

**LOWER PROVIDENCE TOWNSHIP
PLANNING COMMISSION
AUGUST 24, 2011 MEETING MINUTES**

1. Call to Order:

A. Chairman Comroe called the Planning Commission meeting to order at 7:30 p.m.

2. Pledge of Allegiance

3. Roll Call:

A. The following planning commission members were present: Mr. Baird, Mr. Brooke, Mr. Comroe, Mr. Kuberski, Mrs. LaPenta, Mrs. Satterwhite, Mr. Supplee, and Ms. Zimmerman.

B. Additional attendees included: Mrs. Colleen Eckman Board of Supervisors Liaisons, and Ms. Randeel Elton, Director of Community Development.

4. New Business:

A. Brian O'Leary, AICP, Montgomery County Planning Commission presentation of model zoning and subdivision ordinances:

1. Mr. Brian O'Leary from the Montgomery County Planning Commission (MCPC) was present to provide an ordinance presentation. Mr. O'Leary explained that they have given this presentation to 20-25 municipalities in the county so far, providing an overview of the ordinances the MCPC has on hand for consideration. All of the ordinances he will discuss are available on-line. They cover the planning and design of the ordinance, a description of it and an explanation of its necessity.
2. Mr. O'Leary used a PowerPoint presentation to review the ordinances:
 - a) Zoning can be used to get better development with good regulations accomplishing the goals of each community. However, there is no guarantee you will get better results without working closely with the developers.
 - b) The MCPC's 16 model ordinances fall into four categories: Residential use & design, open space preservation, environmental protection, and mixed use & commercial design. Many include some type of bonus for the developer to provide an incentive to develop under that particular ordinance. The full ordinances are available on-line.
 - c) Residential Use & Design includes the following ordinances:
 - (1) Small Lot Singles – this is currently being updated to reduce the lot size from 10,000 sq. ft. to 7,000 sq. ft. It includes standards for centralized open space, and controls placement of garages so they do not dominate the street front.
 - (2) Mixed Residential – requires a mix of housing types.
 - (3) Accessory Structures – this is often used to provide affordable housing. This covers mother-in-law suites, or garages converted to small housing units.
 - (4) Workforce Housing – this provides a bonus for creating affordable housing. Lower Salford and Lower Merion have adopted this ordinance. It calls for mixing affordable options with market rate homes.
 - d) Open Space Preservation includes the following ordinances:
 - (1) Land Preservation District – this requires 75% open space where Lower Providence's ordinance calls for 70%. It has a central open space requirement. Mr. O'Leary noted that while it is not a significant issue in Lower Providence, open space preservation ordinances help to impact sprawl.

- (2) Rural Residential District – this does not really apply to Lower Providence Township. It calls for shifting development within the site to preserve key features, and allows for the possibility of on-site sewer and water.
 - (3) Transfer of Development Rights – this could be feasible in Lower Providence. It transfers the development rights from a preservation area of the community to a growth area more able to handle the density. Worcester and Upper Providence are working on implementing this concept. Typically, residential development is transferred.
- e) Environmental Protection includes the following ordinances:
- (1) Floodplain protection – this is necessary to help with erosion and flooding. Lower Providence will need to adopt a new floodplain ordinance soon.
 - (2) Riparian Corridor Conservation – this is an overlay ordinance to preserve wooded buffer areas next to creeks. Lower Providence does not currently have one, but 15 of 62 municipalities have adopted this ordinance. It provides protection for streams, water quality, and reduces flooding into the creek.
 - (3) Landscaping – Lower Providence has a good amount of landscape requirements in their current ordinances, typically required for commercial properties.
 - (4) Subdivision and Land Development – this includes up-to-date standards for all aspects of subdivisions and land development. Parts of this ordinance may be helpful to the Township.
- f) Mixed Use and Commercial Design is not common in Montgomery County, but other parts of the country have good mixed use development. This includes the following ordinances:
- (1) Residential - Office – Lower Providence has a variation of this ordinance in place. It applies to houses on busy roadways where you do not want strip commercial. Over time the properties are re-developed, and parking is placed in the rear. Property owners are forced to share common driveways. Typically the first property to develop in the row has a driveway that is used by the other adjoining properties. While these are non-residential uses, a residential character is maintained.
 - (2) General Commercial – this commercial ordinance includes various standards the Township could use. It controls driveway access, has interconnected parking lots, good landscaping and buffers, and public areas.
 - (3) Town Center – this zoning ordinance is designed for downtown areas, and has new development designed to blend well with existing, more historic, properties.
 - (4) Village Mixed Use – this includes a mix of small scale buildings, residential and village in character. It is also called new urbanism or neo-traditional. The MPC touches on this. It creates a transition from commercial to residential areas or can be applied to existing villages to aid in historic building preservation.
 - (5) New Town Mixed Use – this creates an urban / suburban walkable area with compact development.
- g) All of the ordinances are available on www.planning.montcopa.org/ModelOrdinances. Mr. O’Leary noted that they are happy to come out and discuss any of the ordinances in more detail as requested.
- h) The MCPC also has a series of instructions on Alternative Energy Sources or Planning by Design. These include renewable energy topics such as use of windmills, hydronic heaters, solar power etc. The Planning by Design series discusses topics of interest such as green streets, traffic calming etc.

- i) Additional information on the MCPC's various resources is available at www.planning.montcopa.org. Mr. O'Leary can be reached at boleary@montcopa.org, or 610-278-3728.
3. Mr. Supplee questioned if there was a list of examples for the various ordinances so they could go visit sites that had applied them? Mr. O'Leary noted there are some; however most municipalities have just taken bits and pieces of the ordinances and not implemented them in their entirety.
4. Mr. Supplee asked if there was any specific guidance on re-development vs. new development?
 - a) Mr. O'Leary noted the residential office and town center are good examples for re-development. The village standards also apply. When redeveloping a strip commercial area you take pieces of several ordinances and apply them to the property, however this is not as viable as it used to be.
 - b) Ms. Elton asked how you deal with this when there are multiple property owners involved. How do you get them to re-develop in a uniform manner? Mr. O'Leary noted there is no easy answer to that scenario. You try to map out what works, interconnect the properties, and cut down the number of driveways. The MPC allows you to address non-conforming properties, especially for impervious coverage.
5. Chairman Comroe stated he would like an on-going review of new things the MCPC is offering, perhaps every six months. He stated this was educational for the Planning Commission.
6. Ms. Zimmerman asked if Townships are forcing developers to develop properties with the transfer of development rights, or do property owners still have a choice? Is there an advantage to placing all the houses in one area?
 - a) Mr. O'Leary noted that they do provide an incentive with this, for example by allowing $\frac{1}{4}$ acre lots instead of $\frac{1}{2}$ acre lots, or moving from a residential to non-residential development. This is on the books in several towns; however the developer must want to do it. It is controversial because one area is being preserved while another is receiving more development. However, it provides a way to preserve open space. This is mostly used in Buckingham Township.
 - b) Ms. Zimmerman clarified that if you don't have this ordinance the developer is unable to build houses on that small of a lot? Mr. O'Leary affirmed this, noting it is a challenging ordinance to adopt.
7. Mrs. LaPenta noted that on Ridge Pike there are a lot of businesses with parking in the front and buildings close to the front of the property. She asked if there were a way to adopt an ordinance requiring them to move the parking to the back of the property?
 - a) Mr. O'Leary noted that you could do this however you would run into legal issues. You need to give the developer something in exchange for the requirement or you are just removing development rights. You can require a minimum buffer at the roadway.
 - b) Mr. Supplee stated this would fit into Village Commercial better.
 - c) Mrs. LaPenta noted that the green space would be nice.
 - d) Mr. Kuberski stated that if someone is not demolishing a building and there is no room at the back of their parcel, such a requirement would be hard to meet.
 - e) Ms. Elton noted that the point of providing a bonus is to provide an incentive for the developer to implement the desired change.

8. Ms. Elton noted that for accessory houses, there is no requirement for it to be used by a family member. She noted this was like adding a rental unit on the property. Mr. O’Leary noted you would place additional controls on the rental unit.
9. Mr. Baird remarked that reducing the lot sizes to allow 40 homes instead of 20 does not sound good for the Township.
 - a) Supervisor Eckman explained that there are other benefits such as less road construction, less stormwater etc.
 - b) Mr. O’Leary noted that for that ordinance, you protect one area from development while adding additional development elsewhere, so there is really no additional development.
10. Public Comment:
 - a) There was no public comment on this matter.

5. Other Business:

A. None.

6. Approval of Planning Commission Previous Meeting Minutes:

A. Planning Commission Meeting Minutes for June 22, 2011:

1. Mrs. LaPenta noted that she did not attend the June meeting.
2. **MOTION** – Mr. Brooke made a motion to approve the meeting minutes from June 22, 2011. Mr. Supplee seconded the motion. The motion *passed* 8-0.

7. Adjourn

A. **MOTION** – Mr. Supplee made a motion to adjourn the meeting. Ms. Zimmerman seconded the motion. The motion *passed* 8-0. The meeting ended at 8:10 p.m.

Next Meeting: September 28, 2011