



UPPER UWCHLAN TOWNSHIP  
BOARD OF SUPERVISORS  
WORKSHOP  
AGENDA  
July 11, 2023  
4:00 p.m.

LOCATION: Township Building, 140 Pottstown Pike, Chester Springs PA 19425

- I. Call to Order
  - A. Salute to the Flag
  - B. Moment of Silence
  - C. Inquire if any Attendee plans to audio or video record the Workshop
- II. Planning Commission ~ potential appointment of a new member
- III. Commercial Zoning District Uses
  - A. Review revisions to the C1 Village Commercial District suggested at the Board's February 2023 Workshop
  - B. Review and discuss for possible revision the C3 Highway Commercial District by-right uses and uses permitted via the conditional use process.
- IV. Open Session
- V. Adjournment

Category	C-1 Zoning District
Purpose	<p>A. Preserve the historical development patterns of the villages of Eagle and Byers Station Historic District, and establish standards for development and coordinated street, parking, landscape improvements and pedestrian amenities, so as to complement the village setting and provide for safe and convenient access;</p> <p>B. Provide for a variety of uses in a manner which facilitates and promotes pedestrian travel within the village setting.</p>
By-Right	<p>(1) Business or professional office, bank or other financial institution.</p> <p>(2) Retail store provided that no adult-oriented use is provided and no dispensing of gasoline shall be permitted.</p> <p>(3) Personal service establishment, including but not limited to barbershop, beautician, tailor, dressmaker, shoe repair, repair of small appliances or electronic goods, or dry-cleaning service.</p> <p>(4) (Reserved)</p> <p>(5) Medical marijuana dispensary.</p> <p>(6) Restaurant, Drive Through Restaurant; but excluding hookah bar/lounge.</p> <p>(7) Bed and Breakfast.</p> <p>(8) Cultural studio.</p> <p>(9) Municipal uses. (this can include trails and parks and parking lots and parking garages)</p> <p>(10) Health and recreational club.</p>
Conditional Use	<p>(1) Educational or religious use.</p> <p>(2) Cultural facility.</p> <p>(3) Day-care center.</p> <p>(4) Reserved.</p> <p>(5) Reserved.</p> <p>(6) Mixed-use dwelling.</p> <p>(7)</p> <p>(8) (Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with § 200-72.1.</p>
Accessory Use	<p>(1) Reserved.</p> <p>(2) Reserved.</p> <p>(3) Any other commercial accessory use only, subject to all applicable provisions of § 200-62.</p>
Special Exception	<p>(1) Governmental or public utility building or uses.</p> <p>(2) Reserved.</p>
Other	

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Category	C-1 Zoning District
Purpose	<p>A. Preserve the historical development patterns of the villages of Eagle and Byers <u>Station Historic District</u>, and establish standards for new-development and coordinated street, parking, and landscape improvements and pedestrian amenities, so as to complement the village setting and provide for safe and convenient access;</p> <p>B. Provide for a variety of uses in a manner which facilitates and promotes pedestrian travel within the village setting.</p>
By-Right	<p>(1) Business or professional office, bank or other financial institution, provided that no drive-through, outside-walk-up ATM or other outside service shall be permitted by-right.</p> <p>(2) <u>Individual</u> Retail store, shop or establishment for the sale of drugs, dry goods, clothing, furnishings and other household supplies, variety, electronic goods and supplies, general merchandise, hardware, and garden supplies, provided that no adult-oriented use is provided, and no dispensing of gasoline shall be permitted and no drive-through, outside-walk-up, or other outside service shall be permitted by-right.</p> <p>(3) <u>out-table service</u>, including <u>eating establishment, bakery, or confectionery shop</u>, provided that no drive-through, outside-walk-up or other outside service shall be permitted by-right.</p> <p>(4) Personal service establishment, including but not limited to barbershop, beautician, tailor, dressmaker, shoe repair, repair of small appliances or electronic goods, or dry-cleaning service <u>with a-closed-loop system</u>.</p> <p>(5) (Reserved)</p> <p>(6) Medical marijuana dispensary.</p> <p>(7) <u>Restaurant, Drive Through Restaurant; but excluding hookah bar/lounge. Including Outdoor Dining in accordance with Section XXXX.</u></p> <p>(8) <u>Bed and Breakfast.</u></p> <p>(9) <u>Cultural studio.</u></p> <p>(10) <u>Municipal uses, (this can include trails and parks and parking lots and parking garages)</u></p> <p>(11) <u>Health and recreational club.</u></p>
Conditional Use	<p>(1) (1) Educational or religious use.</p> <p>(2) Cultural <u>studio or facility</u>.</p> <p>(3) Day-care center.</p> <p>(4) Bank or other financial institution with drive-through, walk-up ATM or other outside service, provided that such service shall not be permitted within direct view from any dedicated public street <u>Reserved</u>.</p> <p>(5) Individual retail store, shop or establishment otherwise permitted as provided in Subsection A(2) or (3) above, with drive-through, walk-up or outside counter or curb service, provided that such service shall not be permitted within direct view from any dedicated public street <u>Reserved</u>.</p> <p>(6) Mixed-use dwelling.</p> <p>(7) <u>Bed-and-breakfast inn.</u></p> <p>(8) Eating and/or drinking establishment with inside and/or outside table service and with or without indoor or outdoor counter service for consumption on- or off-site but excluding drive-through service.</p> <p>(9) <u>On tracts located adjacent to the Route 100 Bypass Graphite Mine Road and south of Byers Road only, any use permitted by-right, conditional use, or special exception in the C-3 Highway Commercial District and not otherwise permitted in the C-1 Village District. For the purposes of this section, the term "adjacent" shall apply to tracts with direct frontage on the Route 100 Bypass Graphite Mine Road, whether or not access to the Bypass Graphite Mine Road is provided, as well as tracts contiguous to such tracts, where contiguous tracts are developed together with the tract(s) having direct frontage, under common authority and in accordance with a unified development plan. Contiguous tracts shall share a common boundary and shall not be separated by any public street. Conditional use approval hereunder shall not confer a right of direct access to the Bypass Graphite Mine Road where such is not otherwise specifically approved.</u></p> <p>(10) <u>Any two or more principal uses otherwise permitted by-right, conditional use, or special exception as provided herein. As a condition of conditional use approval, the Board of Supervisors may require that any application for a combination of two or more principal uses comply with the</u></p>

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~~provisions of § 200-70 of this chapter, as deemed applicable by the Board.~~

(11) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with § 200-72.1.

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Accessory Use	(1) Bed-and-breakfast establishment as set forth in § 200-62B(5) Reserved. (2) Home occupation as set forth in § 200-62B(4) Reserved. (3) Any other customary residential or commercial accessory use <u>only</u> , subject to all applicable provisions of § 200-62.
Special Exception	(1) <del>Municipal or public uses;</del> Governmental or public utility building or uses. (2) Conversion of dwellings as set forth in § 200-63 Reserved.
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

## Suggested Edits to Definitions in UUT Ordinance

### Add:

**Municipal use:** Any use conducted by Upper Uwchlan Township, an agency of Upper Uwchlan Township or any authority created by Upper Uwchlan Township for administrative buildings, equipment or material storage, public park or recreational areas, public sewage treatment and/or water supply collection, treatment, storage and/or distribution facilities, stormwater management facilities, public parking garages and lots, public libraries or any similar use owned and operated by the Township, an agency of the Township or any authority created by the Upper Township. The definition of "municipal use" expressly excludes any use by any governmental agency or authority other than those of Upper Uwchlan Township.

**Parking garage:** A structure containing two or more levels, which is used to shelter or store motor vehicles.

**PARKING LOT, SURFACE-** A parking facility, area or lot that is used as a commercial enterprise for the parking of motor vehicles.

### **Existing Definition:**

**Governmental Use-** Municipal, county, state or federal government buildings or facilities designed and intended to be occupied by the government or designed and intended for public use sponsored by such governments.

Maybe delete the following:

**RECREATION, ACTIVE-**Those recreational pursuits which require physical alteration to the area in which they are performed. Such areas are intensively used and include, but are not limited to, playgrounds, ball courts, and swimming pools.

**RECREATION, PASSIVE-**Recreational pursuits which can be carried out with little alteration or disruption to the area in which they are performed. Such uses include, but are not limited to, hiking, biking and picnicking.

### **AND ADD:**

**RECREATIONAL USES-** An active or passive recreational use designed to accommodate physical, leisure, sporting or relaxation activities on land or water. Recreational uses may include, basketball, baseball, football, bicycling, walking, jogging, running, golfing, fishing, boating, hunting, hockey, skating, skateboarding, soccer, swimming, tennis, volleyball, racquetball, exercise/fitness, bowling, billiards, bird watching, picnicking or any other similar recreational uses, as determined by the Zoning Officer.

Add definition:

**Hookah bar/lounge:** Any establishment that is dedicated, in whole or in part, to the smoking of a water pipe with a smoke chamber, a bowl, a pipe and a hose, commonly referred to as a "hookah," and also known as a narghile, shisha, hubble-bubble, and goza, or any similar device.

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Category	C-3 Zoning District
<b>Purpose</b>	<p>to provide for retail and service uses in an area of the Township accessible to a regional highway system. The C-3 District establishes standards for a unified and organized arrangement of buildings, service and parking areas, to facilitate access management and provide for safe, convenient and attractive commercial activity in the Township.</p>
<b>By-Right</b>	<p>(1) Business or professional office, bank or other financial institution, passenger station for public transportation.</p> <p>(2) Individual retail store or shop for sale of food, groceries, drugs, dry goods, clothing, furnishings and other household supplies, variety, electronic goods and supplies, automotive supplies, general merchandise, hardware and garden supplies, provided that no sale or dispensing of gasoline or other fuels and no adult-oriented use shall be permitted.</p> <p>(3) Eating and drinking establishment, confectionery shop, bakery, or other place serving food or beverages.</p> <p>(4) Personal service establishment, including but not limited to barbershop, beauty salon, shoe repair, tailor, dressmaker, repair of small appliances or electronic goods, or dry-cleaning service.</p> <p>(5) Retail or wholesale establishment for the sale of plumbing and heating equipment and supplies, lumber yard, including the customary storage and work yards incidental thereto.</p> <p>(6) Educational or religious use.</p> <p>(7) Cultural studio or facility.</p> <p>(8) Medical marijuana dispensary.</p> <p><a href="#"><u>(9) By-Right Uses allowed in the C1 district</u></a></p> <p><a href="#"><u>(10) Passenger station for public transportation,</u></a></p>
<b>Conditional Use</b>	<p><a href="#"><u>(1) (1)</u></a> Any two or more principal uses otherwise permitted by right, conditional use, or special exception as provided herein. As a condition of conditional use approval, the Board of Supervisors may require that any application for a combination of two or more principal uses comply with the provisions of § 200-70 of this chapter, as deemed applicable by the Board.</p> <p>(2) Day-care center.</p> <p><a href="#"><u>(3) Hotel or motel.</u></a></p> <p>(4) Bed-and-breakfast inn.</p> <p><a href="#"><u>(5) Bowling lanes, indoor theater, and other place of indoor amusement or recreation.</u></a></p> <p><a href="#"><u>(6) Sale or dispensing of gasoline as a principal or accessory use.</u></a></p> <p>(7) Vehicular sales establishment and sale of farming equipment in operable condition, provided that any used motor vehicle and any used trailer over 1,000 pounds shall bear a current state inspection sticker.</p> <p>(8) <del>Sale or bulk storage of coal, petroleum or other fuels, excluding, however, combustible trash or waste</del><u>Reserved.</u></p> <p>(9) Vehicular service establishment; service and <del>minor</del> repairs to motor-driven vehicles and farming equipment, <del>but not including body or fender repair, painting or major overhauling.</del></p> <p>(10) Car wash.</p> <p>(11) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with Section 200-72.1.</p> <p>(12) Mixed-use dwelling.</p> <p><a href="#"><u>(13) Laboratory for scientific research and development.</u></a></p> <p><a href="#"><u>(14) Public recreational facilities, not accessory to a residential use, such as swim clubs, tennis courts and similar facilities, excluding however outdoor athletic fields</u></a></p>
<b>Accessory Use</b>	Accessory uses. In the C-3 Highway Commercial District, a building may be erected, altered or used, and a lot may be used or occupied for any customary <u>commercial</u> accessory use(s) provided that they are incidental to any permitted principal use

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Special Exception	(1) Municipal or public uses; governmental or public utility building or uses. (2) <del>Conversion of dwellings as set forth in § 200-63 Reserved.</del>
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

Category	<b>Limited Industrial District</b>
Purpose	to provide for limited industrial and other related intensive activities in the Township, to encourage the establishment of industrial uses which will offer additional employment opportunities <del>and an increased tax base for the Township</del> ; to establish reasonable standards governing industrial development to ensure its compatibility with the character of the area and adjacent land uses, and to locate industrial uses within close proximity to major roads in order to provide safe and efficient access by industrial-related traffic.
By-Right	<ul style="list-style-type: none"> <li>A. Assembly of office equipment and electrical appliances and supplies; and similar processes not to include the manufacturing of iron, steel, other metals or alloys, or metal processing.</li> <li>B. Manufacture of light industrial products from already prepared materials (such as wood, metal, cloth, leather, paper, plastic, glass); manufacture of professional, scientific, or electronic instruments; jewelry; watches, small appliances, and similar products.</li> <li>B.1. Medical marijuana grower/processor.</li> <li>C. Research, engineering, or testing laboratories.</li> <li>D. Public utility operating facilities.</li> <li>E. Printing or publishing establishment.</li> <li>F. Office building.</li> <li>G. Wholesale warehouse, and distribution.</li> <li>H. Churches/religious uses.</li> </ul> <p><b><u>I. By-Right Uses allowed in the C1 and C3 districts</u></b></p>
Conditional Use	<p><b><u>(1) (1)</u></b> Surface mining operations.</p> <p>(2) Sanitary landfills.</p> <p>(3) Junkyard.</p> <p>(4) Recycling collection center, excluding processing or transfer station.</p> <p>(5) Motor vehicle body or fender repair, including painting or major overhauling.</p> <p>(6) A helicopter landing pad as an accessory use to any of the uses permitted by right, by conditional use or by special exception, when such accessory use is authorized by conditional use procedure and providing that any such accessory use shall comply with the following:</p> <p>{(a) – (f) Helicopter specific requirements, not included in this summary}</p> <p>(7) Indoor health spas, fitness centers, indoor bowling lanes, indoor tennis courts and indoor skating rinks subject to all applicable requirements of the L-1 District and all other requirements of the Township's existing ordinances.</p> <p>(8) Tower-based wireless communication facilities.</p> <p>(9) Adult-oriented use, where located not less than 500 feet from any similar use and from any residence, church, or public or private school or day-care facility.</p> <p>(10) Municipal or public uses; governmental or public utility building or uses.</p> <p><b><u>(11) Laboratory for scientific research and development.</u></b></p> <p><b><u>(12) Public recreational facilities, not accessory to a residential use, such as swim clubs, tennis courts and similar facilities, excluding however outdoor athletic fields</u></b></p> <p>the following additional uses shall be permitted when established on a property designated by the Township as a Class I or Class II Historic Resource, where historical building(s) shall be adaptively re-used, and where an economic development license has been issued by the Board of Supervisors for the purpose of local economic</p>

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	development: (1) Bakeries. (2) Retail sales. (3) Restaurants; including tavern, brew pub, confectionary, ice cream stand, diner, sandwich or pizza parlor providing both dining and take-out service. (4) Adaptive reuse for historic preservation where indicated as a use subject to approval by the Board of Supervisors as a conditional use in accordance with Section 200-72.1.
<b>Accessory Use</b>	(1) Customary industrial accessory uses.
<b>Special Exception</b>	<i>Any use similar to the above permitted uses not specifically provided for herein, provided that the use meets the performance requirements of § 200-82 of this chapter Reserved.</i>
<b>Other</b>	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.