

ORDINANCE NO. 02 – 2025

BOROUGH OF WEST CHESTER

CHESTER COUNTY, PENNSYLVANIA

AN ORDINANCE OF THE BOROUGH OF WEST CHESTER, CHESTER COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE BOROUGH OF WEST CHESTER, CHAPTER 97 TITLED “SUBDIVISION AND LAND DEVELOPMENT” TO AMEND SECTION 97-8 TO REPEAL THE DEFINITION OF “HEIGHT OF BUILDING”, AND ADD DEFINITIONS OF “HEIGHT OF BUILDING OR STRUCTURE”, “GRADE PLANE” AND “FINISHED GROUND” AND TO AMEND SECTION 97-43.B(2)(a)[13] APPLICABLE TO DEVELOPMENT PLANS AND TO ADOPT A NEW ATTACHMENT 4 TO APPENDIX D IN CHAPTER 97 TO ILLUSTRATE THE METHOD FOR CALCULATION OF GRADE PLANE AND HEIGHT OF BUILDING OR STRUCTURE; AND TO AMEND CHAPTER 112, TITLED “ZONING” SECTION 112-202 TO REPEAL THE DEFINITIONS OF “HEIGHT OF BUILDING OR STRUCTURE” AND “BUILDING AND STRUCTURE HEIGHT”, AND ADD NEW DEFINITIONS OF “BUILDING AND STRUCTURE HEIGHT”, “HEIGHT OF BUILDING OR STRUCTURE”, “GRADE PLANE” AND “FINISHED GROUND” AND TO ADOPT A NEW ATTACHMENT 5 TO APPENDIX E IN CHAPTER 112 TO ILLUSTRATE THE METHOD FOR CALCULATION OF GRADE PLANE AND HEIGHT OF BUILDING OR STRUCTURE.

BE IT ENACTED AND ORDAINED and it is hereby enacted by authority of the Council of the Borough of West Chester as follows:

SECTION 1. Chapter 97 of the Code of the Borough of West Chester (the “Code”), titled “Subdivision and Land Development”, Section 97-8 titled “Terms defined”, shall be amended by repealing the definition of “HEIGHT OF BUILDING” and adding and enacting the following definitions:

GRADE PLANE

A reference plane representing the average of finished ground level adjoining the building or structure at exterior walls. See Attachment 4 – Appendix D – “Method for Calculation of Grade Plane and Height of Building or Structure”.

FINISHED GROUND

The soil, vegetative, or paved surface of the earth surrounding a building or structure as proposed after development, and not including any structures built to elevate the grade plane, such as but not limited to planters, plazas, courtyards, and retaining or decorative walls.

HEIGHT OF BUILDING OR STRUCTURE

The vertical distance measured from the Grade Plane to:

- (1) The highest point of the roof, in case of a flat roof.
- (2) The mean height between eaves and ridge, in the case of a pitched roof.
- (3) The highest point of any structure which rises wholly or partly above the roofline and whose floor area equals or exceeds 20% of the ground floor area of the building which supports it.

SECTION 2. Chapter 97 of the Code, titled "Subdivision and Land Development", Section 97-43, titled "Preliminary Plan" Subsection B(2)(a)[13], is amended by adding and enacting the underlined text hereinbelow:

(13) A full plan of the development, showing proposed lot layout with lots numbered in consecutive order and individual lot dimensions sufficiently detailed to demonstrate to the Borough how the proposed layout compares to zoning requirements and that it is mathematically attainable within the parcel being subdivided and location of areas to be subject to easements of any kind. In addition, the plan for a land development shall show, where applicable, proposed building locations, proposed building height with accompanying data and calculations used to determine building height, location and size of parking lots, provisions for access and traffic control, locations of loading docks, and provisions for landscaping and lighting of the site.

SECTION 3. Chapter 112 of the Code, titled "Zoning", Section 112-202, titled "Definitions", shall be amended by repealing the definitions of "HEIGHT OF BUILDING OR STRUCTURE" and "BUILDING AND STRUCTURE HEIGHT" and adding and enacting the following definitions:

BUILDING AND STRUCTURE HEIGHT

See "height of building or structure".

GRADE PLANE

A reference plane representing the average of finished ground level adjoining the building or structure at exterior walls. See Attachment 5 – Appendix E – "Method for Calculation of Grade Plane and Height of Building or Structure".

FINISHED GROUND

The soil, vegetative, or paved surface of the earth surrounding a building or structure as proposed after development, and not including any structures built to elevate the grade plane, such as but not limited to planters, plazas, courtyards, and retaining or decorative walls.

HEIGHT OF BUILDING OR STRUCTURE

The vertical distance measured from the Grade Plane to:

- (1) The highest point of the roof, in case of a flat roof.
- (2) The mean height between eaves and ridge, in the case of a pitched roof.
- (3) The highest point of any structure which rises wholly or partly above the roofline and whose floor area equals or exceeds 20% of the ground floor area of the building which supports it.

SECTION 4. The document attached hereto as Exhibit "A" titled "Method for Calculation of Grade Plane and Height of Building or Structure", is hereby adopted as Attachment 4-Appendix D to Chapter 97 of the Code and Attachment 5 – Appendix E to Chapter 112 of the Code.

SECTION 5. 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 Council of the Borough of West Chester that this Ordinance would have been adopted had such unconstitutional, illegal or invalid sentence, clause, section or part thereof not been included therein.


SECTION 6. 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 7. EFFECTIVE DATE. This Ordinance shall become effective upon enactment as provided by law.

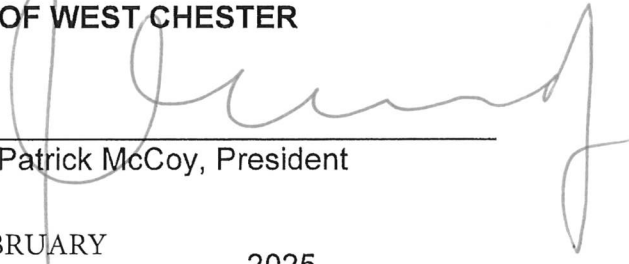
ENACTED AND ORDAINED THIS 19th DAY OF FEBRUARY, 2025.

ATTEST:

**COUNCIL FOR THE BOROUGH
OF WEST CHESTER**

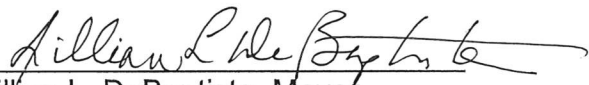


Sean Metrick, Secretary

By: 

Patrick McCoy, President

APPROVED THIS 19TH DAY OF FEBRUARY, 2025.



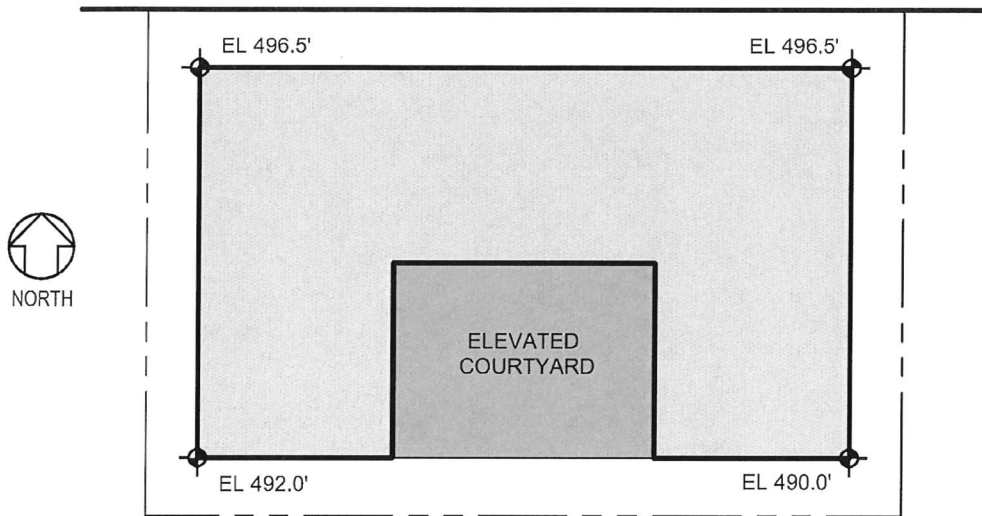
Lillian L. DeBaptiste, Mayor

Attachment 5 - Appendix E

Method for Calculation of Grade Plane and Height of Building or Structure

1. Calculate the "Grade Plane".
2. Determine Allowable maximum "Height of Building".
(Chapter 112 Zoning Article III Zoning Districts)
3. Add allowable maximum "Height of Building" to "Grade Plane".
4. Resultant is the maximum allowable "Height of Building".

Example calculation to find the "Grade Plane"



AVERAGE GRADE ELEVATION AT EACH EXTERIOR WALL

North:	496.5'
West:	494.25'
South:	491.0'
East:	493.25'
	<hr/>
	1975.0'
	$1975.0' / 4 = 493.75'$ That is the Grade Plane

