



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION
AGENDA

January 9, 2025

6:00 p.m. Workshop, 7:00 p.m. Meeting

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

- I. 6:00 Workshop
Ordinance reviews: C1, C3 zoning district miscellaneous; Planned Industrial/Office, residential zoning district uses; landscaping / screening; parking; fences; signs / billboards; lighting
- II. 7:00 PM Meeting Call to Order
- III. Organization for 2025
Elections for 2025 Planning Commission Chair and Vice-Chair, appointment of Secretary
- IV. Meeting Updates ~ Reports
 - A. Environmental Advisory Council (EAC)
 - B. Historical Commission (HC)
 - C. Planned Industrial / Office Zoning District Uses subcommittee
- V. Approval of Minutes: December 12, 2024 Meeting minutes
- VI. Next Meeting Date: February 13, 2025 7:00 p.m.
- VII. Ordinance Review – continued review and discussion from the Workshop; May make recommendations to the Board of Supervisors.
- VIII. Open Session
- IX. Adjournment

Proposed Edits to C-1 Regulations

§ 200-33. Use regulations.

- A. Uses by right. In the C-1 Village District, a building may be erected, altered or used, and a lot may be used or occupied by right, for the following principal purposes, and no other:
 - (1) Office building.
 - (2) Bank or other financial institution.
 - (3) Retail store, provided that no adult-oriented use and no dispensing of gasoline shall be permitted.
 - (4) Personal service establishment
 - (5) Medical marijuana dispensary.
 - (6) Restaurant, drive-through restaurant, but excluding hookah bar/lounge.
 - (7) Bed and breakfast inn.
 - (8) Cultural studio.
 - (9) Municipal uses.
 - (10) Public place of amusement or recreation and athletic club in a building or buildings with 10,000 square feet or less.
 - (11) Passive recreation.
- B. Conditional uses. In the C-1 Village District, a building may be erected, altered or used, and a lot may be used or occupied, for any of the following principal purposes when authorized as a conditional use by the Board of Supervisors, subject to § 200-116 of this chapter. Conditional use approval in the C-1 Village District shall require full compliance with all applicable design standards set forth in § 200-36, ~~except where as a specific condition of approval, the Board provides for modification to such standards upon satisfactory demonstration by the applicant that full compliance is not practicable, based upon a preponderance of evidence.~~
 - (1) Educational or religious use.
 - (2) Cultural facility.

- (3) Day-care center.
- (4) Mixed-use dwelling.
- (5) Adaptive reuse for historic preservation where permitted as a use subject to approval by the Board of Supervisors as a conditional use in accordance with § 200-72.1.
- (6) Active recreation.

C. Special exceptions. In the C-1 Village District, a building may be erected, altered or used, and a lot may be used or occupied for any of the following principal uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XX of this chapter.

- (1) Governmental or public utility building or uses.

D. Accessory uses. In the C-1 Village District, a building may be erected, altered or used, and a lot may be used or occupied for any customary commercial accessory use, subject to all applicable provisions of § 200-62.

§ 200-34. Area and bulk regulations

A. Applicability. The area and bulk regulations set forth in this section shall apply to all lots and/or uses in the C-1 Village Zoning District, ~~except that, where approved by the Board of Supervisors as a conditional use, modification of any applicable area or bulk regulation may be permitted. Where permitted, such modification(s) shall not vary more than 50% from either minimum requirements or maximum allowances otherwise applicable, except as provided in Subsections A(2)(e) and H below.~~

~~(1) In approving any area or bulk modification as a conditional use, the Board of Supervisors may stipulate the following:~~

- ~~(a) The proposed lot layout and/or structural design and the modifications necessary to accommodate such design shall be consistent with the purposes of this article;~~
- ~~(b) The proposed design shall enhance the appearance and function of the overall village area and its streetscapes;~~
- ~~(c) The proposed design shall not produce lots or pedestrian or vehicular access system(s) that would be impractical or which would adversely affect emergency access;~~

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(d) The applicant shall demonstrate to the Board that the proposed modification(s) will produce equal or better results than could be achieved without the requested modification(s) and that they represent the minimum modification necessary to achieve such results;

(e) Where any modification involves an increase in impervious lot coverage beyond 60%, impervious lot coverage shall in no case exceed 75%, and the Board may require that system(s) be installed to fully recharge into the groundwater system all stormwater runoff from up to the two-year storm generated by any amount of impervious lot coverage that is greater than 60%;

(f) The Board may impose such other conditions as, in its judgment, will secure the objectives and purposes of this article.

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B. Minimum lot area. Every lot shall have an area of not less than 10,000 square feet, except that where public sewage disposal is not provided, the lot shall be of sufficient size to comply with § 200-35 herein.

C. Minimum lot width. Every lot shall not be less than 100 feet in width.

D. Yard regulations.

- (1) A front yard of not less than 20 feet shall be provided on each lot.
- (2) Two side yards of not less than 10 feet each shall be provided on each lot.
- (3) A rear yard of not less than 40 feet shall be provided on each lot.
- (4) There shall be fifty-foot setback from the ultimate right-of-way of the Route 100 Bypass regardless of which yard abuts the Bypass.
- (5) Where greater setbacks do not otherwise apply, all garages, whether attached or detached, shall be set back a minimum of 40 feet from the edge of cartway or from the sidewalk, if any, which ever results in the greater setback, so as to provide space for parking in front of the garage.

E. Coverage regulations.

- (1) Building coverage. Not more than 30% of the area of a lot shall be covered by buildings/structures, except that not more than 15% of the area of a lot shall be occupied by buildings/structures less than 1 1/2 stories in height. For this purpose, one-half story shall mean a roof-story with sufficient height and space within the form of a pitched roof to permit the development of habitable or leasable space, whether or not any actually is proposed.

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(2) Lot coverage. Not more than 60% of the area of a lot shall be covered by buildings/structures or other impervious materials.

F. Height restrictions. No structure or principal buildings shall exceed 35 feet in height. ~~As a condition of conditional use approval, the Board of Supervisors may permit roof structures above the cornice line which exceed the applicable height limit, where the Board agrees that such structures enhance the appearance of the overall design.~~

G. Accessory buildings/structures. No accessory building or structure shall be located within the front yard, nor within 10 feet of any side or rear lot line.

H. Building size restriction. No individual building shall contain more than 6,000 square feet of total floor area, except where increased square footage above 6,000 is entirely within an additional story or stories above the first floor ~~or where increased square footage above 6,000, and not limited to a 50% increase, is approved subject to conditional use approval and in accordance with all applicable design standards herein. For purposes of this section, an individual building shall be considered as a space or contiguous spaces fully separated from any other building. For purposes of this section, abutting buildings shall be considered as an individual building whether or not separated by permanent walls.~~

I. Mixed-use dwellings. Buildings containing principal nonresidential uses may also contain one or more residential dwelling units which shall adhere to the following regulations in addition to compliance with the regulations in § 200-34A through H:

(1) The ground floor, or at a minimum the front portion thereof, shall be used for the principal nonresidential use and the dwelling unit(s) shall be arranged to form an integral part of the remainder of the building. Specifically, residential and nonresidential uses shall each comprise no less than 30% of, nor greater than 70% of, the building's uses.

(2) All dwelling units shall have a floor area of not less than 600 square feet.

(3) The entrance to a dwelling unit may be shared with another dwelling unit or units but shall be independent of the entrance for the nonresidential use or uses.

(4) The parking required for each dwelling unit shall be provided in accordance with Article XV.

§ 200-35. Sewer and water service.

A. Public sewer and public water are required for any use permitted in this district, if available.

B. Where public sewer service is not available and cannot reasonably be made available, any lot containing or proposed to contain an individual on-site sewage

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disposal system shall include a minimum contiguous area suitable for on-site sewage disposal and of sufficient size to accommodate disposal of all sewage generated on-site in conformance with all applicable regulation, including provision for a backup disposal system. In no case shall such minimum contiguous area be less than ~~one acre~~^{10,000 square feet}. Use of individual on-site sewage disposal systems shall be contingent upon prior approval of both primary and backup disposal systems.

C. Where an amendment to the Upper Uwchlan Township Sewage Facilities (537) Plan is necessary to permit development of any particular sewage disposal system, such amendment shall be obtained at the sole risk and cost of the applicant.

§ 200-36. Design standards.

A. Preservation of historic resources.

(1) Within the C-1 Village District, historic structures and other historical resources, including historic ruins or sites, historic road or other transport traces, paths and trails, and any other historic landscape features, shall be preserved to the greatest degree practicable.

(2) Within the C-1 Village District, no historic structure shall be removed or demolished except where approved by the Township, upon the recommendation of the Planning Commission and Historical Commission. Township approval of demolition requests shall not unreasonably be withheld where applicant demonstrates that renovation or reuse of subject structure(s) is not practicable.

(3) The following standards shall apply to the rehabilitation, alteration, or enlargement of any historic resource requiring a building permit, unless such alteration is required solely for purposes of compliance with applicable building code, ADA or other regulation, ~~or where modified by the Board of Supervisors as a condition of conditional use approval~~:

~~(a) (a) The historic resource and site shall be consistent with the Village Concept Plan.~~

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~~(b) The historic resource shall comply with the Village Design Guidelines.~~

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~~Construction plans for the rehabilitation, alteration or enlargement of any historic structure shall be in substantial compliance with the Secretary of the Interior's currently adopted Standards for Rehabilitation, as revised.~~

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~~(b) Authentic period materials and colors shall be utilized on any portion of any historic structure or enlargement thereof visible from any existing or proposed public right-of-way. Appropriate replication of materials may be substituted.~~

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~~(c) Landscape plans shall be submitted with any relevant application committing the applicant to preservation of existing landscape material and/or~~

~~introduction of new landscape material so as to retain and/or enhance the integrity of the historical landscape setting.~~

B. Architectural design.

(1) ~~To the extent practicable, All new construction and/or additions to existing structures within the C-1 Village District shall be designed with either a traditional village architectural character or may be a contemporary expression of traditional styles and forms, respecting the scale, proportion, roof pitch, character, and materials of historic examples in Byers, Eagle and the surrounding area, in accordance with the following standards consistent with the Village Concept Plan and comply with the Village Design Guidelines.~~

(a) ~~Where any individual building facade (or adjoining facades which abut flush to the same building line) is visible from any public right of way or public space (including internal public spaces within a development) and exceeds 60 feet in length, there shall be a clear dimensional differentiation of roofline (i.e., an obvious difference in height) and/or an offset in facade of at least 10 feet, effectively breaking the single facade into two or more facades each no more than 60 feet in length. Where approved by the Board of Supervisors as a conditional use, single facades greater than 60 feet in length may be permitted, where applicant demonstrates to the satisfaction of the Board that the design of the building and its relationship(s) to surrounding buildings and landscaped areas mitigates any negative impacts of long continuous building facade(s) on the character of the C-1 Village District. Mitigating factors may include design which emulates characteristic historical building forms which typically included relatively long individual facade lengths such as barns, stables, churches, meeting houses, or other public buildings. Building arrangements which rely on repeated use of the same long facade element shall not be approved.~~

(b) ~~New construction shall generally have pitched roofs with overhanging eaves. Where flat roofs are provided, they shall be articulated with parapets and cornices. Desired materials on pitched roofs include slate (either natural or man-made), shingle (either wood or asphalt composition), and metal formed to resemble "standing seams." Roof color should reflect local traditional use of color, and shall specifically exclude white, tan, or blue shingles, red-clay tiles, and corrugated metal or other corrugated material. The use of fascias, dormers, and gables is encouraged to provide visual interest.~~

(c) ~~Exterior wall materials may include stucco, wood clapboard (including vinyl or aluminum imitation clapboard siding), native stone, brick, or other material of a shape, color, and texture similar to that found on historic structures in the vicinity.~~

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~~(d) All facilities and equipment for heating/air conditioning, trash collection and compaction, and other structural elements not in keeping with historical architectural themes shall be concealed architecturally or otherwise screened from view from any public right of way or public space (including internal public spaces within a development).~~

(2) ~~For all principal and/or accessory uses permitted by special exception, variance or conditional use approval,~~ Applicant shall provide drawings of sufficient detail to illustrate the character of the intended exterior design of structures, including scale, height, roof pitch, relationship between varying facade elements, and principal exterior materials. The Township may require that material samples also be provided. It shall be the burden of the applicant to demonstrate that submitted architectural designs are consistent with, and promote, the purposes and standards set forth for the C-1 Village District.

~~(3) Where the Board of Supervisors or Zoning Hearing Board, as applicable, determines that architectural design, as presented by applicant, is an essential means by which the proposed use will comply with the purposes and standards set forth for the C-1 Village District, as a condition of approval of any conditional use, special exception or variance, the applicable Board may require adherence to the intended architectural character as proposed by the applicant.~~

C. Pedestrian and vehicular access.

- (1) Pedestrian access within the C-1 Village District shall be designed to provide convenient, safe, and direct access between the various uses within the district and other nearby concentrations of development.
- (2) Trails. Any application for subdivision or land development approval, conditional use approval or special exception approval may be required by the Board of Supervisors or Zoning Hearing Board, as applicable, to construct any trails and/or accessory facilities on the property subject to application which are deemed necessary to implement the Upper Uwchlan Township community trails system and Active Transportation Plan relative to such property.
- (3) Vehicular access within the C-1 Village District shall be designed to limit the number of new access points to public roads and to limit potential for turning movement conflict. Where practicable, access to adjoining parcels shall be combined so as to limit potential turning movement and pedestrian movement conflicts.
- (4) Parking areas within the C-1 Village District shall be designed and landscaped so as to appear broken in mass, in proportion to the scale of structural development. Coordination of access to parking areas and shared parking among adjacent uses shall be required wherever practicable. To the extent practicable, parking shall not be provided in the front yard. To the extent that

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parking areas are visible from public streets, visual impacts shall be mitigated through introduction of landscape screening, landscape walls, use of pedestrian paving materials, or other design means.

D. Streetscape design. Streetscape landscaping and pedestrian amenities shall be provided as necessary to meet ~~overall village planning~~the Village Concept Plan and Village Design Guidelines objectives and shall be coordinated with adjacent properties. Where appropriate, the Township may require any of the following amenities, including provision for their regular upkeep and maintenance:

- (1) At least one public trash receptacle in each block;
- (2) Public benches of approved design at intervals of no greater than 50 feet on each block;
- (3) At least one bike rack on each block, located in areas where the sidewalk width has been designed to accommodate such features;
- (4) Planting strip(s) no less than five feet in width and planted with shade trees between sidewalks and streets and other vehicular accessways, to the extent feasible;
- (5) Appropriate pedestrian paving materials.

E. Stormwater management. Within the C-1 Village District, all stormwater management facilities shall be designed to optimize the capture of stormwater at the sources of generation, maximize recharge to the subsurface and minimize surface water flow. Guidance for stormwater management shall use the most current best management practices such as those published by the American Society of Engineers, Pennsylvania State University or the Commonwealth of Pennsylvania.

F. For additional regulations applicable to this district, see Article XIV, Supplemental Land Use Regulations, Article XV, Common Regulations, and Article XVI, Signs.

Proposed Edits to C-3 Regulations

§ 200-39. Use regulations.

On any lot or tract in the C-3 Highway Commercial District with direct frontage on Route 100 (Pottstown Pike) and located north of Ticonderoga Boulevard and south of Byers Road, the use regulations set forth in § 200-33 for the C-1 Village District shall apply. On

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all other lots or tracts in the C-3 Highway Commercial District, the following regulations shall apply:

A. Uses by right. In the C-3 Highway Commercial District, a building may be erected, altered or used, and a lot may be used or occupied by right, for any one, but only one, of the following principal purposes, and no other:

- (1) Office building.
- (2) Bank or other financial institution.
- (3) Passenger station for public transportation.
- (4) Retail store, provided that no sale or dispensing of gasoline or other fuels and no adult-oriented use shall be permitted.
- (5) Restaurant, drive-through restaurant.
- (6) Personal service establishment.
- (7) Educational or religious use.
- (8) Cultural studio or cultural facility.
- (9) Medical marijuana dispensary.
- (10) Passive recreation.
- (11) Active recreation.

B. Conditional 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 one of the following principal purposes when authorized as a conditional use by the Board of Supervisors, subject to § 200-116 of this chapter. ~~At the reasonable discretion of the Board of Supervisors, conditional uses in the C-3 Highway Commercial District may be approved subject to compliance with any applicable design standard(s) set forth in § 200-36.~~

- (1) 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.
- (2) Day-care center.

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- (3) Hotel or motel.
- (4) Bed-and-breakfast inn.
- (5) Public place of amusement or recreation provided such use is exclusively indoors.
- (6) Sale or dispensing of gasoline as a principal or accessory use.
- (7) Vehicular sales establishment and sale of farming equipment.
- (8) Automobile service establishment.
- (9) Car wash.
- (10) Adaptive reuse for historic preservation where permitted as a use subject to approval by the Board of Supervisors as a conditional use in accordance with Section 200-72.1.
- (11) Laboratory for scientific research and development.
- (12) Hookah bar/lounge.

B. Special exceptions. 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 one of the following principal uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XX of this chapter:

- (1) Municipal or public uses; governmental or public utility building or uses.

C. 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 commercial accessory use(s) provided that they are incidental to any permitted principal use.

C.D. All uses, design and implementation shall be consistent with the Village Concept Plan and Village Design Guidelines.

§ 200-40. Area and bulk regulations.

A. Applicability.

- (1) The area and bulk regulations set forth in this section shall apply to all lots and/or uses in the C-3 Highway Commercial District ~~except that, where approved by the Board of Supervisors as a conditional use, modification of any applicable area or bulk regulation may be permitted. Where permitted, such modification(s) shall not vary more than 50% from either minimum requirements or maximum allowances otherwise applicable.~~

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(2) In approving any area or bulk modification as a conditional use, the Board of Supervisors may stipulate the following:

- (a) The proposed lot layout and/or structural design and the modifications necessary to accommodate such design shall be consistent with the purposes of this article.
- (b) The proposed design shall enhance the appearance and function of the general area and its streetscapes.
- (c) The proposed design shall not produce lots or pedestrian or vehicular access system(s) that would be impractical or which would adversely affect emergency access.
- (d) The applicant shall demonstrate to the Board that the proposed modification(s) will produce equal or better results than could be achieved without the requested modification(s) and that they represent the minimum modification necessary to achieve such results.
- (e) Where any modification involves an increase in impervious lot coverage beyond 60%, impervious lot coverage shall in no case exceed 75%, and the Board may require that system(s) be installed to fully recharge into the groundwater system all stormwater runoff from up to the two-year storm generated by any amount of impervious lot coverage that is greater than 60%.
- (f) The Board may impose such other conditions as, in its judgment, will secure the objectives and purposes of this article.

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B. Minimum lot area. For any use permitted in this district, every lot shall have an area of not less than 30,000 square feet.

C. Minimum lot width. For all uses, every lot shall not be less than 100 feet in width.

D. Yard regulations.

- (1) A front yard of not less than 50 feet shall be provided on each lot.
- (2) Two side yards of not less than 25 feet each shall be provided on each lot, except that setback shall be 50 feet where abutting a residential property or a public street or highway.
- (3) A rear yard of not less than 50 feet shall be provided on each lot.

E. Coverage regulations.

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- (1) Building coverage. Not more than 30% of the area of a lot or tract shall be covered by buildings/structures.
- (2) Lot coverage. Not more than 60% of the area of a lot or tract shall be covered by buildings/structures and other impervious materials.

F. Height restrictions. No structure or principal buildings shall exceed 35 feet in height.

G. Accessory buildings/structures. No accessory building or structure shall be located within the front yard, nor within 20 feet of any side or rear lot line.

H. Mixed-use dwellings. Buildings containing principal nonresidential uses may also contain one or more residential dwelling units which shall adhere to the following regulations in addition to compliance with the regulations in § 200-40A through G:

- (1) The ground floor, or at a minimum the front portion thereof, shall be used for the principal nonresidential use and the dwelling unit(s) shall be arranged to form an integral part of the remainder of the building. Specifically, residential and nonresidential uses shall each comprise no less than 30% of, nor greater than 70% of, the building's uses.
- (2) All dwelling units shall have a floor area of not less than 600 square feet.
- (3) The entrance to a dwelling unit may be shared with another dwelling unit or units but shall be independent of the entrance for the nonresidential use or uses.
- (4) The parking required for each dwelling unit shall be provided in accordance with Article XV.

§ 200-41. Sewer and water service.

- A. Public sewer and water are required for any use permitted in this district, if available.
- B. Where public sewer service is not available and cannot reasonably be made available, any lot containing an individual on-site sewage disposal system shall include a minimum contiguous area suitable for on-site sewage disposal and of sufficient size to accommodate disposal of all sewage generated on-site in conformance with all applicable regulation, including provision for a backup disposal system. In no case shall such minimum contiguous area be less than one acre~~10,000 square feet~~. Use of individual on-site sewage disposal systems shall be contingent upon prior approval of both primary and backup disposal systems.
- C. Where an amendment to the Upper Uwchlan Township Sewage Facilities (537) Plan is necessary to permit development of any particular sewage disposal system, such amendment shall be obtained at the sole risk and cost of the applicant.

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Upper Uwchlan Township Zoning, PI District

§ 200-48 Purpose.

A. It is the intent of the PI District to provide and require unified and organized arrangement of buildings, service and parking areas, together with adequate circulation and designated open space, all planned and designed as integrated units, in a manner as to provide and constitute efficient, safe, convenient and attractive planned campus-like office park, corporate center, hotels/conference center and other appropriate uses. It is also the intent of the PI District to promote large unified developments which have direct access on a major highway, while discouraging the application of this district in areas of the Township which cannot support the above stated intentions. All ground considered for this district must be in single ownership. The requirement for a plan will provide the Board of Supervisors with a means to review proposals and permit the development of those facilities which, in addition to demonstrating a contribution to the community and the region, would incorporate design innovations in building and landscaping so no adverse impacts of any kind would occur. The development plan shall reflect sensitivity in the designation of areas for different uses that will allow for homogenous uses to be contiguous.

§ 200-49. Use regulations.

A building may be erected, altered or used, and a lot may be used or occupied, for any of the following purposes, and no other:

A.  Manufacturing, assembling and/or servicing electronic equipment only.

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.

Manufacture of light industrial products from already prepared materials (such as wood, metal, cloth, leather, paper, plastic, glass); manufacture of professional, scientific, or electronic instructions; jewelry; watches, small appliances, and similar products.

 Medical marijuana grower/processor. [Added 6-19-2017 by Ord. No. 2017-02]

B. Passenger station for public transportation; electric substation; telephone central office.

C. Hotel and/or conference center where a conference center is designed as a building or series of buildings, designed and used as a professional meeting and training facility and may include conference rooms, recreational facilities, restaurants, sundries shops and other accessory facilities; a minimum of five acres shall be required for this use.

D. Offices or office building for administrative, executive and professional activity, and similar activities involving the performance or rendering of professional service, such as a bank, financial institution, the sale of real estate and business office including the showing of samples, sale promotion and demonstration of equipment; provided, however, that no merchandise shall be warehoused on the premises for sale, exchange or delivery thereon, and further provided that nothing herein preclude sale or manufacturers' representatives from arranging for the sale of merchandise manufactured, fabricated or warehoused at, or delivered to, locations outside of the PI District.

E.  Restaurant, cafeteria or recreational facilities designed for the comfort and convenience of employees shall be permitted provided such facilities are located inside the confines of the building and provided further that such facilities are not offered for use by the general public.

- F. Churches.
- G. Public uses, structures, or buildings owned or operated by the municipality, a municipal authority organized by the municipality or an authority of which the municipality is a member.
- H. Indoor recreational facilities containing amenities such as a swimming pool, spa, indoor track, ~~nautilus equipment, handball and racquetball courts and facilities typical of a YMCA facility.~~
- I. Laboratory for scientific research and development ~~including animal research~~ provided such animal research is ~~conducted according~~ to the ~~Guiding Principles in the Use of Animals in Toxicology as adopted by Society of Toxicology in July 1989, revised in March 1999, and as amended from time to time.~~ **[Amended 12-2-2002 by Ord. No. 02-07]**
- J. Day-care centers.
- K. Wholesaling, warehousing and distributing, provided that there shall be no exterior evidence of such, and, further, no aboveground storage tanks shall be allowed on the exterior of the building except as permitted by § 200-49O(3). **[Amended 10-18-2021 by Ord. No. 2021-04]**
- L. ~~Existing~~ Agriculture.
 - (1) Medical marijuana grower/processor.

§ 200-49

- M. Any one of the following uses when authorized as a conditional use by the Board of Supervisors, subject to § 200-116 of this chapter:

- (1) ~~Manufacturing and processing~~ provided there shall be no raw materials or finished products permitted on the exterior of the building, and, further, no above ground storage tanks shall be allowed on the exterior of the building except as permitted by § 200-49O(3). **[Amended 10-18-2021 by Ord. No. 2021-04]**
- (2) Any other use as determined by the Board of Supervisors to be the same general character ~~as the above permitted uses.~~
- (3) ~~A~~ building may exceed the thirty-five-foot height limitation as set forth in § 200-50 by conditional use approval; however, in no event shall any building or structure exceed 45 feet in height. **[Added 10-17-2011 by Ord. No. 2011-06]**
- (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 § 200-72.1. **[Added 9-19-2016 by Ord. No. 2016-07]**
- (5) ~~Affordable Housing ?~~

§ 200-49

- N. Any one of the following uses when authorized as a special exception by the Zoning Hearing Board, subject to Article XX of this chapter:
 - (1) A private-use helistop as an accessory use to a permitted principal use subject to Planning Commission review and recommendation.
- O. The following accessory uses shall be permitted provided they are incidental to any of the foregoing permitted uses:
 - (1) Private parking areas pursuant to § 200-73 of this chapter, except that the minimum number of parking spaces for office buildings other than provided for herein shall be one space for each 250 square feet of gross floor area. However, if, in the opinion of the Board of Supervisors, parking proves to be inadequate, a sufficient number of additional spaces shall be added to alleviate the problem to the satisfaction of the Board of Supervisors. Also, the size of the parking spaces within the entire district for each vehicle shall consist of a rectangular area having a dimension of not less than 10 feet in width and 20 feet in length. Where a parking space abuts a grass median of at least two feet in width or four feet in width where parking spaces are on each side of the median, only 18 feet of paving shall be necessary with the remaining two feet being with the grass median area.
 - (2) Other customary accessory uses, structures or buildings, provided such are clearly incidental to the principal use.
 - (3) Aboveground storage tanks for storage of Inert gases, liquids and solids, water and brine; provided, however, that the storage of any materials and/or substances that meet the definition of a Regulated Substance as that term is defined in 25 Pa. Code § 245.1 shall be prohibited. **[Added 10-18-2021 by Ord. No. 2021-04]**
- P. Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1. **[Added 9-19-2016 by Ord. No. 2016-07]**

Township of Uwchlan, PA PIC Planned Industrial-Commercial District (NOTE: "Eagleview". Sections deleted for clarity)

§ 508. PCID Planned Commercial Industrial Development Districts.

[Amended 4-8-1996 by Ord. No. 96-04; 9-8-1997 by Ord. No. 97-12]

508.1 Purpose. The purpose of the PCID District is to provide for unified and flexible development of a large area of land with a mixture of uses.

508.2 Criteria for PCID District. All land to be considered for development within the PCID District and all proposals for development within the PCID District shall comply with the following criteria:

- 1) Areas zoned PCID shall contain a total tract area of at least 275 contiguous acres and have direct frontage on a major highway as defined by the Uwchlan Township Zoning Ordinance.
- 2) All land proposed for development within the PCID District must be in single ownership, or subject to an agreement among all owners to develop pursuant to a coordinated plan.

508.3 Review procedures. In order to assure that development of the PCID District complies with the intent of this section, a Master Concept Plan for the tract shall be submitted to the Board of Supervisors in conformance with the following procedure:

- a. An applicant for approval of any development within the PCID District shall initially present a Master Concept Plan that shall, following approval, stand as an official tentative plan, with phased submittals for final approval as development proceeds. The Master Concept Plan shall include the entire tract and shall contain the following information:
 - (1) Location, proposed site layout, parking facilities, all adjacent highways, streets and alleys with traffic flow patterns, and a tentative list of the kind of establishments to be located on the site.
 - (2) Sketches, elevations and engineering plans showing proposed methods of stormwater control, type of sewage treatment and disposal, and the source of water supply.
- b. In addition to the Master Concept Plan, the applicant shall submit the following studies: traffic, utility investigations and a detailed report that evaluates the effect of the Planned Commercial Industrial Development on municipal services (such as police, fire, recreation), public facilities, utilities, budget, environmental impact, stormwater drainage and transportation system.
- c. Following approval of the Master Concept Plan, and, where applicable, conditional use approval, site development plans for sections of the tract shall be submitted and reviewed in accordance with the current Subdivision and Land Development Ordinance regulations. The provisions of the Subdivision and Land Development Ordinance, shall apply unless the regulations are altered by this § 508.

508.4 Permitted uses. The following uses shall be permitted in the areas of the PCID designated on the Master Concept Plan for office park uses:

- a. Manufacturing, assembling and/or servicing electronic equipment.
- b. Passenger station for public transportation; electric substation; telephone central office.
- c. Hotel and/or conference center.
- d. Professional and other business offices.
- e. Restaurant, cafeteria or recreational facilities designed for the comfort and convenience of employees, provided such facilities are located inside the confines of the building and are not offered for use by the general public.
- f. Churches.
- g. Public uses, structures, or buildings owned, operated or subsidized by the Township, a Municipal Authority organized

by the Township or an Authority of which the Township is a member.

- h. Indoor recreational facilities containing amenities such as a swimming pool, spa, indoor track, nautilus equipment, handball courts and facilities typical of a YMCA facility.
- i. Laboratory for scientific research and development, excluding animal research for cosmetics purposes.
- j. Day-care centers.
- k. Wholesaling, warehousing and distributing, provided that there shall be no exterior evidence of such, and, further, no bulk storage of liquid or gaseous fuel or chemicals shall be permitted except for immediate consumption on the premises.

508.5 Permitted accessory uses to office park uses.

- a. Off-street parking pursuant to § 607, provided that, where a parking space abuts a grass median of at least two feet in width, or four feet in width where parking spaces are on each side of the median, the minimum length of the parking space may be 18 feet.
- b. Signs pursuant to § 606.
- c. Other accessory uses, structures or building, provided such are clearly incidental to the principal use.

508.6 Uses permitted by conditional use. The following uses shall be permitted in the PCID District when approved by the Board of Supervisors as a conditional use:

- a. Convenience centers. Principal uses as stated in § 605 shall be permitted subject to the provisions thereof except that no gasoline service stations, garages (private or public) or drive-in food establishments shall be permitted. In addition, the following convenience uses are permitted in the PCID District:
 - (1) Theater (movie or performing) within a permanent building; library, civic or cultural center.
 - (2) Automatic self-service laundry and dry-cleaning establishment.
- b. Manufacturing and processing, provided that there shall be no bulk storage of liquid or gaseous fuels or chemicals except for immediate consumption on the premises, and no raw materials or finished products shall be permitted on the exterior of the building.
- c. Restaurant, tearoom, cafe, confectionery or other place serving food or beverages, provided that no curb service shall be permitted.
- d. Any nonresidential buildings in excess of three stories but not more than five stories or 65 feet in height, provided that:
 - (1) Structures up to 65 feet in height may be permitted, provided they are sprinklered and have standpipe systems in accordance with the Uwchlan Township Fire Code, and provided that for each foot in excess of 35 feet, there shall be a corresponding decrease in both maximum impervious coverage and building coverage by 0.7% and provided such height increase does not impinge on the rights of existing or future property owners in the community. The decrease in impervious coverage shall be 0.2% for each one foot over 35 feet height limit for a structure in the Town center only. [Amended 9-14-2009 by Ord. No. 2009-03]
 - (2) The minimum parking spaces for office buildings shall be one space for each 300 square feet of leasable floor area. The number of required parking spaces for all other uses shall be in accordance with § 607.2 of this ordinance. If in the opinion of the Board of Supervisors parking proves to be inadequate, a sufficient number of additional spaces shall be added to alleviate the problem to the satisfaction of the Board of Supervisors.
- e. Wagering and gambling facilities, provided that no such use shall be located on any lot or parcel of land unless said lot or parcel of land or any part thereof is separated by either (a) a distance of 1,500 feet (except for a hotel) or (b) the right-of-way of a limited access highway, from any lot or parcel of land which is used for residential purposes (except for a hotel) in the Township or an adjoining Township; or which is included in whole or in part within a residential zoning district of the Township or an adjoining Township.
 - f. Town center as defined in § 508.11.^[1]

[1] *Editor's Note: Former Subsection g, regarding wagering and gambling facilities, which immediately followed this subsection, was deleted 10-22-2009 by Ord. No. 2009-04.*

g. Hospitals.

[Added 12-9-2013 by Ord. No. 2013-06^[2]]

[2] *Editor's Note: This ordinance also redesignated former § 508.6.g and h as § 508.6.h and i, respectively.*

- h. Off-premises outdoor advertising signs, subject to the regulations of § 606. [Added 1-24-2000 by Ord. No. 2000-01]
- i. Any other use as determined by the Board of Supervisors to be the same general character as the permitted uses.
- j. Any legitimate use not specifically provided for in any zoning district and which is not inherently objectionable. [Added 12-9-2013 by Ord. No. 2013-06]
- k. Planned life care facility in compliance with all of the requirements of §§ 508.13 and 806.4. [Added 6-8-2015 by Ord. No. 2015-03]

508.7 Uses permitted by special exception.

- a. A private-use helistop as an accessory use to a permitted principal use subject to Planning Commission review and recommendation and conformance to the general standards prescribed in § 610.
- b. Accessory uses not located on the same lot with the permitted principal use.

508.8 Minimum lot size and open space requirement for office park uses.

- a. Area: Two acre minimum with a three acre average. However, one to 1.99 acre size lots may be permitted for a maximum of 5% of the total number of lots in the development. Also, any lot which is less than three acres shall be under single ownership and shall contain one specific use, company or corporation.
- b. Width: 200 feet.
- c. Designated open space. In areas to be developed for office park uses the developer shall allow for a minimum of 5% of the total net tract area, which may include stormwater management areas, that shall be properly landscaped, separate from any lots, and usable for any active or passive recreation.
- d. Maximum impervious coverage: No lot three net acres or larger shall be covered by more than 65% of impervious surface, including but not limited to principal and accessory buildings, driveways and walkways and parking areas. Lots three acres or less may have up to 75% impervious coverage.

508.9 Minimum yard dimensions for office park uses.

- a. Front yard: minimum of 40 feet, except when an agricultural use or residential district is adjacent to the front yard, in which case front yard setback shall be 150 feet minimum.
- b. Each side yard: minimum of 15 feet, except when an agricultural use or residential district, or lot containing an occupied dwelling, is adjacent to the side yard, in which case the side yard setback shall be 150 feet on the side thus abutted. On a corner lot there shall be a side yard of not less than 40 feet.
- c. Rear yard: minimum of 15 feet, except when an agricultural use or residential district, or lot containing an occupied dwelling unit, is adjacent to the rear yard, in which case the rear yard setback shall be 150 feet.
- d. By conditional use: subject to § 806, the setbacks required when a building abuts a residential or agricultural district or a lot containing an occupied dwelling may be reduced from 150 feet to a distance determined by the Board of Supervisors to be sufficient to allow for proper protection of abutting property and its use but in no case to a distance less than the district normally requires.

508.10 Requirements governing residential uses within residential use portions of the PCID. Residential uses will be permitted as the exclusive use only on a minimum of 100 contiguous acres.

a. Permitted density.

[Amended 9-14-2009 by Ord. No. 2009-03]

The maximum allowable residential density calculated with reference to the portion of the tract to be developed exclusively for residential uses shall be four dwelling units per acre, provided that a maximum density of 4.15 dwelling units per acre shall be permitted if the dwelling units in excess of 4.0 dwelling units per acre consist entirely of units designed and intended for occupancy by senior citizens pursuant to a program of housing subsi-dization under the auspices of an agency of the county, commonwealth, or United States government. In no event shall the net residential density of any specific use area and calculated with reference to that area exceed the following:

Dwelling Unit Type		Maximum Permitted Net Density
(1)	Single-family detached	4 dwelling units per acre
(2)	Single-family semidetached	6 dwelling units per acre
(3)	Single-family attached (townhouse or quadraplex)	8 dwelling units per acre
(4)	Apartments, low rise apartments and multifamily dwellings	12 dwelling units per acre
(5)	Single-family garden lot development	5 dwelling units per acre
(6)	Attached garden lots	8 dwelling units per acre

Category	R-1 Zoning District
Purpose	to support the preservation of critical natural resources, such as streams, floodplains, wet soils, variable groundwater yield areas, and conditionally suitable for on-lot sewage disposal systems; to encourage continued agricultural, open space and conservation uses; to provide for continued low density residential development that is compatible with established use patterns; and to encourage and promote phased development throughout the Township by permitting low density residential uses in the R-1 District until other areas of the Township more accessible to adequate services and transportation are fully developed in medium and high density residential uses. The R-1 District establishes maximum density standards which provide for low density residential uses and promote the conservation of surface water and groundwater supplies, soils for on-lot sewage disposal systems, and the control of soil erosion and flooding.
By-Right	A. Single-family detached dwelling and group home. B. Agriculture
Conditional Use	(1) Nursery, excluding retail sales and landscaping business, provided that they are situated no less than 100 feet from an adjoining property line or public right-of-way. (2) Educational or religious use. (3) Recreation uses, provided that no commercial activity or use such as amusement park, driving ranges, pitch and putt or miniature golf course, or similar use customarily carried on as a business, shall be permitted (see § 200-68). (4) Bed-and-breakfast [see § 200-62B(5)]. (5) (Reserved) (6) 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.
Accessory Use	(1) Customary residential accessory uses. (2) Customary agricultural accessory uses. (3) Private swimming pools
Special Exception	(1) Municipal or public uses; governmental or public utility building or uses. (2) Cemetery. (3) Kennels. (4) Home occupations
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

Category	R-2 Zoning District
Purpose	to provide for low to moderate density residential development in areas of the Township which are not generally characterized by steep slopes or floodplains, but which nevertheless contain soils conditional for on-lot sewage disposal systems and variable groundwater yields; to encourage continued agricultural, open space and conservation uses in the R-2 District while also permitting low to moderate density residential development compatible with established use patterns; and to encourage and promote phased development throughout the Township by permitting low to moderate density residential uses in the R-2 District until other areas of the Township more accessible to adequate services and transportation are fully developed in medium and high density residential uses. The R-2 District establishes maximum density standards which provide the conservation of surface water and groundwater supplies, soils for on-lot sewage disposal systems, and the control of soil erosion and flooding.
By-Right	Any use permitted by right in the R-1 District.
Conditional Use	(1) Educational or religious use. (2) Cemetery. (3) 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.
Accessory Use	Any accessory use permitted in the R-1 District.
Special Exception	None
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

Category	R-3 Zoning District
Purpose	to encourage medium to high density residential development which is compatible with established use patterns; located in areas of the Township which contain environmental features generally suitable for such development; and accessible to transportation systems and community facilities appropriate for such development. The R-3 District is designed: (1) To provide a transition between areas of low and high density residential; and (2) To supply additional flexibility and opportunity for accommodating multifamily units at a lower density than permitted in other zoning districts of the Township.
By-Right	In addition to those uses permitted by right in the R-1 District, the following uses shall be permitted: (1) Single-family semidetached dwelling (twin). (2) Two-family detached dwelling (duplex).
Conditional Use	(1) Multifamily dwellings. (2) Mobile home park. (3) Nursing or convalescent home (see § 200-66). (4) Cemetery. (5) Municipal or public uses; governmental or public utility building or use. (6) 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.
Accessory Use	Any accessory use permitted in the R-1 District.
Special Exception	None
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

Category	R-4 Zoning District
Purpose	to provide the opportunity for high density residential development to occur in areas which are compatible with established use patterns; located in areas of the Township which contain environmental features generally suitable for such development; and accessible to transportation systems and community facilities appropriate for such development. The R-4 District is designed to provide the opportunity for accommodating multifamily units at a density consistent with the character of the Township.
By-Right	Any use permitted by right in the R-3 District.
Conditional Use	(1) Multifamily dwellings. (2) 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.
Accessory Use	Any accessory use permitted in the R-1 District.
Special Exception	
Other	Adaptive reuse for historic preservation where indicated as a use by right in accordance with § 200-72.1.

UPPER UWCHLAN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA

ORDINANCE _____

AN ORDINANCE OF THE TOWNSHIP OF UPPER UWCHLAN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 200 OF THE UPPER UWCHLAN TOWNSHIP CODE TITLED "ZONING" TO AMEND CERTAIN SIGN REGULATIONS; SPECIFICALLY SECTIONS 200-94.B, 200-94.I, 200-94.O, 200-95.F, 200-95.K, 200-96, 200-98(C)(3), 200-98(C)(4), 200-98(D)(3); TO DELETE SECTIONS 200-62.B(2), 200-94.E, 200-94.F, 200-94.G, 200-94.W AND 200-94.X; AND TO ADD A NEW SECTION 200-72.3 TITLED "COMMERCIAL MOTOR VEHICLE RESTRICTION."

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Upper Uwchlan Township that Chapter 200 of the Upper Uwchlan Township Code, titled "Zoning", shall be amended as follows:

SECTION 1. Section 200-94, titled, "Regulations applicable to all signs", subparagraph B shall be amended as follows:

"B. No sign shall be erected or maintained within the lines of, or project over, any public street or public sidewalk, or shall be closer to a street or sidewalk surface than 10 5 feet, ~~except for real estate signs which may be set closer than 10 for proper view from the street line; unless said sign is a street sign or, attached flatly to a building, and/or is specifically authorized by this chapter and other ordinances and regulations of Upper Uwchlan Township, especially § 200-98E of this article, or is authorized as a special exception by the Zoning Hearing Board.~~

SECTION 2. Section 200-94, titled, "Regulations applicable to all signs", subparagraph E shall be deleted and the section number reserved.

~~[A sign shall be considered unsafe upon lapse of any insurance as may be required by § 200-99D of this article; the owner of such unsafe sign shall remove the unsafe sign within 90 days unless acceptable evidence of insurance renewal is provided to the Zoning Officer.]~~

SECTION 3. Section 200-94, titled, "Regulations applicable to all signs", subparagraph F shall be deleted.

~~[No commercial building in any residential district including multiple family dwellings and apartments shall have signage that is internally illuminated, or externally illuminated by such means as neon, strip, floodlighting or spot lighting.]~~

SECTION 4. Section 200-94, titled, "Regulations applicable to all signs", subparagraph G shall be deleted.

~~[Freestanding signs (pole or monument) shall be prohibited within 400 feet of a public park of three acres or more in area and such other parks as the Township Supervisors may designate.]~~

SECTION 5. Section 200-94, titled, "Regulations applicable to all signs", subparagraph I shall be revised as follows:

"I. Signs on vehicles denoting a business-related activity are business signs. Vehicles containing a business sign and parked in a residential district shall be permitted provided the vehicle is owned by a resident of the property and is parked on the driveway or within a garage. This prohibition shall not apply concealed (e.g., garaged) from public view except where the vehicle owner is actually engaged in authorized repairs or construction at the at location where the vehicle is parked.

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SECTION 6. Section 200-94, titled, "Regulations applicable to all signs", subparagraph O shall be revised as follows:

~~"O. If a use ceases or is abandoned, as prescribed in § 200-102D and E, respectively, signs advertising the ceased use shall be removed by the owner of the property within y two weeks. Any sign which no longer advertises an existing use conducted on the premises shall be removed by the owner of the property within 30 days. The Zoning Officer, upon determining that a use has ceased while a sign remains, shall notify the owner of the premises, in writing, to remove said sign within 30 days from the date of such notice. Upon failure to comply with such notice within the prescribed period, the Zoning Officer may remove or cause the removal of such sign and collect the cost of such removal, together with any penalties, from the owner in a manner provided by law."~~

SECTION 7. Section 200-94, titled, "Regulations applicable to all signs", subparagraph W shall be deleted.

~~[At no time shall the Township permit the erection of an outdoor advertising billboard, other than as allowed by § 200-98I of this article.]~~

SECTION 8. Section 200-94, titled, "Regulations applicable to all signs", subparagraph X shall be deleted.

~~[The Township reserves the right to require sign landscaping, as part of a sign permit required pursuant to § 200-99.]~~

SECTION 9. Section 200-95, titled, "Exempt signs", subparagraph F shall be revised as follows:

"F. Permanent window signs shall not be included in the computation of total permitted sign area and shall not require a sign permit. The total area of all window signs, including both temporary and permanent window signs, shall be limited to 25% of the glass area and shall

not obscure views from the outside to the interior of the commercial use. ~~Window signs indicating the store hours or names of credit institutions or other businesses, provided that the total area of such signs or signs does not exceed two square feet.~~

SECTION 10. Section 200-95, titled, "Exempt signs", subparagraph K shall be revised as follows:

"K. The following temporary signs:

(1) One temporary sign per 1/4 acre of net lot area of property may be located on the owner's property for a period of 30 days prior to an election involving a voter referendum or candidates for a federal, state or local office that represents the district in which the property is located. Such signs shall not exceed **15** square feet.

(2) One temporary sign may be located on a property that is being offered for sale for a period of 7 days following the date on which the settlement occurs. Such signs shall not exceed **15** square feet.

(3) A temporary sign of contractors or artisans, erected and maintained on the premises during the period of their work or as established by any applicable building permit. Such signs shall not exceed 15 square feet.

(4) Temporary signs announcing special events or the temporary lawful sale of products, goods and/or services such as the sale of Christmas trees. Such signs shall not exceed **15** square feet.

(5) Temporary signs advertising a community special event. Where such signs are in the form of banners proposed for suspension across public roads, the following standards shall apply in addition to the above standards:

[a] The sign shall not exceed three feet high by 30 feet wide and the bottom edge of the sign shall be at least 15 feet above the road surface.

[b] The Township shall be notified prior to the erection of such signs.

[c] When the proposed banner spans a state road, the applicant shall also comply with the Pennsylvania Department of Transportation's (PennDOT) procedural requirements for the placement of signs or banners across state highways. Evidence of such compliance shall be supplied to the Township prior to the erection of the sign."

SECTION 12. Section 200-96, titled, "Temporary sign regulations", shall be retitled "Portable signs" and shall be revised as follows:

§ 200-96. Portable signs. A limit of one portable sign per commercial use shall be permitted and may be placed within the sidewalk, so long as each portable sign shall not exceed nine square feet, and a minimum clear walking width of four feet shall be maintained on the sidewalk. Portable signs shall be constructed of weather-resistant materials, such as wood,

plastic or metal. No portable sign shall create hazardous conditions to motorists, bicyclists, or pedestrians. No portable sign may contain lights of any kind. Portable signs must be sufficiently weighted or constructed to keep the sign in the approved location. All portable signs shall be taken indoors at the close of each business day. The area of portable signs shall not be included in the computation of total permitted sign area."

SECTION 13. Section 200-98, titled, "Signs in commercial, limited industrial and planned industrial/office districts", subparagraph C(3) shall be revised by deleting subparagraph (c).

[Freestanding signs may be located no closer to a side or rear property boundary line or street right-of-way than the greatest of:

(a) Fifteen feet.

(b) A distance equivalent to the height of the sign.

(c) ~~The minimum side or rear yard required for the permitted use being identified.~~]

SECTION 14. Section 200-98, titled, "Signs in commercial, limited industrial and planned industrial/office districts", subparagraph C(4) shall be revised as follows:

"C(4). No freestanding sign shall exceed 12 feet in height when measured from the ground level to the top of the sign. The sign shall have a ~~minimum vertical clearance of nine feet over~~ any area where ~~pedestrians~~ walk ~~and 13 feet over~~ areas where vehicles drive. ~~minimum distance of eight feet measured from ground level to the bottom of the sign.~~

SECTION 15. Section 200-98, titled, "Signs in commercial, limited industrial and planned industrial/office districts", subparagraph D(3) shall be revised to delete subparagraph (b) so that the section now reads:

"D(3). The maximum display area of a sign mounted on any wall of a building or structure shall not exceed one square foot for each linear foot of building frontage on which the sign is mounted, provided that the total display area of such sign shall not exceed 10% of the total area of the wall on which the sign is mounted."

[The maximum display area of a sign mounted on any wall of a building or structure shall not exceed one square foot for each linear foot of building frontage on which the sign is mounted, provided that:

(a) The total display area of such sign shall not exceed 10% of the total area of the wall on which the sign is mounted.

(b) ~~The total display area of all signs mounted on the sides and/or rear of a structure shall not exceed the area of the sign mounted on the front wall.~~]

SECTION 16. Section 200-62.B(2) shall be deleted and the section number reserved.

SECTION 17. A new Section 200-72.3, titled, "Commercial motor vehicle restriction" shall be adopted and provide as follows:

§200-72.3. Commercial motor vehicle restriction. It shall be unlawful to park any commercial vehicle, whether operated under its own power or not, on any street or highway in the Township, other than temporarily, for the limited purpose of loading from, unloading to,

or providing service directly for a particular property in the Township. For purposes of this regulation, "commercial vehicle" shall include any vehicle with more than two axles and/or the following types of vehicles: those defined by the Pennsylvania Vehicle Code as "commercial motor vehicle", "construction truck," "farm equipment," "farm vehicle," "mass transit vehicle," "modular housing undercarriage," "motor carrier vehicle," "special mobile equipment," or "truck tractor;" any motor vehicle towing a trailer or another vehicle or with a trailer or other vehicle attached to it for towing; and an unattached trailer. This section shall not apply to a small truck or van with no more than two axles parked at the residence or place of business of the driver, provided it is otherwise in compliance with all other applicable parking, traffic and zoning regulations, except that trailers of any kind may not be parked on the street unattached to a motorized vehicle."

Commented [KC1]: This could also go in Vehicle Chapter and not zoning?

SECTION 18. 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 19. 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 20. Effective Date. This Ordinance shall become effective five (5) days following the enactment as by law provided.

ENACTED AND ORDAINED this ____ day of _____, 2024.

ATTEST:

UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS

Gwen A. Jonik, Secretary

Jennifer F. Baxter, Chair

Andrew P. Durkin, Vice-Chair

Sandra M. D'Amico, Member

The Township may remove or cause to be removed any signs which are deemed unsafe, unlawful or abandoned at the expense of the owner or lessee if the owner or lessee of the premises where the sign is erected has not complied with the

terms of said notice within 30 days of the date of the notice. However, in the event of immediate danger, the Township may remove said sign immediately upon the issuance of said notice to the owner, person or firm maintaining said sign.

Signs deemed by the Zoning Officer to be illegal or without permit shall be removed within three days of written notification by the Zoning Officer, except for signs deemed to be in violation of Article V of Chapter 276, which signs may be removed immediately and without notice. Any reoccurrence of a similar infraction on the premises by the owner or lessee shall be in violation of this article and shall be punishable as per § 325-119.

Exempt political signs and add the following:

"Political signs, provided they are on private property and are not more than 16 square feet. Political signs shall be permitted within 30 days prior to any municipal, county, state or national election or referendum and shall be removed within three days after the election or referendum."

Temporary business signs permitted in commercial dts.

B. Grand opening signs are permitted, provided that:

(1) Such signs are removed within 30 days of the initial opening of the business or a change in the ownership of the premises on which the sign is located.

(2) Grand opening signs may be wall signs, freestanding signs or banners.

(3) Grand opening signs shall not exceed the total sign area permitted on the premises for permanent signs. Such signs shall be permitted in addition to any permanent signage allowed. For the purposes of this subsection, the total sign area of banners shall not exceed that permitted for wall signs.

C. Special sale signs are permitted, provided that:

(1)

Such signs are permitted for two thirty-day periods within a calendar year.

(2) Special sale signs may be wall signs or banners.

(3) Special sale signs shall not exceed the total sign area permitted on the premises for permanent signs. Such signs shall be permitted in addition to any permanent signage allowed. For the purposes of this subsection, the total sign area of banners shall not exceed that permitted for wall signs.

A-Frame Sidewalk (Temporary) Sign

Description

A type of freestanding, portable sign consisting of two faces connected and hinged at the top and whose message is targeted to pedestrians (also known as a "sandwich board" sign).

<u>Height</u>	<u>Number (maximum)</u>	<u>Sign Area (maximum)</u>	<u>Copy Height (maximum)</u>
<u>3.5 feet minimum</u>	<u>1 per ground floor tenant</u>	<u>8.75 square feet</u>	<u>n/a</u>

Regulations

- (1) May be located in the public right-of-way and shall be no closer than three feet from the curb and shall maintain a minimum clear pedestrian pathway of four feet.
- (2) May only be displayed during business hours.
- (3) Shall be weighted, temporarily secured, or placed so as to avoid being carried away by high winds. A-frame signs must be taken in during inclement weather.
- (4) Illumination of any A-frame sign is prohibited.

Banner (Temporary)

Description

A sign consisting of cloth, bunting, plastic, paper, or similar nonrigid material attached to a structure, pole, rope, wire, or framing which is anchored on two or more edges or at all four corners. Banners are temporary in nature and do not include flag signs.

<u>Height</u>	<u>Number (maximum)</u>	<u>Sign Area (maximum)</u>	<u>Copy Height (maximum)</u>
10 feet minimum	1 per parcel	25 square feet	18 inches

Regulations

- (1) Shall be spaced a minimum of 20 feet from each other.
- (2) May be erected for a period of time not to exceed 30 cumulative days in a calendar year.
- (3) Limited to two permits per parcel per 12-month period.
- (4) Shall be removed within 14 days of the end of occupancy, unless otherwise specified in this chapter.



UPPER UWCHLAN TOWNSHIP

Planning Commission
December 12, 2024
6:00 p.m. Workshop
7:00 p.m. Meeting
Minutes
Draft

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

Attendees:

Sally Winterton, Chair; Joe Stoyack, Vice-Chair; Chad Adams, David Colajezzi, Jim Dewees, Jessica Wilhide, Taylor Young
Gwen Jonik, Planning Commission Secretary

Invited Guests: Lisa Thomas and Chris Garrity of RGS Associates

Absent: Stephen Fean, Jeff Smith

Sally Winterton called the Workshop to order at 6:00 p.m. There were 3 citizens in attendance.

Ordinance review – landscaping, screening

Lisa Thomas and Chris Garrity of RGS Associates were invited to attend the Workshop to assist with the review and discussion of the landscaping, buffering, screening regulations. Sally Winterton expressed concerns with trees alongside roadways, whether dead (ash) or not. Recent windstorms have toppled trees, some damaging structures and vehicles, and one incident took a life this last week. The Township shouldn't plant or require trees to be planted along roads, sidewalks or near power lines. While trees in the right-of-way or along roads are typically the property owner's responsibility, PECO has responsibility vertically above their lines. The Township could advise landowners of their responsibility, puts the onus on them, if the tree could fall in the right-of-way or on the road. Choose an appropriate tree for a streetscape, for aesthetics and beauty.

We asked RGS to assist us with the number and types of plantings for our requirements. Neal Fisher noted that in some of the older developments, the trees that were planted 40 years ago are too big now; taking 1 tree down, how many are needed to replace it? Most scenarios, you can't physically accommodate what's required, or they're too close and need to be thinned. In the Planned Industrial / Office zoning district, Hankin has planted fewer trees but of larger calipers.

Discussion continued and included:

- older growth trees are usually junk, not specimen trees, that are a mess as they age;
- we don't need to plant buffers between buildings within the same zoning district, but between different zones, yes.
- older trees also block the view of buildings from the street
- our ordinances don't allow for the growth of the tree/shrub – we have to be aware of that
- for commercial streetscapes, keep in mind a tree well and a 6' sidewalk, but maintain visibility so shoppes can succeed.
- Perhaps each zoning district needs its own regulations.
- Is there software that shows 3D views Plans so one could see how the landscaping truly looks?
- They use 3D for presentations but not as a requirement by a Municipality.
- Perhaps change our ordinance to requires less trees but 'good' specimen trees.

- Perhaps leave our regulations as is and continue to consider waiver requests; usually the result is a reasonable agreement.
- We want to keep streetscapes fairly consistent.
- Let's start with plant types – trees, shrubs, grasses, etc; and quantities.
- Native vs. non-native; invasive plant list.
- Add allowing 'alternative' landscaping that benefits the property and streetscape?

The Commission members are to provide input of properties they like -- with adequate, attractive landscaping -- or those that are overcrowded, not pleasing to the eye, or interfere with sight distance. Provide those thoughts to Gwen to be forwarded to Chris at RGS.

Gwen is to ask our Solicitor about a fee in lieu of plantings, or planting elsewhere in the Township, and also check the Village Transportation Plan to see if streetscapes were included.

Lisa and Chris will think through the points discussed this evening before returning to a Workshop. If there are projects the Commission finds successful, send them to Gwen to forward to Lisa/Chris.

We might continue ordinance discussion during the meeting this evening or wait until the January 9, 2025 Workshop. The consensus was to wait until January 9. Sally adjourned the Workshop at 7:06 p.m.

7:00 p.m. Meeting

Sally Winterton called the Meeting to order at 7:10 p.m.

Windsor Baptist Church ~ Parsonage Demolition Request

Pastor O'Toole, Ric Bassler, and Tom Borders attended the Meeting.

The Church would like to demolish the parsonage, cinder block garage, and another small outbuilding on the corner of Park Road and Little Conestoga Road. They want to install the trail, improve the streetscape and view of the corner, and build an attractive stone wall that looks similar to the "Village of Eagle" stone wall at Park and Route 100. The parsonage has not been used for the Pastor in over 30 years, had basic repairs completed, has been used for storage for quite some time, but in preparation for the demolition, had been cleared out. There are no plans to use it. The original parsonage is the Joneses' house across Little Conestoga Road from the Church building.

The Historical Commission, at their December 3 meeting, requested the Church provide cost estimates to repair / renovate the building, and not demolish it.

When asked if there were any items of historic significance in the house, the Pastor noted that the Historical and Planning Commission members could walk through the house and take whatever items they'd like for the archives.

He said not needing the parsonage and installing the trail were the reasons for submitting the demolition permit application. They want to connect with the community (trail) and many activities go on behind the structure but the view is blocked. There's a mini-garden back there. They would slowly grade back to the usable open space. They are not thinking of expanding the parking at this time. They want to extend the sidewalk / trail along Little Conestoga Road to their parking lot. They want the view of the Church to be enhanced. There are 250 students enrolled in the K-8 school.

Further discussion included the condition of the parsonage. There is a basement only under the front section; the stone foundation is only 27' from the curb; a much taller (6') retaining wall would

be needed if it is to stay in place and the foundation might not be stable; there are 2-3 bedrooms upstairs and 1 is walked through to get to the stairs; is it historically significant; it's in poor condition.

The Commission requested a rendering or site Plan of what they'll plan for the corner should demolition be approved. The Church could work with the Historical Commission to memorialize the structure, perhaps install a plaque.

According to the approved land development plan for the school building addition, the Church has until 2025 to install the trail.

The Pastor was requested to read the Historical Commission's (HC) recommendations, which he did. The HC asked the Church to provide estimates to renovate the building. Discussion included if it'd be for public use, and elevator would be needed which would take up a lot of usable space and be costly. To adaptively reuse the building for an office, it might require a sprinkler system and a 2nd floor egress.

Joe Stoyack moved, seconded by Chad Adams, to recommend approval of the demolition permit with the following 3 conditions: that prior to issuing the permit, the Church will provide to the Planning Commission the site plan / renderings of their Plan for the corner, the Historical and Planning Commissions can walk through the building for possible artifacts, and afterward, the Church will memorialize the history of the building with a plaque. The vote is tabled until the January 9 meeting.

The Church will provide the rendering prior to the Historical Commission's January 7 meeting and the Planning Commission's January 9 meeting.

Sally Winterton advised there has been dangerous cross traffic from Ticonderoga Boulevard into the Church's Park Road access, cars and school buses. She reminded those present that the Church is to adjust their Park Road access to be directly across from Ticonderoga Boulevard when any new land development activity occurs.

Meeting Updates:

Environmental Advisory Council (EAC). No report.

Historical Commission (HC). Sally Winterton applauded the HC regarding their excellent lecture series, the latest of which was author Catherine Quillman's presentation of the history of Milford Mills and the Village of Eagle. Jim Dewees showed a very old greeting card to his grandparents mailed to "Uwchland, PA" -- no street address, house number, or zip code.

Sally Winterton advised there have been a couple meetings with the Board of Supervisors regarding the Village Concept Plan and Comprehensive Plan and the Board's concerns with the Historic Resource Protection Plan. The Board doesn't favor an historic overlay but instead add preservation language in each zoning district.

Joe Stoyack will review the C1-C3 zoning district ordinance edits and thinks the Village Design Guidelines and Village Concept Plan items should be incorporated into this amendment.

Approval of Minutes

Chad Adams moved, seconded by David Colajezzi, to approve the minutes of the October 10, 2024 Planning Commission meeting as presented. The motion carried unanimously.

Sally Winterton announced the next meeting is scheduled for January 9, 2025.

Open Session

Sally Winterton, Chad Adams and Jeff Smith's terms expire December 31, 2024. All have requested reappointment.

Sally noted that attendance at meetings needs to be more than 50%. Members need to be conscious of that. This Commission's recommendations have long-term effects on the community. She thanked those present for their attendance.

Gerry Stein commented that Downingtown School District is selling Lionville Station Farm to a developer, Rockwell, who will need zoning relief, and is promising \$15M natatorium.

Gwen Jonik advised a Zoning Hearing is scheduled for December 30 for a business to convert a 2nd floor office into 1 apartment; the Township is purchasing parcels for open space at 640 Little Conestoga Road and 511 Byers Road.

Adjournment

Joe Stoyack moved, seconded by Jim Dewees, to adjourn at 8:42 p.m. All were in favor.

Respectfully submitted,

Gwen A. Jonik
Planning Commission Secretary