

AN ORDINANCE

NO. 4030

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 155, Entitled Zoning To Amend Article XXXV, City Avenue District, §155 -217.B.(4) Use Regulations Regarding Multiple-Use Development Standards; And To Amend §155-217.E.(10) Density Increase For Off-Site Traffic Improvements To Clarify Township Determination Of Improvements; And To Amend §155-217.F.(5)(e)[3][c] Development Design Standards Regarding Pedestrian Way Standards.

The Board of Commissioners of the Township of Lower Merion hereby ordains:

Section 1. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XXXV, City Avenue District, §155 -217.B. Use Regulations subsection (4) is hereby amended to provide as follows:

- (4) Multiple-Use Development. A multiple-use development for purposes of this district shall be defined as an integrated, complementary development of 2 or more buildings on one or more lots, provided that the lots are adjacent to and abut one another. The Multiple-Use Development can be phased, and shall include residential and non-residential uses as listed under B(1) and B(2). No single use shall occupy more than 80% of the total gross floor area of the buildings on the subject Lot(s).

Section 2. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XXXV, City Avenue District, §155 -217.E. Density Increase subsection (10) is hereby amended to provide as follows:

- (10) Density increase for off-site traffic improvements. The allowable density may be increased by a FAR of up to 0.2 for a development where the applicant installs off-site traffic improvements as determined by the Township or contributes to a City Avenue Transportation Services Area Fund held by the Township subject to the following provisions:

Section 3. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XXXV, City Avenue District, §155 -217.F. Development Design Standards subsection (5)(e)[3][c] is hereby amended to provide as follows:

- (e) Pedestrian Ways:

[3] On all other streets, a Pedestrian Way shall begin at the curb line and consist of a landscaped verge strip measuring six feet in width and installed in accordance with §155-217 F(5) (e) [1] [b] above and a public walkway with an unobstructed width of eight feet (Figure 14), except as noted below:

[c] When a public, multi-purpose path is shown along the street line on the City Avenue District Official Map the Pedestrian Way shall begin at the curb line and consist of a landscaped verge suitable for street trees measuring five feet in width, a public, multi-purpose path measuring eight feet in width, a hardscaped verge measuring two feet in width, and a public walkway with an unobstructed width of eight feet, as noted below:

Section 4. Nothing in this Ordinance or in Chapter 155 of the Code of the Township of Lower Merion, as hereby amended, shall be construed to affect any suit or proceedings in any Court, any rights acquired or liability incurred, any permit issued, or any cause of causes of action existing under the said Chapter 155 prior to the adoption of this amendment.

Section 5. The provisions of this ordinance are severable, and if any section, sentence, clause, part, or provision thereof shall be held illegal, invalid, or unconstitutional by any Court of competent jurisdiction, such decision of this 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 the Board that this ordinance would have been adopted if such illegal, invalid, or unconstitutional section, sentence, clause, part, or provision had not been included herein.

Section 6. This Ordinance shall take affect and be in force from and after its approval as required by law.

Enacted by the Board of Commissioners of the Township of Lower Merion this 17th day of September, 2014.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Elizabeth S. Rogan, President

ATTEST:

Jody L. Kelley, Secretary