

LONDON GROVE TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE NO. 222 – 2023

AN ORDINANCE OF THE TOWNSHIP OF LONDON GROVE, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE LONDON GROVE TOWNSHIP ZONING ORDINANCE OF 2017, AS AMENDED IN ORDINANCE NO. 213 ADOPTED ON OCTOBER 3, 2018 TO AMEND SECTION 27-202 TO AMEND THE DEFINITION OF “CONVENIENCE STORE”; DELETE THE DEFINITIONS OF “USE, RETAIL PRODUCTS” AND “USE, RETAIL SERVICE”; ADD A DEFINITION FOR “PERSONAL SERVICE ESTABLISHMENT”, “FUEL CANOPY”, “SIGN, FUEL CANOPY” AND “SIGN, PRICE”; AMEND SECTION 27-903.B.1 TO USE THE TERM PERSONAL SERVICE ESTABLISHMENT; AMEND SECTION 27-903.B TO ALLOW CONVENIENCE STORE AS A USE PERMITTED BY CONDITIONAL USE IN THE CV- CHATHAM OVERLAY DISTRICT; AMEND SECTION 27-1002.1.C TO ALLOW OUTDOOR SEATING AS AN ACCESSORY USE AT A RESTAURANT AND FAST FOOD RESTAURANT IN THE COMMERCIAL DISTRICT BY RIGHT; AMEND SECTION 27-1002.1 TO ALLOW A CONVENIENCE STORE BY RIGHT IN THE C-COMMERCIAL DISTRICT; DELETE SECTION 27-1002.2.A; AMEND SECTION 27-1002.2.E TO DELETE THE REFERENCE TO OUTDOOR SEATING FOR RESTAURANT AND FAST FOOD RESTAURANT ; AMEND SECTION 27-1202.1 TO ALLOW A CONVENIENCE STORE BY RIGHT IN THE I-INDUSTRIAL DISTRICT; TO ADD A NEW SECTION 27-1844 TO ADD REGULATIONS FOR CONVENIENCE STORES AND TO ADD A NEW SECTION 27-2208.A REGULATING SIGNAGE FOR A CONVENIENCE STORE THAT PROVIDES VEHICLE FUELING STATIONS AND A CAR WASH.

BE IT ENACTED AND ORDAINED by the Board of Supervisors of London Grove Township that the London Grove Township Zoning Ordinance of 2017, as amended, which is codified in Chapter 27 of the London Grove Township Code, is hereby further amended as follows:

SECTION 1. The definition of “Convenience store” in Section 27-202 is amended as follows:

“Convenience store- A type of retail store with 10,000 square feet or less of floor area in which the principal items for sale include food, beverages, and merchandise. This use may include automatic teller machines, electric vehicle charging stations, customer seating both inside and outside, the preparation and consumption of food and beverages, a single bay automatic car wash and vehicle fueling stations.”

SECTION 2. The definitions of “Use, retail products” and “Use, retail service” in Section 27-202 shall be deleted.

SECTION 3. The following definitions shall be added to Section 27-202:

Personal service establishment- A building in which limited services consistent with neighborhood needs are offered to the general public. Examples of such services include, but are not limited to, barber and beauty shops, dry-cleaning, nails salon, tailoring shops, shoe repair shops, real estate or travel agencies.

Fuel Canopy – A freestanding open-air structure constructed for the purpose of shielding a vehicle fueling station from the elements.

Sign, Fuel Canopy – any sign installed on a Fuel Canopy.

Sign, Price – any sign advertising the price of an on-premises service or product provided.

SECTION 4. Section 27-903.B.1 shall be revised to state as follows:

“1. Retail store or personal service establishment having in excess of 2,000 square feet of floor area, or a group of two (2) or more retail stores and/or personal service establishments.”

SECTION 5. Section 27-903.B shall be revised to add a new subparagraph 15 which provides as follows:

“15. Convenience store subject to the standards in § 27-1844.”

SECTION 6. Section 27-1002.1.C shall be amended to state as follows:

“C. Restaurants and fast food restaurants providing indoor seating and service and outdoor seating as an accessory use.”

SECTION 7. Section 27-1002.1 shall be amended to add a new subparagraph V as follows:

“V. Convenience store subject to the standards in §27-1844.”

SECTION 8. Section 27-1002.2.A shall be deleted and the section number reserved.

SECTION 9. Section 27-1002.2.E shall be amended to state as follows:

“E. Outdoor activities, other than outdoor seating for restaurants and fast food restaurants, when associated with hotels and conference centers, senior housing or clubs which are permitted by right in this district.”

SECTION 10. Section 27-1202.1 shall be amended to add a new subparagraph N as follows:

“N. Convenience store subject to the standards in §27-1844.”

SECTION 11. A new Section 27-1844 shall be added and provide as follows:

“§27-1844. Convenience stores.

Convenience stores shall be permitted by right in the C-Commercial District and I-Industrial District and by conditional use in the CV Chatham Overlay District subject to compliance with the standards in this section.

- A. All gasoline pump dispensers and automobile window washing materials shall be covered by a canopy and shall be illuminated by overhead lighting during non daylight hours.
- B. All gasoline pump dispensers and the canopy covering such dispensers shall be set back at least 50 feet from the legal right-of-way line of all streets abutting the lot upon which the convenience store is located.
- C. Equipment intended to be utilized for the washing of windows of motor vehicles, as well as places for the storage of such equipment, shall be permitted.
- D. All ingress and egress from any lot upon which there is proposed to be located a convenience store shall be designed to promote safe and convenient travel.
- E. The internal circulation pattern of any lot upon which there is proposed to be located a convenience store which will support the retail sale of gasoline shall be designed so as to prevent vehicles waiting for such gasoline service from stacking onto public streets.
- F. No outdoor display of products shall be permitted with the exception of propane gas tank units, ice, and video kiosks.
- G. All trash generated from a convenience store shall be stored in a completely fenced-in or screened enclosure for periods not to exceed seven days. Trash bins shall be subject to setback regulations for the district where the lot is located.
- H. Parking on any lot used as a convenience store shall be provided as required by

§ 27-2009 of this chapter.

I. No direct or sky-reflected glare, whether from spotlights, floodlights, searchlights or other sources, shall be visible from adjoining streets or adjacent lots when viewed by a person standing on ground level or from floor level on an adjacent property.

J. Exterior lighting on any lot used as a convenience store shall be properly shielded so as to not be directed towards, or shine onto, other lots.”

SECTION 12. A new Section 27-2208.A shall be added and provide as follows:

“§ 27-2208.A. Sign for a Convenience Store With Vehicle Fueling Stations and/or Car Wash.

A convenience store that provides vehicle fueling stations and/or a car wash shall be permitted to install signs that comply with the standards in this Section.

1. Two (2) Wall Signs per street frontage shall be permitted on any wall of a building used for the convenience store, provided that:
 - a. Wall Signs shall be installed parallel to the supporting wall and project no more than ten (10) inches from the face of such wall.
 - b. The maximum Sign area of a Wall Sign shall not exceed two (2) square feet per lineal foot of width of the wall on which the sign is mounted, or twenty-five percent (25%) of the total area of the wall on which the sign is mounted, whichever is less.
 - c. No Wall Sign shall extend above the roof line or cornice of the building on which it is mounted.
2. Grounds Signs shall be permitted, provided that:
 - a. No more than one (1) Ground Sign shall be erected for each street frontage of the lot on which the convenience store is built. Directional Signs shall not be considered Ground Signs.
 - b. The total Sign area of any Ground Sign shall not exceed fifty (50) square feet per side.
 - c. Ground Signs shall be setback from the legal right-of-way a distance equal to the height of the sign, or ten (10) feet, whichever is greater.
 - d. The height of a Ground Sign, measured from the average grade of the nearest legal right-of-way, shall not exceed thirty (30) feet.

3. Fuel Canopy Signs shall be permitted, provided that:
 - a. Fuel Canopy Signs shall project no more than ten (10) inches from the Fuel Canopy.
 - b. The total Sign area shall not exceed fifty percent (50%) of the total area of the face of the Fuel Canopy on which the sign is mounted.
 - c. No more than five (5) Fuel Canopy Signs are permitted on one lot.
4. Price Signs are permitted as part of a Ground Sign permitted by Section 27-2208.A.2, provided that:
 - a. The Sign area of each Price Sign shall not be considered in the calculation of the Sign area that is permitted for a Ground Sign under Section 27-2208.A.2.b.
 - b. Each Price Sign shall not exceed thirty (30) square feet in Sign area per side.
 - c. The total area of all Price Signs shall not exceed 150 square feet.
5. In addition to any signage permitted pursuant to Sections 27-2208.A.1-4 above, the following signage shall be permitted if the convenience store has an accessory car wash service:
 - a. One (1) Price Sign not exceeding eighteen (18) square feet in Sign area.
 - b. Ground Signs, provided that:
 - i. No more than one (1) Ground Sign shall be erected for each street frontage of the lot on which the convenience store with accessory car wash is built. Directional Signs shall not be considered Ground Signs for the purposes of this Section.
 - ii. No Ground Sign shall exceed ten (10) square feet in Sign area.
 - c. One (1) Wall Sign not exceeding fifty (50) square feet in Sign area.
 - d. Any such sign necessary for the safety of vehicles entering or exiting the Car Wash, including, but not limited to, a car-clearance crashbar.
6. The general standards applicable to all signs in Section 27-2210 shall apply except the restrictions on setbacks in Sections 27-2210.4, 27-2210.5, 27-2210.6, 27-2210.7.

7. Notwithstanding any section of this Ordinance to the contrary, all electronic or illuminated signage shall be extinguished at any time the Convenience Store is closed for business.”

SECTION 13. 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 that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included herein.

SECTION 14. 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 15. EFFECTIVE DATE. This Ordinance shall be effective as provided by law.

ENACTED AND ORDAINED this 8th day of February, 2023.

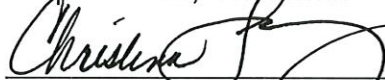
ATTEST:

**BOARD OF SUPERVISORS OF
LONDON GROVE TOWNSHIP**


Dawn Maciejczyk, Secretary

BY:


Stephen Zurl, Chairman


Christina Fanning, Vice Chairman


John Lee Irwin, Member


Kevin Runey, Member


David Connors, Member