

**AN ORDINANCE OF THE TOWNSHIP OF WESTTOWN, CHESTER COUNTY, PENNSYLVANIA, AMENDING CHAPTER 170, ZONING, OF THE CODE OF THE TOWNSHIP OF WESTTOWN**

The Board of Supervisors of Westtown Township, after review by the Westtown Township Planning Commission and the Chester County Planning Commission, public notice and hearing, as required by law, HEREBY ENACTS AND ORDAINS that Chapter 170 of the Code of the Township of Westtown be further amended as follows:

**SECTION 1.** §170-201, Definitions, is amended by deleting the existing defined term, "Nursing Home," and adding the following defined terms and definitions to read as follows:

**ASSISTED LIVING RESIDENCE**– A dwelling unit for no more than two individuals within an Assisted Living Facility

**ASSISTED LIVING FACILITY** – A facility licensed by the Pennsylvania Department of Public Welfare as a Personal Care Home. Generally, such facility shall contain residences for persons who do not require the services in or of a Pennsylvania Department of Health licensed nursing facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of any emergency, or medication prescribed for self-administration.

**BUSINESS CENTER DEVELOPMENT (BCD)** – A Business Center Development is a planned mixed use development including primarily office and commercial uses subject to a unified master plan with coordinated access management, parking, landscaping, and signage, consistent with the Westtown Township Growth Management Plan.

**CONTINUING CARE RETIREMENT COMMUNITY (CCRC)** – A residential community which provides for a continuum of accommodations and care for persons at least sixty (60) years in age, or for couples at least one of whom is 60 years of age or older, through the provision of independent living residences, assisted living residences, personal care, nursing facilities, health care services, social services, and customary accessory uses.

**INDEPENDENT LIVING RESIDENCE** – A dwelling unit used exclusively for occupancy by one or two senior persons in a Continuing Care Retirement Community.

**HOSPITAL** – A facility providing physical or mental health services and medical or surgical care of the sick, handicapped, or injured including facilities for overnight accommodation of patients. Hospitals may include various ancillary activities which are customarily incidental to and in direct support of the primary health care mission of the hospital. Such ancillary activities would include, but not be limited to, pharmacies, gift shops, teaching facilities, research facilities, patient hostels and diagnostic or treatment facilities that are integrated with the hospital facilities.

**HEALTH CLINIC** – A facility providing non–surgical treatment, care, examination and

diagnosis and preventive health services including inoculation and educational services to outpatients.

**MEDICAL CLINIC** – A facility providing outpatient mental health services or medical or surgical care of the sick, handicapped or injured but not including health clinics and physician’s offices.

**MEDICAL OFFICE BUILDING** – A place, building or portion of a building involving the diagnosis, examination and/or treatment of patients and the furnishing of laboratory, medical, surgical or other services to individuals.

**NURSING FACILITY** - A facility licensed by the Pennsylvania Department of Health to provide skilled nursing care and related medical or other personal health services 24 hours a day and 7 days a week to individuals who require full-time care or supervision but do not need more intensive hospital-based care.

**NURSING HOME** – See “Nursing Facility.”

**PATIENT HOSTEL** – A residential facility for the sole and temporary use of patients of a medical facility and their immediate families. The facility may include a shared dining facility which is restricted to the use of the hostel occupants.

**PERSONAL CARE HOME** – A premises licensed by the Pennsylvania Department of Public Welfare in which food, shelter and personal assistance or supervision are provided for a period exceeding 24 hours, for four or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in activities of daily living.

**PHYSICIAN’S OFFICE** – A premises used by a physician or physicians, including osteopathic physicians, for the diagnosis, examination and/or treatment of individuals.

**REHABILITATIVE SERVICES CENTER** – A facility that provides short-term, primarily in-patient care, treatment, and/or rehabilitation services for persons recovering from illness or injury who do not require continued hospitalization.

**WELLNESS CENTER** – Establishments primarily engaged in operating non-residential fitness, physical and behavioral therapy facilities featuring exercise, physical fitness conditioning, spa services, and other therapeutic or rehabilitative activities, preferably under a doctor’s orders. Such establishments are not permitted to operate spectator sports events. Outdoor activities may occur on walking trails, sidewalks hard surface court areas and other similar outdoor spaces.

**SECTION 2** §170-300, Classes of Districts, is amended by changing paragraph B(1) thereof to read in its entirety as follows:

- (1) Further, certain areas are considered to be overlays on the base zoning districts. These areas are as follows:

Flood Plain District  
Steep Slope Conservation District  
Special Use Overlay District

**SECTION 3** §170-301, Zoning Map, is amended by adding a new subsection C as follows:

- C. The area contained within the Special Use Overlay District shall be as shown upon the Zoning Map attached to and made a part of this Chapter.

**SECTION 4.** §170-502 Area and bulk regulations, is amended by deleting subsection D thereof in its entirety and re-designating subsequent subsections E through H as D through G, respectively:

**SECTION 5.** §170-503, Design standards, is amended by changing paragraph A(7) thereof to read in its entirety as follows:

- (7) Access and traffic control: As required by §170-503.C and §170-1510.

**SECTION 6.** §170-503, Design standards, is amended by adding an entirely new subsection §170-503.C as follows:

- C. Any applicant shall, as a condition of any applicable zoning, subdivision or land development approval, prove to the satisfaction of the Board of Supervisors that the proposed use or development will provide safe and efficient vehicular and pedestrian traffic access, circulation and control, consistent with the following:
- (1) Traffic access shall be fully coordinated with adjacent existing and future development, including but not limited to providing and promoting appropriate traffic access to/from adjacent properties.
  - (2) Traffic access to use(s) within any development site shall be provided by a fully developed internal network of local roads or private drives, paths, and trails which also shall link any proposed use or development to existing or proposed intersections, or other points of controlled and/or signalized access to collector and/or arterial highway(s).
  - (3) Continuous collector street(s), and trail(s) shall be developed as part of the subject use or development, to provide internal through connection(s) between existing collector and/or arterial streets, and trail(s), as applicable, and as required by the Board of Supervisors to provide reasonable access to the subject use or development (examples may include but are not limited to: (a) a through collector street connecting the intersection of Skiles Boulevard and U.S. Route 202, with West Pleasant Grove Road and PA Route 926); (b) a through collector street connecting Walnut Hill/Shady Grove Roads to Westtown Road; and (c) a through

collector street connection PA Routes 352 and 926).

- (4) The number of access points onto existing perimeter public roads shall be kept to the minimum number necessary for safe and efficient traffic access, circulation, and control. Vehicular accesses to public roads shall:
  - (a) Incorporate traffic control and auxiliary lanes designed to accommodate the full build out of the proposed use or development to the extent permitted by PennDOT, as well as cross-traffic from adjacent properties.
  - (b) Be provided in accordance with the standards set forth in §170-1511 and §170-1512.
- (5) Vehicular access to the internal network from proposed uses or development shall be provided in accordance with the standards set forth in §170-1501 and §170-1510.
- (6) Interior streets, interconnected parking lots, shared driveways, access easements and/or stubbed streets shall be used as necessary to maximize efficiency and safety of internal circulation, and minimize the number of access points onto existing perimeter public roads.

**SECTION 7.** §170-900, Statement of Intent, is amended by deleting paragraph B(1) thereof in its entirety and renumbering subsequent paragraphs B(2) through B(7) as B(1) through B(6):

**SECTION 8.** §170-903, Permitted Uses, is amended by changing paragraph C thereof to read in its entirety as follows:

- C. Multi-family dwellings including Four-family dwellings and Townhouse or Single-family attached dwellings, but excluding apartment dwellings in the R-1 District. In the A/C District, apartment dwellings shall be permitted where located not less than 200 feet from any existing public road or highway bordering the tract subject to flexible development and not less than 100 feet from the boundary of any adjacent lot or tract whereupon any single-family detached dwelling exists.

**SECTION 9.** §170-904, Density standards, is amended by changing paragraphs A(2)(b)[3] and [4] thereof to read in their entirety as follows:

- [3] At the time of conditional use application, the applicant shall identify the specific proposed Substantial Public Improvement(s) for which bonus density is requested and shall indicate the anticipated cost(s) of completing proposed Substantial Public Improvement(s).
- [4] The amount of density bonus granted for any Substantial Public Improvement(s) shall not exceed the maximum incremental density increase calculated as set

forth in §170-904.A(2)(b) above and shall be established by the Board of Supervisors as a condition of approval based on a preponderance of evidence as follows: Bonus density, measured in an incremental increase in dwelling units, shall be determined by roughly equating the incremental cost to the developer of providing Substantial Public Improvement(s), with a reasonable value to the developer for the increase in unit count.

**SECTION 10.** §170-904, Density standards, is amended by adding new paragraphs A(2)(c), A(2)(c)[1], A(2)(c)[1][a], [b] and [c], A(2)(c)[2], A(2)(c)[2][a], [b], [c], [d] and [e], and A(2)(c)[3] as follows:

(c) Special Bonus Density for Historic Preservation. In addition to the maximum total permitted density including bonus density as provided in §§ 170-904.A(2)(a) and (b) above, and not subject to the overall density cap of 1.5 dwelling units per acre, additional dwelling units may be approved as follows:

[1] Bonus Dwelling Units for Preservation of Historic Sites & Landscapes.

One additional dwelling unit may be provided, for each two acres comprising a lot (or open space parcel) which contains any Township, state or federally designated historic site or historic building or any historic site or building included or eligible for inclusion in the Chester County Historic Sites Survey, and where such acreage otherwise meets all applicable criteria for open space. The use of this bonus shall be limited to no more than four bonus dwelling units for each distinct historic landscape preserved, and shall be subject to the following criteria:

[a] The Township shall approve the configuration of the lot and/or restricted open space created to accommodate preservation of the historic landscape, which shall include at a minimum those portions of the property that contain outbuildings or ruins associated with the historical use of the principal historic building(s) and/or those areas of greatest public visibility.

[b] In order to be eligible for this bonus, the historical setting, including all acreage used to calculate bonus dwelling units, and the principal facades of any historical structures shall be preserved through establishment of a conservation easement acceptable to the Township. Such easement shall be recorded prior to or simultaneously with the recording of approved land development plans and prior to issuance of building permit(s), as applicable, for any situation where this bonus shall be utilized.

[c] Land(s) utilized for calculation of this bonus also may be counted toward the calculation of required or bonus open space, where applicable open space criteria are met.

- [2] Additional Bonus Dwelling Units for Historic Restoration/ Rehabilitation. Where preservation of historic sites, as provided in § 170-904.A(2)(c)[1] above, includes restoration or rehabilitation of historic structures approved by the Township, one additional dwelling unit may be provided, for each 2,000 square feet, or portion thereof exceeding 1,000 square feet, of habitable floor area on all floor levels in the historic sections of such structures, subject to the following requirements:
- [a] Eligible structures shall have been used historically as principal residential or agricultural structures, or structures accessory to a principal residential use and shall be included or be eligible for inclusion as part of a Township, state or federally designated historic site or shall be included in the Chester County Historic Sites Survey;
  - [b] For the purposes of this Section, measurement of habitable floor area may include previously non-habitable space converted or to be converted to habitable floor area as a result of rehabilitation (e.g., barn space converted into habitable floor area);
  - [c] Applicant shall demonstrate to the satisfaction of the Township, submitting copies of appropriate plans and other documentation as necessary, that such structures have been or shall be restored and/or rehabilitated in accordance with plans prepared by a qualified restoration architect, and in general compliance with the Secretary of Interior's Standards for Rehabilitation of Historic Structures;
  - [d] All principal facades of eligible historic structures shall be preserved through establishment of conservation easement(s) acceptable to the Township;
  - [e] This bonus shall not apply if the integrity and scale of eligible historic structures have been or will be altered by additions that overwhelm their historic integrity due to the size of such addition(s) or to the use of modern or inappropriately scaled or proportioned materials including exterior skins, windows, doors, chimneys, porches, and other features.

[3] Limitation to Use of Historic Preservation Bonus

No historic preservation bonus shall be applicable if the owner or developer of the subject property shall, or has within three years of the development application period or during actual development, and without the express approval of the Township, destroyed or demolished any historic site or historic building identified on the Chester County Historic Sites Survey or other relevant study on file with the Township.

**SECTION 11.** §170-904, Density standards, is amended by changing paragraph C(1) thereof to read in its entirety as follows:

- (1) A/C Agricultural/Cluster Residential District – 60 percent

**SECTION 12.** §170-904, Density standards, is amended by adding a new paragraph E(12) as follows:

- (12) Where permitted, apartment dwellings shall comply with the minimum floor area provisions set forth in §170-802.B(3).

**SECTION 13.** §170-906, Administration, shall be amended by changing paragraph D(3) thereof to read in its entirety as follows:

- (3) The provision of municipal services and the burden on taxpayers in making provision thereof, including, but not limited to sewers, water, fire safety and police.

**SECTION 14.** §170-907, Open Space Standards, is amended by changing paragraph A(6) thereof to read in its entirety as follows:

- (6) At least 50 percent of the minimum required common open space area shall be located outside floodplain areas, wetland areas, and areas of greater than 25 percent slope.

**SECTION 15.** Article XIII of the Westtown Township Zoning Ordinance (presently reserved) is amended by adding entirely new subsections 170-1300 through 170-1304 as follows:

ARTICLE XIII  
**SUO Special Use Overlay District**

**§ 170-1300. Use Regulations.**

- A. Use by Right. A building may be erected, altered or used, and a lot may be used or occupied, by right, for any use set forth as a use by right in the underlying zoning district and no other.
- B. Uses by Special Exception. Any use set forth as a use by special exception in the underlying zoning district shall be permitted when authorized by the Zoning Hearing Board as a special exception, in accordance with the terms set forth in the underlying zoning district and the standards and criteria set forth in § 170-2108 of this chapter.
- C. Conditional Uses. The following uses shall be permitted only upon approval as a conditional use by the Board of Supervisors in accordance with the terms of § 170-2009 of this chapter.

- (1) Any use set forth as a use permitted where approved as a conditional use in the underlying zoning district, subject to any applicable terms set forth for that district.
- (2) Business Center Development (BCD) meeting the requirements of §170-1302.
- (3) Continuing Care Retirement Community (CCRC) meeting the requirements of §170-1303.

### **§ 170-1301. Area and Bulk Regulations.**

The area and bulk regulations set forth in the underlying zoning district shall apply to all uses except BCD or CCRC which shall be subject to the provisions set forth in §§ 170-1302 and 1303 respectively.

### **§ 170-1302. Regulations Governing Business Center Development (BCD)**

- A. Qualifying Conditions. Where approved by the Board of Supervisors as a conditional use in accordance with §170-2009 of this Chapter, development of a BCD shall be permitted where the following qualifying conditions are met and where in accordance with all applicable design standards set forth herein:
  - (1) A tract of land used for a BCD shall be located adjacent to an arterial highway and shall specifically comply with the requirements of §170-1304. However, no direct access solely into a BCD shall be provided from U.S. Route 202.
  - (2) A tract of land used for a BCD shall be developed in accordance with a Master Plan submitted and approved as set forth in §170-1302.D herein.
  - (3) A tract of land used for a BCD shall be provided with public sewer and water service approved by the Township.
- B. Permitted Uses. The following uses shall be permitted within a BCD:
  - (1) Offices, corporate headquarters, administrative or professional buildings or centers.
  - (2) Research and/or laboratory facility for scientific, agricultural, or industrial research and development, excluding facilities with the potential for creating environmental, toxic or genetic hazards. This use may include closely related manufacture of prototypes.

- (3) Rehabilitative Services Center, Wellness Center, Patient Hostel, Health Clinic or Medical Clinic.
- (4) Hotel where not located within 1,500 feet of any other hotel within the SUO District.
- (5) Conference facilities.
- (6) Private, vocational, business, and professional schools except those of an industrial character.
- (7) Day care center.
- (8) Selected industrial uses that the applicant demonstrates to the satisfaction of the Board of Supervisors that the following criteria can be met:
  - (a) The use will be similar in external effects, nuisances and public safety hazards to office development.
  - (b) Collectively, industrial uses permitted within a BCD will not typically generate more than ten tractor trailer trucks entering or leaving per day, and will involve tractor-trailer trucks being directed to use the most appropriate access route from the lot as a condition of approval.
  - (c) The use will meet all of the performance standards of Article XV of this Chapter, including but not limited to the environmental performance standards of §170-1506. The Township may require satisfactory demonstration of ability to comply as a condition of Conditional Use approval.
  - (d) The use will be of such character and have such external effects as to be highly compatible with existing and planned dwellings within the vicinity.
  - (e) The use will not create significant risks of environmental, explosive, fire, toxic or genetic hazards or noxious odors, based upon a comprehensive independent assessment.
  - (f) The use will not involve any outdoor storage.
  - (g) No tractor-trailer loading docks and no overnight parking of tractor-trailer trucks shall be visible from the boundaries of

the tract.

- (h) Limits upon the hours of operation shall be established as a condition of any conditional approval to minimize conflicts with nearby residential uses. Unless a more restrictive standard is established as a condition of approval, industrial operations and truck loading and unloading operations shall not be discernable from a residential lot line between the hours of 9 p.m. and 6 a.m.
  - (i) The use shall incorporate landscaping or earth berming or solid fencing or walls between business operations and any residential lots to minimize conflicts with dwellings, if required by the Board of Supervisors.
  - (j) The use will involve proper methods and safeguards to prevent pollution of groundwater and surface water, including but not limited to, methods constructed in advance to contain any accidental spills of hazardous substances.
- (9) Limited retail commercial uses including but not limited to pharmacy, coffee shop, restaurant without drive-through, newsstand, financial institution, automated bank machine, financial services, travel consultant, private club, and other uses of similar character. All permitted retail uses shall meet the following criteria:
- (a) Such uses shall not exceed 15 percent of the maximum total floor area that may be permitted within the entirety of the BCD.
  - (b) Dispensing of gasoline shall not be permitted.
  - (c) No heliport shall be permitted.
- (10) Underground or above-ground parking structures.
- (11) Bus stop or transportation center.

C. Area & Bulk Regulations for BCD.

- (1) Minimum tract area for the entire BCD subject to one unified master plan, submitted in accordance with the provisions of 170-1302.D, regardless of the number or contiguity of individual lots or development phases: 25 acres.
- (2) Minimum individual lot area within the BCD: 2 acres.

- (3) Minimum lot width: 200 feet
- (4) Minimum building setbacks. Any building, including parking structures where provided, shall be set back not less than the distance indicated from the following:
  - (a) Any tract perimeter boundary abutting any other use or the ultimate right-of-way of any public street or highway existing at the time of adoption of this section: 100 feet or 5 times the height of the building, whichever is greater.
  - (b) Internal streets and lot lines within the BCD: 25 feet.
  - (c) Surface parking areas: 15 feet.
  - (d) Adjacent buildings. Except where buildings are attached, the distance between buildings, including parking structures, shall be determined in accordance with the requirements of §170- 802.B.7.
- (5) Minimum surface parking area setbacks. Any surface parking facility intended for five or more vehicles shall be set back not less than the distance indicated from the following:
  - (a) Any tract perimeter boundary abutting any other use or the ultimate right-of-way of any public street or highway existing at the time of adoption of this section: 150 feet.
  - (b) Internal streets and lot lines within the BCD: 20 feet.
- (6) Maximum building coverage, measured as a percentage of net lot or tract area calculated as set forth in Section 170-1519.A:
  - (a) Entire BCD: 20 percent
  - (b) Individual lot: 35 percent
- (7) Maximum Floor Area Ratio (FAR), measured as a ratio to net lot or tract area calculated as set forth in Section 170-1519.A:
  - (a) Entire BCD: 0.5
  - (b) Individual lot: 1.0
- (8) Maximum impervious coverage, measured as a percentage of tract

area calculated as set forth in Section 170-1519.A:

- (a) Entire BCD: 50 percent
- (b) Individual lot: 70 percent
- (9) Off-street parking structures involving two or more stories and/or underground parking areas shall not be considered buildings for the purposes of limiting the maximum building coverage or FAR.
- (10) Final land development plans shall indicate the maximum building and impervious coverage available to each lot and attributable to the Corporate Park development taken as a whole, demonstrating compliance with the standards set forth herein.
- (11) Maximum building height: 50 feet or four stories, whichever is less.
- (12) Maximum parking structure height: 40 feet above natural grade.
- (13) An area equal to a maximum of 25 percent of the building footprint may extend above the maximum building height in order to accommodate skylights, pitched roofs and similar architectural features that do not involve floor space occupied by persons.

D. Required Master Plan.

- (1) Any application for conditional use approval for development of a BCD shall be accompanied by submission of an overall Master Plan which shall, at a minimum, indicate the following information in the context of an actual plan for the entire site and any individual lots to the extent available at the time of conditional use application. To the extent any of the following is not specifically available at the time of conditional use application, the maximum future extent of development and development impacts potential in accordance with the Master Plan shall be assumed and indicated.
  - (a) General site plan of proposed development,
  - (b) Detailed topography,
  - (c) Proposed lot lines and minimum building setbacks,
  - (d) Approximate building sizes, heights and locations,
  - (e) Proposed use(s) or proposed range of uses,
  - (f) Approximate extent of parking areas and any methods

proposed to be used to screen or buffer parking areas,

- (g) Proposed internal and external traffic access, including traffic improvements proposed to be funded or completed as part of the development, and indicating compliance with the provisions of §170-1302.E(1) below.
  - (h) Extent and character of landscaped areas, entrance treatment(s) and signage.
  - (i) Approximate locations, sizes, and scopes of stormwater management facilities.
  - (j) Evidence that suitable water and sewage service will be provided and will be feasible.
  - (k) A conceptual plan for future development and conservation on all lands under common ownership with the tract upon which the BCD is proposed, regardless of differing equitable ownership of the BCD.
  - (l) Additional information as necessary to demonstrate compliance with this Chapter.
- (2) Once conditional use approval has been received for the Master Plan for the BCD, any subsequent subdivision or land development application(s) shall conform with the approved Master Plan, unless a new or amended conditional use approval is obtained for a variation or variations to the approved Master Plan. At the discretion of the Board of Supervisors, the order of conditional use approval may include provision(s) for future modification(s) to the approved Master Plan at the time of any subdivision or land development approval without requiring resubmission for conditional use approval.
- (3) In conditionally approving the Master Plan, the Board of Supervisors may approve a specific use or uses or may approve a range of permitted uses, whether tract-wide or for certain lots or development phases, in order to provide for flexibility in the marketplace. Any approved range of uses shall only include uses that are permitted under §170-1302.B above.
- (4) It is not intended that the Master Plan submitted with the application for conditional use approval require a level of detail found in fully engineered final subdivision or land development plans, provided that subdivision and land development plans will subsequently be submitted prior to development of the BCD or individual lots or

phases thereof.

- (5) The Master Plan shall be sufficient in scope and detail to:
  - (a) demonstrate compliance with this Chapter,
  - (b) provide for a determination of impacts upon the surrounding properties, streets, and intersections,
  - (c) provide evidence adequate to demonstrate that the BCD will be fully coordinated with the future development of any adjacent undeveloped lands, and
  - (d) demonstrate the feasibility of proposed methods for providing water service, sewage collection and conveyance, sewage treatment, and traffic access and control.
  
- (6) The Township may require that the submitted Master Plan be accompanied by supplementary information, studies and plans demonstrating the following:
  - (a) Compliance with the site analysis and conservation design provisions set forth in §170-1617;
  - (b) Traffic Studies meeting the requirements of §149-804;
  - (c) A community impact study which shall, to the satisfaction of the Township, assess potential physical and fiscal impacts, service demands and capital improvement needs associated with the proposed BCD in relation to water supply systems, sewage treatment and collection systems, the School District, Township finances and services, fire and emergency medical services, stormwater management facilities, and floodplains and other natural resources. Improvements to all such systems and services shall be identified, and corresponding financial and fiscal impacts estimated, as necessary to accommodate or mitigate the impacts from the proposed development. In addition, the community impact study shall assess potential impact(s), both positive and negative, that the proposed development may have in relation to social, cultural and economic activity and opportunities in the broader "Greater West Chester" area.

E. Owners Association

An Owners Association shall be legally established to maintain all common or shared facilities and areas, including but not limited to parking

facilities, stormwater management facilities and any private internal roads, that are not dedicated to the Township or a public authority except to the extent that cross easement arrangement(s) are acceptable, as provided above. Each owner of property within the BCD, and their successors, shall be legally obligated to contribute financially towards the operation, maintenance and repair of such facilities and areas on a permanent basis. Where a development in accordance with the design standards of this Section is under single ownership, the single owner shall assume the responsibilities otherwise attributed to an Owner Association.

**§ 170-1303. Regulations Governing Development of a Continuing Care Retirement Community (CCRC),**

A. Purpose.

To provide opportunities for senior residents to avail themselves of the full continuum of residential and health care benefits associated with a CCRC, where developed in accordance with all applicable design standards set forth herein. The provisions set forth herein shall supersede any provisions separately applicable to adult community development or residential care facilities.

B. Permitted Uses:

- (1) A CCRC shall include Independent Living Residences, Assisted Living Residences and skilled nursing beds in a Nursing Facility located on site, subject to the density limitations set forth herein.
- (2) A CCRC may include other uses intended principally to serve the residents or staff of the CCRC or to facilitate the operation and management of the CCRC, including administrative offices and operational facilities, child or adult day care, personal service shops such as barber shop, beauty salon or commissary; branch bank and/or automated teller machine; dining facilities; community center; library; cultural, educational, social, religious and recreational facilities; fitness center and swimming pool; physical therapy facilities, physicians' offices, patient hostel, rehabilitative services center or wellness center, specialized facilities for "memory care," or Alzheimer's and/or dementia care, and other medical facilities, or other similar uses. Any such facilities may be available for use or patronage by persons other than those residing or employed within the CCRC.
- (3) Development of any facilities within a CCRC, including residential components, may be phased to reflect the anticipated timing of need, subject to any conditions of approval required by the Board. If at any time, the number of nursing beds or Assisted Living Residences exceeds actual demand from within the CCRC,

persons from outside the CCRC may be permitted to occupy such nursing beds or residences on a temporary basis.

C. Area & Bulk Regulations. The following area and bulk regulations shall apply to all uses permitted within a CCRC as applicable:

- (1) Density:
  - (a) Independent Living Residences and Assisted Living Residences collectively as provided in §170-1519.B(2)(a)[4], and as applied to the tract area of the entirety of the tract or tracts allocated to CCRC development, up to a maximum of 100 gross acres.
  - (b) The total number of skilled nursing beds shall equal no more than 25% of the total number of Independent Living Residences and Assisted Living Residences provided, except where applicant demonstrates actuarial information satisfactory to the Board justifying a higher number.
  - (c) Within the CCRC, any area used to provide for skilled nursing beds and permitted accessory uses may nevertheless be included in the tract area applied to the density calculation set forth in §170-1519.B(2)(a)[4].
- (2) Tract Perimeter Setback for Buildings and Parking: 100 feet from any tract perimeter boundary abutting any other use or the ultimate right-of-way of any public street or highway existing at the time of adoption of this section. In addition, no building exceeding 38 feet in height shall be located less than 200 feet from any public road or highway existing at the time of adoption of this section. Temporary sales facilities, where permitted under otherwise applicable regulation, may be exempted from the Tract Perimeter Setback provision, where approved by the Board as a condition of conditional use approval.
- (3) Maximum Coverage limitations set forth hereunder shall be measured across the entire gross area of the tract or tracts allocated to CCRC development, excluding any existing or proposed public road or connector road constructed as part of a CCRC development, up to a maximum of 100 acres:
  - (a) Maximum Building Coverage – 20%
  - (b) Maximum Impervious Coverage –40%
- (4) Maximum Height – 65 feet or five stories, whichever is less, except that no more than fifty percent of the total building footprint within

the CCRC may exceed 50 feet in height. This provision shall be applied to the entire CCRC excluding individual cottage residences not exceeding one and one-half stories in height, and need not be applied to each individual building separately. Where approved as a condition of conditional use approval, building height may be extended above the applicable maximum height in order to accommodate skylights, pitched roofs and similar architectural features that do not involve floor space occupied by persons.

- (5) Maximum Building Length – No building shall have a maximum length greater than 200 feet, except where offset by a jog in the building façade or in the height of the building of at least 10 feet, and where located at least 200 feet from any public road or highway existing at the time of adoption of this section. In no case shall the longest length of a building exceed 300 feet, excluding enclosed breezeways no more than one and a half stories in height, unless approved by the Board as a condition of conditional use approval, where the Board is satisfied that programmatic considerations warrant such additional length and that, based on architectural information submitted in accordance with §170-1303.D(4), any negative visual impacts due to such length can adequately be mitigated.
- (6) Setbacks Between Buildings – 25 feet minimum, but not less than the height of any building, measured along the exterior wall from which the setback is being measured with the exception that the setback for single-family, two-family or townhouse dwelling units to be used as Independent Living Residences shall be a minimum of 15 feet from other such dwelling units. Buildings may be connected by covered or enclosed walkways traversing required setback areas. The Board may approve, as a condition of conditional use approval, lesser setbacks than those required above, where the Board is satisfied that architectural elements are proposed which adequately mitigate any negative visual impacts, and the distance(s) between the buildings comply(ies) with relevant building and fire codes.
- (7) Setbacks From Interior Public or Private Streets or Access Drives – 15 feet minimum from the edge of pavement, except that in no case shall any garage serving a single family, two-family or townhouse residence be set back less than is necessary to accommodate a parking area within the driveway with minimum dimensions of 10 feet by 25 feet. Such parking space shall not overlap any area devoted to pedestrian or vehicular circulation and shall be located outside the right-of-way of any public street. Any structure of three or more stories above ground, on the side of the structure facing the edge of pavement, shall be set back a minimum of 25 feet from the

edge of pavement. Gatehouses and security guard accessory structures are exempt from this requirement.

- (8) Setbacks From Surface Parking Areas – 15 feet

D. Supplemental Conditional Use Approval Provisions.

The Township may require that the conditional use application submitted for consideration of approval of a CCRC be accompanied by supplementary information, studies and plans demonstrating the following:

- (1) A site plan, at a scale of 1 inch equals 50 feet, showing at least the following:
- [a] Location and foundation outline (“footprint”) of all buildings and other structures.
  - [b] Location and layout of all parking facilities and an analysis of projected parking needs.
  - [c] The internal circulation system and its ingress and egress intersections with public roads, including the projected traffic generation and flow patterns.
  - [d] Location, configuration and size of green and open space area.
  - [e] Total building coverage and total impervious surface coverage.
- (2) Actuarial information and analysis adequate to establish the number of skilled nursing beds that shall be required to be provided on site and to determine the suitable extent of any other specialized facilities proposed within the CCRC, including, but not limited to, memory care or Alzheimer’s or dementia care, or specialized medical facilities.
- (3) A landscape plan and a statement of specific performance standards which will guide the implementation of the plan, including design of proposed entrance treatment and all signs.
- (4) An architectural analysis, prepared by a registered architect, describing the design of the proposed buildings and major structures, which analysis will include at least the following:
- [a] A written description of the style, scale, shape, materials and

colors to be used and the positioning of the buildings and structures as all these factors interrelate both with respect to the site and the CCRC itself and importantly with the architecture and views of surrounding land uses, both existing and potential.

- [b] Elevations and general floor plans for all of the proposed buildings.
- [c] A statement describing why the overall design of the buildings proposed to be constructed in the CCRC meets the objectives set forth herein and is aesthetically compatible with surrounding land uses.

- (5) Compliance with the design standards set forth in §170-1304.
- (6) Compliance with the site analysis and conservation design provisions set forth in §170-1617;
- (7) Traffic Studies meeting the requirements of §149-804;
- (8) A community impact study which shall, to the satisfaction of the Township, assess potential physical and fiscal impacts, service demands and capital improvement needs associated with the proposed development in relation to water supply systems, sewage treatment and collection systems, the School District, Township finances and services, fire and emergency medical services, stormwater management facilities, and floodplains and other natural resources. Improvements to all such systems and services shall be identified, and corresponding financial and fiscal impacts estimated, as necessary to accommodate or mitigate the impacts from the proposed development. In addition, the community impact study shall assess potential impact(s), both positive and negative, that the proposed development may have in relation to social, cultural and economic activity and opportunities in the broader "Greater West Chester" area.
- (9) A conceptual plan for future development and conservation on all contiguous lands under common ownership with the tract upon which the CCRC is proposed, regardless of differing equitable ownership of the CCRC.

- E. In authorizing a CCRC as a conditional use, the Board of Supervisors may attach such conditions and safeguards, in addition to those already required by this Ordinance, as it may deem necessary to implement the purposes of the Municipalities Planning Code and this Ordinance and to protect the public welfare, which conditions and safeguards may relate to, but are not limited to, the design of the buildings the presentation or reuse

of existing “historical” buildings and structures, landscaping and its maintenance as a sight or sound screen, lighting, noise, safety and the prevention of noxious, offensive or hazardous conditions.

#### **§ 170-1304. Design Standards for CCRC or BCD**

Any applicant for conditional use approval for development of a CCRC shall have the burden of satisfying the Board of Supervisors, based on a preponderance of evidence, that the proposed development shall comply with all applicable standards and criteria set forth in this Section.

- A. The applicant shall comply with the standards set forth in §170-503 and §170-1203 of this Chapter, with the exception of §170-1203.D, to the extent not inconsistent with any standards set forth herein.
- B. The applicant shall prove to the satisfaction of the Board of Supervisors that the CCRC will include a safe and efficient system of pedestrian and vehicular traffic access, as required by §170-503.C and §170-1510. In addition, each individual lot within a BCD shall have fully coordinated traffic access onto an interior road system.

C. Architectural Design.

The architectural design of the development shall include finishes, textures, extensions, placement of glass and other features to mitigate the visual impact(s) of larger buildings as viewed from any street. The applicant shall demonstrate that the overall design of the development, in terms of the locations, form, massing, height, and architecture of all structures and facilities, as applicable, taken as a whole, shall minimize impacts to surrounding residences, neighborhoods and public roads. The applicant shall submit typical architectural elevations and landscaping cross-sections as necessary to demonstrate compliance with this provision.

- D. A coordinated system of non-motorized access means shall be provided throughout the development, including sidewalks, bicycle routes, and trails as necessary to connect all buildings and parking areas and to interconnect with trails outside the development, where recommended by the Township.

E. Landscaping

All areas not occupied by buildings, parking, streets, and other common facilities and impervious surfaces shall be landscaped in accordance with an overall Landscape Plan, prepared and sealed by a registered Landscape Architect. All landscaping shall meet the standards set forth in Chapter 149, Subdivision and Land Development. The Board of

Supervisors may require the installation of earthen berms with landscaping as appropriate to screen views of parking from adjacent streets. Introduced landscaping is not intended to create a complete visual screen. Rather, it is intended to filter and soften views of new development from adjacent streets and nearby residences, deflecting prominent lines of sight from development impacts, and augmenting the visual prominence of retained landscape features and scenic views. Such landscaping and any berming shall be designed to have a naturalistic appearance, using a mix of plant species appropriate to each particular landscape setting and replicating landscape features characteristic to Westtown and its environs. Permitted fencing shall be predominantly open (such as split rail, board or picket fencing) and constructed of wood or materials with a similar appearance.

F. Recreation.

Any development of a CCRC or BCD shall provide for open space and/or recreation consistent with the provisions of §149-921.

G. Conservation of Scenic Views.

Visual access from public roads toward historical landscapes and scenic open space shall be protected to the greatest extent practicable. It is the further intention of the Township that any CCRC be designed to enhance landscape quality and to locate buildings and area not built upon in a manner which blends landscaped areas and lands constrained from development into open corridors sufficiently broad and extensive to maintain views across the landscape and through the subject property. Building height, mass, and relationship to topography may be designed to frame or focus views or, conversely, to minimize visual impact where building height is at a lower elevation than overlooking points of view for example.

H. Stormwater Management.

A coordinated system for stormwater management shall be provided for the entire development, consistent with all applicable regulation. Stormwater management facilities shall be designed to optimize the capture of stormwater at the sources of generation, maximize recharge to the subsurface groundwater system, minimize discharge to surface water flow, minimize disturbance and maximize incorporation of Best Management Practices (BMPs) such as those promulgated by the Pennsylvania Department of Environmental Protection

I. Conditional Use Review of design Standards

In reviewing compliance with the design standards set forth herein, the Board of Supervisors shall consider the following criteria in addition to all

other criteria applicable to conditional use approval:

- (1) The relationship of the size, scope, extent and character of the specific uses proposed, to the character and type of development in the areas surrounding the site.
- (2) Whether or not, in view of its specific characteristics, the proposed development would be appropriate use in the area or whether it would have a detrimental effect on existing or potential uses in the surrounding area.
- (3) The relationship of the proposed use to the uses permitted in the surrounding area.
- (4) The number, extent and scope of any nonconforming uses in the surrounding area and the impact of the proposed development on those uses.
- (5) Whether or not the proposed development would have an adverse effect on the public health, safety and general welfare of the residents, existing or potential, in the surrounding area and in the Township as a whole.
- (6) The effect of the proposed development on traffic and mobility within the vicinity of the proposed development, the degree to which the proposed development will impact traffic operations, the ability of the proposed accessways to safely serve the site, and the effectiveness of the measures proposed to mitigate deficient operations.
- (7) The effect of the proposed development upon the logical, efficient, and economical extension of public services and facilities, such as public water, sewers, police and fire protection, emergency medical services and schools, throughout the Township.
- (8) Conformity to all relevant provisions of the Township Subdivision & Land Development Ordinance and any other applicable ordinance, code and regulation.

**SECTION 16** §170-1510, Access and traffic control shall be amended by changing paragraph B thereof to read in its entirety as follows:

- B. In any zoning district, in the case of any multifamily residential development, commercial use, Hospital, Hotel, Patient Hostel, Rehabilitative Services Center, Wellness Center, Health Clinic, Medical Office Building, Medical Clinic, or industrial use or any other non-residential use excepting municipal, the following regulations shall apply.

**SECTION 17** §170-1513, Interior circulation and access, shall be amended by changing paragraph B thereof to read in its entirety as follows:

B. Minimum interior drive widths.

Use	Two-Lane Two-Way Drives (feet)		One-Lane One-Way Drives (feet)	
	Paved	ROW	Paved	ROW
Multifamily residential	24	50	*14	20
Commercial and all other	28	50	*14	30

\* 20' minimum if one-lane, one-way drive also is used for fire access.

**SECTION 18.** §170-1513, Interior circulation and access, shall be amended by adding the following sentence to the end of existing paragraph C thereof:

As determined by the Board of Supervisors, interior drives designed as continuous collector road(s) to provide internal through connection(s) between existing collector and/or arterial roads, which link any proposed use or development to existing or proposed intersections, or other points of controlled and/or signalized access to collector and/or arterial highway(s), shall be paved in accordance with §149-910 of Chapter 149, Subdivision and Land Development.

**SECTION 19.** §170-1519, Standards for minimum tract and lot area; maximum density of tract usage, shall be amended by changing paragraph B(2)(a)[3] thereof to read in its entirety as follows:

[3] Adult community development: tract area multiplied by 1.5, except as provided below. As part of a conditional use application, as a density bonus, the Board of Supervisors shall approve an increase in the maximum density above 1.5 dwelling units per acre where the Board is satisfied that all applicable conditions set forth herein are met. In no case shall the maximum density be increased to result in a maximum total greater than 2.25 dwelling units per acre. Such bonus shall be approved if the applicant proves to the satisfaction of the Board of Supervisors that the applicant will complete or fund substantial public improvements to mitigate one or more significant off-site impacts of the development or achieve other significant community planning objectives, consistent with the provisions of Subsection B(2)(a)[3][a] below.

[a] Substantial public improvements or design approaches potentially eligible for bonus density consideration include, but are not necessarily limited to significant transportation, water supply or sanitary sewer improvements;

provision of substantial open space in addition to the minimum otherwise required; protection and /or renovation/reuse of identified historic resources as part of the development; provision of land suitable for active recreation, public or community facilities; or other substantial public improvement identified by the Township at the time of the conditional use approval process and which significantly reduce the need for public expenditures to achieve clear public need(s).

- [b] At the time of conditional use application, the applicant shall identify the specific proposed substantial public improvement(s) for which bonus density is requested, shall indicate the anticipated cost(s) of completing such improvement(s), and shall submit plans and/or other documentation sufficient to demonstrate applicant's ability to achieve the proposed improvements. The amount of density bonus granted for any substantial public improvement(s) shall be established by the Board of Supervisors as a condition of approval based on a preponderance of evidence as follows: bonus density, measured in an incremental increase in dwelling units, shall be determined by roughly equating the incremental cost to the developer of providing substantial public improvement(s), with a reasonable value to the developer for the increase in unit count.
  
- [c] Subject to approval by the Board of Supervisors as provided herein, incremental bonus density shall be provided in, but shall not be limited to, the following situations:
  - [i] Bonus Dwelling Units for Preservation of Historic Sites & Landscapes. One additional dwelling unit may be provided, for each two acres comprising a lot (or open space parcel) which contains any Township, state or federally designated historic site or historic building or any historic site or building included or eligible for inclusion in the Chester County Historic Sites Survey, and where such acreage otherwise meets all applicable criteria for open space. The use of this bonus shall be limited to no more than four bonus dwelling units for each distinct historic landscape preserved, and shall be subject to the criteria set forth in § 170-904.A(2)(c)[1][a], [b] and [c].
  
  - [ii] Bonus Dwelling Units for Historic Restoration/ Rehabilitation. Where preservation of historic sites, as provided in § 170-1519.B(2)(a)[3][c][i] above, includes restoration or rehabilitation of historic structures approved by the Township, one additional dwelling unit may be provided, for each 2,000 square feet, or portion thereof exceeding 1,000 square feet, of habitable floor area on all floor levels in the historic sections of such structures, subject to the criteria set forth in § 170-904.A(2)(c)[2][a], [b], [c], [d] and [e].
  
  - [iii] Bonus Density for Provision for Additional Open Space. Two additional dwelling units may be provided, for each acre exclusive

of floodplain areas, wetland areas, and areas of greater than 25 percent slope, of common open space that is provided in excess of applicable minimum open space requirements and where such open space is permanently restricted from future development for other than approved open space purposes, subject to establishment of conservation easement(s) or other restrictive covenant(s) acceptable to the Township.

[iv] Bonus Density for Provision for Recreational Facilities. Two additional dwelling units may be provided for each acre of common open space, regardless of any other open space requirement or bonus, where such open space is developed and made available to the public for active recreational use, upon the recommendation of the Township Park Advisory Group.

[v] Bonus Density for Provision for Infrastructure Improvements. Additional dwelling units may be provided where applicant constructs or funds the construction of significant public infrastructure improvements clearly in excess of that which is required to serve the proposed development, including but not limited to public sewer and/or water facilities, public road or highway improvements, public trails, and structures devoted to public recreational use. The number of bonus dwelling units shall be commensurate with the cost of the substantial public improvements as provided above.

[d] Where the applicant demonstrates partial achievement of the substantial public improvements identified by the Township, the Board of Supervisors, at its sole discretion, may approve density bonus in increments reasonably related to the public improvement or design mitigation to be achieved. No density bonus shall be granted for any improvements that an applicant for a development would be required to complete or fund under a Township, Township Authority, state or federal requirement. For example, in the case of public street improvements, no density bonus shall be granted for improvements to a segment of an existing street immediately adjacent to the applicant's property and improvements that would otherwise be required by the Township and/or the Pennsylvania Department of Transportation.

[e] Commitment on the part of the applicant to complete or fund substantial public improvements shall be in a legally binding form acceptable to the Township Solicitor.

**SECTION 20.** §170-1519, Standards for minimum tract and lot area; maximum density of tract usage, shall be amended by adding a new paragraph B(2)(a)[4] thereof to read as follows:

- [4] Continuing Care Retirement Community (CCRC):
- [a] The density limitations established herein shall apply collectively to all Independent Living Residences and Assisted Living Residences included in a CCRC. Skilled nursing beds in a Nursing Facility that is developed as a required component of a CCRC shall not be counted toward any density limitation but shall be subject to the provisions of §170-1303.
  - [b] Maximum base density in a CCRC shall be established as tract area X 3.
  - [c] Maximum total density shall be increased above the base density calculated per subparagraph [b] above, where units are allocated to two-family dwellings, townhouses (single-family attached dwellings) or apartments, as follows:
    - [i] For each unit in the base density allocation, each two-family or townhouse dwelling shall be entitled to an additional 1 two-family or townhouse dwelling unit over and above the base density calculation.
    - [ii] For each unit in the base density allocation, each apartment dwelling shall be entitled to an additional 2 apartment dwellings over and above the base density calculation, except where allocated to assisted living residences.
    - [iii] For each unit in the base density allocation, each assisted living residence shall be entitled to an additional 3 assisted living residences over and above the base density calculation.
  - [d] Notwithstanding density increases as provided in subparagraph [c] above, the total maximum density (collective number of all dwellings) shall be limited to tract area X 8.

**SECTION 21.** §170-1602, Automobile service stations, shall be amended by changing subsection E thereof to read in its entirety as follows:

- E. Supplemental services requiring approval as a special exception. The following activities may be operated in conjunction with the principal use of a service station where authorized as a special exception by the Zoning Hearing Board in accordance with §170-2108 of this chapter:
- (1) Leasing or rental of vehicles, trailers, or similar equipment.
  - (2) Car washing.

**SECTION 22.** §170-1603, Accessory uses and structures, shall be amended by changing the introductory paragraph to subsection A(2) thereof to read in its entirety as follows:

- (2) Standards for accessory dwellings. Where authorized as a special exception under the terms of this chapter, accessory dwellings may be created in accordance with the following standards:

**SECTION 23.** §170-1603, Accessory uses and structures, shall be amended by changing paragraph A(2)(d) thereof to read in its entirety as follows:

- (d) No other alterations to the exterior of the structure shall be permitted unless necessary for health or safety reasons. No exterior changes shall be made which, in the judgment of the Zoning Hearing Board, are not in conformance with the existing single-family character of the neighborhood.

**SECTION 24.** §170-1615, Adult Community Development, shall be amended by adding an entirely new paragraph B(1)(d) as follows:

- (d) It shall only be permitted where located not less than 2,000 feet at any point from any other Adult Community Development or any Continuing Care Retirement Community.

**SECTION 25.** §170-1705, Schedule of Required Parking, is amended by adding a new paragraph A(8) to read in its entirety as follows:

- (8) Continuing Care Retirement Community (CCRC): In a CCRC, off-street parking shall be provided, in clear proximity to each use being served, as follows:
  - (a) one parking space shall be provided for each employee on the largest shift, plus
  - (b) one parking space for every four (4) assisted living residences, plus
  - (c) one parking space for every five (5) beds in a nursing facility, plus
  - (d) 1.3 parking spaces for each independent living residence in an apartment structure, plus
  - (e) two parking spaces for each independent living residence in a single-family, two-family or townhouse structure, plus
  - (f) additional reserve or overflow parking or parking for guests and visitors as required by the Board as a condition of conditional use approval, based upon evidence demonstrating the need therefore.

**SECTION 26.** §170-1705, Schedule of Required Parking, is amended by changing

paragraph C(2) thereof to read in its entirety as follows:

- (2) Medical or dental offices or clinic: One (1) off street parking space shall be provided per 150 square feet of gross habitable floor area except one space per 300 square feet of gross habitable floor area where medical or dental office(s) are part of a CCRC development undertaken in accordance with the provisions set forth in § 170-1612.

**SECTION 27.** §170-1705, Schedule of Required Parking, is amended by changing paragraph F(3) thereof to read in its entirety as follows:

- (3) Hospitals and Rehabilitative Services Centers: .85 spaces per employee on duty at any one shift change, or .65 spaces per full-time equivalent total employment, which ever yields the greater number of spaces, plus additional parking spaces for visitors on the basis of .6 spaces per bed.

**SECTION 28.** §170-1705, Schedule of Required Parking, is amended by adding new paragraphs F(5), F(6), F(7), and F(8) to read in their entirety as follows:

- (5) Medical Clinic and Health Clinic: One (1) off street parking space shall be provided per 300 square feet of gross habitable floor area.
- (6) Patient Hostel: One (1) off street parking space per guest room and one (1) parking space per employee of the largest shift.
- (7) Wellness Center: Five (5) off street parking spaces shall be provided per 1,000 square feet of patron use area.
- (8) Business Center Development (BCD): Parking requirements in a BCD shall equal the collective total of parking requirements calculated for each individual use within the BCD, as proposed at the time of conditional use approval, and as provided in this article. As a condition of conditional use approval, the Board may modify parking requirements to reflect potential changes of use over time within the BCD, or to reflect shared parking opportunities for two or more individual uses.

**SECTION 29.** §170-1708, Parking standards for single-family residential dwellings, is amended by changing the designations of paragraphs C(1) and C(2) as subsections D and E, respectively:

**SECTION 30.** §170-1802, Exempt Signs, is amended to add a new subsection K to read in its entirety as follows:

- K. Directional information signs not exceeding four (4) square feet in area may be erected and maintained for the safety and/or convenience of the public, subject to approval by the Zoning Officer, provided that where such signs advertise any commercial establishment, activity, organization, product, goods or services except

those of public utilities, they may only be erected pursuant to this section where located internally within a development and not visible from the exterior of the development.

**SECTION 31.** §170-1804, Permitted Signs by Zoning District, is amended to revise the introductory paragraph to subsection B(2) to read in its entirety as follows:

- (2) Where permitted under the terms of §170-1804.B(1)(e), §170-1804.B(1)(f), and §170-1804.C(3) of this Article, directory signs identifying two or more persons, agencies, or establishments and erected primarily as a service to motoring or pedestrian traffic. *[subsections (a) through (e) remain unchanged]*

**SECTION 32.** §170-1804, Permitted Signs by Zoning District, is amended to add a new subsection C to read in its entirety as follows:

C. Signs permitted in the SUO District.

- (1) Any sign permitted in the underlying zoning district;
- (2) As part of any CCRC, a maximum of one sign shall be permitted on each public street frontage, to identify the name of the CCRC. Such signs shall not be internally illuminated, and each sign face shall have a maximum sign area of 50 square feet and a maximum total height above the ground of 6 feet. Each sign face may be attached to wall of brick, stone or similar decorative masonry with a maximum height of 6 feet. The wall shall not obstruct safe sight distances and shall be surrounded by landscaping. Each sign may have two faces, as provided in §170-1806.C of this article.
- (3) For any BCD, one directory sign meeting the terms of §170-1804.B(3) of this article shall be permitted along each public street frontage. In addition, each individual use shall be permitted one flat wall sign.
- (4) The Board of Supervisors may approve modifications to the number, location(s), or dimensional standards set forth for signs herein, as a condition of conditional use approval.

**SECTION 33.** §170-2009, Conditional Uses, is amended to add a new paragraph B(6)(e) to read in its entirety as follows:

- (e) Strong consideration shall be given to incorporation of “LEED” (Leadership in Energy and Environmental Design) certified building design principals recommended by the US Green Building Council.