

**TOWNSHIP OF NEW GARDEN**  
**CHESTER COUNTY, PENNSYLVANIA**  
**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE TOWNSHIP OF NEW GARDEN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 200 OF THE NEW GARDEN TOWNSHIP CODE, BEING THE ZONING ORDINANCE, BY ADDING A NEW DEFINITION FOR RESIDENTIAL THROUGH-THE-FENCE; AND BY ADDING AUTOMOBILE SALES AND SERVICE AND RESIDENTIAL THROUGH-THE-FENCE USES BY CONDITIONAL USE IN THE ADZ DISTRICT. EFFECTIVE FIVE (5) DAYS FROM ENACTMENT.**

**BE IT ENACTED AND ORDAINED** by the Board of Supervisors of New Garden Township, Chester County, Pennsylvania, and it is hereby **ENACTED** and **ORDAINED**, that Chapter 200 of the New Garden Township Code of Ordinances, being the Zoning Ordinance, is amended as follows:

**Section 1.** Chapter 200 of the New Garden Township Code of Ordinances being the New Garden Township Zoning Ordinance, §200-9, Definitions, is amended by adding a new definition, as follows:

*Residential through-the-fence* - Residential through-the-fence (RTTF) access to the Airport pursuant to a RTTF agreement allowing owners of existing residential property within the ADZ aircraft storage facilities near the airport to access the airport from off-airport property.

**Section 2.** Chapter 200 of the New Garden Township Code of Ordinances being the New Garden Township Ordinance, Article XA, ADZ Airport Development Zone District, §200-53.3.D. "Conditional uses", is amended by adding new subsections (2), (3) and (4), to read as follows:

- (2) Automobile Sales and Service.
- (3) Residential through-the-fence use pursuant to a RTTF agreement in accordance with Section 136 of FAA Modernization and Reform Act of 2012 (P.L. 112-95) and the final policy statement of the Federal Aviation Administration Policy Regarding Access to Airports From Residential Property, 14 CFR Chapter I.
- (4) Accessory uses on the same lot or tract in accordance with the following:
  - (a) Only those uses, structures and activities which are usually and customarily associated with, and incidental to, the above-listed principal uses are permitted.
  - (b) Storage and structures used for storage in accordance with the provisions of this Chapter 200 and Chapter 170.

(c) Area and bulk requirements appropriate to the accessory use, structure and activity shall be met, including those specifically enumerated in this Chapter 200.

**Section 3.** Chapter 200 of the New Garden Township Code of Ordinances being the New Garden Township Ordinance, Article XA, ADZ Airport Development Zone District, §200-53.4. "Area and bulk regulations", is amended by amending subsections A and B thereof, to read as follows:

A. Minimum net lot area/lot size for all uses except automobile sales and service and airport through-the-fence: one acre.

B. Minimum net lot area/lot size for automobile sales and service and residential through-the-fence: five acres.

**Section 4.** This Ordinance shall become effective five (5) days after enactment.

ENACTED and ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2017.

**NEW GARDEN TOWNSHIP  
BOARD OF SUPERVISORS**

\_\_\_\_\_  
**J. Patrick Little, Chairman**

\_\_\_\_\_  
**Randy Geouque, Vice Chairman**

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**Stephan Allaband, Member**

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**Richard Ayotte, Member**

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**Mike Loftus, Member**

**ATTEST:**

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**Lewis Gay, Secretary**