

**FREEDOM TOWNSHIP PLANNING COMMISSION
REGULAR MEETING
APRIL 4, 2018
7:00 P.M.**

PLANNING COMMISSIONERS

Wayne Belt, Chairperson
Paul Sharrer, Vice-Chairperson – Absent
Kim Beckett, Secretary
John Sica

TOWNSHIP OFFICIALS - PRESENT

Zachary Gulden, Township Manager

MEMBERS OF THE PUBLIC – PRESENT

Mary & Ed Buchheit

CALL TO ORDER

Chair Belt called the Planning Commission's Meeting to order at 7:00 p.m. Vice-Chair Sharrer was noted as absent.

PUBLIC COMMENT

None

APPROVAL OF MARCH 07, 2018 MINUTES

Chair Belt called for the approval of the Minutes of the March 07, 2018 Planning Commission's Meeting. Mr. Sica made a **MOTION** to approve the Minutes of the March 07, 2018 meeting. The **MOTION** was **SECONDED** by Secretary Beckett. The motion carried unanimously (3-0).

OLD BUSINESS

The Board of Supervisors are seeking the Planning Commission's recommendation on the changes made from Zoning Ordinance Amendment 8-9-2000. Shall the changes from the ordinance be amended or remain as-is.

Chair Belt said Mr. Gulden took the Commission's recommendations from the March 07, 2018 meeting and created a draft zoning text amendment for their review. He asked Mr. Gulden to read through the draft amendment.

An Ordinance of the Township of Freedom, Adams County, Pennsylvania, Amending the Freedom Township Zoning Ordinance.

WHEREAS, the Board of Supervisors of Freedom Township has determined that it is appropriate to amend Freedom Township Zoning Ordinance to repeal standards and criteria for the development of Golf Community uses and to make certain other revisions:

THEREFORE, it is hereby enacted and ordained by the Board of Supervisors of Freedom Township, Adams County, Pennsylvania as follows:

Section 1. Article 2 – Definitions, Section 202, is amended to delete the following definitions:

Golf Community (GC). A planned recreational development which combines residential neighborhoods with a golf courses(s) and nonresidential uses in a multi-purpose center area to serve the needs of the residential neighborhood and golf course users. The GC also provides ancillary recreation space and permanently preserves forty percent (40%) of the tract in an open space system.

Golf Course Operator. The person(s), corporation, or organization who operates, manages, and maintains the golf course. The golf course operator and the golf course owner may be the same person(s), corporation, or organization; however, should the golf course operator fail to maintain the golf course, the ultimate responsibility shall be the golf course owner.

Golf Course Owner. The person(s), corporation, or organization holding legal or equitable title to the golf course property.

Multi-purpose Center. A central place within a golf community that provides the services, facilities, and temporary housing needs for the golf course users and residents in accordance with the use, location and dimensional regulations provided herein.

Open Space System. A system of private and common open space, as defined herein, which is permanently retained as open space through recorded deed restrictions and easements at the time of subdivision and land development.

The definition of Planned Residential Community (PRC) is deleted and Planned Community Development (PCD) is substituted with the following definition: A form of development that permanently preserves 40% of the tract in an open space system; encourages the development of a town center; encourages provision for elder care facilities and utilizes residential cluster design principals.

Private Open Space. Any parcel or area of land or water essentially unimproved and set aside, dedicated, designated, or reserved for private use or enjoyment of owners,

occupants, and their guests. Private golf courses shall be considered private open space.

Section 2. Article 10 – Mixed Use District (MU) Section 1001, Intended Purpose, is amended to read as follows:

- A. Provide opportunities for residents to reside in community settings that are designed to reflect development patterns typical of traditional small American villages and towns.

- B. Promote development patterns which encourage pedestrian activity within, and between different components, use areas, and neighborhoods comprising the community.

- C. Provide a mixture of compatible land uses including residential, limited commercial, recreational, and institutional uses.

- D. Promote variety and affordability in housing types to provide opportunities for citizens of various age and income groups to reside in Freedom Township.

Section 3. Article 10 – Section 1004. Conditional Use, is amended to read as follows:

- A. Planned Community Development

Section 4. Article 10 – Section 1006, Planned Residential Community Standards (PRC) is amended and is now called Planned Community Development Standards (PCD). Reference to Planned Residential Community (PRC) shall be changed to Planned Community Development (PCD) in subsections A.3, B.2, B.3, C.1, C.3, C.4, C.5, D.1, D.2, D.4, E.

Section 5. Article 10 - Section 1006.B.1. Density Requirements, is amended to read as follows:

- 1. The base residential density of this district shall be one (1) dwelling unit per 2 acres based upon the total gross acreage of the tract.

Section 6. Subsection E of Section 1006, is amended to change the first sentence immediately after Subsection E to read as follows: To qualify for the density bonus available for providing a Town Center, an applicant shall demonstrate that the proposed development meets the following requirements:

Section 7. Section 1007, Golf Community Standards (GC) is hereby deleted in its entirety.

Section 8. Article 13, Section 1309.B.1. is amended to read as follows:

B. Application Procedure for a PCD.

1. An application for a conditional use PCD shall be submitted by the landowner to the Freedom Township Secretary with the appropriate filing fee.

Section 9. Section 1309.B.2. is amended to change Subsection c to read as follows:

- c. The location and size of the open space system and the form of organization proposed to own and maintain the open space;

Section 10. Section 1309.B.5, 6, and 7 are changed to read as follows:

5. The Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of and insure compliance with the Municipalities Planning Code and this Ordinance, which conditions may include plantings and buffers, harmonious designs of buildings and the elimination of noxious, offensive or hazardous elements.

6. Unless otherwise specified by the Board or by law, a conditional use for a PCD shall expire if the applicant fails to submit a preliminary plan for Phase 1 within one (1) year from the date of granting the conditional use.

7. Any conceptual site plan presented in support of the conditional use application shall become an official part of the record. Approval of the conditional use shall bind the use in accordance with the submitted conceptual site plan. The plan shall not be modified, revoked or otherwise impaired by action of the Board pending applications for preliminary/final approval, without the consent of the landowner, provided applications are filed within the periods of time specified in *the* official written communication granting conditional use approval.

Section 11. Repealer. All provisions of previous Ordinances of the Township of Freedom which are contrary to this Ordinance are expressly repealed.

Section 12. Savings Clause. In all other respects, the Code of the Township of Freedom shall remain as previously enacted and ordained.

Section 13. Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses, or part of this ordinance.

Section 14. Effective Date. This Ordinance shall take effect in accordance with law.

Chair Belt made a **MOTION** to recommend approval of Mr. Gulden's draft zoning text amendment to the Board of Supervisors. The **MOTION** was **SECONDED** by Secretary Beckett. The motion carried unanimously (3-0).

NEW BUSINESS

Mr. Gulden said the Township has received two applications to fill the vacant position on the Planning Commission, and the Board of Supervisors will vote to fill the vacancy on April 11, 2018.

OTHER BUSINESS

None.

PUBLIC COMMENT

Mr. Buchheit expressed the importance of a Repealer Clause in every new ordinance.

ADJOURNMENT

There being no further business Chair Belt made a **MOTION** to adjourn. The **MOTION** was **SECONDED** by Mr. Sica. Chair Belt adjourned the meeting at 7:45 p.m.