

Chapter 155. Zoning

Article IV. Zoning District Regulations

§ 155-25. R-5 Preexisting Planned Residential Community District.

- A. Purpose. Prior to the enactment of the Caln Township Comprehensive Plan (2003), a few planned residential communities had been previously approved under older alternative zoning regulations such as traditional neighborhood development, planned residential development, mixed-use development or lot averaging, which have been terminated as viable alternatives for planned residential communities. The purpose of the R-5 Zoning District is to recognize these planned residential communities, which because of their preexisting condition are allowed to continue under the basic zoning and land development provisions, as they were applied, recognized and approved in the past. Under this concept, the minimum and maximum dimensional requirements of the R-5 Zoning District should be compatible to the minimum and maximum dimensional requirements that were identified on the approved subdivision and land development plans for the applicable planned residential development. Where setback and coverage requirements are not provided on the approved subdivision and land development plan, the setback and coverage requirements in Matrix Chart 5 shall govern.^[1]

[Amended 8-10-2006 by Ord. No. 2006-9]

[1] *Editor's Note: Matrix Chart 5 is included as an attachment to this chapter.*

- B. Uses by right. The following principal uses and their accessory uses are permitted by right within the R-5 Zoning District, provided that the use is approved by the Zoning Officer; the use complies with the provisions of the previously approved plans; the use complies with the minimum and maximum dimensional requirements as specified on the previously approved plans; and the use complies with all other supplemental development and design requirements specified within the Code.
- (1) All principal and accessory uses identified on the appropriate phases of the Wedgewood Estates Land Development Plan, as approved by the Caln Township Board of Commissioners and recorded with the Chester County Recorder of Deeds, provided the principal and accessory uses are located, developed and improved in accordance with the approved Wedgewood Estates Land Development Plan. No further subdivision or land development activity shall be permitted within Wedgewood Estates unless it is in strict compliance with the approved plan or the Board of Commissioners has approved the activities.
 - (2) All principal and accessory uses identified on the appropriate phases of the Hidden Forest Land Development Plan, as approved by the Caln Township Board of Commissioners and recorded with the Chester County Recorder of Deeds, provided the principal and accessory uses are located, developed and improved in accordance with the approved Hidden Forest Land Development Plan. No further subdivision or land development activity shall be permitted within Hidden Forest unless it is in strict compliance with the approved plan or the Board of Commissioners has approved the activities.

- (3) All principal and accessory uses identified on the appropriate phases of the Village on Thorndale Greene Land Development Plan, as approved by the Caln Township Board of Commissioners and recorded with the Chester County Recorder of Deeds, provided the principal and accessory uses are located, developed and improved in accordance with the approved Village on Thorndale Greene Land Development Plan. No further subdivision or land development activity shall be permitted within the Village of Thorndale Greene unless it is in strict compliance with the approved plan or the Board of Commissioners has approved the activities.
 - (4) All principal and accessory uses identified on the appropriate phases of the Fairways Land Development Plan, as approved by the Caln Township Board of Commissioners and recorded with the Chester County Recorder of Deeds, provided the principal and accessory uses are located, developed and improved in accordance with the approved Fairways Land Development Plan. No further subdivision or land development activity shall be permitted within the Fairways unless it is in strict compliance with the approved plan or the Board of Commissioners has approved the activities.
 - (5) Recreational uses, subject to the land development controls specified by the approved plan and § **155-90** of the Code.
 - (6) Public utilities, subject to § **155-92** of the Code.
 - (7) Municipal uses, subject to § **155-94** of the Code.
 - (8) Category 1 home occupation, subject to § **155-109** of the Code.
 - (9) Forestry, subject to § **155-37** of the Code.
 - (10) Conservational uses.
 - (11) Group home.
[Added 7-25-2013 by Ord. No. 2013-05]
- C. Utility and dimensional requirements. Matrix Chart 5, which is attached to this chapter as Attachment 5, provides the basic utility and dimensional requirements for all uses within the R-5 Zoning District. Unless otherwise specified within the Code, all uses shall comply with the requirements on such chart.
[Amended 8-10-2006 by Ord. No. 2006-9; 9-13-2007 by Ord. No. 2007-11]
- D. Accessory uses and structures. Accessory uses and/or structures to the permitted uses of the R-5 Zoning District shall be permitted, provided they are located on the same lot as the principal use; they are clearly subordinate to the principal use; they are in compliance with the previously approved plans; they have been properly addressed as part of the application for a permit, subdivision, land development, special exception, conditional use or other approval requirements; and/or they comply with all other supplemental development and design requirements specified within the Code.
- E. Subdivision and land development requirements. No further subdivision or land development activity shall be permitted within the land areas of the R-5 Zoning District unless it is in strict compliance with a previously approved plan or it is approved by the Board of Commissioners. If permitted or required, a subdivision plan and/or land development plan shall be submitted to Caln Township for review and consideration prior to the issuance of a building permit for any permitted use within the R-5 Zoning District. If a subdivision or land development plan is required, the plan shall be prepared to comply with the appropriate provisions of Chapters **137** and **155** of the Code.
- F. Change of uses. The existing and/or planned uses within the R-5 Zoning District shall be in strict compliance with the previously approved plan. A change of use may be permitted, provided the proposed use is similar or compatible to the previously planned use; the representative

homeowners' association has approved the change of use; a special exception is granted by the Caln Township Zoning Hearing Board; and a land development plan is submitted to Caln Township for review and consideration.

- G. Off-street parking and loading. Where applicable, all permitted uses within the R-5 District shall comply with the off-street parking and loading requirements, as identified on the approved plans or as specified under Article **X** of this chapter.
- H. Signs. Where applicable, all permitted uses within the R-5 District shall comply with the requirements for signs, as identified on the approved plans or as specified under Article **XI** of this chapter.
- I. Supplemental regulations. Where applicable, all sections of this chapter shall apply as supplementary regulations and specifications for permitted uses within the R-5 Zoning District.