

BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP  
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING CHAPTER 325, "ZONING," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO DEFINE "CONVENIENCE MARKET", "TRACT AREA, GROSS", AND "TRACT AREA, NET"; TO AMEND THE DEFINITION OF "VEHICLE FUELING STATION"; TO ALLOW CONVENIENCE MARKETS WITH VEHICLE FUELING STATIONS AND RETAIL STORES IN THE O/R - OFFICE/RESIDENTIAL DISTRICT; TO ALLOW SINGLE-FAMILY DWELLINGS AND TWO FAMILY AND/OR TOWNHOUSE DWELLINGS TO BE DEVELOPED IN COMBINATION WITH EACH OTHER IN THE O/R - OFFICE/RESIDENTIAL DISTRICT; AND TO PROVIDE AREA AND BULK CRITERIA FOR DEVELOPMENT OF SINGLE-FAMILY DWELLINGS AND TWIN AND/OR TOWNHOUSE DWELLINGS IN COMBINATION WITH EACH OTHER IN THE O/R - OFFICE/RESIDENTIAL DISTRICT

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BE IT HEREBY ENACTED AND ORDAINED by the Board of Supervisors of West Whiteland Township, Chester County, Commonwealth of Pennsylvania as follows:

**Section 1.** Section 325-8 of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, being Definitions, is hereby amended by the addition of the following definitions of "Convenience Market", "Tract Area, Gross", and "Tract Area, Net" inserted in the proper alphabetical sequence:

CONVENIENCE MARKET

An area of land, together with a building of not less than 4,000 square feet of floor area and not more than 10,000 square feet of floor area, which is open to the general public for up to 24 hours per day and 7 days per week, and designed and intended to be utilized and used for the retail sale of food, alcoholic and non-alcoholic beverages, merchandise and fuel. A convenience market may include ATM banking machines located within the building for the convenience of the general public; a kitchen; indoor and outdoor customer seating; drive-up service window; on-premises preparation and consumption of food, alcoholic and non-alcoholic beverages; and a vehicle fueling station.

TRACT AREA, GROSS

The total area contained within the limits of a tract, including all easements, rights-of-way, and otherwise constrained areas as may be so contained.

TRACT AREA, NET

The developable acreage contained within the limits of a tract.

**Section 2.** Section 325-8 of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, being Definitions, is hereby amended by amending the definition of "Vehicle Fueling Station" as follows:

VEHICLE FUELING STATION

An establishment that sells fuel at retail, including but not limited to gasoline, diesel fuel, ethanol, kerosene, propane, hydrogen, other liquid or gaseous fuels or electric, which is dispensed by employees or customers directly into passenger vehicles, light trucks, power equipment or approved containers. A vehicle fueling station shall not include a facility designed for and intended for use by commercial tractor-trailers and large commercial vehicles commonly known as a truck stop.

**Section 3.** Sub-section 325-15.1.B of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, being the uses permitted in the Office/Residential District, is hereby amended by the addition of the following subsections:

- (10) Retail Store/Trade, provided Retail Stores/Trade shall not be permitted on any lot adjoining a lot in the R-1 Residential District.
- (11) Convenience Market, provided a Convenience Market shall not be permitted on any lot adjoining a lot in the R-1 Residential District.

**Section 4.** Sub-section 325-15.1.D(3) of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances is hereby renumbered as Sub-section 325-15.1.D(4).

**Section 5.** Sub-section 325-15.1.D of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, is hereby amended by the addition of a new Subsection (3) as follows:

- (3) Single-family dwellings and twin and/or townhouse dwellings when developed in combination with each other.
  - (a) Minimum gross tract area: 40 acres.
  - (b) Maximum building coverage: 25% of net tract area.
  - (c) Maximum impervious coverage: 65% of net tract area.
  - (d) The following regulations shall apply to single-family dwellings:
    - [1] Minimum lot size: 7,000 square feet.
    - [2] Minimum lot width at the building line: 70 feet.

- [3] Minimum front yard: 20 feet.
- [4] Minimum side yard:
  - [a] Minimum for either: 5 feet.
  - [b] Minimum for both: 15 feet.
- [5] Minimum rear yard: 15 feet.
- [6] Maximum structure height: 35 feet.

(e) The following regulations shall apply to twin and townhouse dwelling units:

[1] Twin and townhouse dwelling units may be placed on individual lots with front and rear yards, on individual building footprint lots or developed as condominium units under the Pennsylvania Uniform Condominium Act provided that twin and townhouse dwelling development is consistent with the area and bulk regulations below.

- [2] Minimum building setback:
  - [a] From Lincoln Highway and Whitford Road: 75 feet.
  - [b] From all other public streets: 25 feet.
  - [c] From private streets: 10 feet.

[3] Minimum perimeter setback - dwelling units: 40 feet.

- [4] Minimum building separation:
  - [a] Front to front: 35 feet.
  - [b] Side to side: 15 feet.
  - [c] Rear to rear: 35 feet.

[5] Maximum structure height: 40 feet, but not more than three stories above grade.

(f) Street specifications. In recognition of the fact that development of parcels that combine single-family dwellings and twin and/or townhouse dwellings result in a more compact layout than traditional residential development, streets shall comply with the following standards, which shall control over any inconsistent standard in any applicable land use ordinance:

[1] The minimum center line radii for horizontal curves for streets shall be 50 feet.

[2] Tangents of at least 10 feet shall be required between reverse curves in streets.

[3] Streets entering from opposite sides of another street shall either be directly across from each other or offset by at least 100 feet measured from the center line.

[4] No center line of any driveway shall be closer than 40 feet to the center line of the road cartway; however, no center line minimum shall be required for a driveway serving a townhouse unit from an alley.

**Section 6.** Sub-section 325-28.2.A of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, regarding the locations where vehicle fueling stations may be permitted, is hereby amended to read as follows:

- A. Vehicle fueling stations are permitted only in the Office/Residential District (O/R) only as part of a Convenience Market and Town Center (TC) District on lots that have direct vehicular access to either Lincoln Highway (also known as Business Route 30 or SR 0030) or Pottstown Pike (SR 0100). The principal point of access to the vehicle fueling station shall be from either Lincoln Highway or Pottstown Pike, although secondary access from another street may be permitted. Vehicle fueling stations shall not be permitted on any lot adjoining a lot in the R-1 Residential District, even if all other locational requirements specified above are met.

**Section 7.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance.

**Section 8.** This Ordinance shall take effect and be in force five (5) days from the date of enactment.

ENACTED AND ORDAINED this \_\_\_\_ day of \_\_\_\_\_, 2018.

**BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP**

\_\_\_\_\_  
Theresa Santalucia, Chair

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Michele Moll, Vice Chair

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Beth Jones, Member

ATTEST:

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Mimi Gleason, Township Manager