



UPPER UWCHLAN TOWNSHIP
CHESTER COUNTY, PENNSYLVANIA
ORDINANCE NO. 2022-02

AN ORDINANCE OF UPPER UWCHLAN TOWNSHIP, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 200 OF THE UPPER UWCHLAN TOWNSHIP CODE, AS AMENDED, ENTITLED "ZONING", BY AMENDING THE UPPER UWCHLAN TOWNSHIP ZONING MAP WHICH IS ADOPTED IN SECTION 200-9 TO ELIMINATE THE F-1 AND F-2 FLEXIBLE DEVELOPMENT OVERLAY DISTRICTS; SECTION 200-69.B TO DELETE THE REFERENCE TO FLEXIBLE OPEN SPACE DEVELOPMENT OPTION; TO DELETE SECTION 200-72 TITLED "FLEXIBLE/OPEN SPACE DEVELOPMENT OPTION" AND TO ADOPT A NEW SECTION 200-72 TITLED, "SUBDIVISIONS APPROVED USING THE FLEXIBLE/OPEN SPACE DEVELOPMENT OPTION."

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

SECTION 1. The Zoning Map of Upper Uwchlan Township which is adopted in Section 200-9 shall be amended by removing the F-1 and F-2 Flexible Development Overlay Districts. The revised Zoning Map is attached hereto as Exhibit "A".

SECTION 2. Section 200-69.B shall be amended as follows:

"B. Applicability. The criteria set forth in this section shall apply to any common open space and/or any restricted open space required under applicable provisions of this chapter (i.e., multifamily development, mobile home park development, and planned residential development.) For the purposes of this chapter, common open space shall be considered a subset of restricted open space, as defined in § 200-7."

SECTION 3. Section 200-72 titled "Flexible/open space development option" shall be deleted.

SECTION 4. A new Section 200-72 shall be adopted and provide as follows:

"§ 200-72. Subdivisions Approved Using the Flexible/Open Space Development Option. Subdivisions approved prior to the date of enactment of this amendment using the flexible/open space development option (previously found in repealed §200-72) may

be completed in accordance with the final approved subdivision and land development plan, subject to the provisions in the Pennsylvania Municipalities Planning Code. After issuance of the first occupancy permit for an individual lot in a subdivision designed and approved as a flexible/open space development, future development of an individual lot shall comply with repealed Zoning Ordinance §200-72.D or the requirements of the approved final plan, whichever are more restrictive. Except as expressly set forth in this Section, future development of said individual lots shall comply with all applicable ordinances, statutes, and regulations of the Township and other governmental entities in effect at the time of future development.”

SECTION 5. Severability. If any sentence, clause, section, or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections, or parts hereof. It is hereby declared as the intent of 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 6. Repealer. All ordinances or parts of ordinances conflicting with any provision of this Ordinance are hereby repealed insofar as the same affects this Ordinance.

SECTION 7. Effective Date. This Ordinance shall become effective in five days from the date of adoption.


ENACTED AND ORDAINED this 18th day of July, 2022.

ATTEST:

UPPER UWCHLAN TOWNSHIP
BOARD OF SUPERVISORS


Gwen A. Jonik, Secretary


Sandra M. D'Amico, Chair


Jennifer F. Baxter, Vice-Chair


Andrew P. Durkin, Member



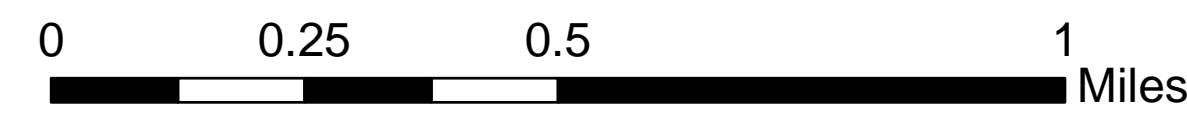
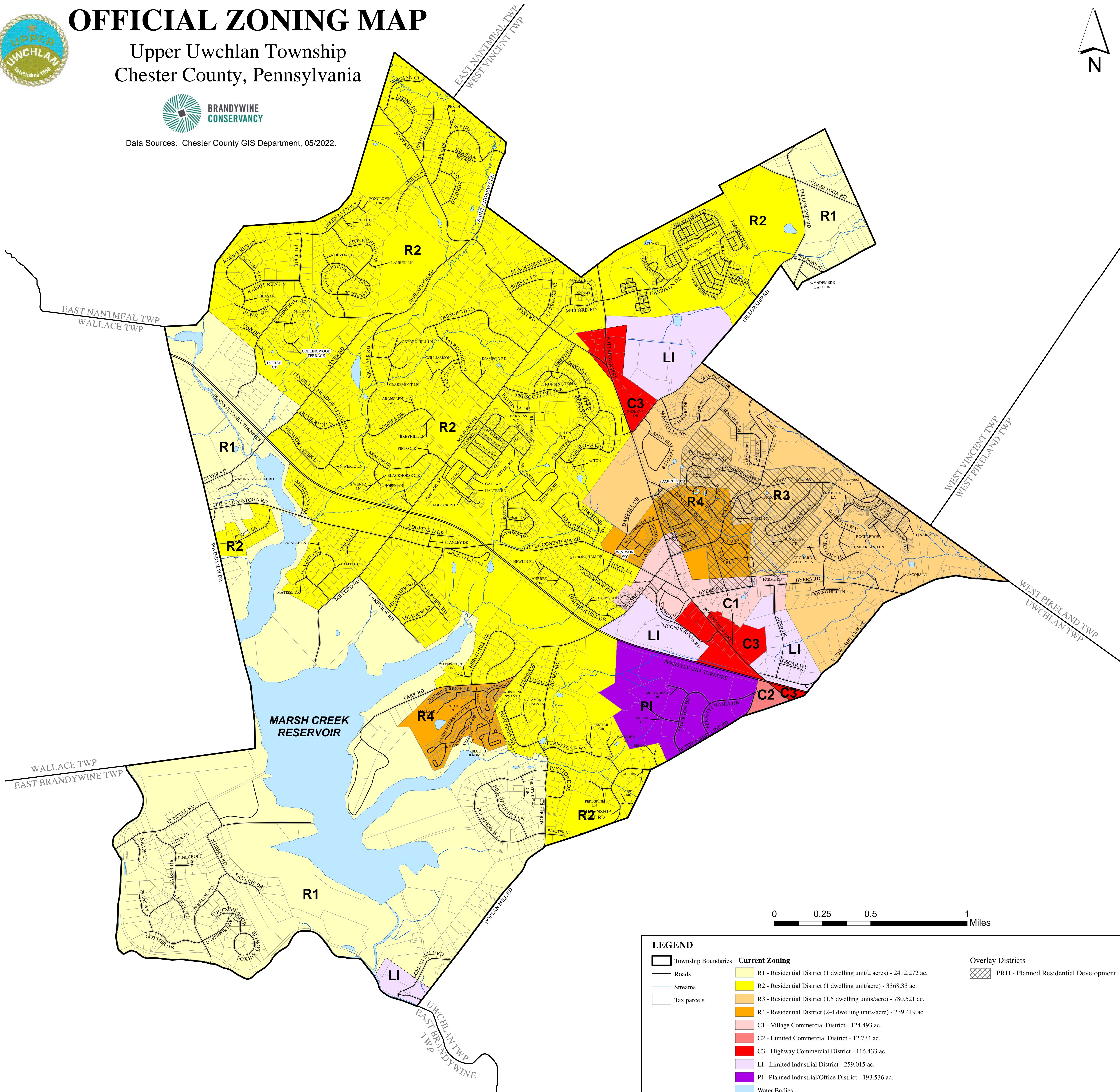
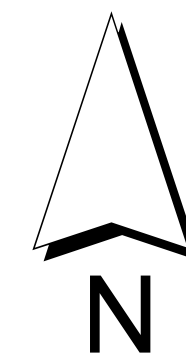


OFFICIAL ZONING MAP

Upper Uwchlan Township
Chester County, Pennsylvania



Data Sources: Chester County GIS Department, 05/2022.



LEGEND

	Township Boundaries		Current Zoning		Overlay Districts
	Roads		R1 - Residential District (1 dwelling unit/2 acres) - 2412.272 ac.		PRD - Planned Residential Development
	Streams		R2 - Residential District (1 dwelling unit/acre) - 3368.33 ac.		
	Tax parcels		R3 - Residential District (1.5 dwelling units/acre) - 780.521 ac.		
			R4 - Residential District (2-4 dwelling units/acre) - 239.419 ac.		
			C1 - Village Commercial District - 124.493 ac.		
			C2 - Limited Commercial District - 12.734 ac.		
			C3 - Highway Commercial District - 116.433 ac.		
			LI - Limited Industrial District - 259.015 ac.		
			PI - Planned Industrial/Office District - 193.536 ac.		
			Water Bodies		