

***New CC-Cultural Campus Zoning District
for Chadds Ford Township, PA***

Chapter 135. Zoning

Article XVII. CC District (Cultural Campus)

§ 135 - 111. Purpose.

In addition to the general goals listed in the Purposes (§ 135-2) and Community Development Objectives (§135-3), the purposes of this Article are:

- A. To provide for the special needs of educational, cultural, environmental, and institutional uses with extensive and variable facilities and public access requirements;
- B. To preserve, in addition, the character of substantial Green Areas associated with or under Common Ownership with such uses; and
- C. To promote the sensitive development of such uses within and adjacent to the Chadds Ford Village Historic District and the Baltimore Pike Overlay (BPO District) in a manner that is consistent with the Comprehensive Plan for Chadds Ford Township and other relevant planning efforts, and which promotes preservation of the scenic, historical, architectural, cultural, and artistic heritage of the Township.

§ 135 – 112. Intent.

The CC District is intended to apply to large tracts, or smaller contiguous parcels under Common Ownership or common control (see § 135-116).

§ 135 - 113. Permitted uses.

Except as set forth in §135-113.D below for National Historic Landmark properties, a Building or group of Buildings may be erected, altered, or used and a Lot or Premises may be used for any of the following purposes or combinations thereof, and no other:

A. Uses by Right

- (1) Cultural Facilities, such as museums, art galleries, libraries, community centers and related educational and office facilities.
- (2) Environmental and conservation offices.
- (3) Public Garden.
- (4) Woodland, preserve, or other conservation purpose.

(5) Agriculture or Agricultural Operation.

(6) Forestry.

(7) Municipal use.

(8) Temporary event parking.

B. Conditional Uses.

Any of the following uses, separately or in combination thereof with other uses authorized by § 135-113, shall be permitted as a Conditional Use when authorized by the Board of Supervisors, subject to the standards and procedures set forth herein and in Article XXVI.

(1) Auditoriums, Concert Halls and Performing Arts Centers.

(2) Single-Family Detached Dwellings in Structures formerly used as a residence.

(2) Bed-and-Breakfast Inns, subject to the standards of Article XXVI.

(3) Public Markets.

(4) Banquet and/or conference facilities.

(5) Commercial retail or Professional Office establishments, wholly contained within a Building not greater than 5,000 square feet in gross floor area. Drive-through services and outdoor storage, sales, or display shall be prohibited.

(6) Restaurants, cafeterias, and outdoor cafes. Drive-through services shall be prohibited.

C. Accessory Uses

Accessory Uses shall be permitted as follows:

(1) Buildings, Uses or Structures of a nature customarily incidental and subordinate to any permitted principal use or Structure.

(2) Dwelling Units accessory to a permitted educational institution, Cultural Facility, environmental or conservation center, Public Garden, or an Agricultural Operation, where approved as a Conditional Use subject to the following:

(a) All individuals living in such Dwelling Units must be employees, academic interns, or students of the principal Use, or temporary guests, such as scholars or artists in residence.

(b) Facilities for the lodging of overnight visitors or guests for compensation, such as a Hotel or Motel, shall be prohibited in the CC District.

- (3) Facilities for tours associated with visitation of Cultural Facilities or Public Garden uses, including provisions for vehicular accessibility.
- (4) Restaurants, cafeterias, and outdoor cafes may be established as accessory uses to educational institutions, Cultural Facilities, or Public Garden uses, subject to Conditional Use approval. Drive-through services shall be prohibited.
- (5) A gift shop may be established as an accessory use to a Cultural Facility, Public Garden, or environmental or conservation offices.
- (6) Event, banquet, and/or conference space may be established as an accessory use to an educational institution, Cultural Facility or Public Garden. Outdoor events for greater than 225 persons shall require permitting in compliance with Chapter 102, Special Events.
- (7) Non-commercial garages and parking areas accessory to permitted principal and accessory uses on Lots under Common Ownership with the uses to which they are accessory.
- (8) Municipal Use, including parking available for municipal purposes.

D. Special Use Provisions for National Historic Landmark Properties:

- (1) Except in Structures existing at the time of adoption of this section, no permitted use shall occupy more than 3,000 square feet of indoor space.
- (2) Principal Conditional Uses, as provided in §135-113.B above, shall not be permitted on National Historic Landmark properties.
- (3) All uses permitted on National Historic Landmark properties shall be designed to complement the historical integrity of the Landmark.

§ 135-114. Area and bulk regulations.

- A. Area and bulk regulations. The following area and bulk requirements shall apply to all uses permitted by § 135-113 except existing non-conforming uses and Single-Family Detached Dwellings established in former residential Structures. Existing non-conforming uses and Single-Family Detached Dwellings established in former residential Structures shall be consistent with the area and bulk requirements in place prior to becoming non-conforming with the adoption of this section. Where a project consists of Lots in Common Ownership or under common control, the provisions of this section may be applied as if those Lots were a single Lot and without regard to Lot Lines separating them.

CC • General Requirements	
Standard	Size / Parameter

	Permitted Uses	Conditional Uses or Conditional Approval	Permitted Uses on Less than Two Acres Prior to the Effective Date of this article
(1) Lot Area	Two (2) Acres minimum, for every principal Building erected or used for any Principal Permitted Use.	Two (2) Acres minimum, for every principal Building erected or used for any Principal Permitted Use.	n/a
(2) Gross Floor Area (no requirement unless noted)	n/a	Commercial retail stores or Professional Offices, wholly contained within a Building not greater than 5,000 square feet . Residential dwellings including accessory dwelling units not less than 750 square feet .	n/a
(3) Lot Width	200 feet , minimum at the Building Line.	200 feet , minimum at the Building Line.	85 feet , minimum at the Building Line.
	100 feet , minimum at the Street Line.	100 feet , minimum at the Street Line.	50 feet , minimum at the Street Line.
(4) Front Yard and Corner Lot Setbacks	75 feet , minimum, along U.S. Route 1 (Baltimore Pike), and 50 feet for any other Street Line.	75 feet , minimum, along U.S. Route 1, and 50 feet for any other Street Line.	35 feet , minimum, from the Street Line.
(5) Side Yards	50 feet , minimum, each.	50 feet , minimum, each.	20 feet , minimum, each.
(6) Rear Yard	50 feet , minimum.	50 feet , minimum.	40 feet , minimum.
(7) Parking/ Driveway	Subject to Article XXIV .	Subject to Article XXIV .	Subject to Article XXIV .
(8) Building Coverage	25 percent , maximum.		35 percent , maximum.
(9) Impervious Coverage	50 percent , maximum.	See § 135-114-D.	65 percent , maximum.
(10) Building Height	40 feet , maximum, subject to Article	See §§ 135-114-B (1) and B (2).	40 feet , maximum, subject to Article

	XXVI & § 135-114-B(1).		XXVI & § 135-114-B (1).
(11) Green Area	35 percent, minimum, subject to § 135-114-C.	35 percent, minimum, subject to § 135-114-C.	35 percent, minimum, subject to § 135-114-C.
(12) Landscaping, Buffering and Setbacks for Accessory Uses	See Article XXV and XXVI.		

B. Additional provisions for Building height in the CC District:

Within the FEMA designated floodplain, Building height shall be measured a vertical distance from the regulatory flood elevation rather than from the average elevation of the finished grade along the exterior walls of the Structure but shall not exceed fifty (50) feet when measured from the average elevation of the finished grade along the exterior walls of the Structure.

C. Additional provisions for Green Areas in the CC District:

- (1) Any application for building permit, zoning permit, Special Exception, Conditional Use, or Land Development approval shall indicate on the proposed Plan:
 - i. Any specific limitations to public use or enjoyment of Green Areas;
 - ii. The responsible party for enforcing such limitations, and;
 - iii. The Applicant shall agree to an annual update to the Township regarding compliance, subject to approval by the Board of Supervisors.

D. Additional provisions for Impervious Coverage in the CC District:

- (1) Subject to Conditional Use approval, maximum Impervious Coverage may be increased if there is a corresponding increase in Green Area and where the Board of Supervisors is satisfied that the Green Area provided in excess of thirty-five (35) percent as provided above shall result in one or more of the following:
 - i. Greater protection of the Township's Natural or Cultural resources;
 - ii. Increased amount of land available for community or Recreational Use;
 - iii. Permanent protection of any Historic Resource eligible for listing, or included on, the National Register of Historic Places; or
 - iv. Exceeding the standards and requirements of Chapter 105, Stormwater Management, of the Township Code.

For example, if Green Area were increased by five percentage points to 40 percent, maximum impervious coverage could be permitted to increase by five percentage points to 55 percent.

§ 135-115. Additional standards for all uses.

In addition to the design standards contained in Chapter 110, Subdivision and Land Development, Article V. Design Standards of the Code of Chadds Ford Township, the standards below shall govern design within the CC District.

A. Tract considerations.

The finished topography of the Tract shall adequately facilitate the proposed Development without excessive earth moving, tree clearance or destruction of natural features. Natural features such as streams and wooded slopes shall be preserved and incorporated into the final landscaping of the Development wherever possible and desirable per the Township Engineer. The Applicant shall specify the means whereby trees and other natural features shall be protected during Construction. The location of trees and other natural features shall be considered when planning the locations of Green Areas, locations of Buildings, underground services, walks, paved areas and finished grade levels.

B. Building sites:

- (1) Every Building and other Structure shall be located and situated to promote pedestrian and visual access to Green Area to the extent practicable.
- (2) The physical design of any Land Development Plan shall make adequate provisions for emergency and public services, and provide safe accommodation for pedestrian and vehicular traffic.
- (3) Development near the perimeter of the Tract shall be designed to be harmonious with neighboring areas or buffered therefrom in compliance with Article XXV.

C. Landscaping. Landscaping shall be regarded as an essential feature of every Development in the CC District. In addition to the preservation of natural features, trees and slopes of the Tract; careful attention shall be given to landscaping of parking areas and provisions for street trees, foundation and buffer plantings as required by this chapter and Chapter 110, specifically §110-36.

D. Community Facilities & Amenities.

- (1) Refuse stations shall be designed with suitable screening and in locations convenient for collection and removal, and shall not be offensive to neighboring Properties or public view.
- (2) Adequate lighting shall be provided in the outdoor areas used after dark in accordance with Chapter 110. Appropriate lighting fixtures shall be provided for walkways and to identify vehicular travel, steps, ramps, directional changes and Signs. All lighting shall be in accordance with the standards of the Illumination Engineering Society (IES) and shall comply with the following:

- a. All lighting shall be designed, constructed, and arranged to prevent glare. No lighting shall be directed to cause a nuisance or disturbance to adjoining Properties, or to cause any difficulty with visibility from streets;
 - b. Glare control shall be accomplished through proper selection and application of lighting equipment.
 - c. All directional lighting fixtures used for Signs shall be top-mounted and shall be aimed toward the ground;
 - d. Lighting shall be Dark Sky Friendly Lighting based on the International Dark-Sky Association standards;
 - e. Consideration shall be made for blue light or safety station/refuge spots throughout a Development or campus, particularly in parking lot(s), along Trails, and at trailhead(s).
- (3) All permanent electric, telephone, cable, telecommunications and other service lines shall be underground and shall comply with all Township ordinances unless demonstrated to not be practicable.
- (4) Off-street parking and loading. Adequate off-street parking and loading facilities shall be provided as specified in Article XXIV of this chapter. In addition:
- a. Parking needs shall be independently calculated for each use in the CC District in accordance with Article XXIV.
 - b. For any Development, a portion of proposed parking facilities may be designed as shared parking or Remote Parking served by shuttles within the CC District subject to Conditional Use approval.
- (5) The use of electric vehicle charging stations shall be permitted to serve visitors and/or employees of any use permitted herein.
- (6) Other than parking of private automobiles, all storage shall be structurally enclosed or otherwise permanently screened from view.
- (7) Storm Sewer Systems for the Development shall be designed, constructed and operated in compliance with Chapter 105.
- (8) Sanitary Sewer Systems for the Development shall be designed, constructed and operated in compliance with Chapter 95.
- (9) Signs. Signs shall be permitted as specified in Article XXIII. of this chapter.
- (10) All mechanical equipment shall be screened from public view unless demonstrated to not be practicable.
- E. Soil erosion and sedimentation control. Soil erosion and sedimentation control shall be regulated as set forth in Chapters 105 and 110.

§ 135-116. Ownership. Any Lot or Tract or area, comprising one parcel or more than one parcels, subject to a Land Development plan or building permit, shall be held in Common Ownership and shall be operated under unified control and management.

Add Definitions:

AUDITORIUMS, CONCERT HALLS AND PERFORMING ARTS CENTERS – Facilities providing indoor or outdoor seating for meetings or live performances, including any community use of same, whether for use by a principal Cultural Facility or for rent or by donation. Movie theaters, adult cabarets or taverns shall be prohibited.

BANQUET AND/OR CONFERENCE FACILITIES – Facilities used for conferences, seminars, and banquets that may include accommodations for food preparation and eating, recreation, entertainment, resource facilities, meeting rooms, and services primarily for guests of the facilities, including use by a principal Cultural Facility or use for rent or by donation.

BLUE LIGHT STATIONS – Emergency telephone facilities in public spaces providing direct communication to emergency services, the location of which is usually indicated by a blue light.

COMMON OWNERSHIP – As applied to more than one Lot, ownership by the same party(ies) and/or subject to unified control and management with binding documentation of agreement by all ownership parties.

CULTURAL FACILITIES – Indoor and outdoor facilities that promote presentation and interpretation of the arts, drama, music, dance, science and history.

NATURAL FEATURES – Any naturally occurring tree, plant life, habitat or geological site, not including man-made improvements.

PUBLIC GARDEN: An outdoor passive recreation facility open to the public for the enjoyment and interpretation of various plantings and potential outdoor installations of art and sculpture.

PUBLIC MARKET – An indoor or outdoor market consisting of two or more vendors, typically operating on a seasonal basis and selling regionally produced items.

REMOTE PARKING – Parking intended to meet required parking or overflow parking on a Property remote from the use(s) served, either owned by the same party(ies) as the use(s) served or secured by documented agreement from another Owner.

Note: “Tract” is a current definition, to be revised to include the CC District:

TRACT –

- A. In the context of a Planned Residential Development or any application in the CC District, a Lot of land intended for Development that may consist of one or more Contiguous Lots held in Single and Separate Ownership at the time of application and

developed pursuant to a common Plan by agreement of the Owners. The holder of an option or contract to purchase, a lessee who is authorized by the terms of the lease to develop the Tract with a lease for a remaining term of not less than 40 years, or other Persons having an enforceable proprietary interest in such land shall be deemed Owners for the purposes of this chapter.

- B. In the context of all other Development, an area, Parcel, site, Lot, or Property which is or previously was the subject of a Subdivision and/or Land Development Plan application.

Other Pertinent Revisions to New Zoning Ordinance.

Revise § 135-11.C(3) to read as follows:

- (3) For the purposes of this chapter, the districts shall be considered to be restrictive in the following order, listed from most restrictive to least restrictive: MC, R-1, R-2, PRD, CC, RM-A, POC, PBC, PBC-1, LI, LI-1, B, and B-1.

Note: § 135-12 “Order of Overlay Precedence” applies to all districts, which now includes CC.

Revise the introductory phrase of § 135-179.E to read as follows:

- E. Location of Parking Spaces. Required off-street Parking Spaces shall be on the same Lot as the Principal Permitted Use served unless otherwise permitted in this article. In the case of a Lot with common parking areas for two (2) or more uses, sufficient parking per § 135-178. shall be provided in the immediate vicinity of each use. In the CC District, Remote Parking may be permitted by the Board of Supervisors subject to § 135-115.D(4)b.

Revise §135-186.D.(5) to read as follows:

- (5) All Buildings in the B, B-1, POC, BPO, PBC, PBC-1, LI, LI-1, MC, R-MA, CC and PRD districts shall be landscaped in accordance with the following criteria:

Note: The remainder of this subsection details the specific foundation planting requirements that will now also apply within the CC District.

Revise §135-186.D.(6) to read as follows:

- (6) Principal Buildings in the R-1, R-2 and CC Districts shall be screened when it is determined that Buffer plantings are needed to mitigate potential adverse visual impacts to existing abutting residential uses, and/or when Subdivisions of five (5) or more Lots in the R-1 and R-2 districts abut existing residential uses. Buffer plantings shall be placed around the perimeter of the Lot or Lots of the Subdivision abutting existing uses or where otherwise needed to mitigate adverse visual impacts.

Revise the introductory phrase of § 135-196.A.2 to read as follows:

- (2) Permanent, unoccupied, open Sheds, storage Sheds, and wagon Sheds may only be located within residential zoning districts, or where accessory to pre-existing or former residential Structures in the CC District, upon the issuance of a zoning permit, and:

Revise § 135-10.A to read as follows:

- A. For the purposes of this chapter, Chadds Ford Township is hereby divided into the following districts:

Article IV	R-1 District	Residence
Article V	R-2 District	Residence
Article VI	R-MA District	Residence-Multi-Family/Apartment Building
Article VII	PRD Overlay District	Planned Residential Development Overlay
Article VIII	B District	Business
Article IX	B-1 District	Business -1
Article X	PBC District	Planned Business Center
Article XI	PBC-1 District	Planned Business Center – 1
Article XII	POC District	Planned Office Center
Article XIII	LI District	Light Industrial
Article XIV	LI-1 District	Light Industrial – 1
Article XV	Reserved	
Article XVI	MC District	Municipal Conservation
Article XVII	CC District	Cultural Campus
Article XVIII	Wireless Communications Facilities Overlay District	
Article XIX	Floodplain Conservation Overlay District	
Article XX	Historic Overlay District	
Article XXI	BP Overlay District	Baltimore Pike
Article XXII	Steep Slope Conservation Overlay District	

Revise § 135-171 to read as follows:

§ 135-171. Regulations for Number of Signs in Nonresidential Districts

- A. The number of On-Premises Signs allowed on a property within a specific Zoning District in the chart below are pursuant to all regulations for specific types of Signs in § 135-172, “Regulations for Specific Types of Signs.”
- B. Any and all Sign types without any designation in any and all columns of § 135-171. are not permitted.
- C. Billboard Signs permitted in B-1 and PBC-1 by Special Exception per § 135-172.G.(1)

D. NONRESIDENTIAL

ZONING DISTRICT	PARALLEL	PARALLEL	FREESTANDING			FREESTANDING
	AWNING, CANOPY or PROJECTING	WALL or MARQUEE	GROUND or POLE	TEMPORARY	NUMERICAL IDENTIFICATION	BILLBOARD

(1) B-BUSINESS or B-1 BUSINESS-1						
(a) One (1) business	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign)	2 per Lot (count includes Portable Sign)	1 per Lot	-
(b) Two (2) or more Businesses	1 per business (if no other Parallel Sign)	1 per business (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign per business)	1 per business (count includes Portable Sign)	1 per business	1 per Lot in B-1 only (count includes any Freestanding Sign)
(2) LI – LIGHT INDUSTRIAL or LI-1 LIGHT INDUSTRIAL -1						
(a) One (1) business	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign)	2 per Lot (count includes Portable Sign)	1 per Lot	-
(b) Two (2) or more Businesses	1 per business (if no other Parallel Sign)	1 per business (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign for each business)	1 per business (count includes Portable Sign)	1 per business	-
(3) PBC – PLANNED BUSINESS CENTER or PBC-1 – PLANNED BUSINESS CENTER-1						
(a) One (1) business	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign)	2 per Lot (count includes Portable Sign)	1 per Lot	-
(b) Two (2) or more businesses	1 per business (if no other Parallel Sign)	1 per business (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign for each business)	1 per business (count includes Portable Sign)	1 per business	1 per Lot in PBC-1 only (count includes any Freestanding Sign)
(4) POC – PLANNED OFFICE CENTER						
(a) One (1) business	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign)	2 per Lot (count includes Portable Sign)	1 per Lot	-
(b) Two (2) or more businesses	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign for each business)	1 per business (count includes Portable Sign)	1 per business	-
(5) CC	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign for each principal use)	2 per Lot (count includes Portable Sign)	1 per principal use	-
(6) MC	1 per Lot (if no other Parallel Sign)	1 per Lot (if no other Parallel Sign)	1 per Lot (in addition to 1 Parallel Sign for each business)	2 per Lot (count includes Portable Sign)	-	-

Revise the chart in § 135-185.B to read as follows:

<u>District</u>	<u>Buffer Area Requirement</u>	<u>Buffer Planting Strip Requirement</u>	<u>Berm Requirement</u>
(1) R-1	-	-	-
(2) R-2	-	-	-
(3) R-MA	100 feet wide abutting R-1 or R-2 30 feet wide abutting all districts other than R-1 and R-2	30 feet wide abutting R-1 or R-2 15 feet wide abutting all districts other than R-1 and R-2	-

(4) B	40 feet wide	30 feet wide	-
(5) B-1	40 feet wide	30 feet wide	-
(6) PBC	40 feet wide abutting residential 30 feet wide abutting nonresidential	30 feet wide abutting residential 20 feet wide abutting nonresidential	-
(7) PBC-1	40 feet wide abutting residential 30 feet wide abutting nonresidential	30 feet wide abutting residential 20 feet wide abutting nonresidential	-
(8) POC	40 feet wide abutting residential 30 feet wide abutting nonresidential	30 feet wide abutting residential 20 feet wide abutting nonresidential	-
(9) LI	85 feet wide abutting residential 60 feet wide abutting nonresidential	75 feet wide abutting residential 50 feet wide abutting nonresidential	-
(10) LI-1	85 feet wide abutting residential 60 feet wide abutting nonresidential	75 feet wide abutting residential 50 feet wide abutting nonresidential	-
(11) CC	35 feet wide	25 feet wide	
(12) MC	35 feet wide	25 feet wide	-
(13) Historic Overlay District	40 feet wide abutting residential 30 feet wide abutting nonresidential	30 feet wide abutting residential 20 feet wide abutting nonresidential	3 to 5 feet in height abutting residential and nonresidential
(14) BP Overlay	40 feet wide abutting residential 30 feet wide abutting nonresidential	30 feet wide abutting residential 20 feet wide abutting nonresidential	-
(15) Open Space Conservation Option	75 feet wide	25 feet wide	
(16) CC			

DRAFT