

Wellsboro Planning Commission Seminar May 25, 2016

The Wellsboro Planning Commission met in a seminar on May 25, 2016 in the Council meeting room at 14 Crafton Street Borough Office. Tioga County Planner Jim Weaver welcomed all at 6:00 p.m.

Attending were Denny Puko, Ron Comstock, John Biscoe, David Cleveland, Mike Carson, Jim Weaver, Joan hart, Barbara Rigby, Jim Rigby, Lana Shabloski, Lou Prevost, Tim Sick, Dick Putman, Jennifer Mase Updyke, Daryl Stratton, and Sue Keck.

Denny Puko, Planner, PA Department of Community and Economic Development, gave information on Shared uses, Comprehensive schedules of uses, compatibility of districts across municipal boundaries, form based zoning and other methods, and other creative applications and examples in zoning; as attached.

ADJOURN: Meeting adjourned at 7:10 p.m.

Minutes respectfully submitted by


Susan L. Keck

Implementing Zoning for WCDD Wellsboro, Charleston, Delmar & Duncan

May 25, 2016

Are there options for enacting zoning ordinances?

1. SEPARATE – Municipalities enact separate zoning ordinances.
2. SEPARATE AND CONSISTENT – Municipalities enact separate zoning ordinances that are consistent with the WCDD multimunicipal comprehensive plan.
 - Requires an agreement between the municipalities.
 - Requires the plan to provide rationale for where all the various uses will be reasonably accommodated if not accommodated in each ordinance.
3. JOINT – Municipalities enact a single joint zoning ordinance that covers all the municipalities and is based on the WCDD multimunicipal comprehensive plan.

Multimunicipal Zoning in PA

SEPARATE AND CONSISTENT

- 20 regions
- 83 municipalities

JOINT

- 14 ordinances
- 42 municipalities

What's the main difference?

- For SEPARATE zoning ordinances, each municipality would have to accommodate all lawful uses somewhere in the municipality.
- For SEPARATE AND CONSISTENT and JOINT zoning ordinances, all lawful uses can be accommodated somewhere within the area encompassed by all the participating municipalities. One municipality will not be found “exclusionary” if it does not allow a use and the use is allowed in another participating municipality.

What happens if a use doesn't fit the character of our municipality and we don't allow it in our SEPARATE zoning ordinance?

- The law is the law, and it doesn't matter if you think a use doesn't fit. If a landowner wants a lawful use and it not accommodated in the zoning ordinance, the landowner can challenge the ordinance validity and get site-specific relief, meaning they can get the use where they want.

Should we work together on zoning ordinances?

- Economies of scale. One consultant, one contract, lower cost to each municipality.
- Take advantage of option #2 or #3.
- Consistency and uniformity of regulations
 - Zoning districts
 - Definitions
 - Criteria & standards
 - Special uses (conditional uses & special exceptions)
 - Boundaries between municipalities
- Opportunity for shared administration – one zoning officer, same solicitor for zoning hearing boards. (Also, but hard to do and not always best, a joint zoning hearing board.)

What kind of agreement is required to do SEPARATE AND CONSISTENT zoning ordinances?

- Cooperative implementation agreement (MPC Section 1104).
 - Process for how consistency of zoning ordinances will be determined.
 - Process for shared review of any developments of regional significance and impact.
 - Other terms typical of an intergovernmental cooperation agreement.
 - Agreement enacted by ordinance.

Jefferson Brough

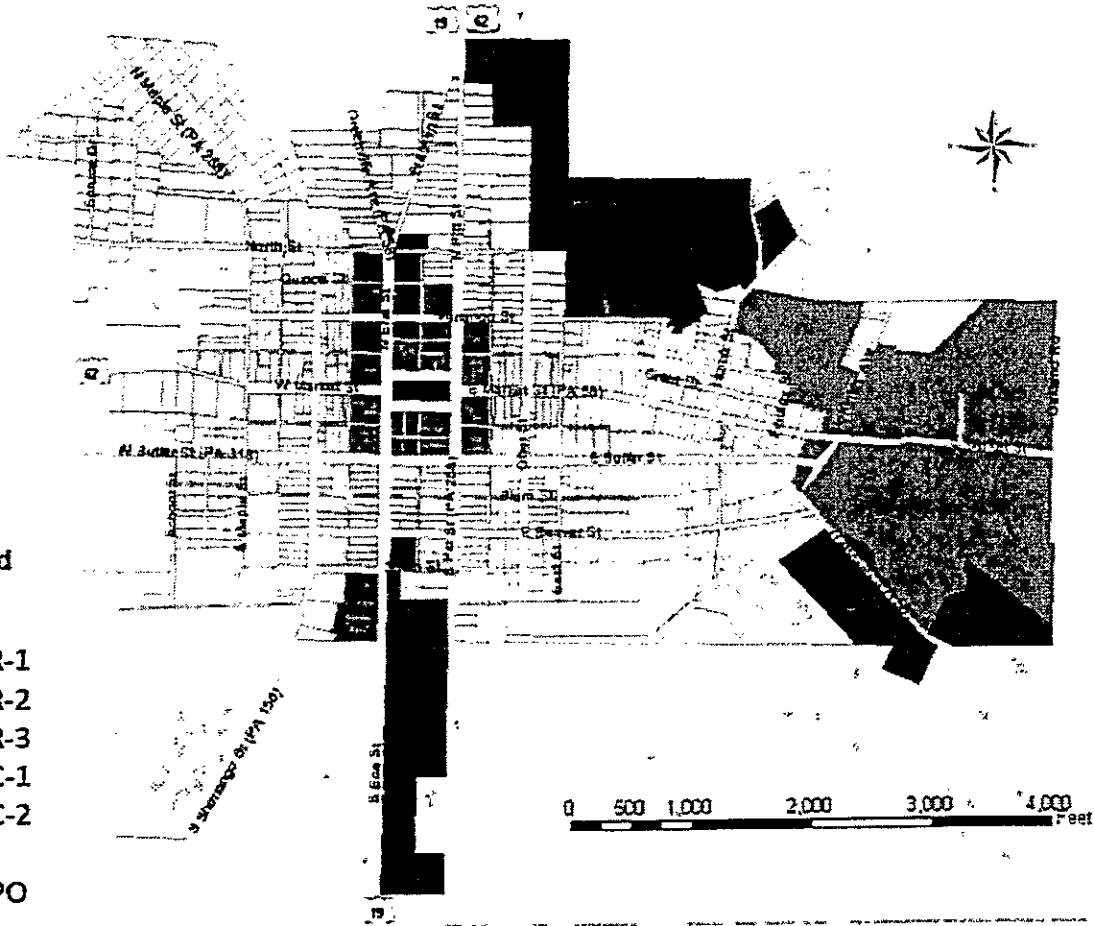
Zoning is changing

From Euclidean

- Segregated uses

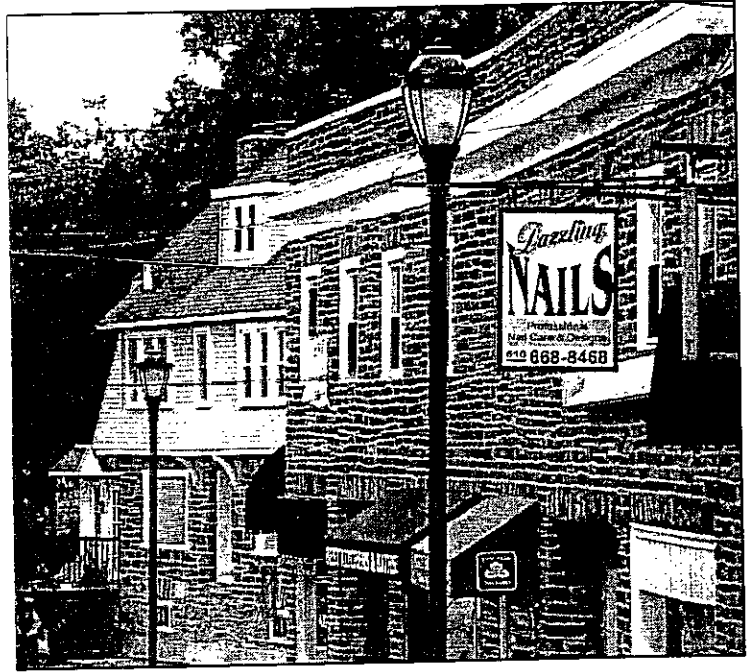
Legend

- R-1
- R-2
- R-3
- C-1
- C-2
- I
- PO



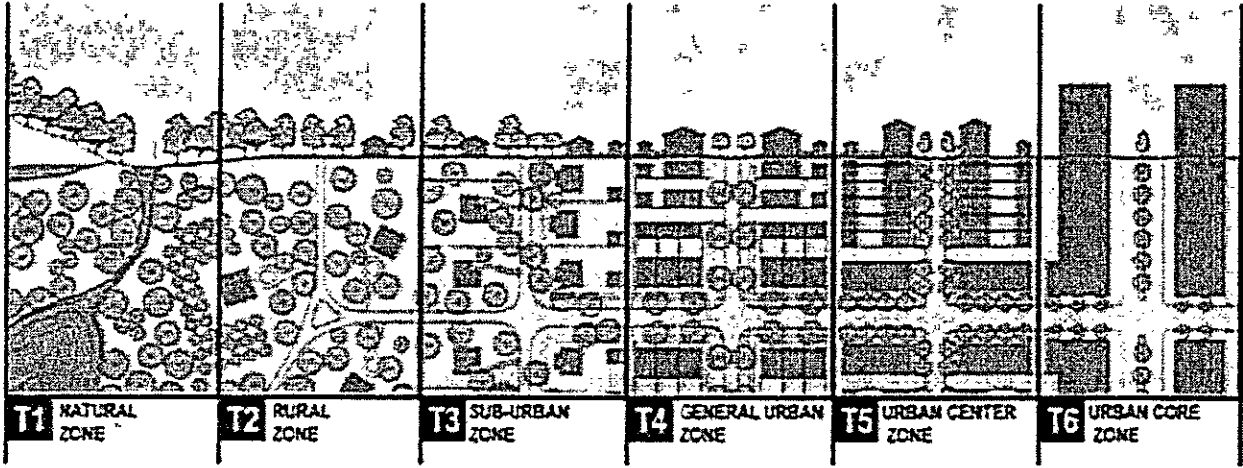
To mixed use

- Downtown
- Town center
- Village
- Traditional neighborhood
- Rural agricultural
- Rural opportunity

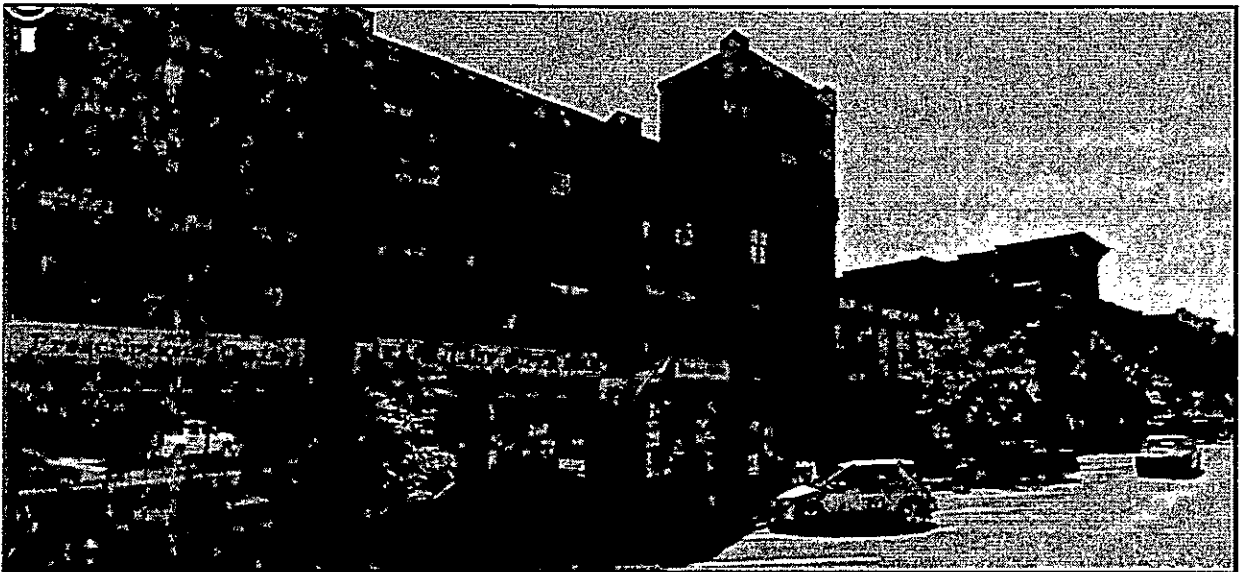


To form based

- Zones based not on use, but on the form, pattern, and intensity of development



- With community character design standards



Modern zoning

- Mixed use & form based zoning
- Traditional neighborhood development
- “Smart growth” codes
 - Conservation development
 - Infill development
 - Transit oriented development
 - Natural & historic resource protection
 - Access management
 - Housing variety & affordability
- Next generation of uses
- Accommodating entrepreneurs
- Public spaces, complete streets, placemaking
- Ag & forest viability
- “Zoning diet”
- Streamlined development review & approval processes

Where do we start?

Zoning regulations must serve a public purpose expressed in a statement of community development objectives (from comprehensive plan or separate "legislative findings")

NO RULES FOR RULES SAKE!

- The WCDD Plan!
- Add meaningful purposes and objectives – public good – for zoning ordinances to help accomplish.
- Invest in modernization.
- Hire the right consultant to serve your purposes, objectives, and interests.
- Mobilize municipal planning commissions. If not existing, use committee of the governing body.
 - Planning commission or committee must take responsibility to "prepare and present" proposed zoning ordinance.
- OK and good to have ad hoc work group(s), but see previous bullet.
- DON'T PULL OUT THE OLD ORDINANCE AND START TWEAKING THE LANGUAGE.



zone fresh!