



UPPER UWCHLAN TOWNSHIP
PLANNING COMMISSION
AGENDA

February 13, 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
Discuss draft C-1, C-3 amendments, draft amendment regarding fee in lieu of tree replacement, and sign ordinance amendments.
- II. 7:00 PM Meeting Call to Order
- III. Windsor Baptist Church ~ Parsonage Demolition Permit Application
Review the request, the Historical Commission's recommendation and
Make a recommendation to the Board of Supervisors.
- IV. Ordinance amendments
Consider making recommendations to the Board of Supervisors
- V. Meeting Updates ~ Reports
 - A. Environmental Advisory Council (EAC)
 - B. Historical Commission (HC)
 - C. Planned Industrial / Office Zoning District Uses ad hoc committee
- VI. Approval of Minutes: January 9, 2025 Meeting minutes
- VII. Next Meeting Date: March 13, 2025 7:00 p.m.
- VIII. Open Session
- IX. Adjournment



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MEMORANDUM

To:	Upper Uwchlan Township Board of Supervisors and Planning Commission
cc:	Tony Scheivert Gwen Jonick Dave Leh Anthony Campbell
From:	Kristin S. Camp
Date:	January 16, 2025
Subject:	Explanation of Proposed Zoning Ordinance Amendment for C-1 and C-3 Districts

I was asked to prepare an amendment to various regulations for the C-1 and C-3 Districts to eliminate the power of the Board of Supervisors to make modifications to various area and bulk standards and design regulations by conditional use. I was concerned that these provisions were not consistent with the Municipalities Planning Code which vests with the Zoning Hearing Board, not the Board of Supervisors, the power to grant variances. I understand the Planning Commission reviewed this amendment at the last meeting but did not make a recommendation to the Board. I suggested to Tony that it may be helpful for the Board and Planning Commission to review this Memo to understand the rationale for the ordinance. I have enclosed a redline version of the sections that have been amended and a clean version.

Section 1. Amends §200-33 by removing the Board's power to grant a modification from the design standards in §200-36 by conditional use.

Section 2. Amends §200-34 by removing the Board's power to grant a modification from the design standards in §200-36 by conditional use. Also removes the language which allows the Board to approve a structure taller than 35 feet in the C-1 District by conditional use. Removes the language which allows the Board to approve a building with a floor area greater than 6,000 square feet in the C-1 District by conditional use.

Section 3. Amends §200-35 to require a minimum lot size of 1 acre for lots with on-lot sewer in the C-1 District.

Section 4. Amends §200-36 to remove the Board's power to grant a modification from the design standards in §200-36.

Section 5. Amends §200-36 to remove the Board's power to modify the architectural design standards for buildings in the C-1 by conditional use.

Section 6. Amends §200-39.B to remove the Board's power to require compliance with the design standards in §200-36 for conditional uses in the C-3 District.

Section 7. Amends §200-40 to remove the Board's power to modify applicable area and bulk requirements for the C-3 District by conditional use.

Section 8. Amends §200-40 to require a minimum lot size of 1 acre for lots with on-lot sewer in the C-3 District.

Please let me know if anyone requires further clarification on the purpose of the Ordinance.

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) 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.
 - (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.
 - (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.

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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:

- (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.
- (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).

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(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 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 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.

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D. Streetscape design. Streetscape landscaping and pedestrian amenities shall be provided as necessary to meet overall village planning 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 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.

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- (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.
- (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.

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- (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.

§ 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.~~
- (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.~~

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- (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.

- 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.
 - (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.

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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
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" SECTION 200-33.B TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO MODIFY THE DESIGN STANDARDS IN SECTION 200-36 BY CONDITIONAL USE; SECTION 200-34.A TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO MODIFY THE AREA AND BULK STANDARDS FOR THE C-1 VILLAGE DISTRICT BY CONDITIONAL USE; SECTION 200-34.F TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO MODIFY THE HEIGHT LIMIT BY CONDITIONAL USE IN THE C-1 VILLAGE DISTRICT; SECTION 200-34.H TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO APPROVE AN INCREASED BUILDING SIZE BY CONDITIONAL USE; SECTION 200-35 TO REQUIRE A MINIMUM LOT AREA OF ONE ACRE FOR LOTS IN THE C-1 VILLAGE DISTRICT THAT USE ON-SITE SEWAGE DISPOSAL SYSTEMS; SECTION 200-36.A(3) TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO MODIFY STANDARDS RELATING TO THE PRESERVATION OF HISTORIC RESOURCES BY CONDITIONAL USE; SECTION 200-36.B TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO APPROVE A BUILDING DESIGN WITH FACADES GREATER THAN 60 FEET IN LENGTH BY CONDITIONAL USE; SECTION 200-39.B TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO REQUIRE COMPLIANCE WITH THE DESIGN STANDARDS IN SECTION 200-36 FOR CONDITIONAL USES IN THE C-3 HIGHWAY COMMERCIAL DISTRICT; SECTION 200-40.A TO DELETE LANGUAGE THAT ALLOWED THE BOARD TO MODIFY THE AREA AND BULK REQUIREMENTS FOR LOTS IN THE C-3 HIGHWAY COMMERCIAL DISTRICT BY CONDITIONAL USE AND SECTION 200-41 TO REQUIRE A MINIMUM LOT AREA OF ONE ACRE FOR LOTS IN THE C-3 HIGHWAY COMMERCIAL DISTRICT THAT USE ON-SITE SEWAGE DISPOSAL SYSTEMS.

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 200-33, titled, “Use Regulations” for the C-1 Village District, shall be amended by amending subparagraph B as follows:

“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.”

SECTION 2. Section 200-34 titled, “Area and bulk regulations” for the C-1 Village District, shall be amended in subparagraphs A, F and H as follows:

“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.

...

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

...

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.”

SECTION 3. Section 200-35 titled, “Sewer and water service” for the C-1 Village District shall be amended by amending subparagraph B as follows:

“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 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. Use of individual on-site sewage disposal systems shall be contingent upon prior approval of both primary and backup disposal systems.”

SECTION 4. Section 200-36 titled, “Design standards” for the C-1 Village District shall be amended by amending subparagraph A(3) as follows:

“A.(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:

- (a) 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.
- (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.
- (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."

SECTION 5. Section 200-36 titled, "Design standards" for the C-1 Village District shall be amended by amending subparagraph B as follows:

"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:
 - (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. 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 fascia, 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.

- (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) 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.”

SECTION 6. Section 200-39 titled, “Use regulations” for the C-3 Highway Commercial District shall be amended by amending subparagraph B as follows:

“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.”

SECTION 7. Section 200-40 titled, “Area and bulk regulations” for the C-3 Highway Commercial District shall be amended by amending subparagraph A as follows:

“A. Applicability. 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.”

SECTION 8. Section 200-40 titled, “Sewer and water service” for the C-3 Highway Commercial District shall be amended by amending subparagraph B as follows:

“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. Use of individual on-site sewage disposal systems shall be contingent upon prior approval of both primary and backup disposal systems.”

SECTION 9. 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 10. 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 11. 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

UPPER UWCHLAN TOWNSHIP

CHESTER COUNTY, PENNSYLVANIA

ORDINANCE _____ - _____

AN ORDINANCE OF THE TOWNSHIP OF UPPER UWCHLAN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 162 OF THE UPPER UWCHLAN TOWNSHIP CODE TITLED "SUBDIVISION AND LAND DEVELOPMENT", SECTION 162-55.B(12) TO ALLOW AN APPLICANT TO PAY A FEE IN LIEU OF TREE REPLACEMENT WHEN APPROVED BY THE BOARD.

NOW THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Upper Uwchlan Township that Chapter 162 of the Upper Uwchlan Township Code, titled "Subdivision and Land Development", shall be amended as follows:

SECTION 1. Section 162-55, titled, "Natural and historic features conservation", shall be amended by amending subparagraph B(12) as follows:

"B.(12). In lieu of actual tree replacement, the Applicant may, with the approval of the Board of Supervisors Township may, at its sole discretion, require the applicant to place the equivalent cash value, as agreed upon by the Board Township and the Applicant, of some or all of the required replacement trees into a special fund established by the Township for the purpose of at purpose. Such funds shall be utilized for the purchasing, e and installing and maintaining ation of trees elsewhere in the Township, at the discretion of the Township, especially if the site in question cannot accommodate the replacement trees required pursuant to this chapter. The fund shall be an interest bearing account clearly identified as reserved for the purposes identified herein. Interest earned on such fund shall become funds of that account. The Township shall have no obligation to refund any portion of the fee paid by the Applicant or to use the funds deposited into the fund in any specified timeframe."

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SECTION 2. 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.

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SECTION 3. 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 4. Effective Date. This Ordinance shall become effective five (5) days following the enactment as by law provided.

ENACTED AND ORDAINED this _____ day of _____, 2025.

ATTEST:

**UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS**

Gwen A. Jonik, Secretary

Andrew P. Durkin, Chair

Sandra M. D'Amico, Vice-Chair

Jennifer F. Baxter, Member

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 Historical Commission

**213 Little Conestoga Road Demolition Permit Application — Final
Recommendations December 3, 2004 and February 4, 2025 Meetings**

From December 3, 2024 and February 4, 2025 Meetings — Prepared by Vivian S. McCardell, Chair Historical Commission

Final Recommendations for December 3, 2024 HC Meeting

Background:

- ▶ Windsor Baptist Church has requested a permit to demolish the historic circa 1875 Windsor Church Parsonage located in the C-1 Village District at the intersection of Park Road and Little Conestoga Road. The related historic circa 1869-1872 Windsor Baptist Church is located nearby on the same tax parcel, but is not part of the demolition request.
- ▶ The historic Windsor Church Parsonage is historic resource #85 on the Township's Historic Resource Inventory and a Class II resource which appears from the road to be in good shape. The historic Windsor Baptist Church is historic resource #84 and also a Class II resource. Both the Parsonage and the Church are historically significant to the Township and the Village of Eagle.
- ▶ Under Section 200-36A(2) of the Township Ordinances, 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 and Historical Commissions and approval requests shall not unreasonably be withheld where applicant demonstrates that renovation or reuse of the structure is not practicable.
- ▶ The Parsonage is an “historic structure” under the third prong of the definition of “historic structure” found in Section 200-7. At this time WBC has not demonstrated that renovation or reuse of the Parsonage is not practicable.
- ▶ We note that in 2020 the Windsor Baptist Church received Conditional Use and Preliminary and Final Land Development Plan approvals to build a large addition to the Church, dependent on various conditions, one of which was providing a 6-ft-wide asphalt path from the property's Park Road access to the intersection of Park Road and Little Conestoga Road (Trail) within five years. If the Trail is not constructed by the deadline, the Township may use escrowed funds to complete the Trail. The historic resource impact statement requirement appears to have been waived for the construction of the addition and would presumably cover building the Trail.
- ▶ We also note that the Trail does not yet appear to have been constructed and the deadline for its construction would fall in next year, 2025.
- ▶ In a September 4, 2020 letter, Windsor Baptist Church requested relief from the Park Road sidewalk improvement decision in the Preliminary Land Development approval, based on various reasons that included the sidewalk was located very near the Parsonage, which has an old foundation, the process of installing a retaining wall for the sidewalk would cut into the earth close to the Parsonage foundation and it was concerned that the retaining wall work might damage the foundation, adding further structural repair costs.

Final Recommendations for December 3, 2024 HC Meeting (con't)

Recommendations to Planning Commission and Township officials, as applicable, regarding the Windsor Baptist Church Demolition Permit Request:

- ▶ The historic circa 1875 Windsor Church Parsonage should not be demolished. The Parsonage is an integral part of the historic Windsor Baptist Church complex and a significant building in the historic Village of Eagle.
- ▶ The demolition of the Parsonage would be a great loss in the Township's effort to preserve the historic nature and character of the Village of Eagle.
- ▶ We recommend that Windsor Baptist Church submit its reason(s) for consideration as to whether the Parsonage's renovation or reuse is impracticable under Section 200-36A(2).
- ▶ We also recommend that the Township reconsider its 2020 Trail requirement and review alternative routes that would preserve the Parsonage.

Final Recommendations from February 4, 2025 HC Meeting

Recommendations to Planning Commission and Township officials, as applicable, regarding the Windsor Baptist Church Demolition Permit Request:

- ▶ The Windsor Baptist Church has submitted a Minimum Total Cost of Itemized Repairs of \$233,800 to renovate or reuse the Parsonage. They assert that this cost makes renovation or reuse of the Parsonage impracticable under Section 200-36A(2).
- ▶ We disagree that this cost makes the renovation or reuse of the Parsonage impracticable under Section 200-36A(2) and recommend that no permit be issued to demolish the Parsonage.

Please note the following additional information:

- “Practicable” is defined in Section 200-7 of the Township ordinances as “Reasonably feasible to perform, technically, physically, and/or economically, as applicable.”
- Grants may be available from the State or County to help offset the cost of rehabilitation and if the Township ultimately decides to issue the demolition permit, options should be explored to move the Parsonage instead.



UPPER UWCHLAN TOWNSHIP

Planning Commission

January 9, 2025

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; Joe Stoyack; Chad Adams, David Colajezzi, Jim Dewees, Steve Fean, Jessica Wilhide, Taylor Young

Gwen Jonik, Planning Commission Secretary

Absent: Jeff Smith

Sally Winterton called the Workshop to order at 6:00 p.m. There were 2 citizens in attendance.

Ordinance review

The Commission reviewed amendments to the C-1 Village Commercial District and C-3 Highway Commercial District zoning ordinances, drafted by Kristin Camp, Esq. Ms. Camp had removed discretionary regulations or clarified text in 200.33.B., 200-34.A., 200-34.F., 200-34.H., several sections of 200-36.A.(3), 200-36.B., 200-39.B., and 200-40.A. Joe Stoyack added references to the Village Design Guidelines and the Village Concept Plan.

Discussion of 200-36.A.(1) and (2) regarding the preservation of historic resources and historic resource demolition permits included the following:

Regarding approval of demolition permits, it is not clear who the "Township" is? The Zoning Officer, the Board of Supervisors?

What happens if the Historical Commission's and the Planning Commission's recommendations regarding demolition don't agree?

What does the term "practicable" mean? Is this strictly financial?

The Planning Commission recommends adding the following text to 200-36.A.(2): "... upon consideration of the recommendations of the Planning Commission and the Historical Commission."

The contiguous area for on-site sewage disposal in the C-1 and C-3 districts was amended from 10,000 SF to 1 acre. One (1) acre is the *County's* minimum requirement.

Gwen Jonik is to query the Municipal Authority Administrator whether all C-1 parcels are on public sewer and whether the C-3 district at the southern boundary will be connected to the Eaglepointe wastewater treatment facility.

Planned Industrial / Office District ordinance amendments are being discussed in subcommittee for the time being.

Parking / shared parking was briefly discussed. While it's a good concept, it doesn't always work. Neal Fisher commented that parking standards from the 1970s are still in use and need to change, they

need to be more flexible. Discussion included: parking in the village should be open, not reserved, and use signage for specific businesses for a short timeframe. Parking ordinances need to be amended, perhaps to reduce the number of spaces required per use; plan the parking, perhaps with stormwater management measures underneath; redevelop unused parking lots; re-assess current parking.

7:00 p.m. Meeting

Sally Winterton called the meeting to order at 7:01 p.m.

Organization for 2025

Gwen Jonik asked for nominations for 2025 Chair. Chad Adams nominated Sally Winterton. Taylor Young seconded. Sally accepted the nomination and was elected Chair with seven (7) in favor and one (1) abstention (Winterton).

Sally Winterton asked for nominations for Vice-Chair 2025. Jim Dewees nominated Joe Stoyack. Jessica Wilhide seconded. Joe accepted the nomination and was elected Vice-Chair with all in favor.

Jim Dewees nominated Gwen Jonik for Secretary 2025. Jessica Wilhide seconded and all were in favor.

Meeting Updates

Environmental Advisory Council (EAC). Jessica Wilhide reported the January meeting was postponed. Historical Commission (HC). David Colajezzi reported they await parsonage rehabilitation cost estimates from Windsor Baptist Church regarding their demolition permit; the quarterly lecture series is going well – they're planning programs for 2025; regarding the historic resource preservation ordinance, it seems Board members do not want a standalone ordinance but rather blend regulations in; and Gerry Stein noted the farmhouse museum openings have been fairly well attended. Planned Industrial/Office District adhoc committee. Joe Stoyack noted that he, Jessica Wilhide, Taylor Young and Neal Fisher met in December to talk about the type of businesses Hankin is trying to attract to Eagleview; how are other townships addressing the change in businesses; discussed possible housing solutions, workforce housing. They'll meet again later this month.

Approval of Minutes

Jim Dewees moved, seconded by Joe Stoyack, to approve as presented the minutes of the December 12, 2024 Planning Commission meeting. The motion carried unanimously.

Sally Winterton announced the next meeting is February 13, 2025 at 7:00 p.m.

Open Session

Following up to Kristin Camp's opinion of proposing a fee in lieu of tree replacement during land development, how can those funds be spent? To plant trees elsewhere in the Township, or to remove dead trees along the roadside or near power lines? Or for general spending? Several members think it would be good to remove dead trees along roadways and power lines. This will be investigated.

Joe Stoyack asked of news about Toll's court case regarding their 100 Greenridge Road project. Gerry Stein noted Toll has appealed the Court's decision.

Adjournment

Jim Dewees moved, seconded by Taylor Young, to adjourn at 7:20 p.m. All were in favor.

Respectfully submitted,
Gwen A. Jonik
Planning Commission Secretary

January 9, 2025 Planning Commission Workshop, Meeting