

## **SUMMARY NOTES FIRST PROPOSED ZONING ORDINANCE PUBLIC MEETING**

A public meeting was held on January 29, 2014 at Glenside Memorial Hall, the first in a series of public outreach meetings on the Proposed Draft New Zoning Ordinance and Map Change.

### **Welcome and Introduction**

Township Manager Bryan Havir opened the Community Meeting at 7:00 p.m. for the Proposed New Zoning Ordinance and Map Discussion and introduced Commissioners Sharkey, Norris, Rappoport and Simon, as well as Montgomery County Planner Joseph Nixon who provided the Power Point presentation and members of the Ad Hoc Zoning Subcommittee.

Mr. Havir noted that these meetings are meant to be informative exchanges regarding the process and thinking behind the Proposed Ordinance recommendations and their intended outcomes. The goal is to ensure a transparent process and keep everyone up to date. The purpose of the meetings is not to discuss specific properties but to provide an overview of the process, timeline, public input and adoption procedure of the new Zoning Ordinance.

The Proposed New Zoning Ordinance and map can be found on the Township website. Comments can be emailed to [cheltenham@cheltenham-township.org](mailto:cheltenham@cheltenham-township.org). Mr. David Cohen, member of the Ad Hoc Zoning Committee, facilitated the question and answer session.

### **Questions and Answers**

Q1: Will the Power Point be available?

A1: Yes, on the Township website [www.CheltenhamTownship.org](http://www.CheltenhamTownship.org).

*Post-meeting note:* An e-mail blast was sent out on 2/10/2014, providing a link to this presentation.

Q2: Is the new floodplain smaller than the existing floodplain, relative to findings of the U.S. Army Corps of Engineers?

A2: The floodplain indicated on the maps is based on FEMA's data. The indication of 'smaller' is the presenter's impression.

Q3: Assuming the new zoning map is adopted, will variances thereafter be based upon the new Ordinance?

A3: Yes, once the revised code is in effect, it will apply, except for 'grandfathered' uses.

Q4: If emails are sent in, will Q&A be posted?

A4: Yes, but the timing will be based on input from the Commissioners and potential review by the Township's Building and Zoning Committee.

Q5: There are lots of changes with many implications. Has any financial analysis been done?

A5: No. Applications for proposed zoning changes might roll out over 5, 10 or 50 years, depending on when given properties might come under development. Therefore, it is difficult

to forecast. In the subdivision and land development review process, as development proposals move forward, the Commissioners will ask developers to perform a cost-benefit analysis.

Q6: If cost-benefit analysis would not occur until future development, isn't that too late to find out that the proposed zoning change is not appropriate?

A6: The cost-benefit analysis will be looked into.

Q7: As a tax-payer, what do these proposed changes mean to me?

A7: If the Township has more commercial and light-industrial development, it should be a net positive impact, as there would be no additional children for the School District. Real estate taxes at present go 80% to the School District, 15% to the Township, and 5% to the County, approximately.

Q8: It appears that the Township's various parks and bird sanctuaries are indicated as 'residential.' Could they be developed? Shouldn't they have their own district type?

A8: The matter comes down to ownership, as to whether a given parcel would be developed. Properties cannot be zoned as parks or open space. However the Township can designate County or Township property as either parks or open space.

Q9: Several existing parks in the Township are not shown on the map.

A9: This will be checked and corrected.

Q10: Will fewer proposed districts create an argument for developers to claim unfair limitations for commercial uses?

A10: The proposed Zoning would be clearer and more streamlined, making it easier to interpret by owners and Township staff. Note that although the proposed Zoning has only two commercial districts, it also proposes mixed-uses, which offers a different approach to commercial uses than previously permitted. The intent is to balance the needs of the community.

Q11: Regarding budget and taxes, is the goal to make it easier for commercial and mixed-use development?

A11: Yes, so that there will be less burden on the residential taxes.

Q12: Regarding MU3 [mixed-use overlay district] for parcels of 10 acres or more, can it circumvent the intent of the underlying zoning? That is, if a district is zoned R1, but is eligible for MU3, then it seems there is no way that the R1 could be maintained.

A12: The goal is to stabilize the pressures of development.

Q13: As a follow-up to a previous question, couldn't multiple properties be cobbled together, thereby creating an elongated shape that might total 10 or more acres, making MU3 permitted, but where the irregular configuration would make it inappropriate?

A13: This is a good point and will be considered further.

Q14: What are the expectations for any change in the population and what ratios are we shooting for?

A14: Population projections are based on Delaware Valley Regional Planning Commission data. It is believed that [the existing mix] in these areas will be stable for the next 25 years. Population is slightly increased because the Township is largely developed. The proposed Zoning encourages less residential and more non-residential. Also, the School District is currently doing a population analysis, but it is not yet complete.

Q15: Just because something is 85 years old does not mean it is completely broken. Why can't we just look at sections that need to be fixed on a case-by-case basis?

A15: The existing Zoning Code has confusing wording that requires arduous processes. In the past, the Township has gone in to update individual sections, but the opportunity here is to look at all issues at once to provide consistency between the individual parts. Also, business was much different in 1929 than it is today. The current Zoning Code speaks to outdated concerns, such as limiting locations for the production of sauerkraut. The proposed code speaks to light industrial and home-based businesses. For example, Bed and Breakfast establishments are not accommodated in the current Zoning, yet this could be a viable option in some of the historic homes in the Township, and the proposed Zoning would establish controls for this use.

Q16: Are there any height restrictions in the Proposed Ordinance?

A16: Yes.

Q16.1: In the instance of an Overlay District, would the height restrictions be undermined?

A16.1: No

Q17: The proposed Zoning calls for 3 to 4 story buildings near train stations; given the experience with the proposed parking garage at Wyncote, is this really appropriate?

A17: The proposed Zoning is informed by current planning principles including transit-oriented development. This allows more density and height with less need for vehicles. This question does suggest that the potential impact might need to be considered further.

Q18: Why are the existing School District properties under different zoning? Is this intended to pressure the School District?

A18: The proposed Zoning for each school property is based on the surrounding area to make sense of adjacencies. Elkins Park is surrounded by residential dwellings and this influences the proposed Zoning as residential; Cedarbrook is on a major road and adjacent to commercial properties, so it is proposed commercial.

Q19: Why have Cluster Overlay Districts?

A19: On larger properties, instead of having units spread over the entire parcel, the same number of units are allowed but clustered together to maintain open space around them.

Q20: What about electronic billboards?

A20: Billboards would only be permitted in C2. Electronic billboards must be provided somewhere in the Municipality by law. Similarly, cell towers must be widely allowed per federal law and this supersedes local regulations. Utilities have special regulations, but as with the placement of a PECO tower in Elkins Park in recent years, it may be possible for the community to influence the final location.

Q21: Are there any statistics on rental units compared to single-family dwellings and did these statistics guide the process? There is a need to control where rental properties can be built.

A21: No, we cannot zone for ownership.

Q22: What will be the impact on property values? There has been lots of wording about stabilizing of neighborhoods but not about improving or increasing values.

A22: By creating more opportunity for commercial properties, the new zoning could help reduce reliance on residential taxes.

Q23: Will the new Zoning ordinance have any impact on the Zoning Hearing Board? Are the members appointed to serve life terms?

A23: No, the new Zoning does not impose any new regulations on the Zoning Hearing Board, which is governed by the Pennsylvania Municipalities Planning Code. Members serve at the pleasure of the Commissioners. They may be appointed by the Commissioners in staggered, two-year terms.

Q24: How do we find out what the changes are between the existing and the proposed Zoning Ordinance?

A24: We will seek to address the differences more clearly in the subsequent community meetings (Wednesday 2/26/14: Residential and Mixed Use Districts; Wednesday 3/26/14: Commercial & Industrial Districts; Wednesday 4/23/14: New Overlay Districts). All meetings will be held at Glenside Hall. The Committee will make a comparison chart showing the changes as it moves forward to make changes to the draft that is presented at the community meetings over the next several months.

Q25: With additional development comes additional traffic, and traffic is already bad. Can some land be taken from the developers to widen the roads?

A25: Widening the roads requires PennDOT approval. A 'Main Street' feel is sought.

General comment: A Commenter felt that parking should be restricted to the front with landscape buffers as opposed to locating buildings closer to the street as in Main Street in Jenkintown.