

Zoning and Land Use Planning Committee

Very few neighborhoods boast historic housing stock and architecture of the caliber found in this treasured section of Germantown in northwest Philadelphia, and even fewer have enjoyed such long-standing protection of a continuously engaged zoning committee, as the Historic Tulpehocken Station District, where WCGN's Zoning and Land Use Planning Committee has been an active voice in zoning matters for decades.

Our Purview. WCGN's zoning coverage, consistent with our bylaws, is bounded by Washington Lane, Germantown Avenue, Cheltenham Avenue, and SEPTA's Chestnut Hill West railroad line (formerly known as the "R8") including Four Freedoms House on the west side of the railroad line adjacent to Tulpehocken Station (to the northwest, northeast, southeast, and southwest respectively).

Our Purpose. Our purpose, in accordance with both WCGN's longstanding guidelines and--as a Registered Community Organization (RCO)--with the zoning code's new regulations, is to provide the residents of WCGN with information concerning the zoning laws and their application in our neighborhood, including by hosting public meetings concerning zoning applications within our boundaries, and communicating the neighborhood's position to the city's Zoning Board of Adjustment (ZBA) on behalf of WCGN's residents. To advance this purpose, WCGN proactively obtains input from its constituency on their vision for the future of our community as a whole.

Our Process. When a zoning application is filed for a use not permitted "as of right" in our area (e.g., an application to demolish what is now the Ebenezer Maxwell Mansion Museum and convert the lot into a gas station, as was attempted in the 1950s), the WCGN zoning committee organizes a meeting with the applicant. It tries to follow up on the applicant's requirement to notify neighbors within 250 feet of the property, and it posts a notice to its constituency on social media. At this public meeting, following a presentation by the applicant, WCGN moderates a discussion among the neighbors in attendance to collect input, giving particular attention to the opinions of the near neighbors, and based on that input, submits a letter to the Zoning Board of Adjustment ("ZBA") either supporting or opposing the application, usually including a summary of the key rationales as discussed at the meeting.

In many cases, the ZBA, the City Planning Commission's neighborhood planner for Northwest Philadelphia, and our city councilmember have adopted WCGN's community-driven position.

Occasionally, an applicant appeals the decision of the ZBA in the Philadelphia Court of Common Pleas. Although the ZBA has the authority to defend its decision in court, WCGN has historically opted to obtain its own counsel on behalf of the community. With the support of its members and organizational partners (supplemented as needed by matter-specific donations from near neighbors), WCGN hopes to be able to continue defending the neighborhood's quality of life through all necessary appeals, as it has in the past, including to the Pennsylvania Supreme Court, on one recent occasion). *See, e.g.*, 827 A.2d 1283 (Pa. Cmwlth. 2003) (affirming common pleas court finding that ZBA abused its discretion when it granted a property owners' request for expansion of preexisting non-conforming use), *appeal den'd*, 844 A.2d 555 (Pa. 2004).

Our Partners. As mentioned above, WCGN shares its bounds with several other RCO's. Since implementation of the RCO process in August 2012 and the burgeoning of new zoning groups in Germantown and citywide that accompanied it, WCGN has enjoyed a mutually supportive partnership from its fellow RCOs in our positions before ZBA on behalf of WCGN's residents, and we look forward to a continued positive relationship in the future.

Members of the WCGN zoning committee are currently participating in a series of meetings with the goal of establishing a consistent and high-quality process for zoning applicants in greater Germantown, as well as facilitating a "single voice" for zoning matters impacting a large number of Germantown's residents (e.g., large developments on Germantown's commercial corridors).

Although WCGN is cautious to the extent that a broader coalition of zoning groups could dilute and diminish WCGN's voice in zoning matters affecting its residents, we are encouraged by the positivity and spirit of mutual support that has characterized RCO meetings to date. Particularly in light of WCGN's strong and uniquely long-standing participation in the zoning and land use planning process over the past decades, we are confident that WCGN will continue to enjoy the courtesy of deference from its new partners. Moreover, we're excited to participate in the broader discussion around neighborhood planning

across Germantown that promises to be advanced by this new and long-needed opportunity for community collaboration.

Our Past and Our Future. Experience teaches that uncontrolled increase in high-density multi-family uses, particularly where multi-family homes are not owner-occupied, can easily erode quality of life. As discussed, WCGN has a strong tradition of enthusiastically defending our community's historic homes against destruction or subdivision, and has often fought the expansion of non-conforming uses where such expansion would diminish quality of life in our historic residential neighborhood. WCGN members successfully petitioned for the addition of the "Tulpehocken Station Historic District" to the National Register of Historic Places in 1985, including over 150 "significant" or "contributing" structures, deemed worthy of preservation under the standards set by the federal government.

WCGN has always endeavored to preserve and promote the historicity and abundance of green space that makes WCGN such a unique and attractive place to live and raise a family. We have done this by a combination of the fundraising and volunteer efforts of our members (like those resulting in the renovation of the Tulpehocken Station, and the Tulpehocken Station garden and orchard project), and by our steadfast vigilance and engagement in the zoning process.

However, neighbors and committee members recognize the need to periodically revisit our guiding principles and procedures to ensure that our efforts are responsive to and reflective of the wants and needs of WCGN's residents and homeowners. The committee is aware that criteria used in deciding whether to support particular types of variances are affected by factors that change over time.

To this end, the zoning committee is seeking volunteers to plan and moderate a series of neighborhood visioning meetings to collect and synthesize community input on these matters. If you are interested in volunteering to assist this effort, please email the board.