



**WEST WHITELAND TOWNSHIP
Planning Commission
Agenda
Tuesday, April 5, 2022
7:00 P.M.**

[Etiquette for
hybrid meetings](#)

Meeting will be held in-person and via Zoom

[Register for Zoom Meeting](#)

Call by Phone: 1-646-558-8656

Meeting Packets can be found on Township website

Reminder to meeting participants: Please speak clearly into the microphone

CALL TO ORDER

PLEDGE OF ALLEGIANCE

REVIEW OF MEETING MINUTES

1. Approval of Meeting Minutes: March 15, 2022

PUBLIC COMMENT/CONCERNS/QUESTIONS

PLANS

1. 301 South Pottstown Associates, LLC
Address: 301 S. Pottstown Pk.
First Review: Sketch Plan
Request: Construction of a 5,240 sf financial building.

NEW BUSINESS

1. Review of Amendment to Zoning Ordinance Article XVI Historic Preservation

ANNOUNCEMENTS

ADJOURNMENT

Next Meeting: April 19, 2022



MEMORANDUM

DATE: April 1, 2022
TO: Planning Commission
FROM: John R. Weller, AICP
Director of Planning and Zoning
SUBJECT: 301 S. Pottstown Pk.
Sketch plan

APPLICANT: 301 South Pottstown Associates, LLC
121 Coulter Ave., Ste. 200
Ardmore, PA 19003

SITE ADDRESS: 301 S. Pottstown Pk.
Exton, PA 19341

TAX PARCELS: 41-5G-22.2A

ZONING: R-4, Residential

DESCRIPTION: Demolition of existing commercial operation and construction of a financial services office on a 0.47-acre lot.

Background

The subject property is the site of “Futureline Auto Tops,” an automotive service operation specializing in upholstery and fabric tops and covers for automobiles and boats. The property is entirely within the R-4 Residential zoning district, which does not allow this activity, so the Futureline operation is a legally non-conforming use.

The lot is essentially rectangular and covers 0.47 acre at the southeast corner of S. Pottstown Pk. and Bartlett Ave. in the Whiteland Crest neighborhood. The lot also has frontage on Crest Ave. and is adjacent to the westbound off-ramp from the Exton by-pass (US Route 30). There is driveway access to both Bartlett Ave. and Crest Ave. The lot is generally level except for small steep-slope areas along the western and northern edges, most likely due to grading; there are no woodlands or FEMA-designated flood hazard areas.

The Applicant intends to demolish the existing building and to replace it with a new financial service office building. While this use is also not permitted in the R-4 zoning district, §325-105.A of the West Whiteland Township Zoning Ordinance (“Zoning”) allows a non-conforming use to be changed to another non-conforming use by going through the conditional use process and demonstrating that the proposed new use will be similar to or less detrimental than the use it is to replace. The proposed building will be two storeys and will have a footprint of 2,620 sq.ft. According to the information provided on the drawing, the footprint will be smaller than the existing Futureline building, but it will have more floor area.

As stated in §325-12.E of the Zoning, the applicable area and bulk regulations for all uses in the R-4 district other than a manufactured home park are those of the R-3 district, which are in §325-11.C. The “Bulk Requirements” chart on the drawing lists the R-4 standards instead of the applicable R-3 standards, so this design may require Zoning relief other than what the Applicant has indicated.

Tonight is the first presentation of this Sketch Plan to the Planning Commission.

Consultant Reviews

Sketch plans are not a required step in the development process, so Applicants have the option of having one or more of our consultants review the plan or proceeding with just a Staff review. This Applicant has opted to proceed with only Staff review, so there are no consultant comments.

Staff Comment

Although the property is in a residential zoning district, it has never been in residential use. Furthermore, its proximity to both Pottstown Pk. and the U.S. Route 30 off-ramp makes it a less than desirable residential location. For these reasons, Staff is of the opinion that the proposed use is suitable for this location, and we expect that the Applicant will be able to demonstrate that it is similar or less detrimental to the neighborhood than Futureline.

The Applicant questions how the sidewalk requirement will be interpreted given the small lot size and the slopes along the Pottstown Pk. and Bartlett Ave. frontages. We typically require sidewalks along all street frontages, but the topography immediately adjacent to Bartlett and Pottstown limits the feasibility of providing an ADA-compliant sidewalk. While the residents of the adjacent Whiteland Crest neighborhood may want sidewalks along Bartlett and Pottstown (perhaps with a new pedestrian crossing for Pottstown Pk.), Staff is of the opinion that this stretch of road has too much traffic to provide a safe walking environment and pedestrians should not be encouraged; we note that pedestrian crossing of Pottstown Pk. is already prohibited at this intersection. In the interest of promoting future pedestrian connections, the Commission may wish to consider requiring a sidewalk along the Crest Ave. frontage, which would facilitate connecting to a future sidewalk along the ramp out to Pottstown Pk. and south from there.

The Commission may recall that when the Township has waived the sidewalk requirement, it is our practice to require payment of a fee such that the waiver does not translate to a financial benefit to the developer. Those fees in turn provide funding for the Township to build sidewalks in locations where new development is unlikely.

Staff recommends that the Applicant consider a slight widening of Bartlett Ave. to facilitate access for fire trucks leaving from and returning to the West Whiteland Fire Company. The Township Engineer advises that such widening could be accommodated within the existing right-of-way area.

The Commission may also wish to discuss landscaping requirements with the Applicant. Staff notes that the only required perimeter buffer will be along the Pottstown Pk. frontage; low screens will also be required around the parking areas. An evergreen screen would normally be required adjacent to the by-pass off-ramp, but some relief may be warranted here due to

the nature of this project, the existing trees in the by-pass right-of-way, and the impact upon this project. Staff will be prepared to comment on this issue at the meeting.

As a sketch plan, it is not appropriate for the Commission to make an official motion regarding this submission; however, you may wish to summarize your principal concerns and suggestions in the interest of providing useful feedback to the Applicant.

Attachment

1. “Proposed Financial Building” dated March 22, 2022.

Plans\123\301 S. Pottstown\PC memo - 220401



MEMORANDUM

DATE: April 1, 2022
TO: Planning Commission
FROM: John R. Weller, AICP
Director of Planning and Zoning
SUBJECT: Amending the Historic Preservation
article of the Township Zoning Ordinance

Background

The Township Historical Commission recently completed a comprehensive revision of “A History of West Whiteland Township,” the 1982 book that not only recounts the history of the Township but also documents our historic resources and provides the foundation for our historic preservation regulations in Article XVI of the Zoning Ordinance. Our original Historic Resources Map grouped our resources into three classes: Class I included the most significant buildings, including everything that was either on or eligible for the National Register of Historic Places; Class II structures were “of historical architectural significance;” and Class III structures were older buildings, many of which had been so modified over the years that their historic character was largely gone. That map also showed the location of historically significant buildings and sites that had been demolished or were in ruins. Current practice in the field of historic preservation - as well as the policies of the Pennsylvania Historical and Museum Commission - no longer uses this “class” system. For this reason, the update to “History” and the accompanying map no longer refer to classes of structures and sites, and we must amend the Zoning Ordinance to be consistent with the new system.

Tonight is our first review of the amended text.

Staff Comment

The new Historic Resources Map groups our resources into five categories, based upon a list of eight criteria. Our most significant resources are now called “Designated Historic Resources” and meet at least three of these criteria. The Map also identifies resources that meet only two criteria, the locations of demolished resources, and two types of historic district.

The most significant change to the text is the elimination of references to the various classes. With the exception of the demolition standards in §325-85, the regulations had the same effect on all historic resources, regardless of class. In these cases, we have simply replaced the phrase “Class I, II, or III historic resource” with “Designated Historic Resource.” The demolition regulations allow the Township to delay the issuance of a demolition permit to allow documentation of the building prior to demolition. The length of the delay allowed is based upon the class: 90 days for a Class I, 60 days for a Class II, and 45 days for a Class III. The draft text changes this to 90 days for properties on or eligible for the National Register and 45 days for all other Designated Historic Resources.

Staff is recommending other revisions in the interest of clarity, which we will review during the meeting. We have also contacted Commonwealth Heritage Group (the Township’s historic preservation consultant) for guidance on language suitable for the duties of the Historical

Commission and the need to retain language about a Historical Architectural Review Board - a type of Board that the Township has never had.

Staff will be presenting the draft text to the Township Historical Commission at their April meeting, so they will have input into these revisions as will our consultant. You may recall that the Pennsylvania Municipalities Planning Code requires that the Township Planning Commission review all proposed amendments to the Zoning Ordinance, so that is the principal reason for our discussion tonight. However, please do not think that we are just going through the motions here: feel free to comment or ask questions as you find appropriate.

Attachment

1. Red-line version of "Article XVI: Historic Preservation," dated April 1, 2022.

PC MMO's - Miscellaneous\2022\220401 - ZO Historic amd

Article XVI HISTORIC PRESERVATION

§325-81: Purpose

[NO CHANGES]

§ 325-82. Compliance required; overlay concept; construal of provisions.

[NO CHANGES]

§325-83: Historic Resources Map¹

A. ~~Classifications. The Historic Resources Map identifies five (5) categories of historic resources, based upon classification criteria described in the 2022 update to "A History of West Whiteland Township," delineates three classifications of historic resources in West Whiteland Township, which are defined as follows:~~

~~(1) Class I.~~

~~(a) Certified historic structures.~~

~~(b) Contributing resources, i.e., buildings, sites, structures and objects filed as such with the National Register of Historic Places.~~

~~(c) Buildings, sites, structures, objects and districts which have received a determination of eligibility (DOE) for listing on the National Register of Historic Places.~~

~~(2) Class II. Buildings, sites, structures, objects and districts not meeting National Register criteria, but determined to be of historical or architectural significance to West Whiteland and appropriately documented to that effect by the West Whiteland Historical Commission.~~

~~(3) Class III. Buildings, sites, structures, objects and districts included in the Historic Resources Inventory of the West Whiteland Historical Commission and not included in either Class I or Class II, above.~~

~~(1) Designated Historic Resource.~~

~~The resource satisfies three (3) or more classification criteria. Some of these resources are on the National Register of Historic Places.~~

~~(2) Historic Resource.~~

~~The resource satisfies two (2) classification criteria.~~

~~(3) West Whiteland Historic District.~~

¹ Editor's Note: A copy of the Historic Resources Map is included at the end of this chapter. The Official Historic Resources Map is on file at the Township offices.

(4) Demolished Resource.

(5) Battle of the Clouds Historic District.

- B. Revisions. The Historic Resources Map may be revised from time to time by ~~legislative action of~~ the Board of Supervisors.
- (1) In considering any revision, including additions, deletions, or ~~other changes of classification~~ to the Historic Resources Map, the Board shall ~~receive a written request a~~ recommendation from the ~~West Whiteland~~ Historical Commission.
 - (2) The owner(s) of any property(ies) which are the subject of any such proposed administrative action shall be given written notice of the ~~West Whiteland~~ Historical Commission's recommendation to the Board ~~of Supervisors~~ at least ten (10) days prior to the public hearing.
- C. Official list. The Commission shall maintain an updated list of resources shown on the Historic Resources Map ~~and their respective classifications, including the applicable category of each and whether it is on the National Register of Historic Places.~~

§325-84: West Whiteland Historical Commission

- A. Establishment and membership. There shall be an Historical Commission which shall consist of ~~10~~ members ~~who shall be~~ appointed by the Board of Supervisors. The membership of the Commission shall include individuals who have an interest in history, archeology, or historic preservation, and ~~should include a preference shall be given to individuals with pertinent knowledge or skills, such as~~ registered architects, building inspectors, and licensed realtors. Each Commission member shall serve for a term of five (5) years which shall be so fixed that ~~not~~ more than ~~two one-third of the members'~~ terms shall expire ~~each in any single~~ year. ~~The Commission shall notify the Board of Supervisors of any vacancies in the Commission and the Board shall act within 90 days to fill those vacancies. Appointments to fill vacancies for unexpired terms shall be only~~ In the event of a vacancy, the Board may appoint an individual to serve for the unexpired portion of the term of the departing member. Members shall serve without pay, but shall be reimbursed for any personal expenditures in the conduct of Commission business when authorized by the Board ~~of Supervisors~~.
- B. Organization. The Commission shall annually elect, from its own membership, a Chairman who will direct the activities of the Commission and such other officers as may be required for the conduct of its business. A quorum shall require more than fifty percent (50%) of the active be not less than a majority of the current membership; that is, vacant positions shall be excluded from this calculation. The Commission may make, alter, and rescind rules and forms for its procedures consistent with the ordinances of the Township and laws and regulations of the Commonwealth. The Commission shall conduct business at regular public meetings. An agenda of each public meeting shall be available for inspection prior to the meeting. The Commission shall keep full public records of its business and shall submit a report of its activities to the Board of Supervisors by March 1 of each year.
- C. Expenditures for services. Within the limits of funds appropriated by the Board of Supervisors, the Commission may employ staff or contract for clerical, consulting, or other technical services.

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D. Functions and duties. In accordance with the purposes of this article, the Commission shall have the following functions and duties:

- (1) Maintain a system for the survey and inventory and photographic documentation of historic buildings, sites, structures, objects and districts in West Whiteland Township.
- (2) Conduct research on and nominate significant resources to the National Register of Historic Places and any other appropriate lists or programs.
- (3) Advise the Zoning Officer and Board of Supervisors on the issuance of demolition permits for historic resources, as set forth in §325-85.
- (4) Review and comment on subdivision ~~or~~ land development applications ~~which affect historic resources where the property being subdivided or developed includes or is three hundred (300) feet or less from the exterior walls of any structure identified as a "designated historic resource" on the Historic Resources Map,~~ ~~in~~ Such review shall be in accordance with the requirements and procedures of Chapter 281, Subdivision and Land Development, of the Code of the Township of West Whiteland.
- (5) Make recommendations to the Board of Supervisors concerning revisions, updates, or corrections to the Historic Resources Map.
- (6) Maintain an updated list which clearly identifies buildings, sites, structures, objects, and districts ~~and their respective classifications~~ on the Historic Resources Map.
- (7) Advise the Board of Supervisors or Zoning Hearing Board on all requests for conditional uses or variances ~~affecting Historic Resources where the property that is the subject of the conditional use or variance application includes or is three hundred (300) feet or less from the exterior walls of any structure identified as a "designated historic resource" on the Historic Resources Map.~~
- (8) **Function as a Board of Historical Architectural Review Board (HARB) for historic districts in West Whiteland which may be certified by the Pennsylvania Historical and Museum Commission in accordance with PA Act 167.²**
- (9) Review applications for the rehabilitation, enlargement or alteration of historic resources for compliance with the Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings," as required by §§325-86 and 325-87 below.
- (10) Photographically document ongoing changes to the physical landscape throughout the Township.
- (11) Perform any other lawful activities which shall be deemed necessary to further the purposes of this article.

§325-85: Demolition of historic resources

A. Permit requirements. No ~~Designated h~~Historic ~~r~~Resources ~~of any class~~ shall be demolished by neglect. "Demolition by neglect" includes leaving a building or structure open or vulnerable to

² Editor's Note: See 53 P.S. §8001 et seq.

vandalism or decay by the elements. Unoccupied structures should be tightly sealed and fenced off to standards set forth in the Township Building Code.³

B. Demolition permit. No ~~Class I, II or III Designated~~ hHistoric ~~r~~Resource shall be demolished, in whole or in part, including the indiscriminate removal or stripping of any significant interior or exterior architectural features, unless a permit is obtained from the Zoning Officer of West Whiteland Township in accordance with the procedures and requirements of this section and other applicable standards and procedures of the Township Building and Fire Codes.

C. Proposed demolition of historic resources. All applications for demolitions ~~received by the Zoning Officer will~~ shall be reviewed against the Historic Resources Map. If the application concerns a ~~Class I, II, or III Designated~~ hHistoric Resource, the Zoning Officer will advise the applicant that ~~he they~~ they must comply with the following procedures and requirements, as applicable.

D. Application requirements for ~~Designated~~ hHistoric ~~r~~Resources. In addition to ~~other~~ applicable ~~Township~~ requirements ~~under the Township Building and Fire Codes,~~⁴ any ~~applicant~~ person seeking a permit to demolish ~~an~~ a ~~Designated~~ hHistoric ~~r~~Resource shall provide the following with regard to that ~~historic~~ rResource:

(1) Owner of record.

~~(2) Classification on Historic Resources Map.~~

~~(3)~~ Site plan showing all buildings and structures on the property.

~~(4)~~ Recent photographs of the resource proposed for demolition.

~~(5)~~ Reasons for the demolition.

~~(6)~~ Method of demolition.

~~(7)~~ Future uses of the site and of the materials from the demolished resource.

~~(8)~~ In any instance where there is a claim that a ~~Class I Designated~~ hHistoric ~~r~~Resource cannot be ~~used~~ adapted for ~~any~~ some other viable purpose for which it is or may be reasonably adapted, or where a ~~demolition~~ permit application ~~for demolition~~ is based, in whole or in part, on financial hardship, the applicant shall submit, by affidavit, the information required in Subsection ~~J~~ J having to do with a financial analysis. The Commission may further require the applicant to conduct, at the applicant's expense, evaluations or studies, as are reasonably necessary in the opinion of the Commission, to determine whether the historic resource has or may have alternate uses consistent with preservation.

E. Review by the West Whiteland Historical Commission. The Zoning Officer shall notify the Commission of ~~the applications~~ for the demolition of a Designated Historic Resource, and within ~~five days of acceptance of a properly completed application, including the necessary filing fee. Within thirty (30) days of the date receipt of a properly completed application, including the correct fee,~~ the Commission, or a subcommittee thereof, shall consider the application for demolition.

F. Initial recommendation of the West Whiteland Historical Commission.

³ Editor's Note: See Ch. 129, Construction Codes, Uniform.

~~⁴ Editor's Note: See Ch. 129, Construction Codes, Uniform.~~

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(1) The Commission may recommend immediate approval of the permit and may so advise the Zoning Officer.

(2) Alternatively, the Commission may elect to use the following time periods to provide adequate opportunity for documentation of the resource as set forth in Subsection I, preparation of a financial analysis as set forth in Subsection J, or dialogue with the applicant on alternatives to demolition.

(a) ~~Class III Designated Historic Resources not on the National Register of Historic Places.~~ A maximum of ~~forty-five (45)~~ days from the date of application.

~~(b) Class II historic resources. A maximum of 60 days from the date of application.~~

~~(c) Designated Class I Historic Resources on the National Register of Historic Places.~~ A maximum of ~~ninety (90)~~ days from the date of application.

(3) At the end of the period stipulated in Subsection F(2) above, or sooner by mutual consent, the Commission can recommend approval of the demolition permit. The Zoning Officer then is authorized to issue the permit in accordance with the Building and Fire Codes.⁵

(4) No permit shall be issued for the demolition of a ~~Class I Designated Historic Resource~~ unless the Commission finds that the issuance of the permit is necessary in the public interest, or unless the Commission finds that the historic resource cannot be used for any other purpose for which it is or may be reasonably adapted. In order to show that the ~~historic Resource~~ cannot be used for any purpose for which it is or may be reasonably adapted, the applicant must demonstrate that the sale of the property is impracticable, that commercial rental cannot provide a reasonable rate of return, and that other potential uses of the property are foreclosed.

G. ~~Recommended denial of Class I demolitions.~~ Upon or prior to the expiration of the time period imposed for ~~review of a demolition permit for a Class I Designated Historic Resources,~~ the Commission may recommend denial of the application. In such cases, the Commission shall make a written report to the Board of Supervisors setting forth reasons for its recommendation and the evidence considered.

H. Final decision on ~~Class I denial of a demolitions permit.~~ Within ~~thirty (30)~~ days of receipt of the Commission report, the Board of Supervisors will consider the Commission's recommendation for denial of ~~the an~~ application for ~~the~~ demolition of ~~a Class I Designated Historic Resource.~~ The owner of the ~~Resource(s) proposed for demolition that is/are the subject of the application~~ will be given a minimum of ~~ten (10)~~ days notice of the meeting. The Supervisors will consider any evidence, reports or testimony from interested parties and will render a decision either to deny or approve the application for demolition within ~~twenty-one (21)~~ days of the meeting. This period may be extended, and its length established, by mutual consent.

I. Documentation. Prior to the issuance of a demolition permit, the Commission may require the applicant to provide documentation of the resource proposed for demolition. Such documentation may include photographs, floor plans, measured drawings, archeological survey and any other comparable form of documentation stipulated by the Commission.

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⁵ Editor's Note: See Ch. 129, Construction Codes, Uniform.

J. Financial analysis. In its review of an application to demolish a ~~Class I~~ ~~Designated Historic Resource~~, the Commission may require the applicant to prepare a financial analysis which may include any or all of the following:

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- (1) Amount paid for property, date of purchase and party from whom purchased, including a description of the relationship, whether business or familial, if any, between the owner and the person from whom the property was purchased.
- (2) Assessed value of the land and improvements thereon according to the most recent assessment.
- (3) For depreciable properties, a pro forma financial statement prepared by an accountant or broker of record.
- (4) All appraisals obtained by the owner in connection with his purchase of financing of the property, or during his ownership of the property.
- (5) Bona fide offers of the property for sale or rent, price asked and offers received, if any.
- (6) Any consideration by the owner as to profitable, adaptive uses for the property. Any costs incurred by the Commission, as agreed to by the applicant, to review plans or studies submitted by the Commission's consultant specifically retained for this purpose, shall be reimbursed to the Township by the applicant, in accordance with §325-43.

K. Enforcement.

- (1) Fines and penalties. Any person who violates the requirements of this section shall be subject to the fines and penalties imposed under this chapter in accordance with §325-119.D, as well as those fines and penalties imposed under the Township Building and Fire Codes.⁶
- (2) The Board of Supervisors shall withhold issuing any building permits for a minimum of one (1) year for a property which, at the date of enactment of this chapter, was occupied by a ~~Designated Class I~~ ~~Historic Resource~~ which subsequently was demolished in violation of this section, as described in §325-119.C.

§325-86: Special use provisions

A. Additional use opportunities. In addition to the uses permitted by right, or conditional use in the various zoning districts of West Whiteland as stipulated in Articles III through VII of this chapter, buildings ~~associated with Class I, II, or III that are Designated Historic Resources in these districts~~ shall be entitled to the additional use opportunities shown below. These use opportunities shall be available in addition to any use currently being made of the property, subject to the standards and procedures contained in applicable sections of this chapter and the additional requirements set forth below. [Amended 11-24-2015 by Ord. No. 428]

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⁶ Editor's Note: See Ch. 129, Construction Codes, Uniform.

Uses	Zoning Districts							
	R-1	R-2	R-3	R-4	TC	NC	O/C, O/L & O/R	I-1 & I-2
Dwelling, single-family	–	–	–	–	BR	BR	BR	CU
Home occupation, Subsection C below	–	–	–	–	BR	BR	BR	CU
Residential conversions, Subsection E below	CU	CU	–	CU	CU	CU	CU	CU
Professional or business offices	CU	CU	CU	CU	–	–	–	CU
Cultural studio	CU	CU	CU	CU	BR	BR	–	CU
Cultural facility	CU	CU	CU	CU	BR	–	BR	CU
Guesthouse, Subsection F below	BR	BR	BR	BR	BR	BR	BR	BR
Inn	CU	CU	CU	CU	BR	BR	CU	BR
Eating and/or drinking establishment	CU	CU	CU	CU	–	–	CU	CU
Neighborhood commercial, Subsection G below	P	P	P	P	–	–	CU	CU
Combination of permitted uses	CU	CU	CU	CU	CU	CU	CU	CU

KEY FOR CHART:

- BR By Right
- CU Conditional Use
- Already available in base district
- P Prohibited

B. Design standards. The following design standards shall apply, except where specifically noted to the contrary in the subsections below, to any of the additional use opportunities specified in Subsection A above ~~within Class I, II, or III for a Designated hHistoric rResource~~. Compliance with all other sections of this chapter, including, in particular, “Buffers and screens” (§325-33), “Lighting” (§325-34), “Storage” (§325-35), “Access and traffic control” (§325-36), “Interior circulation” (§325-37), “Loading and unloading” (§325-38), “Off-street parking” (§325-39) and “Signs in Town Center” (§325-98), shall be required as applicable.

- (1) In accordance with §325-25, buildings may not be altered externally for residential conversions. For the remaining additional use opportunities shown in Subsection A, no ~~Class I, II, or III Designated hHistoric rResource~~ may be enlarged ~~beyond what is minimally necessary to accommodate the additional use. As a guideline, no Class I, II, or III historic resource should be enlarged~~ by more than 50% of its existing footprint to utilize these opportunities.
- (2) Unless otherwise specified under each additional use opportunity below, any rehabilitation, alteration, or enlargement of a ~~Class I, II, or III Designated hHistoric rResource~~ to utilize the opportunities shown in Subsection A must be in substantial compliance with the standards contained in §325-90.A below.
- (3) Plans for any rehabilitation, alteration or enlargement deemed necessary by the applicant to utilize any of the opportunities shown in Subsection A shall be submitted to the West Whiteland Historical Commission and Zoning Officer for review. Such plans shall be in sufficient detail to allow the Commission to determine its level of compliance with the standards contained in §325-90.A below.
- (4) Within the applicable time period stipulated for final Township decisionmaking, the Commission shall review the plans for compliance with the standards contained in §325-90.A below, and shall submit its findings in a written report. The report shall indicate

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what specific changes in the plans are necessary to bring them into substantial compliance.

- (5) In any case where the proposed use is permitted only as a conditional use, as provided in Subsection A, the Board of Supervisors or Zoning Hearing Board, respectively, may refuse to approve the request for additional use or uses where it deems the degree of noncompliance with the standards contained in §325-90.A below, to be unacceptable and destructive to the integrity of the ~~Class I, II, or III Designated Historic Resource~~.
- (6) Where the additional use opportunity shown on Subsection A is available only by conditional use, landscaping must be provided in accordance with §325-89. In residential districts, utilization of an additional use opportunity specified in Subsection A requires compliance with the standards in §§325-23.B(8), (9) and (10).
- (7) Off-street parking required by the Board of Supervisors or Zoning Hearing Board may be waived if the use is located on a lot that abuts a public or private residential street of local classification, with a paved cartway width of 28 feet minimum and on-street parking is permitted by the Township.

C. Home occupations. In conjunction with the residential use of a property, a home occupation may be located in any ~~Class I, II, or III Designated Historic Resource~~ on a particular property, but there shall be no more than one home occupation per structure. In addition to the standards for home occupations contained in §325-23.B and the general design standards contained in Subsection B, any rehabilitation, alteration, or enlargement of a Designated Historic Resource to accommodate a home occupation placed in Class I, II, or III historic resources must substantially comply with these additional requirements: the standards of §325-90.A below.

~~(1) Any rehabilitation, alteration or enlargement of a Class I, II, or III historic resource other than the principal dwelling to accommodate the home occupation must be in substantial compliance with the standards contained in §325-90.A below.~~

D. Eating and/or drinking establishment. As specified in Subsection A, eating and/or drinking establishments may be located in ~~Class I, II, or III a Designated Historic Resource~~ by conditional use, provided the following are adhered in addition to those contained in Subsection B.

- (1) In a residential district, ~~Class I, II, or III the Designated Historic Resources~~ must be ~~located~~ on a lot ~~of not less than~~ four acres or more. In all other cases, the base zoning district lot size shall apply.
- (2) There shall be no paving within 50 feet of the side and rear lot lines.
- (3) Lighting in accordance with §325-34 and any additional requirements of the Board of Supervisors.
- (4) Signs shall be in accordance with §325-88. In residential districts the requirements of §325-96.A and B shall also apply.

E. Residential conversions. The Board of Supervisors, in authorizing a conditional use for the conversion of any ~~Class I, II, or III Designated Historic Resource~~ into residential use in accordance with the standards contained in §325-25, may modify the otherwise applicable lot area standard stipulated in §325-25.D. Any such action by the Board of Supervisors shall adhere to the criteria contained in §325-87 below, the general design standards contained in Subsection B and comply with § 325-90.A.

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- F. Guest house. As specified in Subsection A, ~~Class I, II, or III Designated~~ ~~h~~Historic ~~r~~Resources may be used as guest houses. Utilization of this additional use opportunity shall be contingent upon compliance with the general design standards contained in §325-86.B and these additional requirements:
- (1) No guest, individual or family may stay longer than ninety (90) consecutive nights at any one time.
 - (2) There shall be no separate kitchen or cooking facilities in any guest room. Meals shall be served to guests only.
 - (3) Any other amenities shall be for the benefit of guests only; no walk-in trade shall be permitted.
 - (4) For each room, a minimum of one off-street parking space, in addition to those required for dwelling units, shall be provided.
- G. Neighborhood commercial. As specified in Subsection A, neighborhood commercial uses in accordance with §325-14 may, as a conditional use, be permitted in ~~Class I, II, or III Designated~~ ~~h~~Historic ~~r~~Resources ~~within the office and industrial~~ O/L, O/R, O/C, I-1, and I-2 zoning districts.

§325-87: Integrity of historic setting

- A. The subdivision or land development of a lot which contains a ~~Class I, II, or III Designated~~ Historic Resource shall be accomplished in such a manner that the resulting lot that will contain the resource is large enough to preserve the integrity of historic setting of the resource. A goal of the Township shall be to preserve outbuildings, significant site features and immediate yard areas significant to the resources on the lot with the resource.
- B. The size and configuration of the subdivided lot shall depend upon ~~the class of the Historic Resource and~~ the natural characteristics and the landscaping of the subdivided lot and adjacent lots. Lot boundaries shall, in general, conform to the lines of identifiable natural features including landscaping, topography, geology, lot configuration, etc., on the site. Site development shall be based, in general, upon §325-90 of this chapter. Review and recommendations regarding the resource, its subdivided lot, and the proposed land developments shall be made by the ~~West Whiteland~~ Historical Commission ~~and~~ the Planning Commission ~~and~~ to the Board of Supervisors. The Board may require that a lot size be increased above the minimum lot size for the zoning district in which the resource is located.

§325-88: Review of proposed signs

[NO CHANGES]

§325-89: Landscaping

[NO CHANGES]

§325-90: Standards for rehabilitation

- A. Standards for rehabilitation. Any proposed rehabilitation, alteration or enlargement of a ~~Class I, II or III Designated~~ ~~h~~Historic ~~r~~Resource under §§325-86 and 325-87 should be in substantial

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compliance with the Secretary of the US Department of the Interior's Standards for Rehabilitation, as reproduced below.

- (1) Every reasonable effort shall be made to provide a compatible use for a property which requires minimal alteration of the building, structure or site and its environment, or to use a property for its originally intended purpose.
- (2) The distinguishing original qualities or character of a building, structure or site and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features should be avoided when possible.
- (3) All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.
- (4) Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.
- (5) Distinctive stylistic features or examples of skilled craftsmanship which characterize a building, structure or site shall be treated with sensitivity.
- (6) Deteriorated architectural features shall be repaired rather than replaced, wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other buildings or structures.
- (7) The surface cleaning of structures shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic building materials shall not be undertaken.
- (8) Every reasonable effort shall be made to protect and preserve archeological resources affected by, or adjacent to any project.
- (9) Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant historical, architectural or cultural material and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
- (10) Wherever possible, new additions or alterations to structures shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired.

- B. Compliance. Determinations of compliance with these standards shall be made by written report of the West Whiteland Historical Commission, using the Secretary's Guidelines for Rehabilitating Historic Buildings to apply the standards to each project.

§325-91: Lot averaging and cluster development provisions

[NO CHANGES]

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§325-92: Historic resource impact study

[Amended 12-8-2021 by Ord. No. 466]

- A. Applicability. A historic resource impact study shall be required, unless waived or modified by the Board of Supervisors, for the purpose of guiding the treatment of historic resources and/or of mitigating the impact of a project upon historic resources when any of the following are proposed.
- (1) On-site. Subdivision or land development of property that contains one (1) or more Designated Historic Resources identified on the Township Historic Resources Map.⁷
 - (2) Off-site. Subdivision or land development of tracts where the tract boundary comes within 300 feet of the exterior walls of a Designated Historic Resource identified on the Township Historic Resources Map.
 - (3) Off-site. Any construction or improvement, including subsurface and grading work, to be undertaken in conjunction with a subdivision or land development where the area of disturbance for such construction or improvement comes within 300 feet of the exterior walls of a Designated Historic Resource identified on the Township Historic Resources Map.
 - (4) A historic resource impact study shall also be provided with a conditional use application when the subject tract contains or is within 300 feet of the exterior walls of a Designated Historic Resource identified on the Township Historic Resources Map, pursuant to §325-124.A of this Chapter. When a study deemed satisfactory by the Township is provided with a conditional use application and that application is approved by the Board, no subsequent or additional historic resource impact study shall be required for any land development plan submitted pursuant to said approved conditional use.
 - (5) A historic resource impact study shall be provided as a condition of approval for the demolition of any Designated Historic Resource identified on the Township Historic Resources Map.
- B. The historic resource impact study shall be prepared by a qualified professional in historic preservation, historical architecture, planning, or related disciplines and presented by the applicant or their agent for discussion at a meeting of the Township Historical Commission.
- D. Contents. The study shall contain the following information:
- (1) Background information.
 - (a) If not otherwise provided by the applicant, a general site description, including topography, watercourses, vegetation, landscaping, and existing improvements.
 - (b) General description of all historic resources upon or within 300 feet of the tract proposed for subdivision or land development or, where no land development is proposed, within 300 feet of all proposed construction and improvements, including but not limited to subsurface activity (such as boring and excavation) and grading.

⁷ Editor's Note: A copy of the Historic Resources Map is included at the end of this chapter. The Official Historic Resources Map is on file at the Township offices.

- (c) Physical description of all historic resources upon the tract proposed for subdivision or land development or other construction or improvement.
- (d) Statement of the significance of each historic resource identified pursuant to §325-92.C(1)(b) and (c), above, relative to the Township and to the general region.
- (e) Photographic documentation of all historic resource(s) identified in §325-92.C(1)(c), above, in their setting. Such photography shall satisfy the archival requirements of the Historical Commission, and each photograph shall feature or be accompanied by a key indicating the location and direction from which the photograph was taken as well as the date of the photograph. Photographs of the interior of the resource(s) shall be included insofar as it is possible to procure them safely.
- (f) Narrative description of the historical development of the subject tract. Depending upon the significance of the resource(s) and where reasonably available, documentation of archival research shall be provided in support of the narrative description, which may include but is not necessarily limited to deed and chain-of-title research; historic maps; articles, photographs, and other images from magazines, newspapers, and other media; and public notices. The Historical Commission and/or the Township's historic preservation consultant shall provide guidance regarding the significance of the resource and possible sources for such documentation.

(2) Proposed change.

- (a) General description of project.
- (b) Description of impact on each historic resource identified in §325-92.C(1)(b) above, with regard to architectural integrity, historic setting and all anticipated future uses.
- (c) General description of effect of noise and traffic and any other impacts generated by the proposed change on each historic resource. This requirement shall not be interpreted to require a traffic impact study meeting the standards of §325-42 of this Chapter; however, where such a study is required pursuant to §325-42.A of this Chapter, the description required here shall be consistent with that study.

(3) Mitigation measures. Measures for mitigating the project's impact on historic resources, including but not limited to design alternatives, buffering, and landscaping in accordance with §325-89.

D. Township Historical Commission. The historic resource impact study shall be reviewed by the Township Historical Commission and the Township's historic preservation consultant, who shall provide the Historical Commission with their evaluation and recommendations in a written report. Should the Historical Commission determine that a historic resource impact study is incomplete or unacceptably deficient based upon the requirements of this Section, the said Commission may advise the Board of such determination, and the Board shall have the right to reject the said study and to require submission of a new or sufficiently revised study.

§325-93: Certified historic districts

[STAFF QUESTIONS THE APPLICABILITY OF THIS SECTION, AND WE MAY RECOMMEND ITS DELETION. WE ARE SEEKING GUIDANCE ON THE MATTER FROM OUR HISTORIC PRESERVATION CONSULTANT AND THE HISTORICAL COMMISSION.]

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