

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

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE AMENDING CHAPTER 325, "ZONING," OF THE WEST  
WHITELAND TOWNSHIP CODE OF ORDINANCES TO REVISE VARIOUS  
DEFINITIONS AND TO AMEND THE REGULATIONS FOR HOME  
OCCUPATIONS**

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**BE IT HEREBY ENACTED AND ORDAINED** by the Board of Supervisors of West Whiteland Township, Chester County, Commonwealth of Pennsylvania as follows:

**Section 1.** Section 325-8 of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, "Definitions," is hereby amended to revise the definitions of the terms shown.

FAMILY - Any number of persons related by blood, marriage, or adoption, including foster children under the care of foster parent(s), and maintaining a single household; or not more than five (5) individuals, unrelated to each other maintaining a single household.

HOME OCCUPATION - A use carried out for gain that is subsidiary to the residential function of a dwelling unit, conducted or administered within a dwelling and/or the lot upon which the dwelling is located, and undertaken by one or more residents of that same dwelling.

**Section 2.** Section 325-8 of Chapter 325, "Zoning," of the West Whiteland Township Code of Ordinances, "Definitions," is hereby amended to add the following new terms.

NO-IMPACT HOME-BASED BUSINESS - A business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client, or patient traffic, whether vehicular or pedestrian, nor any pickup, delivery, or removal functions to or from the premises in excess of those normally associated with residential use.

SPECIALIZED MOTOR VEHICLE - A motor vehicle that cannot be licensed for use on public roads, including but not limited to earth-moving equipment. This term excludes recreational motor vehicles such as all-terrain vehicles and motorcycles designed for off-road use.

**Section 3.** Sub-section 325-23.B of Chapter 325, Zoning, of the West Whiteland Township Code of Ordinances, is hereby deleted in its entirety and replaced with the following.

B. Home occupations.

The Township hereby establishes three (3) categories of permitted home occupations:

(1) No-impact home-based business

A no-impact home-based business, as that term is defined by the Municipalities Planning Code and by Article II hereabove, is permitted by right as an accessory use in all dwelling units in all zoning districts, subject to the following requirements:

- (a) The business shall be compatible with the residential use of the property and shall not impede the enjoyment or use of any other property or dwelling unit by their occupants.
- (b) All employees of the business shall be residents of the dwelling unit wherein it is located.
- (c) There shall be no display or sale of goods related to the business.
- (d) All storage and stockpiling of materials related to the business shall be completely enclosed such that the materials are not evident from anywhere beyond the property line nor from any other dwelling unit.
- (e) There shall be no exterior evidence of a business use, including but not limited to signage and marked parking areas; there shall be no exterior lighting other than what is permitted for residential uses in the zoning district wherein the business is located. Exterior alterations to the dwelling shall be permitted only to the extent that they are consistent with the residential character of the structure and the neighborhood.
- (f) The business shall not generate any pedestrian or vehicular traffic by clients or customers; traffic by pick-up, delivery, and removal services shall not exceed that normally associated with residential use.
- (g) The business shall not use any equipment or process that creates noise, vibration, glare, fumes, odors, or electrical or electronic interference including interference with radio or television reception, which is detectable beyond the property line or from any other dwelling unit.
- (h) The business shall not generate any solid waste or sewage discharge in volume or type beyond which is normally associated with residential uses.
- (i) The business activity shall be conducted only within the dwelling unit and shall not occupy more than twenty-five (25) percent of the habitable floor area of the dwelling unit.

(2) Standard home occupation business

A standard home occupation business is a type of home occupation, as that term is defined in Article II hereabove, that is permitted by right as an accessory use only in single-family, two-family, and townhouse dwelling units in all zoning districts, subject to the following requirements:

- (a) The business shall be compatible with the residential use of the property and shall not impede the enjoyment or use of any other property or dwelling unit by their occupants.
- (b) Not more than one (1) standard home occupation shall be permitted per dwelling unit; a standard home occupation shall not be permitted in a dwelling unit accommodating a special home occupation.
- (c) At least one (1) employee of the business shall be a resident of the dwelling unit wherein it is located. Where the business occupies less than one thousand (1,000) square feet of floor space, one (1) non-resident employee is permitted; where the business occupies one thousand (1,000) square feet or more of floor space, two (2) non-resident employees are permitted; there is no restriction on the number of resident employees. One (1) off-street parking space must be provided for each non-resident employee in addition to the parking spaces required for the residential use.
- (d) There shall be no display or sale of goods related to the business visible beyond the property line.
- (e) All storage and stockpiling of materials related to the business shall be completely enclosed and not evident from anywhere beyond the property line nor from any other dwelling unit.
- (f) There shall be no exterior evidence of a business use, including but not limited to signage and marked parking areas; there shall be no exterior lighting other than what is permitted for residential uses in the zoning district wherein the business is located. Exterior alterations to the dwelling shall be permitted only to the extent that they are consistent with the residential character of the structure and the neighborhood.
- (g) In the interest of limiting vehicular and pedestrian traffic, the business shall not be visited by more than three (3) customers or clients in the course of any twenty-four (24) hour period; all such visits shall be between the hours of 7:00 a.m. and 8:00 p.m., prevailing time.
- (h) The business shall not use any equipment or process, nor shall it cause any electronic interference including interference with radio or television reception, which is detectable beyond the property line or from any other dwelling unit.

- (i) The business shall not generate any solid waste or sewage discharge in volume or type beyond which is normally associated with residential uses.
- (j) The floor area dedicated to the business (including the floor area of any accessory structure dedicated to the business) shall not exceed twenty-five (25) percent of the habitable floor area of the dwelling unit.
- (k) Businesses deemed to be a “special home occupation business” shall not be allowed as a standard home occupation business.

(3) Special home occupation business

A special home occupation business is a type of home occupation, as that term is defined in Article II hereabove, that is permitted by right in all zoning districts as an accessory use only of a single-family detached dwelling unit situated on a lot with a gross lot area of 0.50 acre or more and subject to the following requirements:

- (a) The business shall be compatible with the residential use of the property and shall not impede the enjoyment or use of any other property or dwelling unit by their occupants.
- (b) Not more than one (1) special home occupation shall be permitted per dwelling unit; a special home occupation shall not be permitted in a dwelling unit accommodating a standard home occupation.
- (c) At least one (1) employee of the business shall be a resident of the dwelling unit wherein it is located. Where the business occupies less than one thousand (1,000) square feet of floor space, one (1) non-resident employee is permitted; where the business occupies one thousand (1,000) square feet or more of floor space, two (2) non-resident employees are permitted; there is no restriction on the number of resident employees. One (1) off-street parking space must be provided for each non-resident employee in addition to the parking spaces required for the residential use.
- (d) There shall be no display or sale of goods related to the business visible beyond the property line.
- (e) All storage and stockpiling of materials related to the business shall be completely enclosed and not evident from anywhere beyond the property line nor from any other dwelling unit.
- (f) Exterior evidence of a business use shall be limited to a single sign meeting the requirements of §325-96.B(1), herebelow, and marked parking spaces; however, this section shall not be interpreted to require a sign or marked parking spaces. There shall be no exterior lighting other than what is permitted for residential uses in the zoning district.

wherein the business is located. Exterior alterations to the dwelling shall be permitted only to the extent that they are consistent with the residential character of the structure and the neighborhood.

- (g) In the interest of limiting vehicular and pedestrian traffic, the business shall not be visited by more than five (5) customers or clients in the course of any twenty-four (24) hour period; all such visits shall be between the hours of 7:00 a.m. and 8:00 p.m., prevailing time.
- (h) The business shall not use any equipment or process, nor shall it cause any electronic interference including interference with radio or television reception, which is detectable beyond the property line or from any other dwelling unit.
- (i) The business shall not generate any solid waste or sewage discharge in volume or type beyond which is normally associated with residential uses.
- (j) The floor area dedicated to the business (including the floor area of any accessory structure dedicated to the business) shall not exceed twenty-five (25) percent of the habitable floor area of the dwelling unit.
- (k) The following activities are permitted in residential zoning districts only as a special home occupation business:
  - [1] Family day-care homes and group day-care homes.
  - [2] Hair salon, nail salon, barber shop, and similar personal care services.
  - [3] Photography studio.
  - [4] The sale and transfer of firearms, pursuant to a valid Federal Firearms License.
  - [5] Animal grooming.
  - [6] Any business utilizing specialized motor vehicles, including marked delivery vehicles. Furthermore, no one motor vehicle shall exceed ten thousand (10,000) pounds of gross vehicle weight, nor shall the combined weight of one vehicle and another vehicle (whether motorized or non-motorized, such as a trailer) that are attached or are capable of being attached exceed twenty thousand (20,000) pounds of gross vehicle weight.
  - [7] Medical service office, as defined in Article II hereabove, for not more than one (1) practitioner.

(4) Activities prohibited as home occupations.

The following shall not be permitted as a home occupation.

- (a) Illegal activities.
- (b) Sexually oriented businesses.
- (c) Motor vehicle and small engine repair, including auto body repair and the repair and/or painting of automobiles, trailers, boats, and/or aircraft.
- (d) Adult day-care.
- (e) Veterinarian office.
- (f) Animal boarding.
- (g) Eating and drinking establishment.
- (h) Retail sales.
- (i) Funeral home or mortuary.
- (j) Machine shops.
- (k) Manufacture of fireworks.
- (l) The refinishing or restoration of woodwork, furniture, or artifacts requiring flammable, explosive, or otherwise hazardous materials.
- (m) Any use found to be a nuisance, incompatible with the character of the neighborhood, or a detriment to nearby residents.

(5) Anyone wishing to establish a home occupation business other than a no-impact home-based business shall apply to the Township for a Use and Occupancy Permit for the said occupation and shall provide the following information for review:

- (a) A floor plan of the dwelling unit, indicating points of access and sufficient information to determine compliance with the space limitations noted above.
- (b) A sketch plan of the lot indicating adequate additional parking for the intended use and buffering if applicable.

**Section 4.** The provisions of this Ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any

court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts, or provisions of this Ordinance.

**Section 5.** This Ordinance shall take effect and be in force five (5) days from the date of enactment.

ENACTED AND ORDAINED this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

**BOARD OF SUPERVISORS  
WEST WHITELAND TOWNSHIP**

\_\_\_\_\_  
Steve Soles, Chairman

\_\_\_\_\_  
George Turner, Vice-Chairman

\_\_\_\_\_  
Joe Denham, Supervisor

ATTEST:

\_\_\_\_\_  
Township Manager