

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

ORDINANCE NO. 357-2023

AN ORDINANCE OF THE TOWNSHIP OF EAST WHITELAND AMENDING SECTION 200-39.4 (ENTITLED "MF MULTIFAMILY ROUTE 30 OVERLAY DISTRICT") TO MODIFY THE DESIGN STANDARDS OF THE MF MULTIFAMILY ROUTE 30 OVERLAY DISTRICT.

WHEREAS, the Board of Supervisors met the procedural requirements of the Second Class Township Code, 53 P.S. § 65101, *et seq.* and the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as reenacted and amended ("MPC"), for the adoption of the proposed Ordinance amending the Zoning Ordinance, including holding a public hearing;

WHEREAS, the Second Class Township Code authorizes the Board of Supervisors to make 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 welfare of the Township and its citizens;

WHEREAS, the Township desires to amend the Township Zoning Ordinance to introduce additional design standards for the Multifamily Route 30 Overlay District;

WHEREAS, the Township, after due consideration of the proposed ordinance at a duly advertised public hearing, has determined that the health, safety and general welfare of the residents of East Whiteland Township will be served by this amendment of the East Whiteland Township Zoning Ordinance.

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 1. 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, Section 200-39.4.A., is hereby amended to state as follows:

"A. Intent. The intent of the MF Multifamily Route 30 Overlay District is to provide for and encourage multifamily residential developments within certain areas bordering Lancaster Avenue (U.S. Route 30)."

B. The Zoning Ordinance of East Whiteland Township, Section 200-39.4.C, is hereby amended to state as follows:

"C. Permitted uses. Multifamily residential dwellings are permitted by Conditional Use provided all the requirements in this § 200-39.4 are satisfied. The uses permitted in the underlying zoning districts shall be permitted on the first floor of any multifamily residential dwelling building, or within standalone buildings within the development, in accordance with the standards outlined in this § 200-39.4. Any property that is not proposed for a Conditional Use under this section shall be permitted to be developed in accordance with the requirements of the underlying zoning district."

C. The Zoning Ordinance of East Whiteland Township, Section 200-39.4.D, is hereby amended to state as follows:

"D. Conditional use criteria: The applicant shall prove that the following items are satisfied at the time of the Conditional Use hearing. In addition to the specific criteria and submission requirements outlined below, the applicant shall submit a site plan showing, at a minimum, the proposed buildings, parking areas, points of ingress and egress, traffic improvements, conceptual locations for stormwater management facilities, useable open space areas, and pedestrian gathering areas.

- (1) The applicant's plan shall depict a five-foot-wide concrete sidewalk with a four-foot green space between the sidewalk and the curb along Lancaster Avenue (U.S. Route 30).
- (2) The applicant's plan shall depict a five-foot striped on-road bike lane along Lancaster Avenue (U.S. Route 30).
- (3) The applicant's plan shall depict streetlights, benches, bus shelters, bicycle racks, street trees, trash receptacles, and pier-fence-hedge combinations that shall be reviewed and approved by the Board of Supervisors as part of the Conditional Use process.
- (4) At the time of application, the applicant shall supply a conservation plan and environmental impact assessment (including all applicable studies and reports) meeting the requirements of the Subdivision and Land Development Ordinance found within § 175-23.C.
- (5) Architectural elevations, including proposed exterior building material and color descriptions for any facade that is visible from Lancaster Avenue (U.S. Route 30), shall be submitted with the Conditional Use application. Architectural review and approval shall be obtained from the Board of Supervisors as part of the Conditional Use approval.
 - (a) Buildings shall incorporate a variety of materials and textures, such as brick, concrete stucco, stone, wood siding, cementitious fiber board, or EFIS, to create an attractive building that is complimentary to surrounding buildings and reflective of traditional Chester County

architecture. Earth tone masonry materials and colors shall be integrated into the architectural design of buildings.

- (b) The materials and color palette shall not have more than three (3) dominant materials, more than two (2) material orientation, and more than four (4) colors on each side of a building façade.
- (c) Buildings shall be designed with projections and recesses along the façade at a minimum of every 120 feet.
- (d) Buildings shall have a primarily vertical expression, which shall be created through the use of windows, doors, pilaster, piers, columns, arches, porches, balconies, and other such features.
- (e) Roof line articulation shall be provided in the form of elements such as dormers, gables, or turrets. For flat roofed buildings, the staggering of façade wall heights by at least 42 inches through the use of parapet walls. Variations of roof lines shall also provide visual screening of HVAC and other roof top mounted equipment.
- (f) All trash disposal areas shall be screened within enclosures that match or are complementary to the building materials and color.
- (g) Parking structures shall not have frontage on Lancaster Avenue (U.S. Route 30) or other primary streets unless grade level frontage is designed for retail, educational, recreational, or similarly permitted uses. The architecture of parking structures shall be designed to be compatible with the architecture, materials, and colors of the primary structure.

...

- (9) Central water and sewer facilities shall be required.

...

- (12) The maximum height of a principal structure, including a parking structure attached to the principal structure, shall be no taller than 50 feet and shall not exceed four stories. For any building proposing four stories, the building façade of the third or fourth story, or a combination of both, shall be stepped back horizontally from the vertical elevation of the first-floor façade.

...

- (16) The minimum building setback from Lancaster Avenue (U.S. Route 30) shall be 30 feet and the maximum building setback from Lancaster Avenue (U.S. Route 30) shall be 60 feet. For surface parking, the minimum setback shall be 20 feet. For any new or existing building that is setback 60 or more feet, a pier-fence-hedge combination shall be installed and maintained, in accordance with the *Pier-Fence-Hedge Combination Design Standards* set forth in Attachment 17 to this chapter.

- (17) The minimum building setback from any other streets shall be 40 feet and 10 feet for any surface parking.

...

- (20) The minimum setback for surface parking areas, driveways, interior driveways, from tract perimeter (excluding street frontages) from other like-zoned tracts shall be five feet, from any residential district boundary line shall be 10 feet, and from any other district boundary lines shall be five feet.

...

- (23) Off-street parking lots shall be located to the side or rear of buildings. If this is not achievable, a pier-fence-hedge combination shall be installed and maintained in accordance with the *Pier-Fence-Hedge Combination Design Standards* set forth in Attachment 17 of this chapter, in order to provide visual screening of the parking.

- (24) A minimum of one off-street parking space per bedroom shall be provided.

- (25) All traffic improvements which are necessary to accommodate the proposed development shall be reviewed and agreed upon with the Township Traffic Engineer. All improvements shall be shown on the required site plan. At a minimum, the plan shall demonstrate consistency with the Transportation Concept Plan from the Route 30 Corridor Master Plan with respect to required right-of-way, road widening, travel lanes, turn lanes, access management, bike lane, sidewalks, bus stops, and other features.

- (26) A Landscape Plan depicting all proposed landscape, buffering, and hardscape features in accordance with Chapters 175 and 200 shall be provided.

- (27) At the time of the Conditional Use hearing, the applicant shall show proof that all of the items outlined in this § 200-39.4 have been satisfied and, in addition, the applicant must show that all other sections of the underlying zoning district, as well as all other provisions of the Zoning Ordinance are satisfied in full.

D. The Zoning Ordinance of East Whiteland Township is hereby amended to introduce *Pier-Fence-Hedge Combination Design Standards* as Attachment 17 of Chapter 20 ("200 Attachment 17"). The *Pier-Fence-Hedge Combination Design Standards* are attached hereto.

SECTION 2. 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 3. 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 4. 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 5. EFFECTIVE DATE. This amendment shall become effective five (5) days after date of adoption.

SECTION 6. 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 13th, day of December, 2023
by the Board of Supervisors of East Whiteland Township.

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

ATTEST:

By: Steven C. Brown
Steve Brown
Township Manager/Secretary

By: Scott Lambert
Scott Lambert

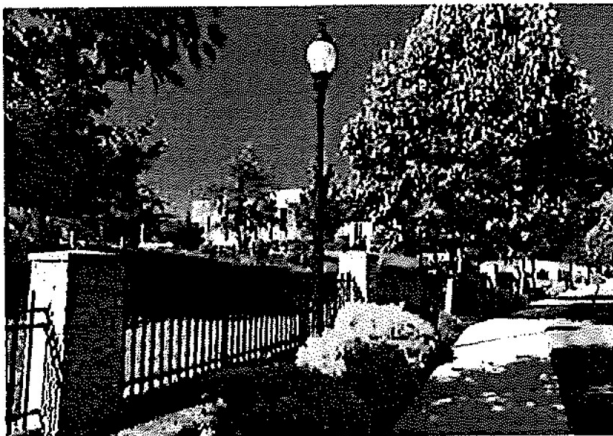
By: Rich Orlow
Richard Orlow

By: _____
Peter Fixler

ZONING
200 Attachment 17

Township of East Whiteland
Pier-Fence-Hedge Combination Design Standards
[Added ___-___-2023 by Ord. No. 357-2023]

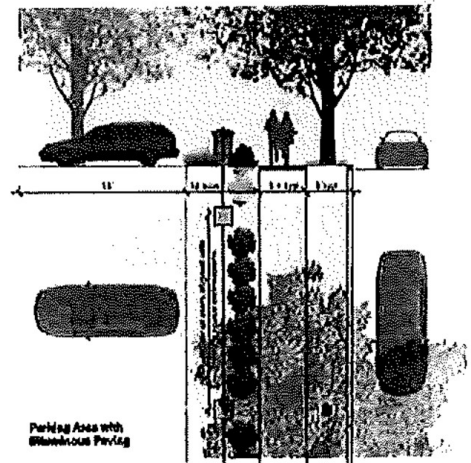
1. A Pier-Fence-Hedge combination shall be utilized when new or existing buildings are setback 60 or more feet from Lancaster Avenue (U.S. Route 30).
2. A Pier-Fence-Hedge combination shall be utilized to screen off-street parking located in front yards, in order to help create a pedestrian-scaled Streetscape environment.
3. Whenever redevelopment is proposed, and an existing parking lot in front of a building does not have an existing Pier-Fence-Hedge combination, a new Pier-Fence-Hedge combination shall be installed and maintained.
4. Pier-Fence-Hedge combinations and Street Walls shall be installed and maintained in accordance with the details illustrated and described herein.



Pier-Fence-Hedge Combination utilized when buildings are setback from the streetscape

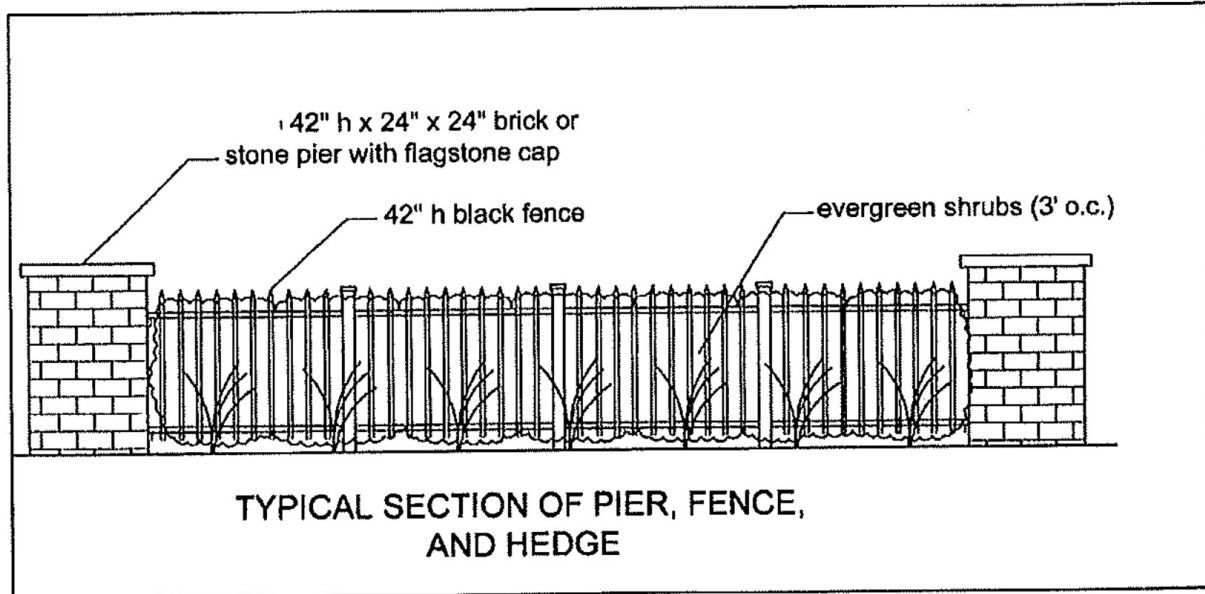


Pier-Fence-Hedge Combination screening located in the front yard



Pier-Fence-Hedge Combination screening off-street parking located in the front yard

Pier-Fence-Hedge Combination Design Standards



Pier-Fence-Hedge Combination providing screening



Pier-Fence-Hedge Combination enhancing the streetscape