

Draft Hamiltonban Zoning Ordinance

Responses to Cliff Frost Questions of 6-25-18

This document provides written responses to the written questions submitted to the Township by Cliff Frost on June 25, 2018. The questions are answered in order of presentation in the original questions list. Questions and supporting statements have been reorganized to clarify the question being asked and to facilitate ordered responses.

(1) Why do we need a new ordinance at all, what is wrong with the one we have? Just because it is old doesn't mean it's no good.

The decision to replace the current Hamiltonban Township Zoning Ordinance has nothing to do with the age of the Zoning Ordinance. It has everything to do with content. Review of the current Zoning Ordinance beginning in late 2012 yielded four main types of content problems, as follows.

Functional and Administrative: There are many examples of review process and administrative procedures that are simply not consistent with requirements of the Pennsylvania Municipalities Planning Code. This often results in enforcement decisions being made incorrectly and by the wrong entity. There are also many instances where language conflicts from one section to another. Finally, there are many instances where uses are permitted either by special exception or conditional use, but where there are no specific standards against which to review the use.

Permissive Language: There are many examples of permissive language used within the current Zoning Ordinance. Use of phrases like "should" and "generally," are discretionary in nature and are difficult to apply and enforce.

Legality of Language: There are some examples of language in the current Zoning Ordinance that may not survive court review, if challenged. For example, the minimum lot size in the Woodland Conservation (WC) District is 5 acres. The Pennsylvania Courts have determined, through various cases, that large minimum lot size standards are unconstitutional due to their exclusionary effect.

Overall Goals and Objectives: Most importantly, a substantial portion of the current Zoning Ordinance is not as effective as it could be in terms of advancing broad community goals and objectives, as expressed in the Southwest Adams Joint Comprehensive Plan. Notably, the current Zoning Ordinance allows substantively more development in designated rural settings than that recommended in the Plan. Further, the current Zoning Ordinance does not effectively address the conservation of existing agricultural lands and uses. Finally, within some of the zoning districts designed to

accommodate future growth, the current Zoning Ordinance lacks quality development design standards that would, if used, result in developments with significant (and potentially negative) visual and community character impacts on existing community. Thus, trying to improve the degree to which the Zoning Ordinance advances community goals and objectives, as expressed in the Southwest Adams Joint Comprehensive Plan, is the primary reason why a new Zoning Ordinance is now proposed.

(2) Why does the new zoning map differ so dramatically from the maps in the 2015 Southwest Adams Joint Comprehensive Plan?

The proposed Zoning Map does not dramatically differ from the Southwest Adams Joint Comprehensive Plan. The Township acknowledges that there are specific locations where concerns have been raised, and which are discussed below. However, on the whole, the proposed Zoning Map is consistent with the Comprehensive Plan.

The Comprehensive Plan calls for the conservation of most of the rural and agricultural settings within the Township. The proposed Zoning Map depicts very low to low density zoning districts in these settings. These zoning districts are focused on conserving the agricultural and rural uses and features that characterize these areas.

The Comprehensive Plan establishes a "Primary Designated Growth Area" within and surrounding much of Fairfield Borough. The Primary DGA includes lands within Hamiltonban Township in this designation. While the specific zoning district boundaries differ somewhat from the extent of the Primary DGA, it remains focused on the Fairfield Borough area. In some locations, it must be noted that the proposed Zoning Map retains some lands within the Primary DGA in non-growth zoning districts (for example, Zoo Road and along the Hamiltonban Township / Liberty Township boundary).

The Comprehensive Plan includes a variety of recommendations designed to protect natural and environmental resources. These approaches vary depending on whether a resource is located within or outside the Primary DGA. Within the Primary DGA, protection of resources is recommended to be carefully integrated into site development, should such site development be proposed or occur. Accordingly, reliance on existing environmental regulations, as well as the implementation of new regulations such as riparian buffer standards, are specifically recommended within the Primary DGA. The proposed Zoning Ordinance is organized in this fashion, and is therefore consistent with this element of the Comprehensive Plan.

The Township further contends that the proposed Zoning Ordinance, including the proposed Zoning Map, is substantially more consistent with the Comprehensive Plan than the current Zoning Ordinance. The current Zoning Ordinance allows far more development, specifically low density suburban residential development, outside of the Primary DGA than would the proposed Zoning Ordinance. The current Zoning Ordinance is far less effective in terms of conserving agricultural and rural lands and resources than the proposed Zoning Ordinance. Further, the proposed Zoning Ordinance includes substantively more community design requirements that would, if implemented, result in better community design within the Primary DGA.

(2)(b)(i) The Comprehensive Plan maps show the Luntz and Donaldson farms that border Middle Creek as being "Special Protection Watershed" and designated to remain agricultural in future use. The proposed zoning has this entire area zoned for very high density roads and houses, including apartment buildings, small businesses, and even trailer parks. This is a radical change! Why make this change, when there is plenty of space around Fairfield Borough (and within Hamiltonban Township) that could be available for this use (and is already zoned for housing)?

This question refers to Map 2-3 of the Southwest Adams Joint Comprehensive Plan. Map 2-3 does identify a portion of the Middle Creek watershed as a "Special Protection Watershed." This specifically references the designation of the northern portions of Middle Creek as Exceptional Value (EV) or High Quality (HQ) Waters by the Commonwealth of Pennsylvania. With this designation, it is important to note that environmental regulations enforced by the Commonwealth already apply to this setting.

The Natural Resources Plan portion of the Southwest Adams Joint Comprehensive Plan provides recommendations as to how to manage areas within "Special Protection Watersheds." It notes that floodplain regulations already apply in this setting. However, the Natural Resources Plan notes that the EV and HQ designations are mostly related to land cover rather than land use. The water quality designation decreases as water flows from forested areas to areas where forest cover does not exist. Thus, the Natural Resources Plan specifically recommends that municipalities develop riparian buffer standards for application in these settings. The proposed Zoning Ordinance includes the recommended riparian buffer standards.

The Natural Resources Plan therefore suggests that the retention of EV or HQ designation is related primarily to the retention of forest cover. It is noted that the HQ designation of Middle Creek disappears after the creek flows through an agricultural setting. Thus, the agricultural setting may negatively impact water quality, so any implication that retaining the agricultural setting will retain the EV or HQ designation is questioned.

See the response to Question (2)(b)(ii) below for further discussion regarding how the Township evaluated other locations around Fairfield Borough for inclusion within the VM District.

(2)(b)(ii) Much of this land (Luntz and Donaldson farms) is in a FEMA designated Flood Plain. A developer could put in roads and other infrastructure here that would then become the responsibility of the Township taxpayers. There are other areas around Fairfield Borough available for this kind of development (very high density roads and houses) under the Comprehensive Plan. Why would the Supervisors expose the taxpayers to the risk of having to maintain infrastructure in, or right next to, a Flood Plain?

The Township acknowledges that portions of the two referenced properties are located within the regulated floodplain of Middle Creek and its tributaries. The two referenced properties are not dissimilar to the many other properties within Hamiltonban Township, including some properties that are either within the Primary DGA of the Southwest Adams Joint

Comprehensive Plan or that are currently zoned to accommodate new development. In all of these settings, new development, including the development of new streets and related infrastructure, would be subject to the existing Township Floodplain Ordinance and other existing environmental laws. Successful implementation of these existing requirements should mitigate the potential for damage to public infrastructure in or near floodplains.

With regard to evaluating locations to accommodate new development, the Township carefully evaluated other locations within the immediate Fairfield area. The analysis initially included those properties immediately adjacent to Fairfield Borough. This initial look concluded with consensus that the large properties immediately to the south and southeast of Fairfield Borough should be included in the VM District. Then, consideration of the wooded properties moving generally south to the Hamiltonban Township / Liberty Township line was given. These properties are within the Primary DGA and are located in the current R-2 District. However, these properties were discounted from inclusion given the significant topography and related natural features of the setting. Citing a potential desire to include some additional property within the VM District, the Township considered including the two subject properties to the north of Fairfield Borough in the VM District. These properties are less constrained by topography and are located immediately adjacent to property in Fairfield Borough. It was understood that these properties have floodplain constraints similar to other properties surrounding the Borough.

The Township viewed the exclusion of the properties along the Liberty Township border from the VM District and the inclusion of the subject properties as a suitable trade-off. Road and infrastructure impacts were certainly a part of this assessment, as were other community development consideration such as utility efficiency, proximity to Fairfield Borough, and topography. With regard to the potential impact of flooding on roads and infrastructure, the Township felt that these issues can more effectively be addressed in the flatter, valley areas rather than on hillsides. From a cost exposure perspective, the Township is more fiscally impacted by the impacts of stormwater runoff along the hillsides even though flooding may be more visible in the wider floodplains on the valley floor. The recent roadway damage along Mt. Hope and Cold Springs Road, areas generally outside of the regulated floodplains, was much more extensive and expensive than any damage within the valley floor. The Township would not want to repeat the potential for similar damage on the hillside south of Fairfield Borough to the Liberty Township line by encouraging residential, roadway, and infrastructure development in this setting.

The above all stated, the Township has indicated that it will consider adjustments to the proposed Zoning Map to address concerns raised by Township residents regarding this area and other areas. These map adjustments may result in a change to the two properties referenced in this question.

(2)(b)(iii) This section of Middle Creek (area near Luntz and Donaldson farms) is a High Quality stream, with wild Brook trout reproducing in it. There are other areas around Fairfield Borough available for this kind of development (very high density roads and houses) under the Comprehensive Plan. Why allow very high density development right around this environmentally sensitive area?

The Township has not confirmed whether the referenced section of Middle Creek supports a wild, reproducing population of Brook trout. It is acknowledged that mapping from the Southwest Adams Joint Comprehensive Plan identifies Middle Creek as having "Natural Trout Reproduction." However, current mapping from the sources listed on the Comprehensive Plan mapping do not depict Middle Creek as supporting natural reproduction. Regardless, the Township fully acknowledges that Middle Creek is a seasonal stocked trout stream and, as discussed earlier, has been assigned EV and HQ water quality designations.

The above stated, the question being asked is essentially one of the potential relationship between maintaining water quality and the potential development that could be allowed given the proposed Zoning Ordinance. This question was addressed in the response to Question (2)(b)(i) above.

(2)(b)(iv) The proposed zoning (Village Mixed, or VM) is for a grid of streets and alleys, in order to join with the existing grid in Fairfield Borough. But there is no such grid in Fairfield Borough that's anywhere near these properties! Furthermore, there is no guarantee there ever will be such a grid. Fairfield Borough's zoning allows a grid but also allows for simple single family dwellings, such as are already being built along the Millerstown Road. Why allow a street and alley grid to be built in an environmentally sensitive, agricultural and rural area, far from any town or city to connect to it?

The proposed VM District includes language that would require street networks within the District to use a grid layout reflective of grid street networks often found in borough settings. The VM District specifically requires that new street networks "be based on, and become an extension of, the existing grid street network in Fairfield Borough." It is acknowledged that the existing grid street network does not adjoin the two referenced properties north of Fairfield Borough. In fact, the subject properties are separated from Fairfield Borough's street network by an intervening agricultural property. However, in drafting the VM District and associated street network design standards, the Township envisioned that any street network developed on the subject properties would tie into a similarly designed grid street network that may be developed on the intervening agricultural property in Fairfield Borough.

The Fairfield Borough zoning district applied to the intervening agricultural property is similar to the proposed VM District in terms of establishing the potential for an extension of the Borough street network to be developed on this property. The Borough views this potential as the likely development proposal given that this layout is provided the highest permitted development density of the development options provided. It is acknowledged that a developer could, in the Borough, choose a lower density development option that does not require a grid street network.

However, the focus of the question seems to be whether streets should even be contemplated within an environmentally sensitive area. The potential presence of a development street system, rather than whether the street system is a grid system or a conventional suburban

system, is likely the main question and concern here. This issue is considered in the responses to Questions (2)(b)(i) and (2)(b)(ii) above.

(2)(c)(i) The area North of the first section of Iron Springs Road near the School is designated Commercial or Moderate Residential in the Comprehensive Plan. The proposed zoning would turn most of this into a brand-new Industrial Zone. It would allow junk yards and other eye-sores that would dramatically change the character of the area, and potentially threaten the quality of Tom's Creek, a Special Protection Watershed. Why make this change when Industrial areas are closing in the municipalities all around us, and when one of the existing Industrial zones in Hamiltonban Township is closing down most of its operations (Valley Quarry)? Hamiltonban Township already has four Industrial zones, mostly reasonably well hidden from the surrounding countryside-why risk the character & environment of the area in this manner?

The Southwest Adams Joint Comprehensive Plan includes the entire length of Iron Springs Road from Fairfield Road to the railroad underpass in the Primary DGA. The Future Land Use Map includes both sides of Iron Springs Road east of the Fairfield Station Road intersection in the Commercial land use category. The remaining portions of the setting are in the Moderate Residential land use category. This represents a broader application of these land use categories than that presented in the question.

When drafting the proposed Zoning Ordinance, the Township looked carefully at the Iron Springs Road corridor as a potential site for nonresidential development. Specifically, the Township looked at this corridor as a potential site to meet its obligations to provide for "overall community growth," "employment growth," and various "nonresidential uses" (see MPC Section 604(5)). Knowing that a commercial development has already been approved at the intersection of Fairfield Road and Iron Springs Road, and given that much of Iron Springs Road is located within the Commercial future land use category of the Comprehensive Plan, the Township view this as a location to accommodate commercial development. During this discussion, the Township also discussed the potential of accommodating potential industrial uses in this corridor as well, given that the corridor is relatively flat, has little regulated floodplain, and could potentially have railroad access. The Township viewed the other designated industrial settings as having minimal potential for most industrial or manufacturing uses since the other settings are primarily active quarries and are generally characterized as having significant topography generally unsuitable for commercial and industrial / manufacturing uses.

With regard to potential impacts on Tom's Creek, it is noted that most of the area in question is not located within subwatershed of Tom's Creek watershed that is assigned the HQ water quality designation. Some of the land area along this portion of Iron Springs Road drains to Spring Run, while another significant portion is focused on a tributary to Tom's Creek that is located in a separate subwatershed from the subwatershed that is assigned the HQ designation. As such, it is noted that the HQ portion of the overall Tom's Creek watershed lies upstream from the Iron Springs Road area. Thus, any development that could occur along Iron Springs Road would have only minimal impact on the HQ designated area. Regardless, any development that

would occur in the setting would have to meet floodplain management and related environmental permitting to proceed.

The above stated, the question is now moot. The Township Supervisors, at the June 25, 2018 Public Information Forum, formally voted to remove the proposed Industrial (I) District from application along Iron Springs Road. This map change will be reflected on a forthcoming revised Zoning Map that the Township will present in the future.

(2)(d)(i) The Mountain View Golf Course is designated as "Recreation (Public/Semi- Public/Non-Public) & State or Federal Land" in the Future Use map in the Comprehensive Plan. The proposed zoning would turn this into a Single Family Residential area. Another radical change! Much of this land is Flood Plain, how does it make sense to expose the Hamiltonban Taxpayers to the costs of maintaining infrastructure in a Flood Plain?

The Future Land Use Map of the Southwest Adams Joint Comprehensive Plan does include the golf course in the "Recreation" future land use designation. Accordingly, the Plan advocates the retention of the golf course for its recreation value. However, the Plan does not and cannot dictate that this commercial recreation use be maintained in perpetuity. Often, when drafting a Zoning Ordinance, golf courses are looked at through a lens of what other uses might be acceptable in a given location should the golf course discontinue operation. Also, in terms of accommodating golf courses as a permitted use, consideration is given as to which zoning district is most appropriate to accommodate the use, given the stated goals of each zoning district. Common practice is to discourage new golf courses in rural settings. Golf courses are land consumptive and are often not particularly environmentally friendly.

In this case, the Township viewed the proposed Single-Family Residential (SR) District as the most appropriate to accommodate the existing golf course. It is acknowledged that the SR District does allow residential development, but it must also be acknowledged that the golf course lies within the Primary DGA of the Comprehensive Plan. Likewise, the proposed SR District is generally similar to the current Agricultural (A) District now applied to the golf course in that both zoning districts use Conservation by Design as the development technique of the setting. Both zoning districts can accommodate significant new residential development using, generally, a similar layout. So, the potential re-use of the property should the golf course discontinue operation is not radically different between the current A District and the proposed SR District.

From the perspective of the regulated Floodplain, it is acknowledged that floodplain exists on the golf course property. But, the regulated Floodplain covers approximately 20% of the overall property. Of course, the existing Township Floodplain Ordinance and other environmental regulations already apply to this portion of the property to manage floodplain impacts. Further, the western half of the property fronts on three different roads and could potentially accommodate permitted development (under either the current A District or the proposed SR District) without having to cross or even touch the regulated floodplain. In either district, it is likely that the regulated Floodplain would be retained within the conserved open space area of the Conservation by Design development and not infringed.

(3) The piece of land East of Fairfield Borough, bordered by Middle Creek and Water Street, is entirely in a Flood Plain. The proposed zoning has this entire plot zoned for very high density roads and houses, including apartment buildings, small businesses, and even trailer parks. Why would the Supervisors expose the taxpayers to the risk of having to maintain infrastructure squarely in the middle of a Flood Plain?

The land area referred to in this question is one part of a large property that extends from the Fairfield Road / Carroll's Tract Road intersection in the east to Tract Road in the west. The overall property lies partially in Hamiltonban Township and partially within Fairfield Borough. It is true that a portion of the property lies within the regulated floodplain of Middle Creek. However, it is also true that the parcel lies within the Primary DGA of the Southwest Adams Joint Comprehensive Plan and is included in the Moderate Density Residential (R-2) District of the current Zoning Ordinance.

Given the above, the overall potential land use for the overall property is not changing. It currently is and is proposed to continue to be located within the Primary DGA and is and proposed to continue to be zoned in a manner that would allow residential development to occur next to Fairfield Borough. The changes are more in the details, in that the proposed VM District would permit less density than the current R-2 District, and that development design would look more like a borough setting rather than a suburban design.

With regard to the regulated floodplain, it is likely that any development that might be proposed in this setting would be focused on the non-floodplain portions of the overall property. Further, refer to the response to Question (2)(b)(i) above for comments regarding the relationship between regulated floodplain and infrastructure.

(4) The areas to the South and Southeast of Fairfield Borough actually do connect to the existing Street & Alley grid there. Yet these areas are proposed to be up-zoned from Moderate Density to Single Family Residential. Why not designate these areas Village Mixed (VM)?

The properties immediately to the southeast of Fairfield Borough are proposed for inclusion within the Village Mixed (VM) District, as discussed in the response to Question (3) above. The Township agrees that, if these properties were to develop, connection to the Fairfield Borough grid street system would be feasible and desirable.

The Township anticipates that this question was intended to reference those properties that are primarily to the southwest side of Fairfield Borough (that is, to the west of McGinley Drive / Tract Road. The Township did not view this setting as a candidate for the VM District for three reasons. First, the majority of the larger properties in the setting are comprised of the Fairfield Area School District campus and would not likely be available in the future for a village extension type of development project. Second, the other large properties in this settings (notably, for example, the properties along the north side of the Fairfield Road / Iron Springs Road intersection), are already separated from the Fairfield Borough grid street system by

existing curvilinear, suburban style streets (notably, Beechwood Estates). Third, the orientation of the Fairfield Borough grid street network has side streets extending generally north and south from Main Street (Fairfield Road). Extending streets toward, generally, the west may be difficult.

(5) (Part 1) The proposed zoning map appears to be trying to encourage large housing developments. Why? The population growth in Hamiltonban Township (and all surrounding municipalities) is very low, and lower than predicted in the Comprehensive Plan.

Neither the proposed Zoning Ordinance nor the proposed Zoning Ordinance "encourages" large housing developments. Market forces, not local land use controls, dictate whether large residential developments may be proposed and developed within an area. Instead, both the current Zoning Ordinance and the proposed Zoning Ordinance establish standards that determine how developers must locate and design their developments, should such developments get proposed.

It is true that recent population growth is low, and that it is lower than that projected within the Southwest Adams Joint Comprehensive Plan. The depth of the economic recession of the late 2000s was greater, and the pace of economic recovery in the 2010s has been slower, than anticipated when the Plan was drafted and adopted. However, low growth rate (or even population decline if such were occurring) does not relieve the Township from having to provide for "all basic forms of housing" within its jurisdiction (see Pennsylvania Municipalities Planning Code Section 604(4)).

Current and anticipated future economic and demographic conditions have played a significant role in drafting the various zoning districts within the proposed Zoning Ordinance. All of the zoning districts in the proposed Zoning Ordinance demonstrate a reduction in permitted residential development density than their counterparts in the current Zoning Ordinance. In the growth area surrounding Fairfield Borough, these changes have equated to a lower maximum residential buildout. If all property in the growth area surrounding Fairfield Borough was developed to its maximum residential potential, the current Zoning Ordinance would enable more than twice the number of dwelling units when compared to the proposed Zoning Ordinance.

With the proposed Zoning Ordinance, the Township is appropriately responding to lower region-wide housing demand by reducing the overall number of potential new dwelling units that could be constructed within the Township. The proposed Zoning Ordinance accomplishes this within the statutory context of the Township having to allow for "all basic forms of housing" within its jurisdiction.

(5) (Part 2) Planning research indicates that residential development often costs taxpayers more than is gained from tax revenue. What cost/benefit planning on this issue has been done to support the proposed new zoning?

The Township did not conduct a cost-benefit analysis as a part of the zoning ordinance development process. It is in no way obligated to do so. That said, if some form of a cost-benefit analysis was performed using the general methodologies suggested in the cited analyses, it is anticipated that the proposed Zoning Ordinance would result in more favorable results than the current Zoning Ordinance. The response to Question (5) above indicated that the proposed Zoning Ordinance reduces the effective maximum residential build-out within the Fairfield area by half compared to the current Zoning Ordinance. Comparable reductions in potential density are provided in other areas of the Borough, including the more rural areas of the Township. This is coupled with stronger requirements designed to conserve agricultural land, as well as other rural land. If the general construct of these types of studies (that is, that residential development costs more than it provides in revenue and that agricultural and rural land costs less than it produces in revenue) is considered to be appropriate, the resultant cost impact of the proposed Zoning Ordinance should be significant less than the potential cost impact of the current Zoning Ordinance.

(5) (Part 3) There is no legal obligation to provide large developers with large tracts of land. The Municipal Planning Code requires non-exclusionary zoning, but it does not require accommodation for every possible business model. What indications are there that growth can't be met by gradual small developments?

The Township concurs with the statement that the proposed Zoning Ordinance cannot be development in a manner that is exclusionary. This means that the Township cannot exclude legal uses of property, both residential and nonresidential, from being able to occur somewhere within the Township.

The Township's evaluation as to how to accommodate various uses of property was not based on whether potential developments would be big or small. It was, instead, based on reviewing physical attributes of the setting in relation to the Southwest Adams Joint Comprehensive Plan. The Plan includes a variety of goals and recommendations that encourage the accommodation of many types of residential and nonresidential uses in the Fairfield area. Factors such as transportation network, extent of utilities, topography help lead to conclusion. It is coincidence that many of the properties where new uses could be accommodated happen to be larger properties. There is nothing in either the current Zoning Ordinance or the proposed Zoning Ordinance that would preclude potential developers from pursuing smaller projects. In the same way, neither the current nor the proposed Zoning Ordinance would preclude a developer from assembling a number of small properties to propose a larger project. In the end, the market will determine whether large or small project are viable and whether such project get proposed.

(6) A very large portion of Hamiltonban Township is now zoned "Woodland Conservation (W-C)", and most of that is proposed to be changed to "Open Space (OS)". How do these zones differ? Is this just a name change, or is there a density change as well?

The current WC District and the proposed OS District are similar in density (although not exact) and are intended to be applied to the same general area – that is, primarily, the lands

included within Michaux State Forest and other lands that can be considered to be "Public" or "Semi-Public" in nature. That said, the proposed OS District has been more carefully drawn than the current WC District to exclude, where possible, privately owned land.

The current WC District relies upon a large minimum lot size standard (5 acres) as the primary means to attempt to address the conservation goals of the district. However, as noted above in the response to Question 1, use of such a large minimum lot size has been reviewed by the Pennsylvania courts to be exclusionary.

The proposed OS District relies upon a maximum density standard (1 dwelling unit for every 10 acres) rather than the large minimum lot size standard. Thus, property sizes for new lots may be smaller, but the overall development density remains low. Further, the proposed OS District includes maximum lot area standards for new use that do not have a resource conservation purpose. The combination of maximum density and the maximum lot size standards will result in larger portions of property being conserved for resource conservation purposes. By contrast, the lack of such standards in the current WC District could result in 5-acre residential lots over the entire landscape, which would likely work against the conservation of rural and natural resources.

(7) What are the differences between the current "Low Density Residential (R-1)" and the new "Land Conservation (LC)" zones?

The current Low Density Residential (R-1) District and the proposed Land Conservation (LC) District are very different, both in terms of intent of the district and the potentially resulting development pattern.

The current R-1 District is essentially suburban density residential zoning. Development density can be, effectively, just over 2 dwelling units per acre to just under 3 dwelling units per acre depending on the development option chosen. The R-1 District does use the Conservation by Design development technique, which results in open space oriented residential development. Still, on a 100-acre property, the R-1 District could allow for 200 or more dwelling units to be developed.

The proposed LC District is much more focused on the conservation of rural lands and resources. Development density is limited to 1 dwelling unit for every 5 acres, which is more consistent with the development density that already exists in settings where the LC District is intended to be applied. Further, when lot development is proposed, the property owner must identify a proportion of the land that must be retained as "Open Land." This feature is intended to ensure that a majority of the rural and landscape resources on a property being subdivided will be retained. In this fashion, much of the resources of the setting will be conserved, even if limited subdivision activity occurs. The LC District is a conservation-oriented zoning district rather than a development-oriented zoning district such as the current R-1 District.

(8) What are the differences between the current "Low Density Residential (R-1)" and the new "Rural Residential (RR)" zones?

The current Low Density Residential (R-1) District and the proposed Rural Residential (RR) District are very different, both in terms of intent of the district and the potentially resulting development pattern.

The intent and potential development level of the R-1 District are described in the response to Question #7 above.

The proposed RR District is focused on retention of small existing clusters of low density, rural residential development. The RR District would establish a maximum development density of 1 dwelling unit for every 2 acres and a minimum residential lot size of 1 acre. These standards replicate property densities and lot sizes already in place where the district is proposed to be applied. This promotes the retention of existing small rural residential clusters while discouraging significant new residential development from occurring in rural settings. Like the LC District, the LC District is a conservation-oriented zoning district rather than a development-oriented zoning district such as the current R-1 District.

9) Why isn't Hamiltonban Township doing joint zoning with Fairfield Borough, which we completely surround?

Both Hamiltonban Township and Fairfield Borough have adopted the Southwest Adams Joint Comprehensive Plan. This action is the first step required to enable these municipalities to prepare joint zoning. However, neither municipality has pursued taking the second step – the adoption of an Intergovernmental Cooperation Agreement in accordance with specific requirements of the Pennsylvania Municipalities Planning Code – required before joint zoning can be pursued.