

WEST NANTMEAL TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 1-2021

AN ORDINANCE OF WEST NANTMEAL TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE WEST NANTMEAL TOWNSHIP ZONING ORDINANCE OF 2010 BY AMENDING THE USE PROVISIONS OF SECTIONS 402, 405 AND 406 TO REMOVE KENNELS AND ANIMAL SHELTERS AS A USE ALLOWED BY SPECIAL EXCEPTION IN THE R-1 DISTRICT AND TO ALLOW KENNELS AND ANIMAL SHELTERS IN THE C-1 AND I-1 ZONING DISTRICTS; TO AMEND MATRIX CHART 4 AND 5 TO ADD UTILITY AND DIMENSIONAL REQUIREMENTS FOR KENNELS AND ANIMAL SHELTERS IN THE C-1 AND I-1 ZONING DISTRICTS; AND TO AMEND SECTION 731 WHICH ADOPTS REGULATIONS FOR KENNELS AND ANIMAL SHELTERS.

BE IT ENACTED AND ORDAINED, by the Board of Supervisors of West Nantmeal Township that the West Nantmeal Township Zoning Ordinance of 2010 shall be amended as follows:

SECTION 1. Section 402.(D) shall be amended by deleting subsection (7).

SECTION 2. Matrix Chart 1 which is adopted in Section 402.(E) shall be amended by removing Kennels and Animal Shelters as a use allowed by special exception in the R-1 District.

SECTION 3. Section 405.(C) shall be amended to include a new subsection (9) which shall read as follows:

“(9) Kennel and Animal Shelter, subject to Section 731 of this Zoning Ordinance.”

SECTION 4. Matrix Chart 4 which is adopted in Section 405.(E) shall be amended to include the following utility and dimensional requirements for Kennels and Animal Shelters:

Matrix Chart 4: C-1 Zoning District: Utility and Dimensional Requirements											
Use	Procedural Requirement	Utility Requirements		Minimum Net Lot Area	Minimum Lot Width	Minimum Yard Requirements			Maximum Height	Maximum Coverage	
		Sewer	Water			Front	Side	Rear		Building	Lot
Kennels and Animal Shelters (10 to 20 animals)	Conditional Use	Optional	Optional	5 Acres	Refer to Section 731 for additional requirements						
Kennels and Animal Shelters (21 to 100 animals)	Conditional Use	Optional	Optional	10 Acres	Refer to Section 731 for additional requirements						
Kennels And Animal Shelters (More than 100 animals)	Conditional Use	Optional	Optional	20 Acres	Refer to Section 731 for additional requirements						

SECTION 5. Section 406.(C) shall be amended to include a new subsection (9) which shall read as follows:

“(9) Kennel and Animal Shelter, subject to Section 731 of this Zoning Ordinance.”

SECTION 6. Matrix Chart 5 which is adopted in Section 406.(E) shall be amended to include the following utility and dimensional requirements for Kennels and Animal Shelters:

Matrix Chart 5: I-1 Zoning District: Utility and Dimensional Requirements											
Use	Procedural Requirement	Utility Requirements		Minimum Net Lot Area	Minimum Lot Width	Minimum Yard Requirements			Maximum Height	Maximum Coverage	
		Sewer	Water			Front	Side	Rear		Building	Lot
Kennels and Animal Shelters (10 to 20 animals)	Conditional Use	Optional	Optional	5 Acres	Refer to Section 731 for additional requirements						
Kennels and Animal Shelters (21 to 100 animals)	Conditional Use	Optional	Optional	10 Acres	Refer to Section 731 for additional requirements						
Kennels and Animal Shelters (over 100 animals)	Conditional Use	Optional	Optional	20 Acres	Refer to Section 731 for additional requirements						

SECTION 7. Section 731 shall be amended to read as follows:

“Section 731. Kennels and Animal Shelters.

- A. Kennels and Animal Shelters, as defined under Article 2 of this Zoning Ordinance, shall be permitted by conditional use in the C-1 and I-1 Zoning Districts subject to the utility and dimensional requirements in Matrix Chart 4 for lots in the C-1 and Matrix Chart 5 for lots in the I-1 Zoning District.
- B. The following design standards and specifications shall apply to kennels and animal shelters:
- (1) All buildings or structures used for the kennel or animal shelter shall not exceed nine thousand (9,000) square feet of gross floor area.
 - (2) All buildings or structures utilized as part of the kennel or animal shelter shall be located at least one hundred fifty (150) feet from all street rights-of-way and property lines.
 - (3) All external storage areas or open areas utilized as part of the kennel or animal shelter shall be located at least one hundred fifty (150) feet from all street rights-of-way and property lines.
 - (4) All buildings, structures, external storage areas and/or open areas utilized as part of the kennel or animal shelter shall be located at least one hundred (100) feet from any floodplains, perennial streams, intermittent streams, surface waters and wetlands.
 - (5) The proposed kennel or animal shelter shall comply with all applicable local, state and federal regulations, including, but not limited to, the Pennsylvania Dog Law, building codes, erosion and sedimentation control and storm water management, as well as standards for signs, lighting, parking and access. The landowner or operator of the kennel and animal shelter shall provide the Township with all permits and licenses that it is required to obtain to operate its use.
 - (6) Outdoor runs or common exterior areas may be permitted for the animals being cared for at the kennel or animal shelter, subject to the following conditions:
 - (a) The outdoor runs shall be conducted within a defined external area, which is completely enclosed by a six (6) foot high fence.

- (b) The external areas in which the outdoor runs are conducted shall be located at least one hundred fifty (150) feet from all property lines and street right-of-way lines.
- (c) The outdoor runs shall not be located in the front yard.
- (7) There shall be no outside storage of materials, equipment or animal crates associated with the kennel or animal shelter.
- (8) A plan for the storage and disposal of animal waste shall be submitted to the Township as part of the conditional use application.
- (9) Exterior storage areas for trash and rubbish shall be properly screened with fencing and landscaping materials. All trash containers shall be air-tight, vermin proof and have adequate storage capacity to accommodate the projected volumes of solid waste. No such storage area shall be permitted within one hundred fifty (150) feet from any property line.
- (10) If an incineration (retort) device is proposed to be installed on the property, the applicant shall provide documentation that the permits and licenses have been secured from the agencies having jurisdiction.
- (11) The proposed kennel shall be operated in such a manner so that it does not constitute a nuisance with regard to noise, odor, vectors, dust, vibration or other negative effects beyond the property lines of the property upon which the use is located. All kennels and animal shelters shall comply with the performance standards contained under Section 812 of this Zoning Ordinance.
- (12) All designated points of ingress and egress for all vehicles shall be designed to consider traffic volumes on existing streets and adjacent uses.
- (13) The off-street parking and loading spaces shall be designed to comply with the provisions specified under Article 9 of this Zoning Ordinance.
- (14) Any required signs shall comply with the provisions specified under Article 10 of this Zoning Ordinance.
- (15) The lighting facilities shall be designed in a manner so the illumination does not exceed 0.5-foot candle, as measured at the property lines, except at driveway entrances, provided the illumination at the cartway center line of the contiguous street shall not exceed 1.0-foot candle.

SECTION 8. Section 751 (C) shall be amended to read as follows:

“(C) A veterinary hospital shall not include a “kennel” or “animal shelter” as defined under Article 2 of this Zoning Ordinance.”

SECTION 9. Severability. If any 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 of West Nantmeal Township that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 10. General Code. General Code is hereby authorized to make any necessary formatting, section number updates and numerical changes needed in order for this Ordinance to be made consistent with the formatting, section numbers and numbering standards application to the Township Code as published by General Code.

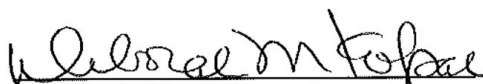
SECTION 11. Repealer. All Ordinances or parts of Ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 12. Effective Date. This Ordinance shall become effective five days after its enactment as law provides.

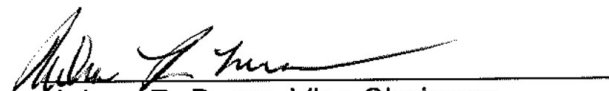
ENACTED AND ORDAINED this 14th day of June, 2021.

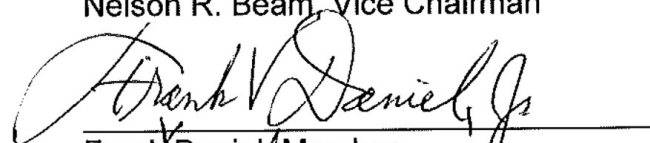
ATTEST:

**WEST NANTMEAL TOWNSHIP
BOARD OF SUPERVISORS**


Deborah M. Kolpak, Secretary


Gary C. Elston, Chairman


Nelson R. Beam, Vice Chairman


Frank Daniel, Jr. Member