

TOWNSHIP OF WEST BRADFORD
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE 90-05

AN ORDINANCE AMENDING THE WEST BRADFORD TOWNSHIP ZONING ORDINANCE NO. 77-1, AS AMENDED, BY ADDING DEFINITIONS, BY REVISING SECTION 503 ENTITLED C-3 COMMERCIAL DISTRICT AND CREATING A NEW SECTION 503 ENTITLED C-3 VILLAGE RESIDENTIAL/COMMERCIAL DISTRICT, AND BY CREATING SECTION 802.12 ENTITLED BED AND BREAKFAST INN STANDARDS. ALSO ADDING A BED AND BREAKFAST AS AN ACCESSORY USE IN AN R-1 AND R-4 DISTRICTS.

THE BOARD OF SUPERVISORS OF WEST BRADFORD TOWNSHIP DOES HEREBY ENACT AND ORDAIN:

SECTION 1. TITLE

This ordinance shall be known as a partial amendment to the West Bradford Township Zoning Ordinance (last Amended July 10, 1990). This Ordinance pertains to: additions to Definitions; a new C-3, Village Residential/Commercial District; and new Bed and Breakfast Inn Standards. Also adding a bed and breakfast as an accessory use in an R-1 and R-4 Districts.

SECTION 2. LEGISLATIVE INTENT

The Ordinance amendments are intended: to add definitions; to provide Standards for Bed and Breakfast Inns applicable to the R-1, C-3 and the R-4 Districts when in a certified historic district. To facilitate the establishment of such facilities in an effort to preserve the historic character of dwellings within the Township; and to provide a Village Residential/Commercial District which is in keeping with the historical character, scale, intensity, and predominantly residential use of the Village of Marshalton.

SECTION 3. ADDITIONS TO DEFINITIONS

The following definitions are hereby added:

ARTICLE 200 - DEFINITIONS

SECTION

201 BED AND BREAKFAST INN

A single family detached or semi detached dwelling with or without accessory buildings containing five (5) or fewer guest rooms, converted or designed for the temporary lodging of transient guests, provided that no room shall have cooking facilities of any kind. Such establishment shall furnish to the occupants, lodging services such as maid service and the furnishing and laundering of linen, and typically provides accessory eating and drinking facilities for serving morning breakfast and/or afternoon tea. Such an establishment is typically converted from a single-family residence, school, church and the like, and is occupied by a resident innkeeper. Bed and Breakfast Inns shall comply with the provisions of Section 802.13.

CERTIFIED HISTORIC DISTRICT

An historic district which has been certified by the United States Department of the Interior, through designation in the National Register of Historic Places.

VILLAGE INN

A building or group of buildings containing from six (6) to twenty (20) guest rooms, designed for the temporary lodging of transient guests, provided that no room shall have cooking facilities of any kind. Such establishment shall furnish to the occupants customary lodging services such as maid service and the furnishing and laundering of linen. Eating and drinking facilities, primarily for use by guests, may be accessory to the Village Inn.

SECTION 4: C-3, VILLAGE RESIDENTIAL/COMMERCIAL DISTRICT

The following provisions are hereby reenacted and added:

SECTION

503 C-3 VILLAGE RESIDENTIAL/COMMERCIAL DISTRICT

503.1 INTENDED PURPOSE

It is the purpose of the C-3 Village Residential/Commercial District to provide for commercial establishments and certain residential uses compatible with the character of the Village of Marshalton.

503.2 USES AND STRUCTURES

A. Permitted Uses

A building may be erected, altered or used and a lot or premises may be used for any one, and only one, of the following purposes.

1. Single-family detached dwelling; single-family semi-detached dwelling; and two-family dwelling.
2. Accessory uses on the same lot with the customarily incidental to the above Permitted Uses.
3. Home occupation, subject to the provisions of Section 802.12.
4. Bed and Breakfast Inn, subject to the provisions of Section 802.13.

B. Conditional Use

A building may be erected, altered or used and a lot or premises may be used when authorized as a Conditional Use by the Board of Supervisors, subject to Sections 802 and 804 of this Ordinance, for one and only one of the following purposes.

1. Retail store; art, craft or antique shop.
2. Professional office.
3. Eating establishment.
4. Village Inn.
5. Personal service establishment such as barber shop and/or hair salon.
6. General retail service or limited repair shop such as: brass refinishing, silver repair, and antiques restoration
7. Bakery, pastry, candy, confectionery or ice cream shop, making goods for sale on the premises.
8. Cottage industry such as blacksmith, tinsmith, cabinet maker and similar trade.
9. Cultural facility such as: art gallery, library and museum.

10. Municipal uses.
11. Educational, philanthropic or religious use.
12. Dwelling in combination with a commercial building provided that such dwelling is structurally attached to the commercial building and, further, that no dwelling may be located in the first floor elevation at the front of a commercial building.
13. A combination of no more than two (2) of the above Conditional Uses provided that both uses are located within a single structure.
14. A combination of no more than two (2) of the above Conditional Uses, on the same lot, provided that each use individually meets all applicable lot area, width and coverage regulations.
15. Accessory uses on the same lot with and customarily incidental to the above Conditional Uses.

503.3 LOT AREA, WIDTH AND COVERAGE REGULATIONS

The following regulations shall be observed:

A. LOT AREA

1. Single-family detached dwelling, single-family semi-detached dwelling and two-family dwelling without approved public sewerage and public water systems shall have a minimum lot size of one (1) acre per dwelling unit.
2. Dwelling with approved public sewerage and public water systems shall comply with the density and lot area requirements of the R-4 Residential District.
3. Dwelling in combination with a commercial building shall have approved public sewerage and public water systems and shall be permitted a maximum density of one (1) dwelling unit for each twenty thousand (20,000) square feet of lot area.
4. Commercial use without approved public sewerage and public water systems shall have a minimum lot size of one (1) acre provided that the commercial use shall not exceed 2,500 square feet of floor area, except that a Village Inn shall not exceed 10,000 square feet of floor area.
5. Commercial use with approved public sewerage and public water systems shall have a minimum lot size of twenty thousand (20,000) square feet. The commercial use shall not exceed 2,500 square feet of floor area, except that a Village Inn shall not exceed 10,000 square feet of floor area.

- B. LOT WIDTH
 - 1. Lot width at street line (minimum) - 50 feet.
 - 2. Lot width at building line (minimum) - 50 feet.

- C. BUILDING AND IMPERVIOUS SURFACE COVERAGE-FOR LOTS LESS THAN 30,000 SQ. FT.
 - 1. Building Coverage (maximum) - 30%
 - 2. Impervious surface coverage (maximum) - 60%

- D. BUILDING AND IMPERVIOUS SURFACE COVERAGE FOR LOTS 30,000 SQ. FT. OR GREATER
 - 1. Building coverage - (maximum) 20%, except in the case of a Village Inn, it shall not exceed 25%.
 - 2. Imperious surface coverage (maximum) 35%, except in the case of a Village Inn, it shall not exceed 50%.

- E. LANDSCAPED AREA (MINIMUM) - 30%

503.4 SETBACK REGULATIONS

- A. FRONT YARD

No building or structure shall be located nearer than twenty-five (25') feet to the right-of-way line of the street. Whenever the majority of the existing buildings along the same street line and within 500 feet of the subject building have a nonconforming front yard setback, the setback for the new building may be reduced to conform with the majority.

- B. SIDE YARD

Each building shall have two (2) side yards, neither of which shall be less than ten (10) feet.

- C. REAR YARD

Each building shall have a rear yard which shall not be less than twenty-five (25) feet.

- D. No accessory building shall be nearer than ten (10) feet to any property line.

503.5 BUILDING HEIGHT REGULATION

- A. Maximum Building Height - thirty-five (35) feet.

503.6 OFF STREET PARKING REGULATIONS

- A. As provided for in Section 808.
- B. No parking shall be allowed in the front yard of any lot, nor in front of any building.

503.7 SIGN REGULATIONS

- A. As provided for in Section 809.

503.8 DESIGN STANDARDS

- A. As provided for in Section 802.
- B. Landscaping shall be in accordance with Section 802.3, and the following:
 - 1. Service, parking, trash collection and other like uses and activities typically out of character with the historic setting of the Village of Marshalton shall be appropriately and effectively screened. Screening should be done in a manner compatible with the village character any may include such means as: picket or wrought-iron fences supplemented by hedges; thick hedge alone; attractive, decorative solid wood fences, and the like.
 - 2. Landscape features complementary to the historical character of Marshalton are encouraged. Trellises, lattice screens, arbors, pergolas and the like, shall be provided to enhance the village setting and pedestrian scale.

503.9 CONDITIONAL USE STANDARDS

- A. In addition to any information as required by Section 804.1 of this Ordinance, the Applicant shall have the burden to prove, by a preponderance of evidence, that the proposed use will comply in all respects with the Commercial Use Performance Regulations (Section 802.7). When the applicant does not provide information as required, then it shall be presumed that the proposed use is not in accordance with the requirements applicable for the granting of conditional use approval.
- B. To encourage and promote pedestrian movement, building and parking areas shall be linked to and with sidewalks. These sidewalks shall be located to the rear or sides of structures to appropriately promote safe pedestrian access. Such sidewalks shall connect with the primary sidewalk network in the village.

503.10 BED AND BREAKFAST INN STANDARDS

- A. As provided for in Section 802.13.

SECTION 5: The following provisions are hereby added:

SECTION

401.2A PERMITTED USES

8. Bed and Breakfast Inn, subject to the provisions of Section 802.13, as an accessory use.

404.2A PERMITTED USES

8. Bed and Breakfast Inn, subject to the provisions of Section 802.13, when the R-4 District is in a certified historic district, as an accessory use.

SECTION 6: BED AND BREAKFAST INN STANDARDS
The following provisions are hereby added:

SECTION

802.13 BED AND BREAKFAST INN STANDARDS

The following regulations shall apply to Bed and Breakfast Inns:

- A. Such use may be a principal permitted use in the C-3 District and may be an accessory use in a R-1 District and R-4 District, when the R-4 District is in a certified historic district.
- B. Such use shall be limited to five (5) guest rooms.
- C. The minimum lot size shall be in accordance with Section 503.3 for the C-3 District; Section 401.3 for the R-1 District and 404.3 for the R-4 District.
- D. There shall be no more than two (2) non-resident employees in addition to the resident family members that operate the Bed and Breakfast Inn.
- E. There shall be no separate kitchen or cooking facilities in any guest room. Food shall be served to guests only on the premises and shall be limited to breakfast and afternoon tea only.

- F. Application for the use shall be accompanied by a valid Chester County Health Department permit indicating that the existing sewage system or proposed systems can accommodate the maximum usage proposed by the Bed and Breakfast Inn. If the proposed use is to be served by a public sewerage system, the Applicant shall submit documentation from the servicing authority that the proposed use will be adequately served.
- G. A Bed and Breakfast Inn shall be limited to one (1) sign which shall not exceed three (3) square feet in area. The design of the sign shall utilize natural materials, with direct low level incandescent illumination if any is desired, the design of which shall be submitted with the application. Temporary signs are prohibited.
- H. One (1) off-street parking space per bedroom used by guests and one space for each non-resident employee, shall be provided on the premises, in addition to other off-street parking spaces required by this Ordinance.
- I. When the water supply system is on-site, certification of water potability within accepted Non-community Water Supply Standards must accompany every application for a Bed and Breakfast Inn. Off-site water supply systems require a certification of water potability within accepted Community Water Supply Standards.
- J. A permit issued for a Bed and Breakfast Inn shall have a life of one (1) year. The permit must be renewed annually. The Zoning Officer shall inspect the facility, including the on-lot sewage disposal and the water systems, and shall determine its compliance with the provisions of this Ordinance. The fee for said permit shall be as set by resolution by the Board of Supervisors. A valid Chester County Health Department permit for eating and drinking establishments is required, prior to issuance of the initial and subsequent Bed and Breakfast Inn permits.

SECTION 7: SEVERABILITY AND PARTIAL INVALIDITY

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of the Ordinance which shall remain in full force and effect; and to this end the provisions of this Ordinance are hereby declared to be severable.

SECTION 8: REPEALER

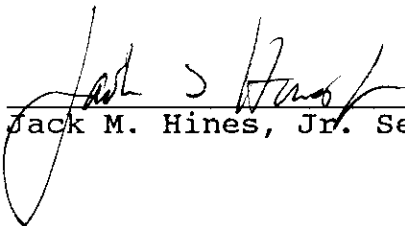
All other ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 9: EFFECTIVE DATE

This Ordinance shall take effect upon satisfaction of the requirement for advertisement required by existing law; and adoption of this Ordinance by the Board of Supervisors of West Bradford Township

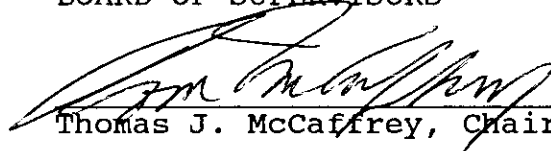
BE IT ENACTED AND ORDAINED this 23rd day of October 1990.

ATTEST:



Jack M. Hines, Jr. Secretary

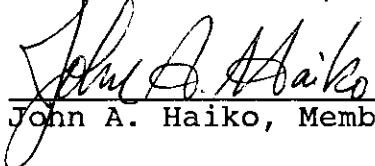
TOWNSHIP OF WEST BRADFORD
BOARD OF SUPERVISORS



Thomas J. McCaffrey, Chairman



Kenneth E. Klunk, Vice-Chairman



John A. Haiko, Member