAND DEVELOPMENT", TO AMEND THE PURPOSE STATEMENT; TO AMEND THE DEFINITIONS SECTION; TO AMEND THE SKETCH PLAN AND PRELIMINARY PLAN REQUIREMENTS; TO AMEND TRAFFIC IMPLACT STUDIES; AND TO AMEND SIDEWALKS AND PATHS AND HANDICAP ACCESSIBILITY.

BE IT ORDAINED AND ENACTED by the Borough Council of the Borough of Downingtown, Chester County, it is hereby ordained and enacted by the authority of same, as follows:

Section 1. Section 256-2 of the Borough Subdivision and Land Development Ordinance, "Purpose", is hereby amended to add the following subsection:

J. To promote the efficient and safe movement of pedestrians, bicycles, and other forms of transportation.

Section 2. Section 256-7 of the Borough Subdivision and Land Development Ordinance, "Terms Defined", is hereby amended to include the following terms (in alphabetical order):

BICYCLE - A vehicle having a seat, handlebars for steering, brakes and two pedals, or two pedals and a small electric assist motor by which it is propelled. The term "Bicycle" includes one, two, three wheeled vehicles including handicap vehicles but not tricycles for children.

BICYCLE BOULEVARD - A street corridor treatment that prioritizes and enhances bicycle travel via traffic calming measures, signs, pavement, markings and crossing improvements.

BICYCLE RACK - A fixture to facilitate bicycle parking to which bicycles can be securely attached (typically using a bicycle lock) to prevent theft.

BICYCLE LANE - Designated travel lanes within the cartway or along the road shoulder for exclusive use by bicyclists. Bike lanes typically involve a combination of supplemental indicators including but not limited to Share the Road Signs, Sharrows and other pavement markings.

BUS SHELTER - A pedestrian amenity located at a bus stop to provide convenience, comfort, and shelter from the elements in the form of a structure such as a canopy.

CROSSWALK - A public right-of-way, identified by signs, lighting and/or pavement markings, for pedestrian travel across a roadway or traffic aisle at an intersection or any portion of a block to provide safe pedestrian access to adjacent roads, lots, parking areas, sidewalks or public use areas.

IMPROVED SURFACE - A stable all-weather surface constructed of materials including, but not limited to, concrete, asphalt, brick, pavers, flag stone, or other similar consistent material or construction to facilitate pedestrian movement that provides a safe walking surface and ease of maintenance for activities such as snow shoveling.

INTERNAL WALKWAY - A designated single use facility with an improved surface, primarily for use by pedestrians, typically located outside of the road right-of-way and/or not directly adjacent to a street. A walkway is generally used for pedestrian transportation 1) between buildings and parking areas or sidewalks, 2) within parking lots, 3) between buildings on a parcel or within a development, or 4) between adjacent uses, developments, or facilities.

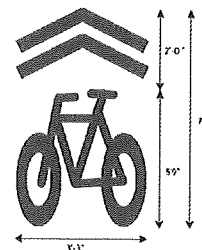
PEDESTRIAN – A person traveling on foot or in a wheelchair.

SHARE THE ROAD SIGN - Supplemental signage added to a shared roadway to warn motorists of the increased likelihood of bicyclists.

SHARED ROADWAY (limited or no shoulder) - A street which accommodates bicyclists and motorists in the same travel lane. Shared roadways may be a Signed Bike Route or include other indicators such as Share the Road Signs, Sharrows, other pavement markings or signage.

SHARROW - A pavement marking that increases driver awareness of shared roadway arrangements.

SIDEWALK – A pedestrian route, typically constructed of concrete and parallel to a street that provides a means for pedestrians to travel within the public right-of-way while physically separated from vehicular traffic. Sidewalks are designed for pedestrian use.



TRAIL- A facility that is physically separated from the roadway and typically accommodates bi-directional travel by more than one (1) type of user such as cyclists, pedestrians, and inline skaters. The trail should and have an improved surface (e.g., asphalt, concrete, compacted gravel, etc.) and can be located within a publicly owned right-of-way, an exclusive right-of-way, or an easement.

TRANSPORTATION IMPACT STUDY (TIS). An analysis of the effect of all modes of transportation, including bicycles and pedestrians, generated by a development on the capacity, operations, and safety of the public street and highway system. The TIS is used to determine

the improvements that are necessary to ensure that the transportation network can accommodate the new development.

Section 3. Section 256-25.A of the Borough Subdivision and Land Development Ordinance, “Sketch Plan”, is hereby amended to add the following subsection:

- (11) Existing and proposed bicycle and pedestrian facilities in addition to facilities indicated on the Borough’s Comprehensive Plan, and the Central Chester County Bicycle and Pedestrian Circulation Plan and other endorsed plans, as applicable.

Section 4. Section 256-26 of the Borough Subdivision and Land Development Ordinance, “Preliminary Plan” is hereby amended to add the following subsection:

F. Proposed Bicycle and Pedestrian Facilities Plan. The developer shall include a plan for preserving existing trails or the installation of trails, paths, routes, lanes, crossings, crosswalks, signs, or other applicable facilities devoted to pedestrian or bicycle use in accordance with the following:

- (1) Logically continue, link or expand existing pedestrian facilities on, across and abutting the site consistent with the Comprehensive Plan and Central Chester County Bicycle and Pedestrian Circulation Plan Improvements Map. The applicant may be requested to provide an easement dedicated to the Borough with connections to abutting properties that will enable the future continuation of the bicycle and pedestrian network.
- (2) Alter the course of an existing or proposed trail alignment within the tract for which development is proposed provided the proposed alteration exhibits quality trail design according to generally accepted principles of trail design. The Borough recommends the following guidelines: Trail and Path Planning: A Guide for Municipalities (2007), available from the Chester County Planning Commission.
- (3) Provide pedestrian access to existing and/or anticipated public transit stops (as indicated on transit providers annual service plans), public parks, community facilities, commercial areas, or higher density residential developments.
- (4) Identify existing and proposed bicycle and pedestrian facilities during the site development process.
- (5) As appropriate, provide for the continued ownership and maintenance of bicycle and pedestrian facilities, including easements, by having them dedicated to the public sector, donated to a private conservation organization, or placed under the care of a community or homeowner’s association.

Section 5. Section 256-39.A of the Borough Subdivision and Land Development Ordinance, “Traffic and Recreational Impact Studies”, is hereby amended to include the following subsections:

- (1) Bicycle and pedestrian movements and volume within the Study area. Provide schematic diagrams depicting existing (counted) daily bicycle and pedestrian traffic volumes for roadways and sidewalks within the study area. Provide bicycle and pedestrian traffic

generation estimates and a resulting circulation plan for internal walkways, sidewalks, trails, crosswalks, bicycle lanes and parking, and connections to peripheral or adjacent bicycle and pedestrian facilities (sidewalks, trails, transit shelters, etc.). Include the source and/or method of computation for all transportation volumes.

- (2) Final design shall address both traffic flow and traffic safety considerations to provide safe operational characteristics for all users including but not limited to motor vehicles, bicyclists, pedestrians and disabled persons.

Section 6. Section 256-45 of the Borough Subdivision and Land Development Ordinance, "Sidewalks and Paths and Handicap Accessibility", shall be renamed "Pedestrian and Bicycle Amenities and Facilities," and amended and reformatted to read as follows:

§256-45 Pedestrian and Bicycle Amenities and Facilities

A. Sidewalks

The Borough shall require installation of sidewalks within and at the perimeter of any subdivision and land development as provided herein. Sidewalks are required to provide access to and/or within a residential, commercial, industrial or community facility. Sidewalks which are provided as part of such facilities shall be designed and constructed to service the projected pedestrian needs. All public areas shall be designed barrier free in accordance with applicable federal and state standards, including full compliance with the Americans with Disabilities Act. Appropriate details shall be provided on the plans.

- (1) All concrete shall be Designed and constructed in accordance with Chapter 249 of the Borough Code.
- (2) Sidewalks shall be installed on both sides of all streets in subdivisions and land developments as herein specified. Sidewalks shall be located, if possible, within the street right-of-way line.
- (3) At the discretion of the Council, with recommendations from the Planning Commission, a system of bicycle and/or pedestrian paths for public use generally unrelated to and separate from streets shall be established and secured by dedication or easement. Such paths shall be consistent with any existing plans specified by the Borough so as to encourage the formation of an interconnecting trail network both within and beyond the Borough. Such paths normally shall not exceed 12 feet in width and, at the option of the applicant, shall be located adjacent to existing or proposed lot lines or in such manner as to minimize any obstruction to the development. Existing paths may be relocated if a connection with a path on an adjoining property is thereby established.

- (4) To facilitate circulation, pedestrian walkways may be required to serve the interior of developments. Such walkways shall be a minimum of six feet in width and shall be constructed of concrete satisfactory to the Council. Where the walks are not within a street right-of-way, a separate right-of-way at least 10 feet wide shall be designated on the subdivision plan. As appropriate, the walks shall be maintained by the homeowners' association, when the walks traverse common areas or by the abutting property owners when the walks traverse existing lots.

B. Crosswalks.

- (1) Raised crosswalks constructed in accordance with Publication 383 Pennsylvania's Traffic Calming Handbook, latest edition, constructed of block pavers, concrete or other contrasting materials dissimilar to the construction materials of the main access driveway(s) (and appropriately marked with signage and pavement markings) shall be provided at all pedestrian crossings of the main access driveway(s).
- (2) All other pedestrian crossings of any other types of driveways shall be standard crosswalks constructed in accordance with the Pennsylvania Department of Transportation specifications in addition to appropriate signage and design standards.
- (3) Crosswalks shall be located wherever a sidewalk or internal walkway crosses a street or interior driveway. Consideration for placement of crosswalks shall be consistent with those indicated as applicable in the Central Chester County Bicycle and Pedestrian Circulation Plan Improvements Map.
- (4) Mid-Block/Interior Crosswalks.
 - a. Interior Crosswalks may be required whenever necessary to facilitate pedestrian circulation and to give access to community facilities in blocks over five hundred (500) feet in length.
 - b. Such crosswalks shall have an easement width of not less than twenty (20) feet and a paved walk of not less than (5) five feet. They shall be clearly marked by bollards, paving material, signing, lights or similar provisions to ensure their visibility to motorists.

C. Internal Walkways.

- (1) All parking fields must be segregated from main access, main interior and/or parking field access driveways with upright curbing and raised islands a minimum of ten (10) feet in width. Internal walkways for pedestrian travel within a site or from parking spaces to buildings or structures may be permitted within raised islands to separate pedestrian movements from vehicular traffic.
- (2) A raised island segregated from the parking bay by curbing, a minimum of ten (10) feet in width, shall be provided every two (2) parking bays or at locations otherwise approved by the Borough Engineer to discourage vehicles from traveling across empty parking stalls and vacant drive aisles in a direction perpendicular or at any other angle than the

intended direction of traffic circulation through the parking field(s). Internal walkways for pedestrian travel within a site or from parking spaces to buildings or structures may be permitted within raised islands to separate pedestrian movements from automobile traffic.

- (3) Internal walkways shall be provided both internal to the site to access buildings from parking areas, at the frontage of buildings and any other areas necessary to provide safe pedestrian travel throughout the site, and at the street frontage in the form of required sidewalks as per the Borough Code for all commercial, industrial, institutional, educational, municipal, and open space design developments. The applicant shall present a plan depicting all intended routes of bicycle and pedestrian circulation, both internal and external, to the site.

D. Bus Shelters.

- (1) Bus stop shelters shall be installed and maintained for any commercial development or multifamily residential development where the gross square footage is greater than 75,000 square feet or 75 residential units.
- (2) Sidewalks and pedestrian paths shall be provided to connect bus stops/bus shelters to shops/stores and other civic spaces.
- (3) Bus stops shall be adequately illuminated to provide visibility during darkness.
- (4) Bus shelters shall provide protection from rain and wind and should accommodate at least eight people. Seating should be provided for at least four people.
- (5) Bus stop shelter designs shall be reviewed by the Borough's Planning Commission.

E. Bicycle Parking.

- (1) One (1) bicycle rack with the capability of holding at least four (4) bicycles shall be required for every ten thousand (10,000) square feet of gross leasable floor area or multifamily residential development where the gross square footage is greater than 75,000 square feet or 75 residential units.
- (2) Bicycle racks shall be permanently anchored in a concrete footing for stability and security.
- (3) Bicycle racks shall be located near building entrances, in a visible well-lit area and near major areas of pedestrian activity.
- (4) When feasible, bicycle racks shall be located under a shelter or a building overhang or inset to provide shelter for bicycle and riders.

Section 7. Effective date. This ordinance shall be effective upon enactment as provided by law.

ADOPTED by Borough Council this 6th day of September, 2017.

BOROUGH OF DOWNINGTOWN

By: _____
Anthony Gazzo
President, Borough Council

APPROVED by the Mayor, this 6th day of September, 2017.

By: _____
Josh Maxwell, Mayor

ENACTED this 6th day of September, 2017.

By: _____
Stephen T. Sullins, Borough Secretary