

WEST DEER TOWNSHIP PLANNING COMMISSION
JUNE 27, 2019

Mark Schmidt called the Meeting to order with the following members in attendance:
Kathy Rojik, Patrick Stark, Tim Phelps and John Butala

Absent Members: Robert Bechtold and Suzanne Garlena

Other Attendees: William Payne (Code Enforcement Officer)

WORKSHOP

Zoning Ordinance Seminar

Seminar titled “Zoning Beyond the Basics: New Thinking to Modernize Your Ordinance” was presented by Allegheny County Economics Development and attended by Bill Payne and John Butala.

- Original zoning was to prevent heavy industrial uses next to residential communities. Seminar addressed changing zoning to meet today’s needs. One concept was different set backs per street and not the same setback through entire zone district.
- Form Base – based on physical character, shapes of buildings, streets and neighborhoods. This creates strategies and approaches that would require development to adhere to surrounding characteristics.
- Traditional Neighborhood Development (TND) authorizes communities to create written and graphic guidelines for new structures, i.e., architectural standards. Allows existing historic structures, etc. to inform new development.
- Overlays can extend over multiple districts.

See the following for Mr. Butala’s notes from the seminar.

Originally (1900 through the 1950) zoning focused on Public Health, Public Safety and Public Welfare. The prevailing strategy was to separate incompatible land uses in order to assure safety, adequate air and light. Residential communities should not be located directly adjacent to heavy industry (steel mill).

The speakers suggest that:

- I. -Millennials (born 1981-1996) are the most significant group in the marketplace;
 - Downtowns are now more experiential business, not merchandizing;
 - People can and do work anywhere including at home;
 - Outdated zoning ordinance is a competitive disadvantage.

- II. Municipalities should identify community goals and make zoning rules that reflect the plan to achieve these goals and provide value to the community. “Zoning rules provide identifiable value”.

- III. We can construct our zoning districts to be tailored to fit our municipal purpose.

New zoning is a means to enable and facilitate what we want to happen in our community in addition to the traditional role of preventing bad things from happening, e.g., heavy industry (steel mill) located next to houses”.

Overview of approaches to zoning.

- Mentioned the Houston model as being ahead of the curve – No Zoning – However, Houston acquired considerable additional new space frequently.
- Euclid (Ohio) model – Limited or even single-use zoning; Very strict standards; Narrow permissions, Hierarchical.
- Mixed-Use Approaches...occurred mostly as a result of new-use that was grandfathered. But most residential districts stayed residential.
- In the 1990’s there was movement away from “land-use” to “character”. The shift was known as “Form-Based” zoning and focused more on physical character (massing, scale & interrelationships) of the land to its use. A characteristics of this approach to zoning is sidewalk connectivity , e.g., a living/shopping/working relationship to permitted land use. Mr. Schwartz mentioned that a specific example of Form-Based zoning is the trail-town area of Marietta in Susquehanna County – No rebuilding, just pressure to “Form-Base” which allowed the creation of “a place”.

- All buildings are “form-based”. He also mentioned in the context of Form-Based Zoning the imminent repurposing West Mifflin’s Century Three Mall and the new utilization of that existing space: building based on streets, not zoning location. The focus is on character. Intended use of property is not a major factor in this zoning. For example: Sheetz wants to come into an area (*for instance, Russellton*). If the intent is to retain the area’s character, can it be possible for Sheetz to retain the existing standards? If so, then do not worry about land use. Performance standards have been adapted to Form-Based Zoning but sound very similar to those now required in a PRD. For example, contractual requirements use existing building characteristics & structure to inform building shape and scale of new development.
- Other Zoning Related Policies/Focuses: Planned Residential Development (PRD); Transit-Oriented Development in which the notion is to increase development around a transit stop.
- Tradition Neighborhood Development (TND); Codified at MPC VII-A, was described as a very powerful tool for municipalities to use history, character (existing building maximum & minimum size and type) as a part of municipal decision-making. It allows communities to use existing historic structure, etc. to inform new development. According to the presenter, MPC VII-A is the only place in the Municipal Planning Code that authorizes communities to create written and graphic guidelines for new structures, i.e., Architectural Standards. TND does allow non-residential uses, and the non-residential use can exceed the residential use. Multiple-type buildings (e.g., shopping & residential) are allowed in TND.
- “Districts” is based on streets; building standards is based on streets.

Zoning Challenges

- Zoning OVERLAYS – districts that fly over base zoning, e.g., a flood plain. They are not tied to any particular base district; they can extend over more than one zoning district or remain within a single district. Examples: Mobility overlays can be created to allow additional uses to occur in those overlays located in a district in which otherwise prohibited. An example of this would be “LULU’s” (Local Unwanted Land Uses) , e.g., sex shops, etc.

- Redevelopment – Redevelopment primarily relates to bigger acreage, e.g., a steel mill closes. Redevelopment accommodates large-scale new development by proactively introducing architectural, land use, and public realm standards. A surprising (to me) element of the redevelopment example presented at the workshop (Oakmont and Edgewater Steel) was the apparent failure to fully consider the impact of existing onsite soil and groundwater contamination as a result of the industrial activity at that site.
- Infill – focuses not on land use but management of the scale of development so that the development fits in with standards of the surrounding area and assures continuation of existing architectural standards such as those for continual rooflines, windows, and characteristic elements of the local architecture that define that area.
- New Economy –, may be the most cogent zoning for new growth in the Commercial Districts of West Deer, for example. It is “live/work” zoning that can include housing diversity in an old industrial/rural town.

Zoning Challenges & Issues

A number of issues, some relatively new and some not, that are challenging to current zoning.

- Urban agriculture consists of all agricultural activity (crop farming, livestock, keeping of exotica animals, dog kennels, farm stands, markets and community markets. Recommended Etna’s ordinance on Urban Agriculture Zoning as a model regulation.
- Etna Borough treats farm stands as an accessory use that varies by district and is regulated on density. Recommended a guide published by the University of Pittsburgh Institute of Politics and the Allegheny County Conservation District for suggestions on language for zoning ordinances relating to urban agriculture. The presenter also mentioned that in his experience keeping of chickens is the most problematic element of urban agriculture and he recommends placing a maximum cap on the number of chickens that can be kept without regard to lot size. He suggested that this cap be applied to suburban kennels, as well.
- Parking. Suggested that large open parking lots such as those at supermarkets/big box hardware/builder supply stores are underutilized and basically too large. Makes the case that a modern approach to business and retail parking would take the notion of sharing into consideration and described a shared parking calculator for off-street parking. The provision of off-street parking should be established by tuning, which I believe takes account of the flux in parking density as a function of time of day. Also suggested that rooftop parking is underutilized and that zoning should consider placing a cap on the total number of parking spaces permitted at a commercial location.

- Signage. Carnegie's signage regulation as a model. It allows 8 different types of signs; however, each facility that will use signage is allocated a set amount of space (square feet of signage) for total signage. It is a hard cap on sign space and applies to all signs including A-frame sidewalk signs. How the sign space is used is up to the building owner, but the total amount of space allocated for signage cannot be exceeded.
- Low-impact Development – Low impact means using less impervious material. Suggested the introduction of standards or incentives to minimize negative environmental impacts of land development that result from site disturbance, lighting and storm water management. Indicated that these do not need to be land use or zoning district specific. Pointed to Sewickley Borough's Low Impact Development Provision as a model and described regulation of outdoor lighting through the use of zones each with a different permissible lighting intensity. The lighting zones are not tied to residential or institutional districts.

The remainder of the presentation stressed the need for definitions “for everything” and what can or should be considered if a zoning ordinance revision is contemplated.

I cannot contemplate that.