

Cheltenham Township, believing that public input is appropriate on any items coming before the Commissioners, will recognize any citizen wishing to address a specific item prior to the vote on that issue. In order to be recognized, please raise your hand.



AGENDA

COMMISSIONERS' MEETING

Tuesday, June 17, 2008

Curtis Hall

7:30 p.m.

1. Pledge of Allegiance.
2. Roll Call.
3. Approval of the Board of Commissioners' Regular Meeting Minutes dated May 20, 2008.
4. Acceptance of the Executive Summary Financial Report of the Manager/Secretary for the month of May, 2008.
5. Acceptance of the Accounts Paid Report for the month of May, 2008.
6. Presentation of *Making a Difference in Cheltenham Awards* to the following individuals and organizations selected by the Substance Abuse and Mental Health Committee:
 - Magisterial District Judge Christopher Cerski
 - Police Officer Christopher Gallagher
 - Magisterial District Judge Elizabeth McHugh
 - Special Needs Advocacy Group (SNAG)
7. **PUBLIC HEARING:** To receive any and all comments and suggestions from the public regarding the proposed amendment to Chapter 295 of the Cheltenham Zoning Code to revise the zoning regulations regarding awnings and canopies within commercial districts (see attached).
8. Review and acceptance of the Public Works Committee Regular Meeting Minutes dated June 10, 2008.
 - a. Award of a Unit Price Contract for the 2008 Road Milling and Resurfacing Project.
 - b. Award of a Contract for Maple Avenue Roadway Reconstruction.
 - c. Award of a Contract for Janitorial Services.
 - d. Consider a Change Order to the Cheltenham Township Sanitary Sewer I/I Remediation Project – Phase IV.

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9. Review and acceptance of the Public Affairs Committee Regular Meeting Minutes dated June 3, 2008.
 - a. Approval of an agreement for the operation of the Township’s cable television channel.
 - b. Consider the adoption of a Resolution honoring Catherine Thompson upon her retirement after 17-years of service to the Township.
10. Review and acceptance of the Public Safety Committee Regular Meeting Minutes dated June 3, 2008.
 - a. Adoption of an Ordinance amending the Township Code, Chapter 285 thereof, entitled “Vehicles and Traffic”.
11. Review and acceptance of the Building and Zoning Committee Regular Meeting Minutes dated June 3, 2008.
12. Review and acceptance of the Parks and Recreation Committee Regular Meeting Minutes dated June 10, 2008.
13. Review and acceptance of the Pension Board Regular Meeting Minutes dated May 22, 2008.
14. Old Business.
15. New Business.
 - a. In accordance with the Home Rule Charter, Article VII, Section 702(b), the Township Manager requests the advice and consent of the Board for the appointment of M. Elizabeth McBride to the position of Fiscal Affairs Director.
 - b. Consider Citizens’ Committee appointments.
16. Citizens’ Forum.
17. Adjournment.

David G. Kraynik
Township Manager

ORDINANCE NO. _____ - 08

AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF CHELTENHAM, CHAPTER 295, THEREOF, ENTITLED ZONING, ARTICLE XXV, ENTITLED “SIGNS”, AND ARTICLE XXIX, ENTITLED “GENERAL REGULATIONS”

WHEREAS, Cheltenham Township is authorized to enact and amend its Zoning Ordinance according to the provisions of the Municipalities Planning Code; and

WHEREAS, Cheltenham Township has updated its Zoning Ordinance from time to time; and

WHEREAS, the Board of Commissioners has found it desirable to clarify certain regulations relating to signage and to increase the signage permitted on awnings and canopies; and

WHEREAS, Article XXV of the Zoning Ordinance regulates signs in all districts of the Township; and

WHEREAS, the Board of Commissioners has found it desirable to permit awnings and canopies to be erected anywhere within the required front yard of any property within a Commercial Enhancement District; and

WHEREAS, Section 295-220. of the Zoning Ordinance regulates what structures may be erected within any of the required yard areas; and

WHEREAS, the amendments set forth herein are consistent with the description of legislative intent set forth in existing Section 295-192. of the Zoning Ordinance.

NOW THEREFORE, the Code of Cheltenham Township, Chapter 295, entitled “Zoning”, is hereby amended as follows:

SECTION 1: The Code of the Township of Cheltenham, Chapter 295, Article XXV, Section 295-193. , entitled “Definitions”, is hereby amended by deleting §295-193.B.(3) except for the graphics following the text.

SECTION 2: The Code of the Township of Cheltenham, Chapter 295, Article XXV, Section 295-193. is hereby amended by adding new subsections §295-193.B.(3), §295-193.B.(3A), §295-193.B.(7A) and §295-193.B.(7B), as follows:

§295.193.B. (3) AWNING – A building element consisting of soft or rigid material, including canvas, fabric, metal or similar material, that is supported by an underlying framework that is affixed to a building façade. An awning may or may not be fixed or be equipped with a mechanism for raising and holding the awning in a retracted position against the building façade. An awning shall not project more than four (4) feet from the building façade and at no point shall it extend above the parapet wall or eave line of the roof. The minimum vertical height clearance from any part of an awning to a sidewalk directly below or adjacent to the awning is seven (7) feet.

§295-193.B.(3A) AWNING SIGN – A sign painted on, printed on or attached flat against the surface of an awning. An awning sign shall only display the business name, graphic logo and/or building number and shall be painted/printed/attached only to an awning affixed to the ground floor building façade.

(NOTE: The graphics following the previous §295-193.B(3) being deleted by Section 1, above, are to follow the new §295-193.B.(3A).)

§295-193.B.(7A) CANOPY – A building element consisting of soft material such as canvas, fabric or similar material that is supported by an underlying framework that is affixed to a building façade; A canopy may or may not have vertical supports. A canopy shall be located only at the building entrance that faces a street and at no point shall it extend above the parapet wall or eave line of the roof. The maximum length of a canopy shall be fifteen (15) feet with the minimum width being four (4) feet and the maximum width being eight (8) feet. The minimum clearance from any part of a canopy to a sidewalk directly below or adjacent to a canopy is seven (7) feet.

§285-193.B.(7B) CANOPY SIGN – A sign painted on, printed on or attached flat against the surface of a canopy. A canopy sign may only display the business name, graphic logo and/or building number.

(GRAPHIC TO BE INSERTED)

SECTION 3: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-194.D., entitled “Location of Signs”, is hereby amended by adding a new §295-194.D.(6), as follows:

§295-194.D.(6) Awnings and/or Canopies shall not extend into the street right-of-way.

SECTION 4: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by deleting §295-197.C.(1)(a) in its entirety.

SECTION 5: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by adding a new §295-197.C.(1)(a) , as follows:

§295-197. C.(1)(a)

Each individual or single use of property may have one on-site freestanding sign or monument sign **only, and one awning sign or canopy sign only, and one parallel wall sign or one projecting wall sign only,** with the following limits on area, height and illumination:

	Maximum
Maximum Area	Height

Sign Type	(square feet)	(feet)	Illumination
Freestanding	50	15	Internal/external
Monument	20	6	Internal/external
<u>Parallel Wall</u>	<u>15% of façade; 100 square feet Maximum</u>	<u>Not to exceed eaves line or top of parapet wall of principal building, whichever is lower</u>	<u>Internal/external; external only in the Commercial Enhancement Districts</u>
<u>Projecting Wall</u>	<u>15 square feet</u>	<u>Not to exceed eaves line or top of parapet wall of principal building, whichever is lower.</u>	<u>Internal/External</u>
<u>Awning</u>	<u>20% of exterior awning surface per building façade.</u>	<u>At awning height</u>	<u>Internal/External</u>
<u>Canopy</u>	<u>20% of exterior canopy surface area</u>	<u>-</u>	<u>Internal/External</u>

SECTION 6: The Code of the Township of Cheltenham Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by deleting §295-197.C.(1)(b) in its entirety.

SECTION 7: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by adding a new §295-197.C.(1)(b), as follows:

§295-197.C.(1)(b)

In addition, each individual or single use of property **with multiple retail tenants** may be permitted **only** two of the following signs **per street frontage per retail tenant space**. **The two signs permitted per retail tenant space shall be placed only on the building façade facing the street, parking lot or accessway. Retail tenant signage shall be placed only on the portion of the building façade that directly abuts that retail tenant space. Retail tenant spaces that do not abut the building façade shall not be permitted separate exterior signage.**

Sign types, area, height and illumination **shall** conform to the following:

Sign Type	Maximum Area	Maximum Height	Illumination
Parallel Wall	15% of façade;	Not to exceed	Internal/external;

	100 square feet Maximum	eaves line or top of parapet wall of principal building, whichever is lower	external only in the Commercial Enhancement Districts
Projecting Wall	15 square feet	Not to exceed eaves line or top of parapet wall of principal building, whichever is lower.	Internal/external
Awning	10 square feet <u>20% of exterior awning surface per building façade.</u>	At awning height	Internal <u>Internal/External</u>

SECTION 8: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by deleting §295-197.C.(2)(b)[1] in its entirety.

SECTION 9: The Code of the Township of Cheltenham, Chapter 295, Article XXV, §295-197., entitled “Signs Requiring a Permit”, is hereby amended by adding a new §295-197.C.(2)(b)[1], as follows:

§295-197.C.(2)(b)[1]

Each individual tenant may be permitted two of the following signs **only**. The two signs permitted per tenant shall be placed on the façade of the building facing the street or parking lot or accessway. **Tenant signage shall be placed only on the portion of the building façade that directly abuts that tenant space. Tenant spaces that do not abut the building façade shall not be permitted separate exterior signage.**

Sign types, area, height and illumination **shall** conform to the following:

Sign Type	Maximum Sign Area	Maximum Sign Height	Illumination
Parallel Wall	1 square feet <u>foot</u> per foot of façade length	Not to exceed eaves line or top of parapet wall of principal building, whichever is lower	Internal/external
Projecting Wall	15 square feet	Not to exceed eaves line or top of parapet wall	Internal/external

of principal building, whichever is lower

Awning	10 square feet <u>20% of exterior awning surface per building facade</u>	At awning height	External <u>Internal/External</u>
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SECTION 10: The Code of the Township of Cheltenham Township, Chapter 295, Article XXIX, Section 295-220., entitled “Yard Regulations”, is hereby amended by deleting §295-220.A. in its entirety:

SECTION 11: The Code of the Township of Cheltenham, Chapter 295, Article XXIX, Section 295-220., entitled “Yard Regulations”, is hereby amended by adding a new §295-220.A. as follows:

§295-220.A. FRONT YARD PROJECTIONS. No building and no part of a building, swimming pool, carport or other structure shall be erected within or shall project into the front yard except cornices, eaves, gutters or chimneys projecting not more than 36 inches, one storey open porches projecting not more than 10 feet, steps and balconies. In the R1, R2, R3, R4, R5, R6, R7, R8 and RO Districts, the required front yard setback area shall be lawn area or landscaped area with the exception of one driveway per street frontage. The maximum width of a driveway shall not exceed the lesser of 18 feet or 50% of a property’s street frontage.

Notwithstanding the foregoing an awning or a canopy, as defined under Article XXV, entitled “Signs”, of Chapter 295 of the Code of the Township of Cheltenham, may be erected anywhere within the required front yard of any property within a Commercial Enhancement District as defined in the Cheltenham Township Commercial District Enhancement Plan, as approved and as amended, from time to time, by the Cheltenham Township Board of Commissioners.

SECTION 12 - DISCLAIMER: Nothing in this Ordinance shall be construed to affect any suit or proceeding pending in any court, or any rights acquired or liabilities incurred, or any permit issued, or any cause or causes of action existing under the Ordinances of the Township of Cheltenham prior to the enactment of this Ordinance.

SECTION 13 - SEVERABILITY: The provisions of this Ordinance are severable and if any section, sentence, clause, part or provision hereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decision of the court shall not affect or impair the remaining sections, sentences, clauses, parts or provisions of this Ordinance. It is hereby declared to be the intent of this Board that this Ordinance would have still been adopted even if such illegal, invalid or unconstitutional section, sentence, clause, part or provision had not been included herein.

SECTION 14: In all other respects Chapter 295, entitled “Zoning”, of the Code of the Township of Cheltenham is hereby approved and accepted as amended, and shall continue in full force and effect.

SECTION 15 - FAILURE TO ENFORCE NOT A WAIVER: The failure of the Township to enforce any provision of this Ordinance shall not constitute a waiver by the Township of its rights of future enforcement hereunder.

SECTION 16 - EFFECTIVE DATE: This Ordinance shall take effect and be in force from and after its approval as required by law.

ORDAINED AND ENACTED by the Board of Commissioners of Cheltenham Township, Montgomery County, Pennsylvania, this _____ day of _____, 2008.

CHELtenham TOWNSHIP

Attest: _____
David G. Kraynik, Secretary

By: _____
Jeffrey A. Muldawer, President
Board of Commissioners

Date: _____