



MEMORANDUM

From the Office of the
Township Manager

TO: BOARD OF SUPERVISORS
FROM: CHRISTOPHER BASHORE
RE: ORDINANCE NO. 2 – 2023
DATE: JANUARY 17, 2023

Before the Board of Supervisors this evening is proposed Ordinance No. 2 – 2023. This ordinance would amend the Township's Zoning Ordinance in order to add assisted-living and miniwarehouse/self-storage facilities as uses permitted by Conditional Use. The proposed ordinance amendment has been discussed at numerous meetings of the Board of Supervisors and authorized for advertisement at the January 3, 2023 meeting. Additionally, the ordinance was reviewed by the Chester County Planning Commission and the West Goshen Township Planning Commission. The Chester County Planning Commission recommended certain language changes in order to better define the vegetative buffer requirements. Those changes were made as recommended and reflected in the ordinance before the Board this evening. These revisions were submitted to the Chester County Planning Commission and an updated letter was provided on January 12, 2023. The Township's Planning Commission has also reviewed the ordinance before the Board and recommended approval.

The proposed ordinance was advertised in the January 6, 2023 and January 10, 2023 edition of the Daily Local News, as required. Additionally, the ordinance was posted on the Township website in the "Ordinances & Resolutions" section.

Please let me know if you have questions. Thank you.

WEST GOSHEN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2-2023

AN ORDINANCE OF WEST GOSHEN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE WEST GOSHEN TOWNSHIP CODE, CHAPTER 84 TITLED, "ZONING", ARTICLE VIII TITLED "C-3 LIMITED HIGHWAY COMMERCIAL DISTRICT", SECTION 84-24 TITLED "USE REGULATIONS", TO ADD NEW SUBSECTION I. TO PERMIT ASSISTED LIVING FACILITY AND MINIWAREHOUSE/SELF-STORAGE FACILITY USES BY CONDITIONAL USE IN THE C-3 DISTRICT AND PERMITTING AN INCREASE IN MAXIMUM BUILDING HEIGHT FOR THE CONDITIONAL USES WHEN GREEN AREA REACHES A MINIMUM OF 25%; AMENDING SECTION 84-25 TITLED "AREA AND BULK REGULATIONS" TO AMEND CERTAIN REGULATIONS SET FORTH IN SUBSECTION D. RELATING TO LOT COVERAGE AND SUBSECTION F. RELATING TO BUILDING SETBACK LINE, AND ELIMINATING SUBSECTION E. RELATING TO FLOOR AREA RATIO ; AND AMENDING ARTICLE XIV TITLED "SUPPLEMENTAL REGULATIONS", SECTION 84-55 TITLED "DESIGN STANDARDS", SUBSECTION I. TITLED "CONFORMANCE", SUBSECTION (2) TO UPDATE THE PARKING STANDARDS FOR AN ASSISTED LIVING FACILITY.

BE IT ENACTED AND ORDAINED, and it is hereby enacted by authority of the Board of Supervisors of West Goshen Township that Chapter 84 of the West Goshen Township Code, titled, "Zoning", is hereby amended as follows:

SECTION 1. Article VIII titled "C-3 Limited Highway Commercial District", Section 84-24 titled "Use regulations", is amended to add a new subsection I. as follows:

"I. The following uses shall be permitted as a conditional use when authorized by the Board of Supervisors subject to Article XVIII of this chapter. The area and bulk regulations, § 84-25 of this article, design standards, § 84-26 of this article, and general standards, § 84-27 of this article, shall apply to all uses permitted by conditional use in the C-3 Limited Highway Commercial District, except that maximum building height may be increased up to four stories, not to exceed 50 feet if the minimum green area (landscaped) is increased to 25% minimum.

(1) Assisted Living Facility.

(2) Miniwarehouse/Self-Storage Facility."

SECTION 2. Article VIII titled "C-3 Limited Highway Commercial District", Section 84-25 titled "Area and bulk regulations", is amended as follows:

“Unless otherwise provided in this chapter, the following area and bulk regulations shall apply:

- A. Lot size: two acres minimum.
- B. Lot width at building line: 300 feet minimum.
- C. Lot width at street right-of-way line: 50 feet minimum.
- D. Lot coverage: 35% maximum.
- E. Building setback line: 50 foot minimum, provided that if the proposed lot and building are contiguous to a residential use or residential zoning district, a planted buffer 25 feet in depth contiguous to the lot line abutting the residential use or residential district shall be permanently maintained.
- F. Side yards: 15 feet minimum for each, except that the building on any corner lot must be set back 20 feet from the lot line on side street.
- G. Green area (landscaped): 20% minimum.
- H. Rear yard: 100 feet minimum.
- I. Maximum building height: three stories, not to exceed 35 feet.
- J. Paved surface area: may not exceed 55% of total lot.
- K. Public water and public sewer facilities shall be required.

SECTION 3. Article XIV titled “Supplemental Regulations”, Section 84-55 titled “Design standards”, Subsection I. titled “Conformance”, Subsection (2) is amended as follows

(2) Minimum number of parking spaces required per land use. Throughout this section, "sq.ft." shall be interpreted as "square feet" and "GFA" shall be interpreted as "gross floor area."

Use	Number of Parking Spaces
Independent living facility	2 spaces per dwelling unit unless the Board of Supervisors approves a reduction in the number of parking spaces required as part of the conditional use approval based on evidence that the parking demand for the particular independent living facility proposed is less than 2 spaces per unit.
Assisted Living Facility	0.50 spaces per dwelling unit unless the Board of Supervisors approves a reduction in the number of parking spaces required as part of the conditional use approval based on evidence that the parking demand for the particular assisted living facility proposed is less than 0.50 spaces per unit.

SECTION 4. 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 had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof not been included herein.

SECTION 5. REPEALER. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of any such inconsistency.

SECTION 6. EFFECTIVE DATE. This Ordinance shall become effective five (5) days following the enactment as by law provided.

ENACTED AND ORDAINED this _____ day of _____, 2023.

ATTEST:

**WEST GOSHEN TOWNSHIP
BOARD OF SUPERVISORS**

Christopher Bashore, Secretary

BY: _____
Shaun Walsh, Chair

Ashley Gagné, Vice-Chair

Robin Stuntebeck, Member

John Hellman, Member

Tinamarie Smith, Member



THE COUNTY OF CHESTER



COMMISSIONERS
Marian D. Moskowitz
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January 12, 2023

Christopher Bashore, Manager
West Goshen Township
1025 Paoli Pike
West Chester, PA 19380

Re: Zoning Ordinance Amendment – Assisted Living Facility and Miniwarehouse/Self-Storage Facility, C-3 Limited Highway Commercial District
West Goshen Township – ZA-12-22-17504

Dear Mr. Bashore:

The Chester County Planning Commission has reviewed the proposed Zoning Ordinance Amendment as submitted pursuant to the provisions of the Pennsylvania Municipalities Planning Code, Section 609(e). The referral for review was received by this office on December 27, 2022. We offer the following comments to assist in your review of the proposed amendment.

DESCRIPTION:

1. West Goshen Township proposes the following amendments to its Zoning Ordinance:
 - A. Add Section I to Section 84-24, the use regulations of the C-3 Limited Highway Commercial District. The proposed standards would permit, by conditional use, an assisted living facility and a miniwarehouse/self-storage facility in the C-3 District, in accordance with the standards set forth in Sections 84-25, 84-26, and 84-27, with the added provision that the maximum building height may be increased up to four stories, not to exceed 50 feet if the minimum green area (landscaped) is increased to 25 percent minimum (we note that the current maximum building height in the C-3 District is three stories, not to exceed 35 feet);
 - B. Change the maximum lot coverage of the C-3 District set forth in Section 84-25.E from 30 percent to 35 percent;
 - C. Delete Section 84-25.E, the floor area ratio standard of the C-3 District, and renumber existing Sections 84-25.F through 84-25.L as 84-25.E through 84-25.K, respectively;
 - D. Amend the building setback line standards of the C-3 District; which includes changing the minimum setback from 40 feet to 50 feet for any building, and eliminating the reference to “or parking area” from this section (this issue is further discussed in comment #2); and
 - E. Amend the minimum parking space requirements for an assisted living facility currently set forth in Section 84-55.I(2).

BACKGROUND:

2. The County Planning Commission reviewed an earlier version of this amendment on December 16, 2022 (CCPC# ZA-11-22-17465). We stated in comment #5 of our previous review letter that the proposed building setback line standards in Section 84-25.E were not very clear. We acknowledge, and endorse, that this section has been revised to state that the building setback line

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shall be a minimum of 50 feet, “provided that if the proposed lot and building are contiguous to a residential use or residential zoning district, a planted buffer 25 feet in depth contiguous to the lot line abutting the residential use or residential district shall be permanently maintained.” It is our understanding that this is the only revision to this latest version of the proposed amendment.

3. As noted in our previous review, the purpose of this zoning amendment petition is to allow for the construction of an assisted living facility and a self-storage facility at 943 South High Street (UPI# 52-7-29, 52-7-29.2, 52-7-29.3 and 67-4B-1, approximately 8.02 acres). The existing hotel on this site would be demolished. The applicant and Township should refer to pages 3 through 5 of our prior review pertaining to our comments about future development considerations for this site.

LANDSCAPES:

4. According to our copy of the Township Zoning Map, there are two C-3 zoning designations in the Township: the east side of South High Street at the Westtown Township border; and the north side of West Chester Pike between North Five Points Road and Chatwood Avenue. As proposed, this amendment would allow the uses in both of these C-3 Districts, not just the South High Street area. The South High Street designation is located in the within the **Suburban Landscape** and **Natural Landscape** designations of [Landscapes3](#), the 2018 County Comprehensive Plan. The zoning designation on the north side of West Chester Pike is located within the **Suburban Center Landscape** designation.

Assisted living facilities and self-storage storage facilities are appropriate uses in **Suburban Landscape** and **Suburban Center Landscape** designations. [Landscapes3](#), the 2018 County Comprehensive Plan, projects 146,000 new county residents between 2015 and 2045, with the senior population anticipated to nearly double during this timeframe. “Live” Objective C of [Landscapes3](#) supports safe and accessible places for people of all ages and abilities, from children through seniors, through the development of affordable housing, community facilities, and amenities.

COMMENTS:

5. As noted in our previous review letter, there does not appear to be specific design criteria or other supplemental use standards for miniwarehouse/self-storage facilities in the Township’s zoning ordinance. If this is correct, then the Township should consider the development of design criteria for miniwarehouse/self-storage facilities as part of this amendment submission. The design criteria should address issues such as building design, landscape design, lighting design, illegal activity, maintenance, along with identifying items that are prohibited from storage, such as flammable liquids, highly combustible or explosive materials, toxic or radioactive materials, or hazardous chemicals or other hazardous materials. Additional information on this topic is provided in the County Planning Commission’s [Self-Storage Facilities Planning eTool](#), which is available at:
<https://www.chescoplanning.org/MuniCorner/eTools/70-SelfStorage.cfm>.

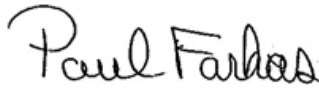
RECOMMENDATION: The Township should consider the comments in this letter before acting on the proposed zoning ordinance amendment.

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We request an official copy of the decision made by the Township Supervisors, as required by Section 609(g) of the Pennsylvania Municipalities Planning Code. This will allow us to maintain a current file copy of your ordinance.

Sincerely,

A handwritten signature in black ink that reads "Paul Farkas". The signature is written in a cursive style with a large, looped initial "P".

Paul Farkas
Senior Review Planner

cc: Riley Riper Hollin & Colagreco
Maggie Dobbs, AICP, Director of Planning and Zoning, Westtown Township