



Upper Uwchlan Township  
Board of Supervisors Workshop  
February 14, 2023  
4:00 p.m.  
Minutes  
Approved

Attendees:

Sandy D'Amico, Chair  
Jenn Baxter, Vice-Chair  
Andy Durkin, Member

Kristin Camp, Esq., Township Solicitor

Tony Scheivert, Township Manager  
Gwen Jonik, Township Secretary  
Anthony Campbell, Zoning Officer  
Lindsay Yeager, Assistant to the Township Manager  
Dave Leh, Township Engineer  
Tom Jones, Police Chief  
Brian Gathercole, Detective Corporal

The Workshop was held at the Township Building, 140 Pottstown Pike, Chester Springs PA 19425.

Sandy D'Amico called the Workshop to order at 4:04 p.m., led the Pledge of Allegiance and offered a moment of silence. No one planned to record the Workshop. There was 1 citizen in attendance.

Ordinance and Zoning Map Amendments

Kristin Camp introduced an ordinance amendment to Chapter 71, the "Uniform Construction Code" section of the Township's Codes, proposing the addition of a violation and penalty section. Building code violations are enforced in a criminal manner, not a civil manner. The amendment proposes penalties as assigned in the 2<sup>nd</sup> Class Township Code. The amendment could be advertised for consideration at the March 20 Board of Supervisors meeting.

Ms. Camp introduced a zoning ordinance amendment proposing the elimination of the C2 Limited Commercial Zoning District as the uses in that District are the same as what is in the neighboring PI Planned Industrial/Office District, making it unnecessary. Most of the parcels in the C2 District are residential properties that are grandfathered. There is a parcel owned by 'The Methodist Society' containing a cemetery adjacent to one owned by the 'Upper Uwchlan School District'. The Township has periodically maintained the cemetery over the years.

The zoning ordinance amendment also proposes changing the zoning of a portion of a parcel at 500 Pottstown Pike (Rockhill Real Estate Enterprises) from LI Limited Industrial to C3 Highway Commercial District, which would result in the entire parcel being zoned C3. The property owner is interested in establishing a Porsche service center and with the entire parcel zoned C3, any special approvals needed will be much clearer. These 2 zoning ordinance amendments, which would result in Zoning Map changes, have to be reviewed by the Chester County Planning Commission, all affected property owners need to be notified of the proposed changes and the Hearing date, and the properties posted at least 7 days before the Hearing. It is possible the amendments could be considered at the March 20 Supervisors meeting.

Jenn Baxter moved, seconded by Andy Durkin, to authorize advertisement of the above ordinance amendments. The motion carried unanimously.

Zoning District Uses ~ Discussion

Andy Durkin wants to consider text that provides direction for property aesthetics along the Route 100 corridor. There is language in the C1 Village Commercial District and Village Design Guidelines but would like to include C3 Highway Commercial. Perhaps establish an overlay district along the corridor.

C1 Village Commercial District and LI Limited Industrial District uses. Discussion included medical marijuana dispensaries are allowed by-right in C1; medical marijuana growing/processing is considered manufacturing and is allowed in the LI Limited Industrial District but cannot be within 500 feet of schools. Uses to expand as by-right in C1 and LI should be fitness, wellness, yoga. These are currently allowed only via conditional use in the LI District. Also, municipal use of a parcel should be by-right rather than a special exception. Warehousing/distribution could be pulled out of LI because it's allowed in the PI Planned Industrial/Office District. Should we add self-storage units? Adaptive reuse for historic preservation?

The Board discussed each C1 use that requires conditional use approval or special exception, and determined they should be adjusted as follows:

Keep the following in conditional use: educational or religious use, cultural FACILITY, day care, mixed-use dwelling, adaptive reuse for historic preservation.

Move or add the following to by-right use: cultural studio, bed & breakfast inn, municipal/public uses, fitness/wellness centers (potentially limit the size of the space to avoid large gyms).

Delete: uses permitted by-right, conditional use or special exception in the C3 Highway Commercial District; and any two or more principal uses otherwise permitted by-right, conditional use or special exception.

Keep in special exception: governmental or public utility building or uses.

Zoning Officer Anthony Campbell would like the Planning Commission to discuss definitions for multi-tenant buildings, multi-use buildings, and to take that language out of the beginning of the zoning ordinance. The Board agreed it could be taken out.

Kristin Camp wanted to discuss short-term rentals, transient overnight use of a dwelling, such as AirBnBs. Anthony Campbell suggested they be regulated, not prohibited.

Ms. Camp will revise the C1 uses list as discussed this evening.

Sandy D'Amico would like to spend an hour for zoning discussions at each Workshop.

Kristin Camp will send Design Guidelines from other Townships.

#### Open Session

Gerry Stein, Greenridge Road resident, inquired of the Dorlan Mill house foundation outline as discussed during the Natural Lands subdivision approval. Tony Scheivert advised that will be discussed with the State.

#### Adjournment

There being no further business to be brought before the Board, Sandy D'Amico adjourned the Workshop at 5:50 p.m.

Respectfully submitted,

Gwen A. Jonik  
Township Secretary