

**TOWNSHIP OF EAST WHITELAND
CHESTER COUNTY, PENNSYLVANIA**

ORDINANCE NO. -2015

AN ORDINANCE OF THE TOWNSHIP OF EAST WHITELAND, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF EAST WHITELAND TOWNSHIP, AS AMENDED, BY AMENDING SECTION 200-30 (ENTITLED “PERMITTED USES FOR MIXED USE DISTRICTS”), 200 ATTACHMENT 6 (ENTITLED “TABLE OF PERMITTED USES FOR MIXED USE DISTRICTS”) TO PROVIDE FOR USES PERMITTED IN THE GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT; BY ADDING A NEW SECTION 200-39.3 ENTITLED “GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT” TO ESTABLISH AND PROVIDE THE REQUIREMENTS FOR THE GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT; AND BY AMENDING SECTION 200-16 (ENTITLED “ZONING MAP”); AMENDING THE EAST WHITELAND TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1999, AS AMENDED, BY ADDING A NEW SECTION 175-41.1 TO ESTABLISH DESIGN GUIDELINES FOR THE GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT; AND AMENDING THE EAST WHITELAND TOWNSHIP ZONING MAP, AS AMENDED, TO ESTABLISH AN GVR GREAT VALLEY REVITALIZATION DISTRICT ON PROPERTIES LOCATED ON THE WEST SIDE OF ROUTE 29 AND SOUTH OF FLAT ROAD.

BE IT ORDAINED AND ENACTED by the Board of Supervisors of East Whiteland Township, Chester County, and it is hereby ordained and enacted by the authority of same, as follows:

SECTION I. ZONING TEXT AMENDMENTS. The Zoning Ordinance of East Whiteland Township, as heretofore amended, is hereby amended as follows:

A. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-30 (entitled “Permitted Uses for Mixed Use Districts”), 200 Attachment 6 (entitled “Table of Permitted Uses for Mixed Use Districts”), is hereby amended to add a new column for the GVR Great Valley Revitalization Overlay District as shown on Attachment “A” hereto.

B. The Zoning Ordinance of East Whiteland Township, as heretofore amended, is hereby amended to add a new Section 200-39.3, entitled “GVR Great Valley Revitalization Overlay District” as follows:

§ 200-39.3 GVR Great Valley Revitalization Overlay District

A. Intent. The intent of the GVR Great Valley Revitalization Overlay District is to provide for and encourage the revitalization and redevelopment of existing business parks in the Township as mixed use communities to enhance and support the office workforce.

B. Overlay District. The GVR Great Valley Revitalization Overlay District shall overlay all existing and hereafter created underlying zoning districts for those parcels and/or lots designated GVR Great Valley Revitalization Overlay District on the Township Zoning Map.

C. Permitted uses. Uses are permitted in accordance with § 200-30.

D. Development standards. The following development standards shall apply to all uses in the GVR Great Valley Revitalization Overlay District:

1. Maximum tract density [floor-area ratio (FAR)]: 1.2
 - a. Multifamily use shall not exceed .60 of allowable FAR.
 - b. Retail use shall not exceed .05 of allowable FAR.
2. Minimum tract area (acres): 35
3. Maximum building coverage (% of tract): 25, excluding parking structures
4. Maximum impervious coverage (% of tract): 60. Green roofs shall not be considered impervious surface for purposes of calculating impervious coverage in the GVR Overlay District.
5. Central water and sewer facilities required: Yes
6. Maximum height, principal structures (feet): 140
7. Minimum tract width at right-of-way line (feet): 150
8. Minimum tract width at building setback line (feet): 200
9. Minimum building setbacks from streets (feet):
 - a. Any building face to arterial street ultimate right-of-way: 50
 - b. Any building face to collector or local street ultimate right-of-way: 10
 - c. Any building face to common parking area: 10

- d. Surface parking areas and structured parking areas to arterial street ultimate right-of-way: 20
- e. Surface parking areas and structured parking areas to collector or local street ultimate right-of-way: 10
- 10. Minimum principal structure setback from tract perimeter from any industrial district boundary line (excluding street frontages) (feet): 35
- 11. Minimum accessory structure setback from tract perimeter from any industrial district boundary line (excluding street frontages) (feet): 35
- 12. Minimum surface parking areas, structured parking areas, driveways, interior roadways setback from tract perimeter from any industrial district boundary line (excluding street frontages) (feet): 35
- 13. Minimum principal building spacing (feet): 25

E. Parking. Up to 25% of the overall number of parking spaces provided may consist of compact stalls whose required dimensions are set forth herein. Anything in the Zoning Ordinance or the GVR Overlay District notwithstanding, standard on-grade parking spaces and parking stalls in a GVR Overlay District shall be not less than 9 feet wide and 18 feet long; except that compact stalls shall not be less than 9 feet wide and 16 feet long. Within structured parking garages, standard parking stall dimensions shall be not less than 8 feet 6 inches wide and 16 feet long. Parking aisles shall in any event be a minimum of 24 feet wide. If angled parking is provided, then parking stalls shall feature a projection from curbside or edge of pavement from 17 feet to 18 feet in accordance with the angle provided and the design standards in the Guidelines for Parking Facility Location and Design, published by the Institute of Traffic Engineers (ITE) in 1994 and as may be updated by ITE.

F. Design Guidelines. The design guidelines for the GVR Great Valley Revitalization Overlay District shall be in accordance with Article VI, § 175-41.1 of Chapter 175, Subdivision and Land Development, and for purposes of the GVR Great Valley Revitalization Overlay District shall be considered requirements of Chapter 175, Subdivision and Land Development, and not requirements of this Chapter.

G. Application criteria and the subdivision and land development review process. Applications for development within the GVR Great

Valley Revitalization Overlay District shall include mandatory submission of a sketch plan (also referred to as a “Master Plan”) and accompanying support data for the affected tract, or any portion thereof, then proposed for development. Information submitted shall include:

1. Master Plan. The Master Plan shall be drawn at the scale required by the Township’s Subdivision and Land Development Ordinance for the submission of a preliminary plan. In addition, the submission shall contain in plan and textual format the following:

a. The location and type of land use proposed within the tract and the total building area being proposed, represented by total square footage of buildings and approximate location of residential units.

b. The general vehicular and non-vehicular circulations pattern for the entire tract, including points of access to the tract and location, dimensions, and right-of-way of the major road networks that will service the tract.

c. The source of and general methods by which public water service and public sewer service shall be supplied and provided to the development.

d. A chart or other tabulation demonstrating compliance with the applicable development standards of the GVR Great Valley Revitalization Overlay District.

2. Accompanying data. The following documentation shall accompany the plan and be made part of the application:

a. An environmental impact study containing all components required by the applicable sections of the East Whiteland Township Code and a fiscal impact study.

b. Conceptual renderings depicting potential building facades.

c. A narrative generally describing proposed covenants, restrictions and development standards for the property proposed for development.

d. A narrative description of existing zoning and land uses on and adjacent to the tract.

e. A narrative description of the tract's natural and man-made features and any restrictions created thereby.

f. A narrative description of proposed green, open and/or public spaces.

3. Procedure. The following procedure shall apply to the review of applications for development in the GVR Great Valley Revitalization Overlay District:

a. Master Plan. The Master Plan shall be submitted to the Township, reviewed by the Township Planning Commission, and referred to the Board of Supervisors for a decision thereon;

[1] The Board of Supervisors may:

[a] Grant approval of the plan as submitted.

[b] Grant approval of the plan subject to specified conditions not included in the plan as submitted.

[c] Deny approval of the plan with citation to the statute or ordinance relied upon to deny the plan.

[2] Review and decisions on the Master Plan shall be in the time and manner prescribed by Section 508 of the Pennsylvania Municipalities Planning Code, 53 P.S. § 10508, for preliminary and final applications, except that the ninety-day period referenced within which a decision must be rendered shall be extended to 120 days.

[3] From the time an application for Master Plan approval is filed, and while such application is pending approval or disapproval, no change or amendment of the zoning, subdivision, or other governing ordinance shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the governing ordinances or plans as they stood at the time the application was filed. In addition, when a Master Plan has been

approved, the applicant shall be entitled to preliminary approval in accordance with the terms of the Master Plan approval.

b. Vested right to proceed following Master Plan approval. The applicant or any successor to the applicant for all or any portion of the development plan shall have a vested right to proceed according to the approved Master Plan and no subsequent change or amendment to the Township Zoning or Subdivision and Land Development Ordinance nor to any other governing ordinance, regulation, or plan shall be applied to affect adversely the right of the applicant or any successor to commence and complete any aspect of the approved Master Plan for a period of 10 years from the date of approval of the Master Plan.

c. Preliminary and final plans. Following approval of the Master Plan by the Board of Supervisors, the applicant shall be required to submit both preliminary and final subdivision and land development plans (or at the applicant's option, a combined preliminary/final subdivision and land development plan of the tract, or portion thereof, intended for development) to the Township pursuant to the Subdivision and Land Development Ordinance of East Whiteland Township and the Pennsylvania Municipalities Planning Code.

H. Where the Board of Supervisors has approved development plans in the GVR Great Valley Revitalization Overlay District for a tract meeting the requirements stated herein, individual units, buildings, or parcels of land within the approved GVR Great Valley Revitalization Overlay District development may be subdivided, leased, purchased, sold, mortgaged, and developed as individual zero lot line units or individual parcels containing multiple units without meeting the development standards of § 200-39.3.D; provided, however, that the development plan for the entire tract shall at all times remain compliant with the tract development standards applicable to the GVR Great Valley Revitalization Overlay District.

SECTION II. SUBDIVISION AND LAND DEVELOPMENT TEXT AMENDMENT. The East Whiteland Township Subdivision and Land Development Ordinance, as heretofore amended, is hereby amended to add a new § 175-41.1 as follows:

§ 175-41.1 GVR Great Valley Revitalization Overlay District Design Guidelines. The design guidelines for the GVR Great Valley Revitalization

Overlay District shall be in accordance with the GVR Great Valley Revitalization Overlay District Design Guidelines set forth in Appendix VI.

SECTION III. ZONING MAP AMENDMENT.

The East Whiteland Township Zoning Map, Chester County, as heretofore amended, which is adopted as part of the Zoning Ordinance of East Whiteland Township in Section 200-16 (entitled “Zoning Map”) is hereby amended as follows:

A GVR Great Valley Revitalization Overlay District is established on properties located west of Route 29 and south of Flat Road, Chester County, Pennsylvania, as delineated on Attachment “B”, which shall overlay all existing and hereafter created underlying zoning districts applicable to the property in the area designated as “GVR Great Valley Revitalization Overlay District” on Attachment “B” hereto.

SECTION IV. APPLICABILITY. The provisions hereof shall supersede any ordinances or parts of ordinances which are inconsistent herewith.

SECTION V. SEVERABILITY. If any provision, sentence, clause, section or part of this ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts hereof. It is hereby declared as the intent of the Board of Supervisors that this Ordinance would have been adopted has such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION VI. EFFECTIVE DATE. This Ordinance shall become effective five (5) days after enactment as provided by law.

ENACTED AND ORDAINED this 12th day of August, 2015 by the Board of Supervisors of East Whiteland Township.

BOARD OF SUPERVISORS
EAST WHITELAND TOWNSHIP

William Holmes, Chairperson

John Mott, Vice Chairperson

William Wrabley, Member

ATTEST:

By: _____
Maureen Perri, Township Secretary

ATTACHMENT “A”

Use Classification	GVR
Retail commerce, including:	
1. Stores and personal service shops dealing directly with customers	P
2. Restaurants or other similar establishments, but excluding drive-in-facilities	P
3. Banks, but excluding drive-in facilities	P
4. Cinemas or similar recreational or cultural establishments	P
5. Exercise or fitness facilities	P
6. Studios for dance, art, music or photograph	P
7. Nursery schools or day-care centers, inclusive of both	P
Business or professional offices, including adult day care and child day care	
1. Operations design to attract and serve customers or clients on the premises, such as the offices of physicians, lawyers, other professions, veterinarians (but excluding animal boarding facilities), insurance and stock brokers, travel agents and government entities	P
2. Operations designed to attract little or no customer or client traffic other than employees of the entity operating the principal use	P
Hotels, motels, inns, or conference centers	P
Bed-and-breakfast establishments	P
Lawn and garden centers	
Not-for-profit museums, libraries or other educational, cultural, religious, civic or philanthropic uses of a similar nature	P
Public or private not-for-profit open space and recreation uses	P
For-profit open space and recreation uses	P
Transit stations or public utility facilities	P
Animal hospital, veterinarian, or kennel	
Single-family detached residential dwellings (SFD)	
Two-family residential dwellings (2F)	
Single-family attached residential dwellings (SFA)	
Multifamily residential dwelling (MF)	P
Residences, in mixed-use commercial-residential or institutional-residential buildings	P
Drive-in facility	CU
Nonaccessory antennas	SE
Public garage, motor vehicles sales, service or repair shop, and gasoline service station	
Processing of food and beverages, medicine and personal care products (excluding soap), and similar inkind uses	P

Printing of paper, plastic, and metal	P
Research, development, and testing of new products, laboratories	P
Warehousing and distributing	P
Accessory uses such as cafeterias and child day-care facilities	P
Light manufacturing, consisting primarily of the assembly of previously prepared components or, in the case of pharmaceutical products, the compounding and/or manufacture of drugs, medicine, and other pharmaceutical products	P

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APPENDIX VI

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ATTACHMENT "B"

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