

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

**ORDINANCE NO. #338-2021**

**AN ORDINANCE OF THE TOWNSHIP OF EAST WHITELAND, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE ZONING ORDINANCE OF EAST WHITELAND TOWNSHIP, AS AMENDED, BY AMENDING SECTION 200-39.3 (ENTITLED “GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT”), SUBSECTION C THEREOF, SECTION 200-30 (ENTITLED “PERMITTED USES FOR MIXED USE DISTRICTS”), AND SECTION 200, ATTACHMENT 6 (ENTITLED “TABLE OF PERMITTED USES FOR MIXED USE DISTRICTS”) TO DELETE HOTELS, MOTELS, INNS, AND CONFERENCE CENTERS AS USES PERMITTED BY CONDITIONAL USE IN THE GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT; BY AMENDING SECTION 200-39.3 (ENTITLED “GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT”), SUBSECTION D(1) THEREOF TO ADJUST THE MAXIMUM FLOOR AREA RATIOS FOR VARIOUS USES PERMITTED IN THE GVR OVERLAY DISTRICT, SUBSECTION D(2) THEREOF TO REDUCE THE MINIMUM TRACT AREA REQUIRED FOR A GVR OVERLAY DISTRICT DEVELOPMENT, SUBSECTION D(6) THEREOF TO REDUCE THE MAXIMUM HEIGHT OF STRUCTURES PERMITTED IN THE GVR OVERLAY DISTRICT, SUBSECTIONS D(9)(b), D(9)(e) and D(10) TO INCREASE SETBACKS FROM 10 FEET TO 20 FEET, SUBSECTION D(9)(11) TO DELETE A REFERENCE TO INDUSTRIAL DISTRICTS, SUBSECTION E THEREOF TO ADD PROVISIONS FOR SHARED PARKING IN THE GVR OVERLAY DISTRICT, SUBSECTION F TO CLARIFY THE LOCATION OF THE GVR OVERLAY DISTRICT, SUBSECTION G TO DELETE REFERENCE TO A NO LONGER APPLICABLE DATE, SUBSECTION H(3)(c) TO DELETE REFERENCE TO COMBINED PRELIMINARY/FINAL PLANS, AND BY ADDING A NEW SUBSECTION J THERETO TO ADDRESS TRAFFIC IMPROVEMENTS; AMENDING THE ZONING MAP OF EAST WHITELAND TOWNSHIP TO REMOVE PROPERTIES IDENTIFIED AS CHESTER COUNTY UPI NOS. 42-2-14, 42-2-14.1, 42-4-15.10 AND 42-4-15.10A FROM THE GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT; AND AMENDING THE EAST WHITELAND TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE OF 1999, AS AMENDED, SECTION 175-41.1 (ENTITLED “GVR GREAT VALLEY REVITALIZATION OVERLAY DISTRICT DESIGN GUIDELINES”) AND APPENDIX VI TO AMEND THE DESIGN GUIDELINES SET FORTH IN APPENDIX VI.**

**WHEREAS**, the Board of Supervisors have met the procedural requirements of 53 P.S. § 10101, *et seq.*, of the Pennsylvania Municipalities Planning Code, and of the Pennsylvania Second Class Township Code, 53 P.S. §65101, *et seq.*, for the adoption of the proposed Ordinance, including advertising and holding a public hearing;

**WHEREAS**, the Board of Supervisors desires to amend the Township Zoning Ordinance and the Subdivision and Land Development Ordinance;

**WHEREAS**, the Second Class Township Code authorizes the Board of Supervisors to make, amend, and adopt Ordinances that are consistent with the Constitution and the laws of the Commonwealth that it deems necessary for the proper management and control of the Township and the health, safety, and welfare of its citizens;

**WHEREAS**, the Board of Supervisors has determined that amending the Township Zoning Ordinance and Subdivision and Land Development Ordinance is necessary for the proper management and control of the Township and supports the health, safety and welfare of its citizens;

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Board of Supervisors for East Whiteland Township, and it is hereby ordained and enacted, by the authority of the same, to wit:

**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 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection C; Section 200-30 (entitled “Permitted Uses for Mixed Use Districts”); and Section 200, Table 6 (entitled “Table of Permitted Uses for Mixed Use Districts”), are hereby amended to delete “Hotels, Motels, Inns, or Conference Centers” as a use permitted by conditional use in the GVR Great Valley Revitalization Overlay District.

B. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(1) is hereby amended as follows:

- (1) Maximum tract density [floor-area ratio (FAR)]: 1.0.
  - (a) Multifamily use shall not exceed 0.45 of allowable FAR.
  - (b) Retail use shall not exceed 0.20 of allowable FAR.

C. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(2) is hereby amended as follows:

- (2) Minimum tract area (acres): 25.

D. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(6) is hereby amended as follows:

(6) Maximum structure height (feet): 75.

E. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(9)(b) is hereby amended as follows:

(b) Any building face to collector or local street ultimate right-of-way: 20.

F. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(9)(e) is hereby amended as follows:

(e) Surface parking areas and structured parking areas to collector or local street ultimate right-of-way: 20.

G. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(10) is hereby amended as follows:

(10) Minimum building and structured parking areas (excluding utility structures) setback from tract perimeter boundary (feet): 20.

H. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection D(11) is hereby amended as follows:

(11) Minimum surface parking areas, driveways and interior roadways setback (excluding street frontages) (feet): 10.

I. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection E is hereby deleted in its entirety and replaced with the following:

E. Parking.

(1) All off-street parking space dimensions and parking aisle widths shall conform with § 200-69.C, Off-street parking dimensions.

(2) If an applicant proposing development in the GVR Overlay District demonstrates to the satisfaction of the Township Traffic Consultant that a certain percentage of users will patronize more than one use in the community during the same visit to the community and/or that

peak parking demands for different uses occur at different times, then the applicant may, with the approval of the Board of Supervisors, and in lieu of compliance with the otherwise applicable parking regulations relating to the number of required parking spaces, apply either: 1) the methodologies set forth by the Urban Land Institute in its publication Shared Parking, copyright 2005, in order to determine the required number of parking spaces; or 2) such other methodology as the applicant and the Board of Supervisors agree upon.

J. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection F is hereby amended as follows:

F. Residential Notification. The GVR Overlay District is located near an operating quarry situated to the north of the GVR Overlay District. Until completion of mine reclamation as may be required by DEP and the release of bonds posted with DEP in conjunction with the mining activities, the owner of any multi-family residential dwelling situated in the GVR Overlay District (“residential owner”) shall provide notification in tenant leases of the existence of said quarry operations including but not limited to the drilling, blasting, truck traffic, reclamation activities, grading and filling associated with that activity. If requested by the Township, the residential owner shall provide the Township with satisfactory evidence of said notification to each residential tenant.

K. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection G is hereby amended as follows:

G. Design guidelines. The design guidelines for the GVR Great Valley Revitalization Overlay District shall be in accordance with § 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. In the event of any ambiguity or inconsistency between the Design Guidelines and the provisions of the Zoning Ordinance, this Zoning Ordinance shall prevail.

L. The Zoning Ordinance of East Whiteland Township, as heretofore amended, Section 200-39.3 (entitled “GVR Great Valley Revitalization Overlay District”), Subsection H(3)(c) is hereby amended as follows:

(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 to the Township pursuant to the Subdivision and Land Development Ordinance of East Whiteland Township and the Pennsylvania Municipalities Planning Code.

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

J. In lieu of payment of any Transportation Impact Fee that may otherwise be applicable to a GVR Overlay development, the applicant shall comply with the following:

- (1) The Master Plan shall depict all on-site and off-site traffic improvements proposed in connection with the development.
- (2) In event that the land development is approved in phases, upon recordation of the first phase of the land development plan, the applicant shall post financial security for all on-site and off-site traffic improvements depicted on the Master Plan. The financial security may be adjusted based on modifications to the Master Plan that may be approved during subsequent phases of development.

**SECTION II. SUBDIVISION AND LAND DEVELOPMENT TEXT AMENDMENTS.**

A. The East Whiteland Township Subdivision and Land Development Ordinance, as heretofore amended, Section 175-41.1 (entitled “GVR Great Valley Revitalization Overlay District Design Guidelines”) is hereby amended as follows:

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.

B. The East Whiteland Township Subdivision and Land Development Ordinance, as heretofore amended, Appendix VI is hereby amended as set forth in Attachment “A” hereto.

**SECTION III. ZONING MAP AMENDMENT.** The Zoning Map of East Whiteland Township, which is adopted and referenced in Article IV entitled “Establishment of Districts,” Section 200-16 entitled “Zoning Map,” of the East Whiteland Township Zoning Ordinance, shall be amended to remove the following properties from the GVR Great Valley Revitalization Overlay District as shown on Attachment “B” hereto:

| <b><u>UPI No.</u></b> | <b><u>Address</u></b>     |
|-----------------------|---------------------------|
| 42-2-14               | 11 Great Valley Parkway   |
| 42-2-14.1             | 9-27 Great Valley Parkway |
| 42-4-15.10            | 29 Great Valley Parkway   |
| 42-4-15.10A           | 31 Great Valley Parkway   |

**SECTION IV. REPEALER.** All Ordinances or parts of Ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

**SECTION V. REVISIONS.** The East Whiteland Township Board of Supervisors does hereby reserve the right, from time to time, to adopt modifications of, supplements to, or amendments of its Ordinance, including this provision.

**SECTION VI. SEVERABILITY.** In the event that any section, sentence, clause, phrase or word of this Ordinance shall be declared illegal, invalid or unconstitutional by any Court of competent jurisdiction, such declaration shall not prevent, preclude or otherwise foreclose enforcement of any of the remaining portions of this Ordinance.

**SECTION VII. EFFECTIVE DATE.** This Ordinance shall become effective five (5) days after date of adoption.

**SECTION VIII. FAILURE TO ENFORCE NOT A WAIVER.** The failure of East Whiteland Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

**ENACTED AND ORDAINED** this **21<sup>st</sup>** day of **June, 2021** by the Board of Supervisors of East Whiteland Township.

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

**ATTEST:**

By: Donna Wikert  
Township Secretary

By: Scott Lambert  
Scott Lambert

By: Richard Orlow  
Richard Orlow

By: Sue Drummond  
Susan Drummond

ATTACHMENT "A"

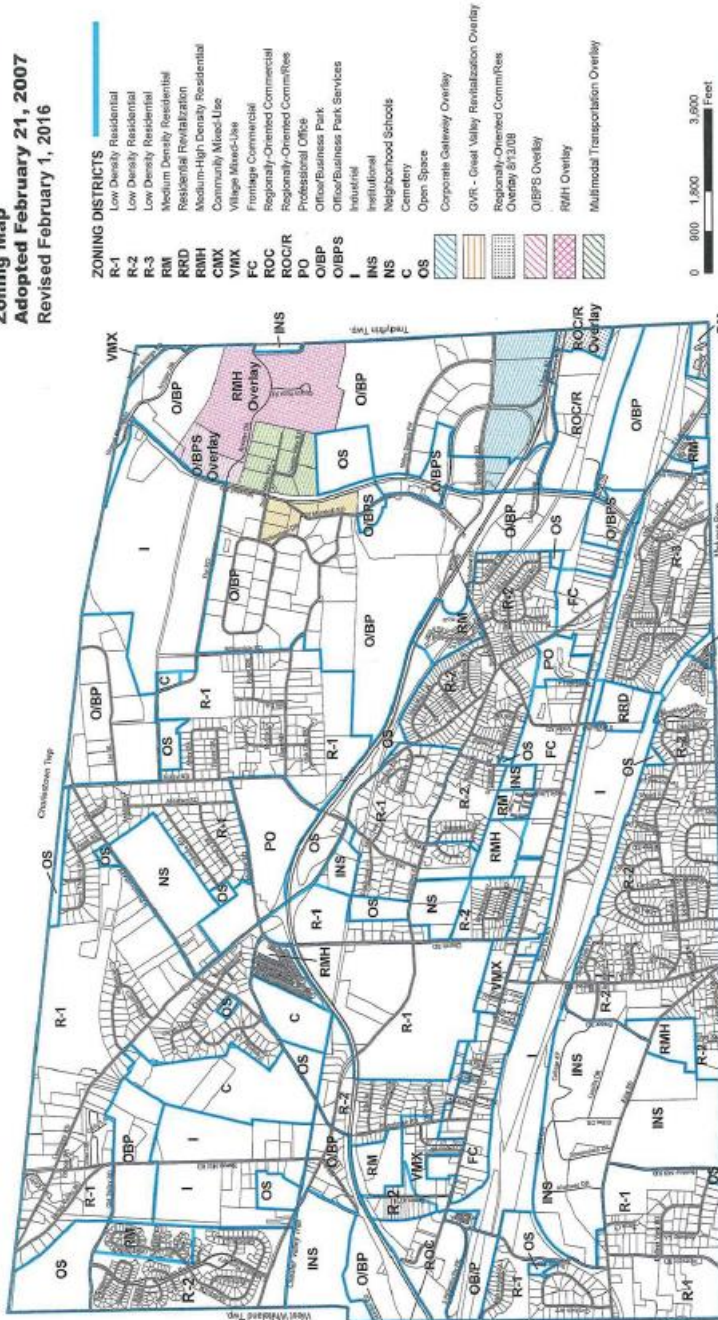
Appendix VI



# ATTACHMENT "B"

## Zoning Map Amendment

**EAST WHITELAND TOWNSHIP**  
**Zoning Map**  
**Adopted February 21, 2007**  
**Revised February 1, 2016**



- ZONING DISTRICTS**
- R-1 Low Density Residential
  - R-2 Low Density Residential
  - R-3 Low Density Residential
  - RM Medium Density Residential
  - RRD Residential Re-zoning
  - RMH Medium-High Density Residential
  - CMX Community Mixed-Use
  - VMX Village Mixed-Use
  - FC Frontage Commercial
  - ROC Regionally-Oriented Commercial
  - ROC/R Regionally-Oriented Comm/Res
  - PO Professional Office
  - OIBP Office/Business Park
  - OIBPS Office/Business Park Services
  - INS Institutional
  - NS Neighborhood Schools
  - C Country
  - OS Open Space
- Overlays**
- OIBPS Overlay
  - OIBP Overlay
  - RMH Overlay
  - Multimodal Transportation Overlay
  - Corporate Gateway Overlay
  - OVR - Great Valley Rehabilitation Overlay
  - Regionally-Oriented Comm/Res Overlay 8/13/08



**GREAT VALLEY CORPORATE CENTER: ZONING MAP AMENDMENT**  
 EAST WHITELAND TOWNSHIP, CHESTER COUNTY, PA  
 FEBRUARY 9, 2021

900 West Valley Road, Suite 1100, Wayne, PA 19087 • 610.265.9323 • fax: 610.265.4279 • www.navenewell.com project # 2019\_059.00