

PROPOSED ZONING ORDINANCE MEETING SUMMARY NOTES

A public meeting was held on April 23, 2014 as the fourth in a series of public outreach meetings on the Proposed Draft New Zoning Ordinance and Map Change.

Welcome and Introduction

Mr. Havir opened the Community Meeting at 7:00 p.m. for the proposed Zoning Ordinance and map discussion, specifically on the Overlay Districts, which include the Cluster Residential and Campus Overlay District and Mixed Use. He stated that the other two overlay districts, which are the Historic Resource Ordinance and the Flood Plain Ordinance, were going through a separate adoption process. The Historic Resource Ordinance would be reviewed on May 7, 2014 by the Building and Zoning Committee, while the Floodplain Ordinance will be before the Commissioners at a Public Hearing on May 21, 2014. Mr. Havir introduced Commissioners Rappaport, McKeown and Norris; the Ad Hoc Committee members, and Joseph Nixon, the County Planner who provided a power point presentation.

David Cohen facilitated the question and answer session and provided the email address of cheltenham@cheltenham-township.org for any write-in questions by the participants. Potential future meetings would be based on the Commissioners' decision regarding public input.

Questions and Answers

Q1: What could be done to include impact fees in the Ordinance for developers, considering our aging infrastructure and its sustainability?

A1: There are limitations in Pennsylvania on implementing fees of that nature. The Township could probably require sewer tapping fees.

Q2: There was concern about a sustainability bonus leading to increasing of impact leading to more storm water. There was a suggestion to modify or provide bonuses so that improvements are related to sustainability.

A2: This is a reasonable suggestion that could be managed through the Storm Water Management Ordinance.

Q3: What are the standards for traffic impact studies?

A3: There are none right now, but there may be a need to identify national standards. Could look at elements that are existing, but each may vary based on property use, uniqueness and location.

Q4: There were concerns in general about the proposed Ordinance for a predominantly residential town. There are existing commercial areas, but this ordinance proposes an arbitrary 10-acre minimum to create commercial districts. Potential sites include the seminary and Arcadia. A commenter thought the overlay should just focus on the existing commercial districts as opposed to allowing commercial uses in residential areas. The

Township/residents should be the ones to regulate the process and reduce the options for developers.

A4: While density issues could be reconsidered, this comment raises the philosophical question about whether to remain a bedroom community or to integrate more commercial uses. It would be up to the property owner to decide which overlay to use based on a free market. This could vary on a case-by-case basis. The 10 acres was arbitrary but chosen as part of the visioning process. It doesn't mean that one couldn't purchase contiguous properties.

Q5: Do any of the Ad hoc members stand to personally gain from the proposed Zoning?

A5: None are developers, just resident volunteers, and no personal gain is known of.

Q6: Is Robinson Park slated for development?

A6: No development is known about. Most parks are deed restricted and zoned with covenants, making redevelopment impossible.

Q7: A traffic impact study was conducted when the school was not in session by a recent developer. Who will ensure studies are conducted appropriately? There is too much latitude for commercial developers in the Township. Most of these uses are grouped together, but while a 15-ft buffer looks good on paper, it is not practical for a resident.

A7: Outside consultants – with no conflict of interest – will review studies and advise the Township. The buffer issue can be reconsidered, especially for nuisance uses.

Q8: Can we limit rental verses owner occupied?

A8: This is difficult to regulate using zoning. For example, apartment buildings or condo units could be interchanged. Zoning, however, can regulate the number of unrelated people living in a property.

Q9: Clarify why and what the value is for going to an overlay as the method to satisfy the intent as opposed to some other method when it appears to be a by-right use. What power remains for the Commissioners if they don't like the development?

A9: Commissioners still have the opportunity through conditional uses to act as a tribunal. There may also be cases that will need Zoning Hearing Board approval.

Q10: Adding building and parking coverage in overlay districts to the 65% cap appears to negate best management practices and defeats the open space and sustainability argument.

A10: Parking, buildings, driveways and sidewalks are not included in the open space.

Q11: Residents are interested in decreasing the storm water issues we have. Cheltenham Mall is one concrete slab, and Wawa will add to the impervious surface coverage, too. This will impact the area of Ogontz Avenue/Cedarbrook Middle School with other potential impacts on Rock Creek and the riparian corridor.

A11: These issues are best addressed in the Subdivision and Land Development Ordinance, not the Zoning Ordinance.

Q12: There was concern about the arbitrary nature of 10 acres. There is a need to balance the proposed zoning with the needs of those that live in the area. Would it be appropriate to have a referendum from the residents living in an area and also have them pay for the process?

A12: Referendums, except for bond issues, are illegal in Pennsylvania. We could instead require public meetings between the developers and residents.

Q13: If overlay allows the uses, then what impact would the public hearings have? It seems like this would defeat the purpose.

A13: It would allow for public input to be taken into consideration.

Q14: We are looking at this overlay option in a crisis economy, with a potentially huge impact, especially with no controls. If places like Arcadia or other sites like it close 10 years from now, this Zoning could create an issue.

A14: Township is 98% built out, with a very small commercial tax base. That's the reason for considering allowing businesses and commercial uses, to counterbalance the existing problem of a lack of a commercial tax base. It is a balancing act. More uses will allow for more potential for a tax base, revenue generation, increased services to the residents, a better quality of life, more commercial uses, restaurants, entertainment, and more goods and services. The 10 acres may be arbitrary, but commercial uses are needed in the community.

Q15: Are there other communities with overlays and a balance between commercial and residential uses that are livable?

A15: There are a number of overlays that exist right now. Overlays are pretty common all over. Cluster overlay is part of the county model. Lower Pottsgrove is an example where that has been in place 10-15 years.

Q16: Do we still have age-restricted overlays?

A16: Yes, we have age-restricted and preservation overlays.

Q17: A commenter recommended consideration of pedestrian uses but requested more consideration of bicycle uses as well. Use of bicycle facilities like racks and the like could be addressed as well.

A17: That will be taken into consideration.

Q18: Can questions be posted about why properties are proposed to be zoned a certain way?

A18: Addressing of questions through the email system would be great.

Q19: We cannot predict the future, but we know that people have chosen to live in Cheltenham, knowing the taxes are high because of limited commercial uses and lots of churches and synagogues. We cannot predict the community's future without commercial uses. The future is uncertain.

A19: Understood.

Q20: To what extent can we adjust the environment based on perceived needs?

A20: The Commissioners can modify this if needed, but cannot predict the future. This came from the County model, but there is a possibility for adjustment.

Q21: Best management practices and sustainability plan goals do not seem to appear much in the proposed ordinance. You need to look at the plan and incorporate these concepts into the proposed ordinance.

A21: It can be difficult to incorporate or dictate these issues, which may be restrictive to developers and also problematic for enforcement, becoming a resource issue.

Q22: Bike paths and pedestrian pathways are important. They enhance the buffer, and this could be considered as part of the proposed overlay.

A22: They will.

Q23: Is it definite that the committee will be relooking at the proposed ordinance? How will residents know what the next steps are?

A23: It's not definite, but the Ad Hoc Committee would look at critical items based on Commissioners' direction, given that they are volunteers and limited staff.

Communication will be through website, newsletters, Commissioners, and individuals proactively find out what the process will be.

Q24: Have we looked at the existing capacity of the School District and capacity to expand the student body? Has the School District been involved in this process and are those assumptions included?

A24: The School District is a separate body from the Township and has not been actively involved with the process. Again, predicting the future is difficult regarding school student populations rising or falling. It depends on a lot of factors.

Q25: Could the communication approach be improved? The School District depends on resident populations not increasing school-age going students in the Township.

A25: Agreed, there could be better communication.

It has been a long nine years in developing the draft. Existing zoning is antiquated, so the community should try to move forward with new zoning . Meeting adjourned at 9:18 pm.

Respectfully submitted,
Henry Sekawungu

Bryan Havir
Township Manager