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### **Introduction and Goal and Objectives**

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The Land Use Plan provides the framework for guiding future land use and other regional and municipal planning decisions over the next ten to twenty years. The basis for the Land Use Plan is the land use inventory information presented in this chapter as well as the natural resource, open space, transportation, community facility, and other related information gathered in the course of creating this multimunicipal comprehensive plan. The Land Use Plan recommends how to best achieve the Region’s goals and objectives in terms of future development patterns, guiding growth to appropriate areas, and protecting agricultural lands and promoting the farm industry in accordance with the following regional land use goal:

*Provide for orderly growth and development by identifying regional and local centers for growth; ensuring compatibility between present and future land uses; and establishing a balance between growth, transportation, and the protection of resources that define the Region’s rural character.*

## Plan Objectives

This Plan Chapter focuses on how best to achieve the following Objectives:

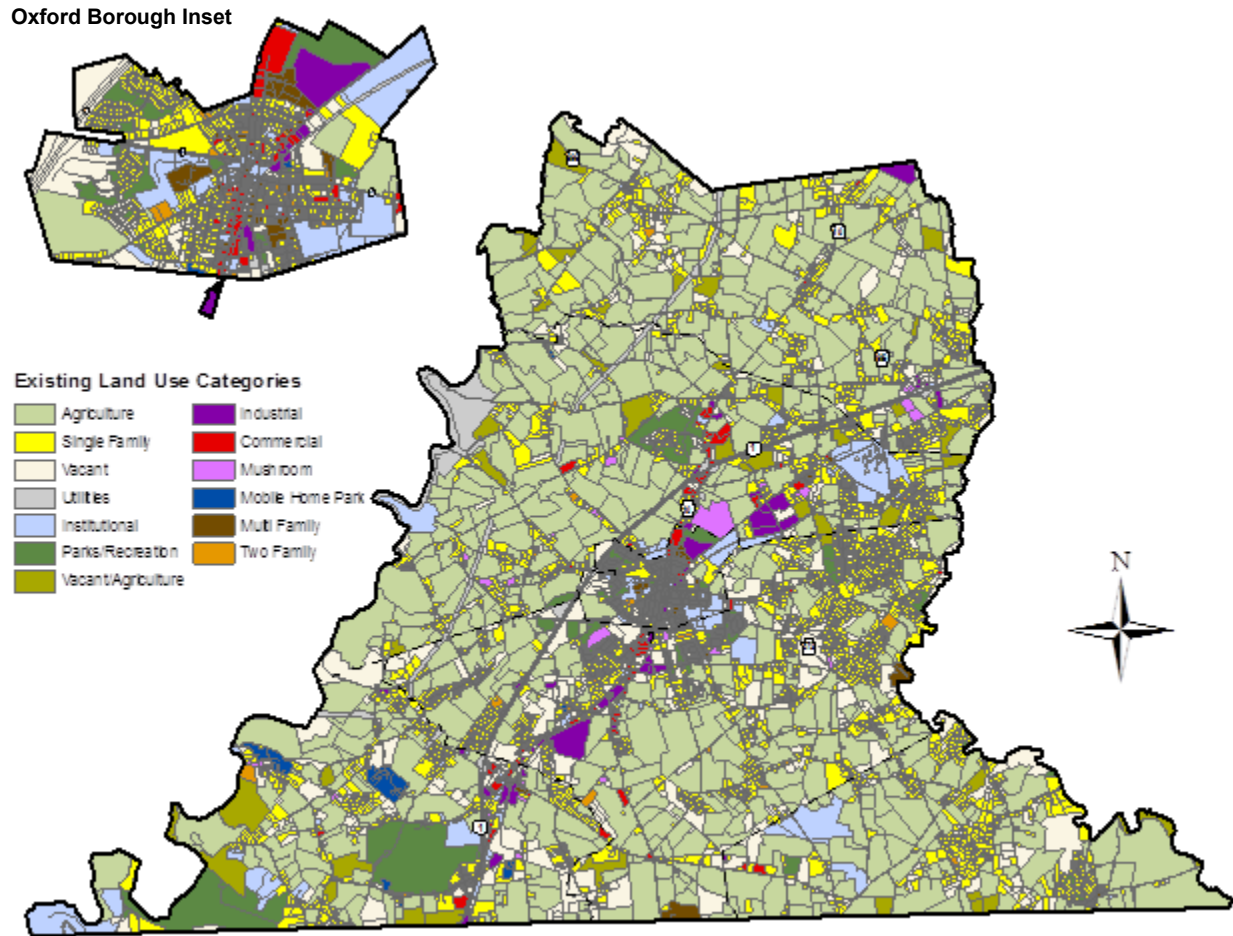
- 5-A** Encourage managed growth in and around Nottingham Village (existing rural center), Oxford Borough (urban growth area), and the thoughtful expansion (through infill and redevelopment) of the other Region's villages where supported by the necessary infrastructure.
- 5-B** Discourage unmanaged development outside of designated growth areas while promoting the continuation of agriculture and the protection of open space and natural resources in designated resource protection areas.
- 5-C** Accommodate a variety of land uses compatible with the existing community and improve the compatibility between all types of existing and future land uses within the Region.
- 5-D** Continue to promote the agricultural industry (and all associated activities) as the priority for preservation in the Region and use of the land for agrarian practices as part of the Region's past, present, and future.
- 5-E** Direct higher density development away from designated resource protection areas and into designated growth areas consistent with land use patterns of this Plan and where they may be served adequately by necessary facilities and services.
- 5-F** Review and, as necessary, amend municipal zoning and subdivision and land development ordinances to ensure that the patterns and design of land uses throughout the Region are consistent with the land use goal and objectives of this Plan.
- 5-G** Encourage commercial and industrial uses that are appropriate in scale, intensity, and location and consistent with the needs of the Region.
- 5-H** Protect farmland, natural resources, and open space areas through the use of appropriate resource protection provisions and proven alternative residential development options including transfer of development rights, cluster development, and effective agricultural zoning.
- 5-I** Ensure adequate and safe water supply, sewage disposal, transportation systems, and other infrastructure needs through the coordination of regional plans and municipal ordinances and through coordination and interaction with other regulatory agencies.

The existing land use information presented in this chapter describes the location, type, and amount of land uses in the Region. It also examines development trends that have occurred in the Region since the last regional comprehensive plan was completed over forty years ago. An important element of this chapter is the inventory of remaining developable lands that are not protected through easements or constrained by natural resources. These are the areas where additional development could potentially occur and where the land use policies and regulations will be of greatest importance for influencing the future character and use of land in the Region.

## Land Use Inventory

An inventory of land use was conducted in 2008 and 2009 using field surveys, tax assessment records, aerial photographs, and input from the Planning Committee. The location of specific land uses are shown on Figure 5-A and summarized in Figure 5-B. It is important to note that the existing land use map is a “snapshot in time” and represents the land uses in the Oxford Region at a specific point in history (August 2009)<sup>1</sup>. While some changes to land use have occurred in the time since the existing land use map was completed and criteria were calculated, the economic slowdown has significantly reduced the impacts of new growth in the Region as shown in Figure 5-D.

**Figure 5-A: Existing Land Use**



<sup>1</sup> The evaluation of existing land use is not an exact science, for planning purposes a +/- of a few hundred acres is factored into the end result.

**Figure 5-B: Existing Land Use Sub-categories (2009)**

Category	Acres	Percent of Total
Agriculture	27,052	52.2%
Single Family Residential	9,913	19.1%
Undeveloped (Vacant)	5,413	10.4%
Utilities/Rights-of-Way	2,496	4.81%
Institutional	1,776	3.4%
Parks/Recreation	1,767	3.4%
Vacant/Agriculture	1,677	3.2%
Industrial	561	1.1%
Commercial	365	0.7%
Mushroom	293	0.6%
Mobile Home Park	229	0.5%
Multi-Family	174	0.3%
Two-Family	150	0.3%
<b>Total</b>	<b>51,866</b>	

Sources: ORPC, 2009.

### Primary Land Use Categories

In order to provide a more subtle transition and connection to the proposed future land use categories and a unified look at historic and current trends in development, we have further simplified the thirteen sub-categories into six primary categories: Agricultural Lands, Residential Uses, Open Lands, Utilities and Transportation Uses, Institutional Uses, and Industrial and Commercial Uses.

#### **Agricultural Lands**

**29,094 acres, 56% of the Region**

The Agricultural Lands category includes agriculture, vacant/agriculture (parcels that are primarily vacant with limited agriculture), and mushroom facilities. Agricultural uses are located throughout the Region with contiguous stretches of farmland located in Upper Oxford Township South along the western border with Lancaster County through Lower Oxford into West Nottingham Township. While agriculture as an occupation has been on the decline since the completion of the first Oxford Region Comprehensive Plan in 1969, the amount of land dedicated to agriculture has only decreased by about 1,000 acres during the last decade.<sup>2</sup>

#### **Residential Uses**

**10,466 acres, 20.2% of the Region**

The Residential Uses category includes single-family, multi-family, and two-family uses as well as mobile home parks<sup>3</sup>. Since the year 2000, residential development exploded in the Region resulting in the subdivision of parcels throughout the Region with a concentration in

<sup>2</sup> Southwestern Community Profile, Chester County Planning Commission, 2006

<sup>3</sup> Single mobile homes are included in the single-family category



East Nottingham Township primarily to the South and East of Oxford Borough. The acres of residential uses have more than doubled from just more than 4,000 in the year 2000 to nearly 10,500 acres in 2009.

**Open Lands**

**7,180 acres, 13.8% of the Region**

The open lands category includes undeveloped or vacant land and parks and recreational lands. Undeveloped parcels (nearly 5,500 acres) are located throughout the Region and are



typically woodlands, meadows, or other natural lands or resources. For the most part these parcels are adjacent to existing agricultural uses and, therefore, have the potential to accommodate the expansion of the Agricultural industry. There are also substantial areas of park and recreation land (nearly 1,800 acres) in the Region with Nottingham County Park accounting for over 650 acres in West Nottingham Township. Further, the use of the cluster development option has resulted in several acres of

HOA managed open space in East Nottingham Township.

**Utilities and Transportation Uses**

**2,496 acres, 4.8% of the Region**

Utilities and transportation uses account for nearly 2,500 acres in the Region and include road rights-of-ways and parcels (eased and otherwise) owned by the Chester Water Authority, PECO, OASA, and the Region’s six municipalities.

**Institutional Uses**

**1,776 acres, 3.4% of the Region**

Nearly 1,800 acres of institutional uses are located in the Region. These include municipal properties (municipal buildings and facilities), camp facilities, and Oxford Area School District Facilities. (See Chapter 8)

**Industrial and Commercial Uses**

**926 acres, 1.8% of the Region**

Traditionally, commercial and industrial uses in the Oxford Region were agricultural-related businesses. While businesses in the Oxford Region have expanded beyond those that are “supported by or in support of the local farmer,” there are less than 1,000 acres of commercial and industrial uses in the Region.

The industrial and commercial uses in the Oxford Region are primarily located along the Route 10/Baltimore Pike Corridor. The Herr’s Foods Corporation is located at the southern tip of that corridor in the Village of Nottingham.

**“Too many residential developments and we need more commercial & industry; Need more high dollar commercial to offset residential tax base; Need more commercial; Too little commercial and industrial to support residential.”**

*Land Use/Housing Survey*

## Historic Land Use Data

In November of 1969, the Oxford Region completed and adopted the Oxford Region Comprehensive Plan. Included in that plan was a Summary of Existing Land Use that broke land use into eleven categories: high-density residential, rural residential, agricultural and vacant land, commercial, industrial, public use, semi-public use, public and semi-public recreation, private recreation, public utility and railroads, and street rights-of-way. To allow for a more logical comparison between the 1969 and 2009 existing land use data, the eleven categories have been simplified into six primary categories as shown in Figure 5-C. Only the percentages of land use are included as the data for Upper Oxford Township was not included in the 1969 Plan.

**Figure 5-C: Historic Land Use Data (1969)**

Combined Historic Land Use Category	Percent of Total
Agricultural and Vacant Land	89%
Public Utility, Railroads, and Transportation	4.4%
High-Density and Rural Residential	2.6%
Public, Semi-Public, and Private Recreation	2.2%
Commercial and Industrial	1.0%
Public and Semi-Public Use	0.8%

Source: 1969 Oxford Region Comprehensive Plan

In 1969, residential uses accounted for less than 3% of the Region's land uses. Four decades later, residential uses are the second largest category and account for over 20% of the Region's land uses. While residential uses have obviously replaced a large percentage of the Region's agricultural and vacant land (nearly 90% in 1969), agricultural and vacant land continue to represent the majority of the Region's land uses at over 62%. Surprisingly, the percentage of commercial and industrial uses in the Region have increased only slightly from 1.0% in 1969 to 1.8% in 2009. This trend supports the Region's desire to increase or expand commercial and industrial uses in the Region.

## Development Trends

### Subdivision and Land Development Proposals 2001 - 2010

The number, type, and size of subdivisions and land developments proposed in the Region during the last ten years provides one measure to assess growth pressure in the Region. Table 5-D summarizes the subdivision and land development applications received for review by the County between 2001 and 2010. While not every submitted plan is approved, or necessarily built if approved, these proposed plans provide insight into development trends in the Region during the last decade of active development.

**Figure 5-D: A Decade of Subdivision and Land Development Reviews (2001-2010)**

Year Reviewed	Single Family Detached	Agricultural Units or Lots	Attached and Multi-Family	Commercial, Industrial, and Institutional		Totals Lots or Units	Total Land Area (Acres)	New Roads (Feet)
				Units	Square Feet			
2001	307	18	3	11	73,917	339	1,456	14,409
2002	425	34	14	28	442,042	501	1,488	25,124
2003	820	13	201	13	183,163	1047	1,741	64,699
2004	505	9	28	17	108,188	559	1,719	45,686
2005	257	11	0	9	31,842	277	1,161	11,579
2006	709	20	32	24	706,027	785	3,864	60,580
2007	297	11	0	13	215,104	321	1,243	13,256
2008	36	3	0	16	8,096	55	671	984
2009	197	7	0	11	72,173	215	1,218	10,158
2010	14	12	0	4	21,000	30	774	-
<b>Total</b>	<b>3,567</b>	<b>138</b>	<b>278</b>	<b>146</b>	<b>1,861,552</b>	<b>4,129</b>	<b>15,335</b>	<b>246,475</b>

Source: CCPC – 247 Section (2011)

Most of the development proposed in the Region over the last ten years has been for residential uses, of which 96% was single-family development. The highest number of proposed residential lots or units was reviewed in 2003 and specified over 12 miles (64,699 feet) of proposed new roads. The largest number of proposed agricultural units or lots (34) and proposed commercial, industrial, or institutional units or lots (28) occurred in the same year, 2003. It is interesting to note while the number of proposed commercial, industrial, and institutional uses was highest in 2003, the highest amount of proposed square footage (nearly double that of 2003) was in 2006 with 706,027 square feet. Does this identify a trend towards larger commercial and industrial uses? While 2008 and 2010 show clear signs of the economic downturn later in the decade, proposals in 2009 were similar to the proposed growth in the beginning of the decade.

#### **RECOMMENDATIONS FOR MONITORING OF GROWTH IN THE REGION**

**Action 5-1** Monitor proposed subdivision and land development (especially development of regional significance) against the Land Use Map and criteria to determine if growth is occurring in Designated Growth Areas and decreasing in areas designated for Resource Protection.

✓Objective(s) addressed by Action: B, E, and F

## Developable Lands

The amount and location of potentially developable land that remains in the Region is of particular importance for future land use planning. By determining which lands are developable, it is possible to determine the amount, type, and location of future growth that could occur in the Region and where resource protection efforts should be focused. Developable lands were determined by first eliminating lands that are constrained by natural resources, protected through easements, or already developed. The remaining land includes those parcels that could potentially be developed or partially developed. Figure 5-E provides a summary of the number of acres that are included in each of the five categories as well as the specific types of lands which they include<sup>4</sup>.

**Figure 5-E: Developable Lands Criteria**

Category	Lands Included in Category	Acres in Category	Percent of Region
Protected Lands	Parks, easements, utility parcels	10,295	20%
Developed Lands	Existing Developments, street rights-of-ways, approved subdivisions	11,985	24%
Developable Lands	Remaining Lands	24,706	50%
Partially Developable Lands	Single-family parcels =>4 acres with limited development	2,857	6%
Natural Constraints	Very steep slopes, 100 year floodplain, wetlands, streams, riparian buffers (50')	<b>Total Acres in Region</b> 7,888	

Source: Chester County Planning Commission, Oxford Region Planning Committee, 2012

### Lands Unavailable for Development

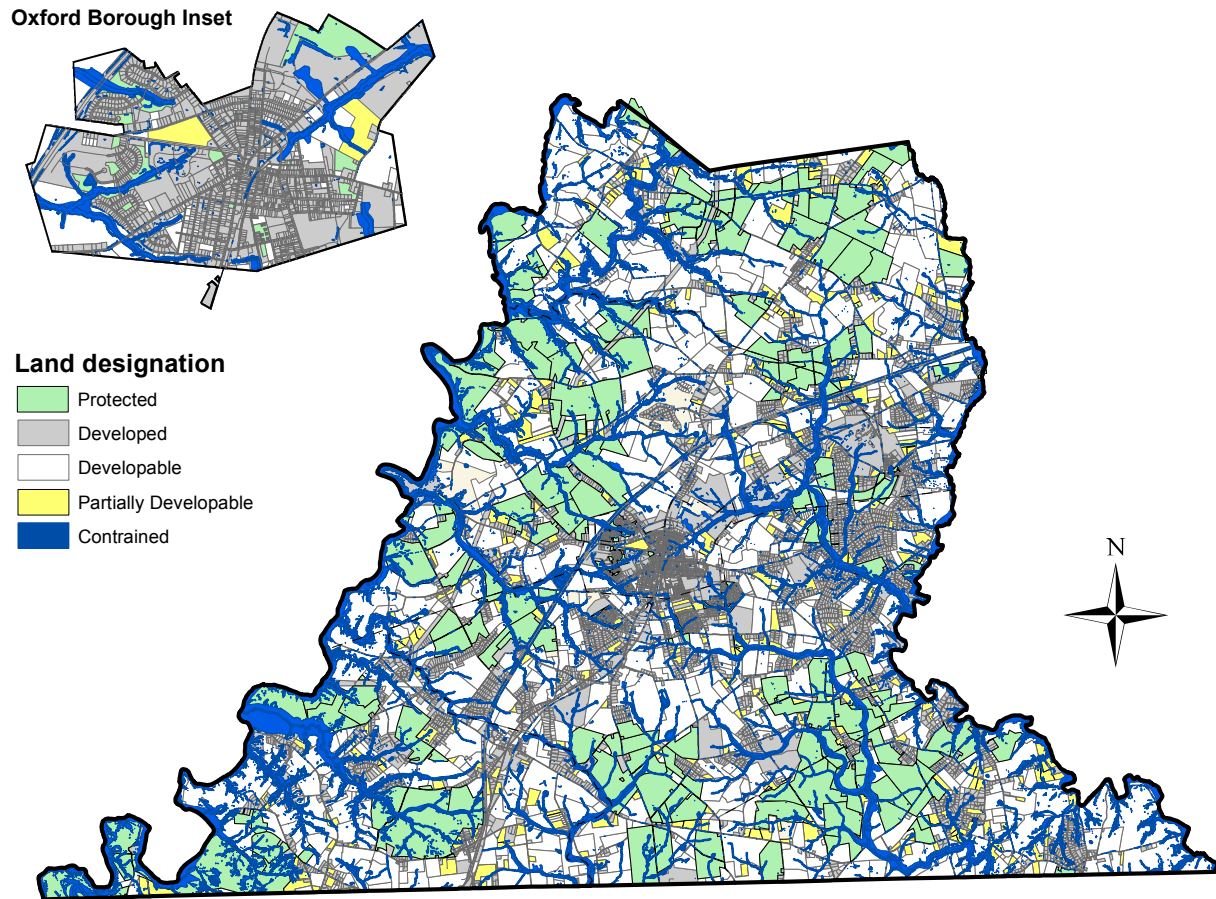
Based on the information in Figure 5-E, Protected Lands and Developed Lands account for about 44% of the Region. Nearly 8,000 acres (7,888) or about 16% of the Region contains significant natural constraints and is not available for development. (See Chapter 12) The natural constraints that are a part of this category overlap the other categories and reduce the number of potential developable acres.

### Lands Available for Development - Developable Lands

After the land unavailable for development has been deducted and the constrained lands (3,899 acres) have been subtracted from the total Developable Lands, nearly 42% of the Region can be considered potentially available for development or developable. What does that mean to the Region? About 20,807 acres are available for development. That number would increase significantly if one were to factor in the partially developable land (2,857 acres).

<sup>4</sup> The results of the developable lands calculations (like existing land use) can include a +/- deviation of several hundred acres.

Figure 5-F: Developable Lands



## Land Use Plan

This section of the land use chapter recommends an overall land use pattern for the Region for the next 10-20 years and provides recommendations for how to best achieve that pattern. The future land use plan (and map) designates the future land use or reuse of land within the Region. It, therefore, serves as a **guide** for official decisions regarding the distribution and intensity of growth as well as the location of future public facilities and areas designated for resource and/or open space preservation.

In addition to the land use goal and objectives outlined on pages 5-1 and 5-2 and the existing land use analysis, the issues examined in the other plan chapters are factored into the land use plan recommendations. The land use plan, in turn, provides guidance for other plan elements regarding where improvements to infrastructure and community facilities should be focused and, conversely, where preservation and conservation policies are most appropriate.



## Basis for Land Use Recommendations

The following factors were the primary considerations in the formation of the Land Use Plan

### Preserve and Promote Agriculture

Agriculture is the primary land use in the Region and the common thread that links the Region's past with its desired future. The preservation of agricultural resources, the agricultural industry, and the associated way-of-life is a priority for the Region. (See Chapter 11: Agricultural Resources)

### Preserve and Manage More Open Space

The preservation of open space in the Region, agricultural or otherwise, is a priority in the preservation of the Region's rural character. (See Chapter 10: Open Space)

### Increase Commercial and Industrial Development

The Region recognizes the need to increase and/or expand commercial and industrial uses in the appropriate areas of the Region (designated growth areas) to expand employment opportunities and offset the tax burden on local residents. (See Chapter 7: Economic Development)

### Reduction of Sprawl

Sprawl is recognized as an unsustainable land-consumptive development pattern that exhausts resources and is inconsistent with the Region's goals of preserving open space and agriculture and providing alternative means of transportation. (See Figure 8-H)

**"Too much sprawling development; Too much sprawl; Sprawling; Rising residential threatening character of community; The existing Regional Land Use [as it exists] is scattered and encourages random development."**

*Land Use/Housing Survey*

## Land Use Categories

Figure 5-G designates eight land use planning categories for the Region. The overall intent for the Land Use Plan is to focus growth in those areas where it can best be accommodated and to limit development in areas where growth is least appropriate in terms of infrastructure, agricultural preservation, and sensitive natural resources. The Land Use Plan designations fall under one of the following categories:



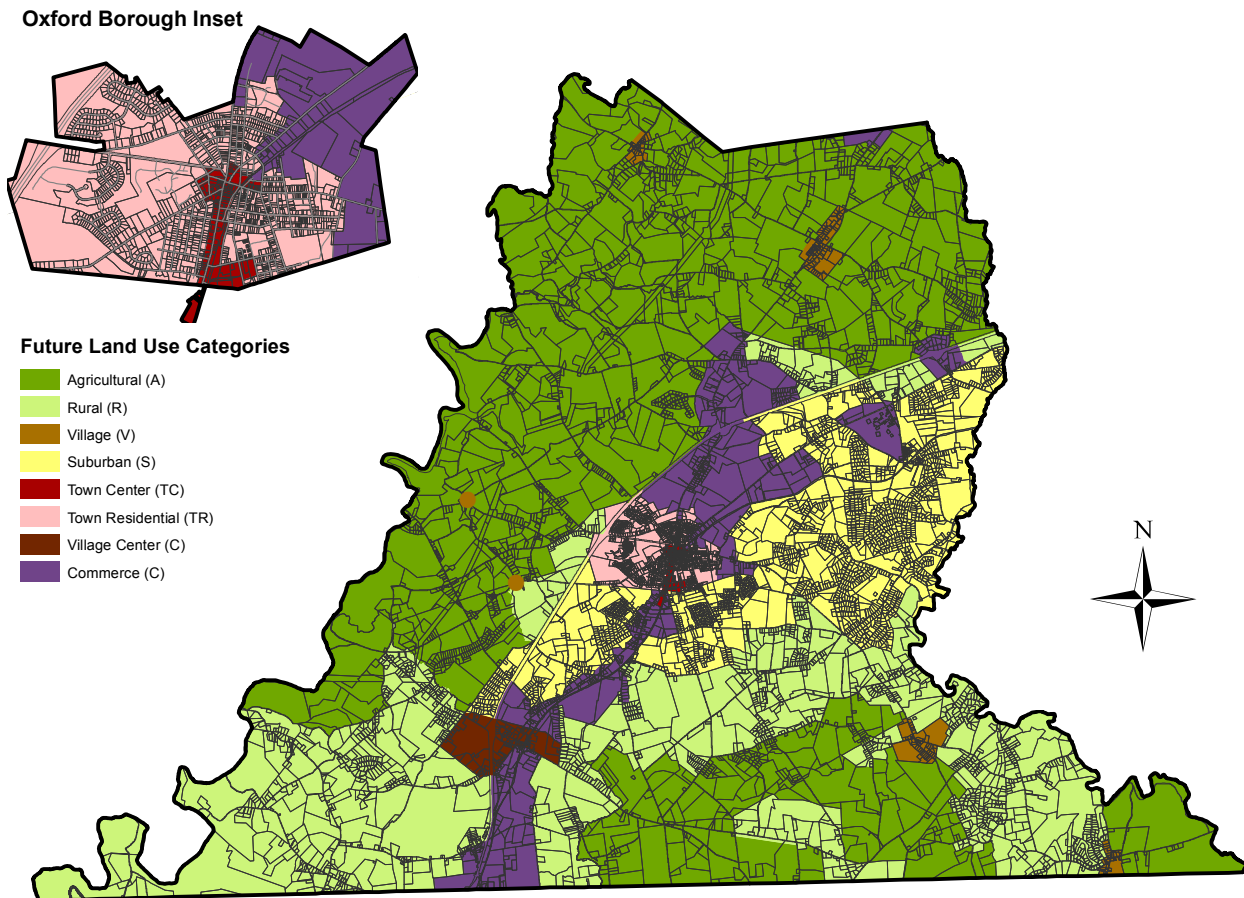
### Resource Protection Areas

The Resource Protection areas are characterized by farmland and agricultural operations, historic villages, and natural resources including woodlands and streams. While these areas include a limited number of local commercial uses and scattered nodes of residential uses, the absence of infrastructure (water and sewer) has restricted the development of large residential subdivisions and commercial operations. The Region's priority for the continuation of agricultural operations and the preservation of natural resources and historic villages indicates a desire to restrict expansion of infrastructure into these areas.

### Growth Areas

Designated Growth Areas includes those categories intended for the orderly and efficient development of suburban and urban areas of the Region, at appropriate densities that 1) meet the projected population growth in the Region; and 2) take infrastructure limitations into consideration. These areas are planned to accommodate a diversity of residential uses to meet the needs of the socioeconomic range of the population, while also accommodating commercial, industrial, and institutional uses to provide for the economic and employment needs of the Region and to provide an adequate tax base for the Oxford Area School District.

**Figure 5-G: Future Land Use**



### Resource Protection Areas

The Resource Protection Areas consist of three designations: Agricultural, Rural, and Village. What follows is a description of these categories and recommended strategies to implement the Region’s vision.

#### Agricultural (A)

**24,829 acres, 47.7% of the Region**

The Agricultural designation is characterized by active agricultural operations (crops, cattle, horse farms, etc.) that define an agrarian tradition that influences all other land uses in the Region. The number of agricultural parcels/acres protected through easements further supports the priority in this category (See Figure 11-J). Agricultural also includes small

nodes of residential development, a number of historic villages, and limited commercial facilities (some agriculture-related).

***Recommended Strategies***

Agricultural operations in the Region should be maintained and encouraged to expand, wherever and whenever possible. The municipalities of the Region should 1) promote agricultural support businesses to locate within and/or near this area and 2) amend municipal ordinances to provide additional flexibility and reduce potentially burdensome regulations on the local farmers to promote the continuation of the agricultural industry. A limited number of residential uses may be permitted at a density no greater than one dwelling unit per five acres (1 du per 5 acres) in this area through effective agricultural zoning. A higher density may be permitted when a municipality has implemented a TDR program or has shown (and plans to continue) a commitment to proactively pursue easements on agricultural properties. In any case, The Region’s municipalities should continue to work with the County and local landowners to preserve agriculture and protect farmland (the Region’s most important natural resource) through easement.



**Rural (R)**

**13,911 acres, 26.7% of the Region**

This designation represents the transition area from Agricultural to the growth areas identified below. While agricultural uses are located in this area the primary non-agricultural uses include open space, natural resources, and low-density residential. Residential uses include single family homes along road frontage and as part of subdivisions at a density of approximately one dwelling unit per one to two acres (1 du per 1 to 2 acres) typically served by on-lot water and sewer facilities.

***Recommended Strategies***

Existing agricultural uses in this area should be maintained and encouraged to expand, wherever and whenever possible. While residential development should be limited, it may continue to be permitted at a suggested density of one dwelling unit per one to four acres (1 du per 1 to 4 acres) to accommodate some population growth including expanding agricultural families. To limit the disturbance of the Region’s natural resources (including Prime Agricultural Soils), development should continue under smart growth techniques such as TDR or cluster development with consideration for the need to limit the potential conflicts between agricultural operations and residential uses. In any case, the Region’s municipalities should continue to work with the County and local landowners to preserve agriculture and protect farmland.

**Village (V)**

**285 acres, 0.6% of the Region**

This designation is defined by the villages that represent the historic development pattern of the Region: Homeville, Russellville, Tweedale, Hopewell, and Lewisville. Villages are located in the Agricultural and Rural categories and are characterized by small lots, shallow setbacks, historic residential uses, small shops and local commercial uses, and community features such as post offices, churches, or grange halls.

*Recommended Strategies*

The historic villages of the Region are planned for limited infill development similar to existing residential, commercial, and institutional uses with lot sizes of 20,000 to 30,000 square feet. However, this should be considered a range as potential new development should be compared to the existing area and bulk regulations of adjacent uses to continue the existing village pattern. Business/commercial development should be limited to home occupations and local commercial uses and agricultural support businesses that do not compromise the existing village character. The inclusion of mixed uses and higher densities should be considered as an option to supplement and/or expand existing villages, if and when infrastructure becomes available.



**Growth Areas**

The designated growth areas consist of five categories: Suburban, Town Center, Town Residential, Village Center, and Commerce. What follows is a description of these categories and recommended strategies to implement the Region’s vision.

**When the Planning Committee was asked where future development should be focused they responded, In existing centers and existing developed areas”**

*Land Use/Housing Survey*

**Suburban (S)**

**6,870 acres, 13.3% of the Region**

The Suburban designation represents the area in the Region that has experienced the most significant growth during the last few decades. This area is characterized by single-family homes on one to two acre lots in a traditional suburban development pattern. While some single-family development in this area has been created under a cluster option, resulting in the preservation of a few areas of open space, the vast majority has been developed in a conventional, more land-consumptive manner. This area also includes local commercial uses, light industrial uses, and institutional uses that primarily serve the local population. For the most part, vehicular movement has been prioritized over the need for pedestrian circulation facilities even when those uses are in close proximity to points of interest such as schools and/or park and recreation facilities.

*Recommended Strategies*

While a conventional development pattern has traditionally been used in the Suburban areas, the continuation of this pattern should be avoided on those remaining developable parcels where the benefits of smart growth techniques could be realized.



These techniques, including cluster development and Traditional Neighborhood Development (TND), should be the priority for future development at a density range of one dwelling unit per one-half acre to two acres (1 du per ½ acre to 2 acres). While the amount of open space preserved may be limited as a result of the use of on-lot water and sewer facilities, the preserved open space can be designed to provide buffers to adjacent roadways and uses, reduce possible conflicts and the impact new development may have on an existing community, and provide potential recreational opportunities. Where public water and sewer infrastructure is available (See Chapter 8) for new development, the Region can accommodate higher density uses to focus growth and address fair share issues and housing affordability. Future commercial uses may be appropriate in this area when proposed adjacent to the Commerce, Town Center, and Village Center areas.

**Town Center (TC)**

**72 acres, 0.14% of the Region**

This designation focuses on downtown Oxford Borough including residential, commercial, and institutional uses along Route 10/3<sup>rd</sup> Street South and Market Street. The Town Center’s location and characteristics are consistent with the Urban Landscape designation in *Landscapes2*. Residential uses in Town Center include historic single family homes, row homes, and apartments, some of which are located above commercial uses (mixed uses). Commercial uses are characterized by offices, shops, and restaurants. Institutional uses include the Oxford Hotel, Union Fire Hall, Borough Hall, Neighborhood Services Center, Oxford Friends Meeting, the Oxford Library, and several educational facilities in the Borough’s southeast quadrant. Many uses in Town Center are housed in historic structures along sidewalk-lined streets that provide a connection to the Borough’s past and a pleasant walking opportunity for both residents and guests to the community.



***Recommended Strategies***

While developable land in this area is limited, a mix of residential, commercial, and service uses should be promoted for new development or re-development in Town Center to provide goods and services to the Region’s population. The range of density should be consistent with the specifications set forth in the Borough’s C-2, C-3, PC, and LI zoning districts, as applicable. Professional offices, restaurants, and retail stores should continue to be encouraged to serve residents and to provide an employment base in the central core of the area. Building renovations and adaptive reuses should be encouraged “that will sustain the downtown’s physical rejuvenation and provide a greater range of goods and services” as indicated in the Borough’s 2003 Revitalization Plan. This physical rejuvenation should include an ongoing effort to continue to provide pedestrian access and connection between uses in the Borough and the Suburban land use category. A limited number of larger commercial uses such as grocery and hardware stores may be permitted but these uses should be limited to a smaller scale consistent with the existing character of the Borough. Minimum lot sizes for these commercial uses should be controlled and building size should be limited to protect the pedestrian scale of this area. Larger scale commercial uses such as “big box” commercial and retail



developments are not consistent with the scale of Town Center and should be considered for the Commerce category.

**Town Residential (TR)**

**907 acres, 1.7% of the Region**

The Town Residential designation is adjacent to Town Center and is characterized by a mix of single family and two family residential uses and institutional uses. A traditional neighborhood pattern characterizes the older parts of the Borough with streets in a grid pattern, sidewalks, and shorter building setbacks. Newer development in the Borough, which is located further from the intersection of Route 10 and Market Street, has been developed in a more conventional pattern with large lots, deeper building setbacks, and a winding curvilinear street pattern. The Ware Presbyterian Village is an example of a retirement community in the Borough that provides housing to the elderly within a short distance of service and commercial facilities.

***Recommended Strategies***

New development or re-development in Town Residential should continue in the tradition of the neighborhood pattern in the Borough and should provide pedestrian facilities that link to existing residential development and commercial and institutional uses in the nearby Town Center. The range of densities should be consistent with the specifications set forth in the Borough's PD-1, R-1, R-2, and R-3 zoning districts, as applicable.

**Village Center (VC)**

**454 acres, 0.9% of the Region**

This designation is intended for the Village of Nottingham, an area designated by *Landscapes2* as a Rural Center as a result of its potential development pattern. Nottingham is an historic village located at the intersection of Old Baltimore Pike and Route 272 just off of the Route 1 interchange with traditional residential and commercial uses and a large scale light industrial use and employer in Herr's Foods. While the interchange with Route 1 has brought with it the opportunity for new commercial uses (Wawa and CVS), the existing uses suffer from a lack of identity, pedestrian facilities, and a meaningful development pattern.

***Recommended Strategies***

This area has been designated as a traditional neighborhood development (TND) and receiving area for the extensive TDR sending area in West Nottingham Township in an effort to preserve the Township's surrounding farmland and rural character. As such, future development should promote a more traditional development pattern and the densities in the village area may be further increased through the use of TDRs. This category promotes a mixed use village center, a village commercial area, and a village residential area, with medium to high-density uses in a traditional village pattern with appropriate setbacks and a focus on pedestrian access and mobility. A mix of uses is being promoted as an integral part of the village rehabilitation to expand commercial and residential opportunities, to share parking facilities, and introduce a true village pattern. The range of densities, therefore, should be consistent with the specifications set forth in West Nottingham Township's Village Zoning District, as applicable.

**Commerce (C)****3,975 acres, 7.7% of the Region**

These areas are characterized by larger scale institutional, commercial, retail, light industrial, and warehousing operations. North of the Borough, commercial uses are focused along Route 10 north and south of Route 1. The Lincoln University Campus is located east of the Borough to the south of Old Baltimore Pike. South of the Borough, commercial uses are located along Old Baltimore Pike and Barnsley Chrome Road (Along the Octoraro Rail Line) south of the Borough into Nottingham and the Herr's Factory. Herr's is the anchor of the Village of Nottingham as well as the commercial anchor for the Region. Within the Borough, there is an area designated for Industrial uses in the northwest quadrant which includes the Oxford Mall and Oxford Industrial Park. These areas are important to the Region in terms of local employment as well as providing critical tax dollars to support the Oxford Area School District.

**“Too many residential developments and we need more commercial & industry; Need more high dollar commercial to offset residential tax base; Need more commercial; Too little commercial and industrial to support residential.”**

*Land Use/Housing Survey*

***Recommended Strategies***

The pattern for commercial development in the Oxford Region has been well-established and, for the most part, runs parallel to Route 10, Route 1, Old Baltimore Pike, and the Octoraro Rail Line. Municipal regulations should continue to permit commercial and institutional facilities within this commercial/industrial core with regard to the need to link these facilities to adjacent residential facilities with adequate pedestrian access. The densities for this category can range from one-half acre to two acres (1/2 to 2 acres) with the exception of the areas within the Oxford Borough limits where the densities should be consistent with the PD-1, C-1, and C-2 zoning districts. The Oxford Region remains a largely rural area and municipal design standards should be amended to reflect this character by requiring that signage, landscaping, and lighting are appropriate and fit in with the surrounding neighborhoods and/or uses.

The Octoraro Rail Line, now operated by East Penn, is a key link in the ongoing effort to bring commercial and/or industrial uses to the Commerce areas of the Region. As stated above, the rail line runs within or adjacent to the Commerce land use category and currently provides freight rail service to a few of the Region's employers including the Herr's corporation. Going forward, every effort should be made to continue to expand the use of the rail line in attracting, improving, and expanding commercial and/or industrial uses in the Region. Further, municipalities should initiate and/or continue to open lines of communication with East Penn. (See Chapter 9)

**RECOMMENDATION FOR CONSISTENCY WITH THE LAND USE PLAN**

**Action 5-2** Review and amend municipal zoning ordinances and maps where significant inconsistencies with the Multimunicipal Land Use Plan recommendations and Land Use Map are identified.

✓Objective(s) addressed by Action: 5-A, B, C, F, and G

**RECOMMENDATION TO AVOID REGIONAL BORDER CONFLICTS**

**Action 5-3** Review proposed changes to municipals plans and ordinances for consistency with municipalities bordering the Region and with County land use policies (*Landscapes2*) to avoid the creation of conflicting land uses.

✓Objective(s) addressed by Action: 5-C and 5-F

**RECOMMENDATIONS FOR FUTURE REVISION OF THE LAND USE PLAN**

**Action 5-4** Monitor and update boundaries of targeted growth areas to keep the Land Use Plan current with regional policies and economic and development trends, as necessary.

**Action 5-5** Ensure that any changes to the Land Use Plan are consistent with the *Landscapes2 Livable Landscapes Map*.

✓Objective(s) addressed by Action: 5-A, B, E, and G

**RECOMMENDATIONS FOR ACT 537 PLANNING (MUNICIPAL AND REGIONAL)**

**Action 5-6** Coordinate the update of municipal Act 537 (Sewage Facilities) Plans (municipal or regional) to manage the extension of public sewage facilities into targeted growth areas and restrict the extension of those facilities into designated resource protection areas, consistent with the policies of this Plan.

**Action 5-7** Coordinate Land Use policies with the Oxford Area Sewage Authority (OASA) to ensure that plans for the expansion of public sewage infrastructure are consistent with the policies of this Plan.

✓Objective(s) addressed by Action: 5-A, E, and I

See also Chapter 8: Community Facilities and Services Inventory and Plan

**RECOMMENDATION FOR MONITORING IMPROVEMENTS TO MAJOR ROADWAYS**

**Action 5-8** Monitor the development of proposed improvements to major transportation corridors, as these changes will have an impact on land use and transportation policies in the Region.

✓Objective(s) addressed by Action: 5-I

See also Chapter 9: Transportation Inventory and Plan

**☑ RECOMMENDATIONS FOR ADDRESSING FAIR SHARE OBLIGATIONS**

**Action 5-9** Permit a wider range of dwelling types in residential districts that are located in targeted growth areas to provide for more housing options in the Region.

✓Objective(s) addressed by Action: 5-I

For a complete discussion regarding Fair Share obligations see Appendix 5-A.

**Growth Management – Land Use Measures**

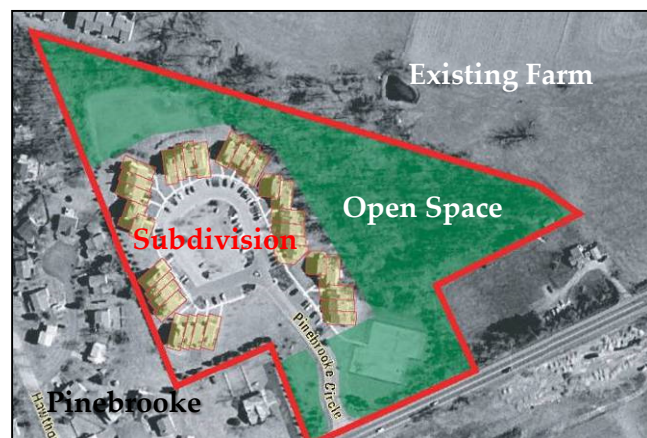
To effect change in the Region and implement the land use pattern discussed above, it will be necessary to consider the use or expansion of the use of development tools available to the Region’s municipalities. There are several planning tools that address natural resource protection on an area-wide basis from a land use perspective and they include:

- Cluster development;
- Transfer of Development Rights; and
- Agricultural Zoning.

**Cluster Development**

Cluster development, also known as conservation or open space development, provides a means of both preserving open space and allowing development to be directed away from natural and agricultural resources on the site. Depending on the type of facility options available and the district in which the subdivision is located, up to 75% open space can be required/preserved. In other words, on a parcel of 100 acres at least 75 acres could be preserved in permanent open space after the development is completed. In any case, a minimum of 50% open space retention should be required as shown in the Villages at Penn Ridge (Penn Township). Uses permitted in open space can include natural and historic resources, recreational facilities, as well as existing agricultural uses.

Permitting the preservation of agricultural resources in open space should be in coordination with the inclusion of strict design standards that are designed to limit conflicts between the existing agricultural use and new residential uses. Just as fences often make good neighbors, design standards can help to mitigate potential problems between homeowners and



farmers. These design standards should include setbacks that provide adequate area for buffering and/or screening between uses similar to the technique used in Pinebrooke above.

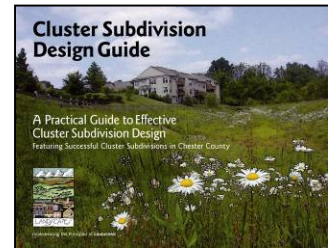
**Possible Options for Implementation:**

*Lower Base Density for Conventional Development.* Keep or even lower the base density for conventional subdivisions, while allowing a higher density for cluster subdivision. This offers a significant incentive for choosing the cluster development option over conventional subdivisions. Allowing a higher gross density through the cluster option could also increase the percentage of open space that would be retained.

*Allow Cluster Development By-Right versus Conditional Use.* Allow cluster development as a by-right use, while requiring conventional subdivisions to go through the conditional use or special exception approval process. Townships have taken this approach to the next level and permit cluster subdivisions as the only option (mandatory) for larger parcels (20, 30, or 40 acres) in certain zoning districts.

**Additional Provisions**

*Cluster Subdivision Design Guide* – prepared by the Chester County Planning Commission. This design guide includes discussion and photographs of positive design elements that have been used in outstanding cluster developments in Chester County and sample ordinance language for the implementation of these elements



Elk Township is currently the only Oxford Region municipality with cluster provisions.

**RECOMMENDATIONS FOR CLUSTER DEVELOPMENT**

The following actions are in sequential order:

- Action 5-10** Review and amend municipal ordinances in those municipalities where the desired impact of cluster development has not been achieved.
- Action 5-11** Review the Chester County Planning Commission’s *Cluster Subdivision Design Guide, A Practical Guide to Effective Cluster Subdivision Design* (2003) for good examples of cluster development throughout the county and model ordinance language.

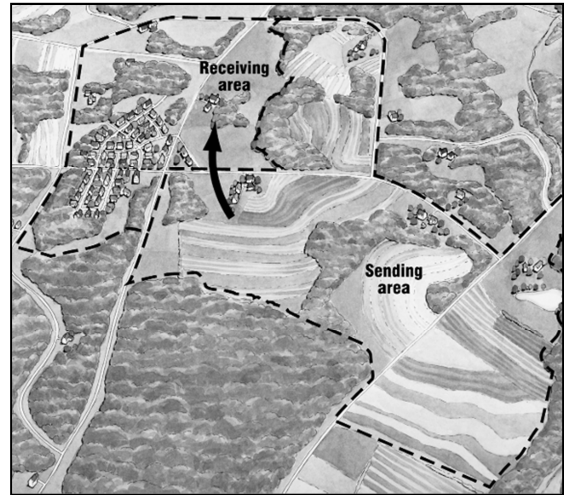
✓Objective(s) addressed by Action: 5-B, and H



### Transfer of Development Rights (TDR)

Transfer of Development Rights (TDR) is a way of preserving open space, natural resources, historic resources, and farmland in the Region. A TDR program, although implemented through the zoning ordinance, is optional and depends on voluntary use by private landowners and developers for its success. Municipal involvement can also improve TDR program success.

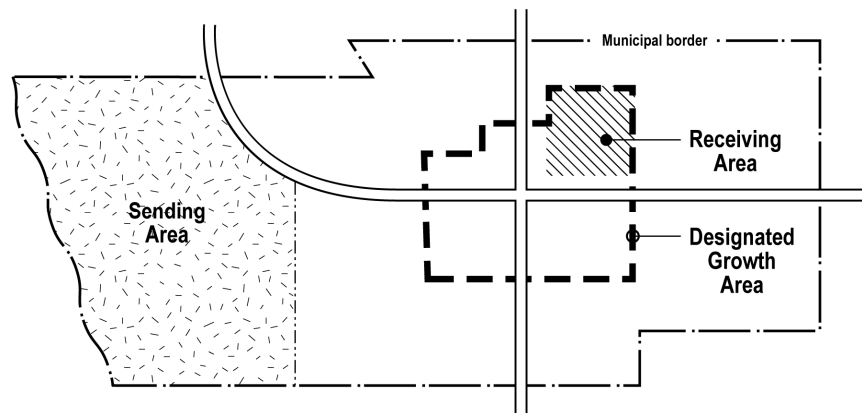
The TDR tool directs growth to preferred locations in the Region through the severance and sale of development rights. Areas targeted for preservation become the “sending areas” for the development rights and those areas designated as appropriate for growth are the “receiving areas.” Owners of land within the sending areas can legally sever and sell their development rights to owners or developers of land in the receiving areas interested in seeking additional development options not otherwise available through base zoning. For example, by purchasing TDRs, developers may gain the ability to develop special uses, such as a continuing care retirement community, or exceed the base density for residential uses, or area and bulk requirements for non-residential uses.



The TDR option offers one of the most equitable systems for preserving open space and agricultural lands by compensating the owner of the preserved land, while guiding growth towards designated growth areas. The price of the development rights is typically determined by a willing buyer and a willing seller under fair market conditions.

The establishment and success of a regional TDR program would require a written agreement among the participating municipalities (i.e., those interested in exchanging TDRs). The development of a multimunicipal comprehensive plan creates a larger potential for the development of such a program, and the proposed intergovernmental cooperative implementation agreement could serve as the regional TDR program’s written agreement. It should also be noted that the municipalities themselves can acquire development rights from sending area landowners and either retire those rights or sell them to a willing buyer in established receiving areas. This latter option has several advantages, some of which are: 1) if an owner of

**Figure 5-H: Transfer of Development Rights**



receiving areas. This latter option has several advantages, some of which are: 1) if an owner of

an important piece of land is interested in selling his development rights and there are no immediate public (County) or private-sector buyers for the development rights; 2) the purchased TDRs can be offered by the municipality to developers who propose developments consistent with the goals and objectives of the regional plan and any specific community objectives or design guidelines; and 3) sale proceeds from the TDRs can be reinvested in additional development right purchases by the municipality, creating a revolving open space fund. If the municipality wishes to purchase TDRs from a sending area landowner, consideration must be given to how such a purchase would be funded. The Region's municipalities collecting dedicated open space tax revenue through earned-income tax assessments pursuant to Act 153 could readily use those funds to purchase TDRs. A local or regional land trust can assist with the municipality's or region's administration of the TDR program, and also act as a bank for, and broker of, the purchased development rights.

Appropriate zoning ordinance adjustments would be likely for any of the Region's municipalities (townships and borough) who are interested in exchanging TDRs under a regional TDR program. Zoning ordinance adjustments for a regional TDR program would be needed to provide sufficient developer incentives to participate by buying development rights from one municipality and utilizing them in another. Also, the Region's municipalities will need to decide if additional zoning adjustments are needed so that developer incentives to utilize TDRs in areas designated for growth are attractive enough to discourage developers from simply seeking out the least expensive path to development, i.e., where one of the Region's municipalities simply gives away desired density or intensity "for free".

**Minimum Considerations for Transfer of Development Rights Program:**

1. Municipal or regional personnel to administer the TDR program.
2. Appropriately designated land areas for both receiving and sending areas.

The following Oxford Region municipalities currently allow for or are considering a transfer of development rights program: West Nottingham and East Nottingham Townships. (See Map 11-N)

**RECOMMENDATION FOR A TRANSFER OF DEVELOPMENT RIGHTS PROGRAM**

The following actions are in sequential order:

**Action 5-12** Explore the feasibility of a regional TDR Program with all or some of the Region's municipalities.

**Action 5-13** Review and amend municipal ordinances to facilitate the use of transfer of development rights (TDR) on a regional level in order to direct higher density growth to designated growth areas while minimizing the impact on those areas designated for resource protection.

✓Objective(s) addressed by Action: 5-A, B, D, E, F, and H

## Effective Agricultural Zoning

One of the most efficient ways to preserve farmland in the Region is through a zoning tool called “Effective Agricultural Zoning.” Regulations implemented through these districts include design standards that support the continuation of agricultural operations. The focus for these districts is to promote agricultural uses. There is limited development allowed for other uses within this zone as to avoid conflict with agricultural practices.

**“Residential housing development in agricultural areas causes conflict that makes farming practices difficult.”**

*Land Use/Housing Survey*

Effective agricultural zoning is a land management tool that municipalities can use to encourage the preservation of farmland, discourage their conversion into non-agricultural uses, and discourage the establishment of land uses that are incompatible with agricultural uses. This development option favors the continuance of agricultural production by posing strict controls that limit the amount of residential development that can be developed in agricultural areas while placing fewer or less stringent controls or restrictions on the farmer. It is important to limit, not restrict, development, as subdivision is often a farmer’s way of supplementing their income in an unproductive season.

**“It should have been planned to preserve the best farmland for farming, not houses; Need to allow more side type businesses for farms to survive; Access to fresh produce and farm products.**

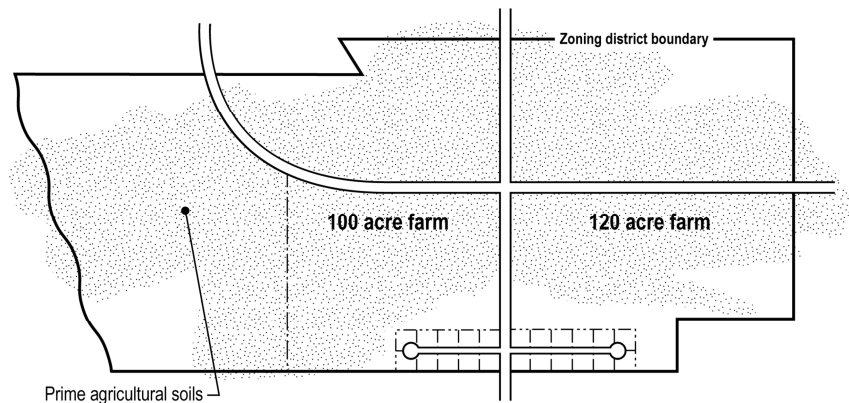
*Land Use/Housing Survey*

This development option is established through the zoning ordinance by implementing a separate agricultural preservation district that focuses regulations to accommodate continued agricultural production. This is accomplished by substantially reducing the density of residential uses to as low as one unit per 10, 20, or even 25 acres. (Figure 5-I illustrates an effective agricultural zoning district where two farms have been developed at a density of 1 dwelling unit per 10 acres) The minimum lot size

usually remains at one acre, to accommodate on-lot water and sewer, and reduce impact of the residential uses on the adjacent agricultural use. In some cases,

municipalities will implement a maximum lot size (eg. two acres) to reduce the impact of residential uses on the agricultural operation and prime agricultural soils. In addition, resource protection provisions, that limit development of prime agricultural soils, must be implemented.

**Figure 5-I: Effective Agricultural Zoning (density = 1 unit per 10 acres)**



While reducing the development potential of the farmland, this tool also reduces restrictions on the farmer in reference to agricultural operations. In fact, the burden to avoid border conflicts

between residential uses and agricultural operations is placed on the property owners of the residential use. Again, the focus of this tool is to preserve and protect the land and the interests of the local farmer and keep agricultural operations viable.

As with any other planning tools there are issues that have to be addressed before implementing this tool. The area in question must currently be in agricultural production and consist primarily of prime agricultural soils to justify the low-density residential development density. Further, agricultural parcels that are adjacent to existing higher density uses were not included in recognition of the fact that agricultural zoning may be impractical in areas where higher density (greater than 1 dwelling unit per ½ acre) are adjacent to agricultural uses.

### **Support of the Local Farmer**

It is imperative to have the support of the local farmers and large landowners as this planning tool, while promoting the preservation of agricultural uses, does limit the potential for residential development. Their input should be requested and compiled before considering the establishment of an effective agricultural zoning district or, more importantly, before dismissing this widely used preservation tool altogether.

### **Minimum Requirements for Effective Agricultural Zoning:**

1. Areas of farmland for which the property owners intend to keep in active/productive agriculture.
2. Interest from the property owners/farmers to use this tool.
3. Establish a dedicated zoning district.
4. Suggested 10, 20, or 25-acre density (1 dwelling unit per 10/20/25 acres).
5. Minimum residential lot size of 1 acre (free of prime agricultural soils).
6. Maximum residential lot size of 2 acres to promote use of land for agricultural production.
7. Compatibility of adjacent land uses.

The following Oxford Region municipalities have implemented an effective agricultural zoning district: Elk and Upper Oxford townships.

## **RECOMMENDATIONS FOR EFFECTIVE AGRICULTURAL ZONING**

The following actions are in sequential order:

**Action 5-14** Review Map 5-3 to determine if an agricultural zoning district(s) can be established based on adjacent land use, the location and use of identified agricultural parcels, and other criteria set forth in Chapter 5: Land Use Plan.

**Action 5-15** Representatives of the Region and/or municipalities where potential districts have been identified, should meet with associated farmers/large landowner to review Effective Agricultural Zoning (EAZ) and determine if they support the change in designation.

**Action 5-16** Develop and adopt amendments to municipal zoning ordinances and maps to establish agricultural districts that require EAZ.

✓Objective(s) addressed by Action: 5-B, D, F, and H

### **Net out of Resources**

In order to preserve valuable primary natural resources such as floodplains, wetlands, and steep slopes consideration should be given to requiring a “net-out” of these and other natural resources. A net-out provision is implemented through the zoning ordinance and essentially excludes these resources from the parcel or tract area prior to the density calculation in a given zoning district. Therefore, the disturbance of natural resources is minimized by removing them from the density calculation altogether. For example, if an applicant’s 100-acre property contained ten acres of steep slopes and five acres of floodplain and wetlands, their density calculation would be based on 85 acres or the area free of natural constraints.

Primary resources such as floodplains, steep slopes, and wetlands are commonly netted out of the calculation in their entirety. Secondary resources such as prime agricultural soils and woodlands can be netted out based on a percentage of the existing resource. For example, woodlands or prime agricultural soils can be netted out based on 50% of the existing resource. If, on a given parcel or tract, there were six acres of existing woodland and ten acres of prime agricultural soils, a total of eight acres would be netted out prior to the density calculation discussed above.

### **RECOMMENDATION FOR NET-OUT OF NATURAL RESOURCES**

**Action 5-17** Review and revise and/or establish net-out provisions to enhance protection and preservation of natural, scenic, and historic resources.

✓Objective(s) addressed by Action: 5-E and H

### **Official Map and Ordinance**

An official map is a stand alone ordinance and map that can be used to establish the location of existing and proposed streets rights-of-way, railroad rights-of-way, waterways, parks, open space reservations, pedestrian ways, trails, historic sites, and other public lands and facilities. This map identifies existing public lands and facilities and provides notification to property owners and land developers about the location of potential future public improvements needed based on analysis and planning, usually in the Comprehensive Plan. It provides a municipality with a one-year time period in which to purchase a property noted on an Official Map or to obtain an easement for that property once the property owner has notified the municipality through written notice of the intention to subdivide or build on the mapped lands. However, in cases where public improvements, such as streets, are being dedicated by the developer to the municipality, the purchase or easement of land is not necessary, but the Official Map is still a very useful planning tool for establishing a desired pattern, for example the extension and continuation of a street system. The Official Map serves as a tool for a municipality to plan



ahead for lands that are needed to undertake future public purposes. The Official Map is adopted with an accompanying written ordinance that provides an explanation of the map and its purpose. Enabled under the Pennsylvania Municipalities Planning Code, the Official Map and Ordinance is adopted by the municipal governing body.

**Example:** Elk Township adopted an official map and ordinance that indicates, among other things, a potential public street pattern for the Village of Lewisville and a potential trail corridor and trail head location along the Elk Creek north of route 841.

**RECOMMENDATION FOR OFFICIAL MAP AND ORDINANCE**

**Action 5-18** Consider the preparation of an Official Map and Ordinance to legally establish the location of proposed streets, parks, trails, and other public lands and facilities, and areas that are a high priority for open space preservation in accordance with the policies of this Comprehensive Plan.

✓Objective(s) addressed by Action: 5-A, and 5-F.

**Figure (Map) Sources:**

**Figure 5-A: Existing Land Use**

Sources: Municipal borders, Roads – Chester County GIS; Existing Land Use – DVRPC, 2005 and ORPC, 2009.

**Figure 5-F: Developable Lands**

Sources: Municipal borders, Roads – Chester County GIS; Existing Land Use – DVRPC, 2005 and ORPC, 2009; Natural Constraints - CCPC; Agricultural Conservation Easements – ALPB; All Other Protected Open Space and Developed Lands, Developable Lands, and Partially Developable Lands – CCPC.

**Figure 5-G: Future Land Use**

Sources: Municipal borders, Roads – Chester County GIS; Future Land Use – CCPC and ORPC, 2012.

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