

November 19, 2013

The monthly meeting of the Lower Moreland Township Planning Commission was held on the above date in the meeting room of the Township Municipal Building. Present were Messrs. Hamburger, Cohen, Mayer, Frey, Krebs, Mrs. Friedrich Fogel, and Engineer Woodrow, Planner Gabriel with Mr. Chris Knarr, Commissioner Kuritz, Assistant Manager Guertin and Clerk Matyas.

Chair Friedrich Fogel called the meeting to order at 7:00 P.M. The Pledge of Allegiance was recited.

The minutes of the October 24, 2013 Planning Commission meeting were approved.

Zoning Code Ordinance presented by Mr. Steve Gabriel, Township Planner and Mr. Christopher Knarr also from RETTEW. Mr. Gabriel explained that this will be a brief overview of the zoning ordinance update over the last 2 years. The zoning code was in need of a major overhaul to get it current with the time and needs of today's community. Mr. Gabriel is asking for a recommendation of this ordinance update to the Board of Commissioners to allow a public hearing.

Mr. Knarr presented an overview of the ordinance along with a PowerPoint demonstration. Mr. Knarr discussed why the current code needed to be revised including out of date, better format, use of more graphics and tables and emerging trends such as alternative energy.

Mr. Knarr talked about the different number of articles, the new layout for articles, listing the zoning districts with tables. Mr. Knarr briefly discussed the new articles that were created to replace the old ones. He said below the new zoning district it shows the old zoning district. Mr. Knarr briefly discussed the new zoning district, stating there would be 2 zoning maps; an overlay map and a new zoning map. The maps/tables are color coded to create a reader friendly use. Mr. Knarr noted that all residential districts would start with R, mixed use MU, business B and overlay districts O. Mr. Knarr mentioned that graphics were put into the new code and he showed some examples of those.

November 19, 2013

Mr. Knarr talked about the purpose statements for each zoning district so the purpose of that district is known by all. Mr. Knarr explained that residential zoning uses were listed alphabetically and non-residential uses were listed alphabetically and by using the North American Industry Classification System (NAICS). Mr. Knarr talked about NAICS being a way for Federal Government to define and track business type uses which allow Townships to use those recognized definitions. Mr. Gabriel noted the NAICS system is nationally recognized and any issues with the definitions have been worked out at this point. Residential uses have definitions because only businesses are recognized by NAICS.

Mr. Knarr explained the use charts, noting each use will be listed with P permitted, NP not permitted, N/A not applicable, CU conditional use and SE special exception.

Mr. Knarr noted that if the Planning Commission recommends approval this ordinance will be sent to the Montgomery County Planning Commission (MCPC), then Public hearing at Board of Commissioners meeting and then approval by Board of Commissioners.

Mr. Cohen asked if the ordinance passed what happens to the non-conforming uses. Mr. Knarr replied that non-conforming uses are allowed by State Law which allows the current use to continue. Mr. Cohen asked if an owner left and rented out the space would the non-conformance stay. Mr. Knarr replied the zoning runs with the land and if it was the same use it could stay. Mr. Knarr stated that there are 4 kinds of non-conformances: lot, structure, use and signs.

Mr. Gabriel noted that the MCPC did an informal staff review with Township staff and had some good comments but overall like the draft ordinance.

Mr. Hamburger asked if there would be a rush of applicants to submit proposals before the new ordinance was adopted and Mr. Knarr replied that since this has been advertised this could be considered a pending ordinance but he would defer to the Township Solicitor. Mr. Gabriel does not believe that anything in the new ordinance is

that outrageously different that there would be any major benefit to filing under the current ordinance.

Mr. Knarr noted that there were items in the zoning ordinance that were better used in the Subdivision/Land Development ordinance so they were removed and placed there. Also the floodplain ordinance was updated and removed from the zoning ordinance except the floodplain boundaries which stayed.

Mr. Gabriel talked about the cell towers in the current zoning being allowed in all districts and would like to limit the location of new cell towers in the new ordinance. Collocating towers, adding antennas to existing towers, is still permitted. The Township Solicitor suggested limiting the permitted areas for new towers. Mr. Gabriel noted SEPTA was open to new towers on their property and the Industrial district is a good fit as well. Mr. Gabriel said in this ordinance new towers would be allowed by Special Exception in the Industrial districts and on SEPTA property.

There is a brief discussion about cell towers and permitted locations. Mr. Mayer was concerned about locating new cell towers along the SEPTA rail line due to the amount of residential homes there. Mr. Woodrow noted Lower Moreland Township currently has many existing cell towers and unless new technology was presented there wouldn't be a need for more. Mr. Knarr noted that there is a section in the new ordinance for uses which are not listed.

Mr. Hamburger made a motion to recommend approval of the Zoning Ordinance update including cell tower provision per the solicitor's recommendation and allowing for any grammatical or formatting issues. Mr. Krebs seconded the motion and Mr. Mayer, Mr. Cohen, Mr. Frey and Mrs. Friedrich Fogel voted aye. The motion was carried as stated.

Legislative Review

Mr. Woodrow noted nothing was happening.


New/Old Business

Commissioner Kuritz noted that repaving County Line Road is in the works and a date will be available soon.

The December meeting date will be moved to the 19th if needed.

Adjournment

There being no further business to come before the Planning Commission, a unanimous vote for adjournment was in order at 8:15 P.M.

A handwritten signature in cursive script that reads "Linda Friedrich Fogel". The signature is written in black ink and is positioned above a horizontal line.

Linda Friedrich Fogel, Chair