

BOARD OF SUPERVISORS
WEST WHITELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 447

AN ORDINANCE AMENDING CHAPTER 325, "ZONING," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO DEFINE "CONVENIENCE STORE", "TRACT AREA, GROSS", AND "TRACT AREA, NET"; TO REVISE THE DEFINITION OF "DEVELOPABLE ACREAGE;" TO ALLOW CONVENIENCE STORES WITH VEHICLE FUELING STATIONS AND RETAIL STORES IN A PORTION OF THE O/R - OFFICE/RESIDENTIAL DISTRICT; AND TO PROVIDE A "HIGH-DENSITY SINGLE-FAMILY OPTION" IN THE O/R - OFFICE/RESIDENTIAL DISTRICT.

ALSO AMENDING CHAPTER 281, "SUBDIVISION AND LAND DEVELOPMENT," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO PROVIDE MODIFIED STREET ALIGNMENT STANDARDS FOR DEVELOPMENT USING THE HIGH-DENSITY SINGLE-FAMILY OPTION.

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 (a) the addition of the following definitions of "Convenience Market", "Tract Area, Gross", and "Tract Area, Net" inserted in the proper alphabetical sequence; and (b) the revision of the definition of "Developable Acreage" as provided herebelow:

CONVENIENCE STORE

A type of RETAIL STORE with 10,000 square feet or less of floor area in which the principal items for sale include food, beverages, and merchandise. This use may include automatic teller machines, electric vehicle charging stations, customer seating, and the preparation and consumption of food and beverages. This use may also include drive-through service and a VEHICLE FUELING STATION, subject to compliance with the applicable provisions of this Chapter.

DEVELOPABLE ACREAGE

The gross tract area of a tract less the area occupied by existing rights-of-way, easements, floodplain area, wetlands, and slopes with a gradient of 25% or more.

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. 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 that no part of any structure related to such use shall be farther than 750 feet from the intersection of the centerlines of Lincoln Hwy. and Ship Rd. Vehicle fueling stations are permitted only as a component of a convenience store.

Section 3. 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 4. 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) High-density single-family option.

Tracts with a gross tract area of forty (40) acres or more shall be eligible for development under the high-density single-family option. This option allows eligible tracts to be developed with a combination of single-family detached dwellings, two-family dwellings, and townhouse dwellings in accordance with the following regulations.

- (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) At least fifty percent (50%) of the proposed dwelling units shall be single-family detached dwellings, which shall comply with the following regulations:
 - [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: 5 feet; however, no portion of any single-family detached dwelling shall be closer than 15 feet to any portion of any other single-family detached dwelling.

-[5] Minimum rear yard: 25 feet. Covered decks that are not permanently enclosed and patios shall be permitted to project a maximum of 10 feet into the rear yard.

[6] Maximum structure height: 35 feet.

(e) Not more than fifty percent (50%) of the proposed dwelling units shall be two-family or townhouse dwellings, which shall comply with the following regulations:

[1] Two-family 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: 150 feet.

[b] Whitford Road: 75 feet.

[c] From all other public streets: 25 feet.

[d] From private streets: 10 feet.

[e] From tract perimeter where the perimeter is not defined by a street or otherwise provided for above: 40 feet.

[3] Minimum building separation: 30 feet.

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

(f) Minimum permanent open space: 30% of gross tract area.

Lands within road rights-of-way or within any residential lot for private ownership shall not be counted toward this requirement. Environmentally constrained lands and lands within other types of right-of-way may count toward this requirement; however, this section shall not be interpreted to supersede §281-47 of the Subdivision and Land Development Ordinance, so if the permanent open space fails to satisfy the minimum requirements of that section, the Developer may still be subject to payment of a fee in lieu of open space for the unmet portion.

The distance from a residential lot to a permanent open space area shall not exceed 300 feet.

- (g) As a minimum, sidewalks shall be provided on one side of all streets, except that sidewalks shall not be required along Lincoln Highway if an alternative means of pedestrian access satisfactory to the Township is provided through the development to connect to existing streets on the perimeter of the tract.

Section 5. 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 (O/R) and Town Center (TC) zoning districts on lots that have direct vehicular access to either Lincoln Highway (also known as Business Route 30) or to Pottstown Pike and subject to any further restrictions imposed by the regulations for the said districts and other Township Ordinances. 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.

Section 6. Section 281-26 of Chapter 281, "Subdivision and Land Development," of the West Whiteland Township Code of Ordinances, being Street Alignment, is hereby amended by the addition of a new Subsection E as follows:

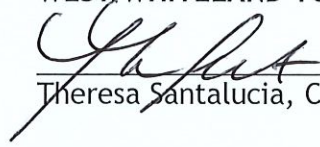
- E. The following street design standards shall apply solely to projects designed in accordance with the high-density single-family option, pursuant to §325-15.1.D(3) of the West Whiteland Township Zoning Ordinance.
 - (1) The minimum center line radius for horizontal curves for streets shall be 50 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; however, no center line minimum shall be required for a driveway serving a townhouse unit from an alley.

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.

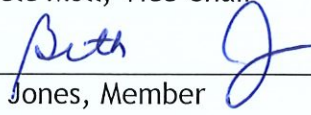
ENACTED AND ORDAINED this 22nd day of May, 2019.

BOARD OF SUPERVISORS
WEST WHITELAND TOWNSHIP



Theresa Santalucia, Chair

Michele Moll, Vice Chair



Beth Jones, Member

ATTEST:



Mimi Gleason, Township Manager