

BOARD OF SUPERVISORS
WEST WHITELAND TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE No. 476

AN ORDINANCE AMENDING CHAPTER 325, "ZONING," OF THE WEST WHITELAND TOWNSHIP CODE OF ORDINANCES TO PROVIDE A "LARGE TRACT SINGLE-FAMILY CLUSTER OPTION" IN THE R-1 DISTRICT; TO CONFIRM THE ELIGIBILITY OF HISTORIC RESOURCES FOR ADAPTIVE RE-USE IN CONNECTION WITH A LARGE TRACT SINGLE-FAMILY CLUSTER OPTION DEVELOPMENT; AND AMENDING THE ZONING MAP TO INCLUDE ALL LANDS SOUTH OF KING ROAD AND EAST OF THE U.S. ROUTE 202 EXPRESSWAY IN THE R-1 RESIDENTIAL ZONING DISTRICT.

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

Section 1. Sub-section 325-9.B(3) of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances is hereby amended as follows:

- (3) Single-family detached dwellings in a cluster or lot-averaging configuration:
 - (a) Clustering and lot averaging in accordance with §325-26.
 - (b) Large tract single-family cluster option in accordance with §325-9.C(10)(c).

Section 2. Sub-section 325-9.C(10) of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, is hereby amended by the addition of a new Sub-section (b) as follows:

- (b) For clustering and lot averaging permitted under §325-9.B(3)(a), the area and bulk regulations are provided in §325-26.

Section 3. Sub-section 325-9.C(10) of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, is hereby amended by the addition of a new Sub-section (c) as follows:

- (c) For the large tract single-family cluster option, there is no overall residential density limit; however, the following area, bulk, and design standards shall apply to all development using this option, compliance with said standards being deemed to limit density appropriately.

[1] Minimum gross tract area: 50 acres.

- [2] Minimum common open space: 30% of gross tract area.
 - [a] Lands within road rights-of-way and lands within residential lots for private ownership shall not be included in the calculation of open space.
 - [b] Open space areas shall be consistent with the standards set forth in §325-26.C(4) of this chapter and may be designed to preserve environmentally sensitive areas, such as wetlands, steep slopes and woodlands.
 - [c] This requirement shall not supersede the open space requirement of §281-47 of the Subdivision and Land Development Ordinance. Common open space area(s) meeting the standards of §281-47.E(2) of that Ordinance shall count toward that requirement; however, if the open space area to be provided does not satisfy the requirement of §281-47 of the Subdivision and Land Development Ordinance, the developer shall either provide additional open space or pay a fee lieu of such provision in accordance with the terms of the said section, even if the said open space area satisfies this §325-9.C(10)(c)[2].
- [3] There shall be a perimeter buffer not less than fifty (50) feet wide around the perimeter of the entire tract. Said buffer shall comply with the provisions of §281-35 of the Subdivision and Land Development Ordinance. The area of the perimeter shall not be included in the calculation of common open space unless it is seventy-five (75) feet wide (as per §325-26.C(4)(h) of this Chapter) or is contiguous to an area of permanent open space sufficient to make a total width of at least seventy-five (75) feet.
- [4] Maximum impervious coverage: 50% of net tract area.
- [5] If the tract features buildings shown on the Township Historic Resources Map, such buildings shall be eligible for the additional uses as provided for and in compliance with the terms of §325-86 of this Chapter.
- [6] Area and bulk regulations for individual residential lots.
 - [a] Minimum lot size: 7,800 sq.ft. of land meeting the definition of “developable acreage” in §325-8 of this Chapter.
 - [b] Minimum lot width at the building line: 60 feet.
 - [c] Minimum front yard: 30 feet.
 - [d] Minimum side yard: 10 feet.
 - [e] Minimum rear yard: 25 feet.

- [f] Maximum building coverage: 35%.
- [g] Maximum impervious coverage: 50%.
- [h] Maximum structure height: 40 feet.

Section 4. 325 Attachment 1 (entitled “West Whiteland Township Zoning Map”), which is adopted as part of Chapter 325, “Zoning,” of the West Whiteland Township Code of Ordinances, Sub-section 325-6.C, shall be amended as shown on the attached Exhibit “A” and which shall be incorporated as part of 325 Attachment 1, which shall designate all lands within the Township that are south of King Rd. and east of the U.S. Route 202 expressway as part of the R-1 Residential zoning district, such lands being the properties identified by the following Chester County UPI Numbers:

41-6-63.1, 41-6-75, 41-6-76, 41-6-77, 41-6-80, 41-6-81, 41-6-82, 41-6-83, 41-6-84, 41-6-87, 41-6-88.2, 41-6-88.2A, 41-6K-7.1, 41-6K-7.2, 41-6K-8, and 41-6K-79.

Section 5. 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 6. This Ordinance shall take effect and be in force five (5) days from the date of enactment.

ENACTED AND ORDAINED this _____ day of October, 2023.

**BOARD OF SUPERVISORS
WEST WHITELAND TOWNSHIP**

Brian Dunn
Chair

Rajesh Kumbhardare
Vice Chair

Theresa Santalucia
Member

ATTEST:

Pamela Gural-Bear, Township Manager

EXHIBIT "A"

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