

**TOWNSHIP OF LOWER MERION**  
Department of Building & Planning

MEMORANDUM

TO: Land Use Committee  
FROM: Christopher Leswing, PP, AICP, Assistant Director Building and Planning  
SUBJECT: Institutional Externalities /Preliminary Recommendations  
DATE: July 18<sup>th</sup> 2011

---

This memo summarizes staff's preliminary institutional land use recommendations, which were derived from the institutional externalities chart at the end of this memo. The institutional externalities chart is a distillation of specific institutional land use issues identified by the Planning Commission during the Issues Report phase and supplemented by the Land Use Committee. The preliminary institutional land use recommendations are intended to serve as a foundation for this month's Committee discussion.

**Summary of Recommendations**

The proposed recommendations are intended to achieve the desired balance between institutional land uses and surrounding residential neighborhoods contained within the draft Community Development Objectives developed by the Planning Commission and refined by the Land Use Committee. The proposed recommendations assume that while not perfect, *the current land use pattern and land review process generally works for both institutions and adjacent residences*, but needs to be modified to function more efficiently. Taken as a whole, the proposed recommendations seek to modify and update the Township's existing regulatory framework to give adjacent residents protections against technological, operational and physical changes to large scale institutions evolving into the 21<sup>st</sup> century. The recommendations assume that large scale institutions have value to the Township as a whole, are a permanent component of the Township's land use pattern that current and that future growth will consist of modernizations and modest expansions to campuses. Staff does not project significant growth in students, members, staff or employees of institutions.

The recommendations do not propose additional development potential to institutions and propose restrictions on institutions which seek to expand by acquiring additional property. The recommendations seek to direct future institutional growth towards the center of campuses and to maintain the defining green edge along the edge of institutional uses.

The proposed recommendations focus on land use issues and do not address economic issues resulting from having a large percentage of the Township's land use pattern occupied by non-profit entities. The financial implications of institutional land uses should certainly be evaluated by the Land Use Committee before the Committee's work is completed.

The following recommendations were developed by staff in response to issues generated by the public and refined by the Land Use Committee. Staff's preliminary recommendations include input from a survey of best practices by other communities in addressing large scale institutional land uses. Staff's summary of other community's practices reveals that institutional regulation must be undertaken in response to local conditions and that generally seeks to regulate high intensity, large scale institutional uses into individual districts. Specific districts, such as university and Medical Centers, are utilized to create provisions with general codes to address externalities unique to specific municipalities.

1. The proposed institutional land use recommendations build upon the Township's practice of differentiating larger, generally more intensive, regionally-scaled institutional land uses and smaller, generally less intensive, neighborhood scaled institutional land uses. As evidenced by the Medical District to address the unique conditions of Lankenau Hospital, the Bryn Mawr Medical District and the Continuing Care Facilities Overlay which addressed issues associated with the unique circumstances of large-scale residential retirement communities.
2. In order to differentiate between large and small scale institutional uses, staff recommends maintaining the existing Special Exception approval process and adding provisions to address the unique land use impacts of Institutions over 5 acres. Alternatively, the Land Use Committee may consider establishing an overlay on Institutional Land uses over 5 acres. Whichever direction the Committee chooses to pursue should include provisions to increase setbacks and buffers for larger uses. Amend provisions to concentrate new development and impervious surface in center of campuses.
3. At this time staff does not recommend establishing a specific district to address large-scale, private educational uses across the Township.
4. Staff also recommends:
  - a. A comprehensive review and amendments to the Township's lighting, noise and sign ordinances.
  - b. Review and amend delivery requirements for institutional land uses.
  - c. Establishing a Town/Gown committee to address on-going issues between large educational institutions and surrounding neighbors. A Town/Gown Committee is an appropriate forum to explore solutions to alternative transportation and student housing issues.

Preliminary Recommendations relating to Institutional Land Use

Necessary steps to test/refine preliminary recommendations for Institutional Land Uses		
Issue: Evolution of institutional uses (i.e. Modernization of facilities and/or services)		
Encroachment of institutions into residential neighborhoods		
Goal 1 & 2	Preliminary Recommendation	Analysis Required to Test/Refine Recommendation
<p><b>Explore creative techniques to allow institutions to evolve while maintaining protections of the surrounding residences. Striking a balance between the land use and operational needs of the institutions and their residential neighbors is of utmost importance.</b></p> <p><b>Preserve the residential quality of the neighborhoods, when balancing the land use and operational needs of the institutions.</b></p>	<p>Regional Scaled Institution</p> <p>Allow <u>x</u> to permit institutional evolution in exchange for <u>y</u> to reduce externalities</p> <p>X = increases to height or impervious surface; or conversion to multi-family property                      Y = increase to setback or buffers; or preservation of historic resource or open space</p>	<p>Determine what constitutes evolution of institutional property.</p> <ul style="list-style-type: none"> <li>• Increased population, students, staff or employees?</li> <li>• Need for larger, modernized facilities?</li> <li>• Need for additional facilities to better serve the current population such as additional parking, dorms, fields or other buildings?</li> </ul> <p>Determine what constitutes negative externality on surrounding residences. (See Summary of Institutional Externalities)</p> <ul style="list-style-type: none"> <li>• Automotive traffic on surrounding neighborhood roads?</li> <li>• Off campus parking?</li> <li>• Increased intensity resulting from longer hours by different users?</li> <li>• Loss of open space or historic resources?</li> <li>• Light/noise trespass into adjacent neighborhoods?</li> <li>• Stormwater runoff?</li> <li>• Fiscal implications, such as the need for additional municipal services.</li> </ul>
	<p>Neighborhood Scaled Institution</p> <p>Permit conversion of declining neighborhood oriented institutions into residential uses</p>	<p>Identify potential institutions for conversion into residential uses.</p> <p>Identify potential issues and opportunities for conversion.</p> <ul style="list-style-type: none"> <li>• Appropriate density for neighborhood</li> <li>• Appropriate density to support conversion</li> <li>• Off street parking requirements</li> <li>• Stormwater management</li> <li>• Protection of historic resource/open space</li> </ul>

Preliminary Recommendations relating to Institutional Land Use

Necessary steps to test/refine preliminary recommendations for Institutional Land Uses		
Issue: Diverse array of institutions are treated similarly under existing regulations		
Goal 3	Preliminary Recommendation	Analysis Required to Test/Refine Recommendation
<b>Recognize institutional land uses as a distinct and defining land use within Lower Merion Township and develop specific land use strategies to address issues relating to the growth and preservation of institutional land uses.</b>	Develop policies and land use regulations that recognize the diversity of institutional land uses within Lower Merion. Categorize institutions as neighborhood scaled or regionally scaled so that each type can be appropriately regulated.	Inventory institutions and evaluate similarities and differences. Evaluate by: (Exhibit D: Charts) <ul style="list-style-type: none"> <li>• Size</li> <li>• Use</li> <li>• Intensity</li> <li>• Susceptibility to change</li> </ul>
	Identify methods for streamlining the institutional approval process if applicants submit an approved CDP	Evaluate pros and cons of Concept Development Plan for institutional approval
	Modify special exception process or create an institutional overlay or some combination of both processes.	Evaluate pros and cons of Special Exception process and determine if revisions are necessary. Evaluate pros and cons of creating an Institutional Overlay and determine if it benefits neighborhood oriented institutions converting to residential uses or is more appropriate for managing evolution of regionally scaled institutions.

Preliminary Recommendations relating to Institutional Land Use

Necessary steps to test/refine preliminary recommendations for Institutional Land Uses		
Issue: Need to coordinate institutional land uses with other Township planning initiatives		
Goal 4	Preliminary Recommendation	Analysis Required to Test/Refine Recommendation
<b>Develop policies and land use regulations that recognize the diversity of institutional land uses within Lower Merion. Future policies and regulations should address the impact of institutions upon the Township's economic, social, transportation, housing, open space and recreational needs</b>	Utilize Official Map and or Transfer of Development Rights to identify potential locations on institutional properties for future public playfields.	Identify potential locations on institutional properties for future public playfields.  List methods for using Official Map or TDR to implement recommendation
	Identify potential locations on institutional properties for shared/ publically accessible recreation facilities. Explore restrictions on public use of institutional recreational facilities currently in place.	Map existing institutional fields and shared facilities List existing restrictions on shared recreational facilities
	Identify potential locations and create incentives to permit conversion of select institutional uses to age-restricted housing consistent with Township Housing policies.	Develop site criteria for conversion of institutional property to age restricted housing Map potential properties consistent with criteria
	Facilitate coordination of shared transportation services between neighboring institutions.	Identify potential shared services/list existing shared services Identify opportunities/constraints to coordinating shared services
	Explore partnerships between institutions and Township to provide workforce housing for institutional employees within Township.	Identify potential neighborhoods for institutional work force housing Identify opportunities/constraints for conversion to work force housing
Issue: While institutions have an air of permanence, the vast majority of institutional properties are temporarily protected and potentially vulnerable to future development.		
Goal 5	Preliminary Recommendation	Analysis Required to Test/Refine Recommendation
<b>Develop strategies for the preservation and enhancement of historic, cultural, and educational resources which are defining elements of Lower Merion Township.</b>	Develop a prioritized list of open space and historic resources crucial to preserving the character of the Township. Work with institutions to preserve these resources.	Inventory historic resources and designated open space/natural features on institutional properties. Inventory protections in place. Create prioritized list of core historic/open space resources to preserve.

Summary of Institutional Externalities

Summary of Institutional Externalities & Existing Regulations/Processes Addressing Externalities			
Externality	Cause	How Regulated	Remedy
<b>Traffic and Circulation Externalities</b>			
<b>Parking on residential streets by institutional users, primarily students.</b>	<p>Generally resulting from inadequate amount of on campus parking.</p> <p>Institutional polices, such as requiring payment for on-campus parking, may contribute to problem.</p> <p>Relevant to a handful of institutions.</p>	<p>Zoning Ordinance requires minimum number of off-street parking spaces.</p> <p>Number &amp; location of parking spaces also regulated through conditions of approval.</p>	<p>Establish parking restrictions on local streets around institutions.</p> <p>Better utilize reserve parking provisions and encourage shared parking facilities.</p> <p>Review parking regulations to ensure adequate on-campus spaces are provided and update regulations if necessary.</p> <p>Work with individual Institutions to discourage off-campus parking on residential streets. Portion of remedy involves extra regulatory effort.</p>
<b>Traffic through neighborhoods by members, students, employees and visitors to institutions.</b>	<p>Institutions are permitted to be located in residential districts.</p> <p>Vehicular entrances are regulated to primary secondary and tertiary roads. No prohibition on traffic through local streets.</p>	<p>Vehicular entrances are regulated by zoning code.</p> <p>Traffic issues are regulated via conditions of approval.</p>	<p>Traffic issues can be resolved through cooperation with institution to reduce/stagger start times to reduce amount of vehicular traffic to institution.</p> <p>Institutions should encourage alternative modes of transit. Portion of remedy involves extra regulatory effort.</p>
<b>Nuisance Externalities</b>			
<b>Noise from mechanical equipment (HVAC) resulting from new construction or systems upgrades.</b>	<p>Larger mechanical equipment is becoming the norm.</p> <p>Buildings are being located closer to edges of campus and may be closer to residential neighbors.</p> <p>Lack of sound barriers/buffers required to mitigate mechanical equipment noise.</p> <p>Codes have not kept pace with technology.</p>	<p>Sound is regulated through the municipal noise ordinance.</p> <p>Zoning regulates building setbacks &amp; buffers. Sound barriers and location of equipment negotiated through land development.</p>	<p>Amend Noise Ordinance to address technological changes.</p> <p>Consider establishing a minimum noise threshold or measure nuisance as an increase over background level.</p> <p>Add provisions to zoning code to orient mechanical equipment away from adjacent properties, require screening of mechanical equipment and require additional buffers, if necessary.</p>

Summary of Institutional Externalities

Summary of Institutional Externalities & Existing Regulations/Processes Addressing Externalities			
Externality	Cause	How Regulated	Remedy
<b>Noise resulting from deliveries to institution. Concern regarding noise at off hours (early morning &amp; late evening).</b>	Campus operations in close proximity to residences.	Deliveries hours and location of delivery points are negotiated conditions during land development process.	Establish code provision limiting delivery hours.
<b>Noise resulting from activities other than primary use occurring on institutional campuses.</b>	Externality generally consists of amplified noise associated with organized events.	Crowd noise cannot be regulated. Amplified noise can be regulated. Event hours may be regulated through conditions of approval.	Amend noise ordinance to regulate amplified noise.
<b>Excessive light visible from neighboring properties. Concerns over both internal and external sources of light.</b>	Excessive light results from inadequate shielding of light source, inadequate buffering. Lights left on when not necessary.	Lighting regulated through municipal light ordinance. Zoning controls setbacks & buffers. Location of lighting and hours of operation negotiated through conditions of approval.	Revise lighting ordinance. Incorporate better shielding requirements into code. Establish guidelines to power down or turn off lights during off hours.
<b>Stormwater runoff to neighboring properties.</b>	Many institutional properties developed prior to stormwater regulations. New development adds stormwater management to properties.	Stormwater regulated through Municipal stormwater ordinance. Additional stormwater management negotiated through land development.	Revise zoning codes to allow additional impervious coverage in center of campus and less impervious on edges of campuses. Work with institutions on extra regulatory solutions to voluntarily address stormwater issues.
<b>Signs</b>	Excessive temporary signage used to advertise special events. Off site signs advertising events held at institution.	Signs regulated through the municipal sign ordinance.	Review institutional signage as part of revisions to municipal sign ordinance.

Summary of Institutional Externalities

Summary of Institutional Externalities & Existing Regulations/Processes Addressing Externalities			
Externality	Cause	How Regulated	Remedy
<b>Intensity of Use</b>			
<b>Hours of Operation</b>	Need to flesh out nature of negative impact.	Operational hours regulated through Special Exception and Land Development process.	To be determined.
<b>Groups/crowds from institutions walking through adjacent neighborhoods.</b>	Need to flesh out nature of negative impact.		To be determined.
<b>Accessory Uses</b>	Concern over commercialization of use. Issue associated with camps and other uses not related to prime (approved) mission of institution. Many accessory uses may not have received Special Exception approval. Concerns over outside organizations using facilities at off hours. Committee may want to expand specific issues relating to this issue.	Accessory uses regulated through Special Exception Process.	Consider limiting accessory uses to a percentage of principle use. Accessory uses should be reviewed to ensure that they are not more intense than primary use. Due to the number of accessory uses and the number of institutions enforcement is challenging.
<b>Use of turf fields to extend use of athletic programs.</b>		Hours regulated via conditions of approval.	
<b>Expansion of Institutional campuses by acquisition of new properties.</b>	Concern over institutions expanding by purchasing property.	Setbacks and buffers regulated through zoning ordinance.	Require newly acquired properties to have increased setbacks and buffers to cluster development in center of campus.
<b>Proximity of new institutional uses to existing institutional uses.</b>		Zoning code includes separation requirement.	
<b>Proximity of expanded institutional uses to residential uses.</b>	Concern over mass of new buildings and potential light and noise in close proximity to adjacent residences.	Building volume, buffers and setbacks regulated through zoning ordinance.	Increase buffers and setbacks for expansions of large institutions.

Summary of Institutional Externalities

<b>Summary of Institutional Externalities &amp; Existing Regulations/Processes Addressing Externalities</b>			
<b>Externality</b>	<b>Cause</b>	<b>How Regulated</b>	<b>Remedy</b>
<b>Expanded use of institutional use on same property.</b>	Need to flesh out nature of negative impact.	Regulated through Zoning.	Require larger lot area and larger setbacks for new institutional uses.
<b>Externalities Resulting From Change of Character</b>			
<b>Size and scale of construction</b>	Need to flesh out nature of negative impact.	Building volume, buffers and setbacks regulated through zoning ordinance.	To be determined.
<b>Loss of Open Space resulting from expansion or reconfiguration of facilities.</b>	Real issue is loss of open space visible to public.	Regulated through Zoning.	Update Scenic Corridor Study to prioritize open space and cultural resources for preservation. Link study to zoning incentives. Amend Historic Incentives to ensure prioritized resources are protected.
<b>Loss of Cultural Resources resulting from expansion or reconfiguration of facilities.</b>		Regulated through Historic Resource Inventory.	Ordinance being currently considered to provide residential conversion alternative to demolition of cultural resources.
<b>Loss of Mature Trees resulting from expansion or reconfiguration of facilities.</b>		Regulated through Natural Features Code.	Increase buffers and setbacks for expansions of large institutions. Revise Natural Features Code to strengthen protections for large trees. Work with institutions to voluntarily reestablish wooded edge along campuses.
<b>Change of use from institutional use to residential use.</b>			Ordinance currently being considered to permit conversion of institutional properties.
<b>Change of use from one institution to another.</b>	Concern over established use being replaced with unknown use which may be more intense and less neighborhood scaled.	Conversion to similar use permitted under Zoning Code by Special Exception.	To be determined.

Summary of Institutional Externalities

Summary of Institutional Externalities & Existing Regulations/Processes Addressing Externalities			
Externality	Cause	How Regulated	Remedy
<b>Addition of netting and poles to support expanded field activities.</b>	Poles and nets are visually inconsistent with institutional character.	Not currently regulated.	Establish regulation to limit height of poles, limiting nets to during season and also adding provisions for screening of poles.
<b>Miscellaneous Externalities</b>			
Property Maintenance	Need to flesh out externality.	Township enforcement	Review enforcement procedures
Air Quality	Need to flesh out externality.		To be determined.