AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code of The Township of Lower Merion, Chapter 155, Entitled Zoning, To Permit Motor Vehicle Parking Lots In R 6A Zoning Districts If Accessory To An Existing Commercial Use, Subject To Other Limitations; To Permit Two Family Dwellings in R 6A Residence Districts If Partially Dedicated to Affordable Housing, Subject To Other Limitations; And To Add A New Section §155-52.1 To Provide Development Requirements For Motor Vehicle Parking Lots In R 6A Zoning Districts.

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 XII, R 6A Residence Districts, Section §155-47, Use Regulations, shall be amended by the addition of a new Subsection H., Motor vehicle parking lot, which shall read as follows:

§ 155-47. Use regulations.

A building may be erected or used and a lot may be used or occupied for any of the following purposes and no other:

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H. Motor vehicle parking lot. Such use is permitted only on a split-zoned lot where the R6A zoned portion shares its entire side and rear zoning lines with land whose use is permitted only in the CL, C1 or C2 zoning districts. The parking lot must be accessory to the commercial use. No buildings or structures shall be permitted on the R6A zoned portion.

Section 2. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XII, R 6A Residence Districts, Section §155-48, Single-family detached and semidetached and two-family detached dwellings, shall be amended by the addition of a new Subsection A, Conversion to two-family detached dwellings, to provide as follows:

§ 155-48. Single-family detached and semidetached and two-family detached dwellings..

For single-family detached and semidetached dwellings and two-family detached dwellings, the requirements set forth in Article XI, § § 155-41, 155-42 and 155-43, respectively, shall apply, except that the depth of the required front yard shall be at least 30 feet.

A. Conversion to two-family detached dwellings. A single family detached dwelling can be converted to a two family detached dwelling and a single family or a two-family detached

dwelling can be razed and reconstructed as a two-family detached dwelling on a lot with a width of 50 feet rather than that required by §155-43, subject to the following:

1. Such use shall be permitted to be constructed and/or inhabited only within the footprint limitations of the existing dwelling and existing buildings accessory thereto, including all existing setbacks for the dwelling and accessory buildings; and

2. The lot shall adjoin a commercial use permitted only in the CL, C-1 or C-2 Commercial District; and

3. At least one of the dwelling units must be affordable to and occupied by a moderate-income household. **(The Board of Commissioners shall also consider requiring both dwelling units to be occupied by an affordable to moderate income household).** The affordability of the unit and its occupancy shall be guaranteed by a recorded covenant running with the land. Price and income guidelines for moderate-income households shall be as defined by the federal Department of Housing and Urban Development and be based on regional median income figures applicable in Lower Merion Township. Owners and subsequent purchasers shall provide documentation to the Township showing compliance with these family income and rental/purchase price limits.

4. Impervious surfaces shall be limited to the existing percentage of coverage under existing conditions on the lot.

Section 3. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XII, R6A Residence Districts, shall be amended by the addition of a new Section §155-52.1, Motor vehicle parking lots, to provide as follows:

§155-52.1. Motor vehicle parking lots.

For motor vehicle parking lots permitted in this district, the following requirements shall apply:

A. Impervious surfaces. No more than 70% of each parking lot may be covered by impervious surfaces. **(The Board of Commissioners shall also consider limiting impervious surface to a percentage in a range between 70% and 95%).**

B. Exterior Lighting. No exterior lighting luminaires may be installed on the parking lot.

C. Front yard. A landscaped front yard having a minimum depth of ten feet shall be provided. No paving or vehicle access shall be permitted through or within the landscaped area.

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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 or 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 ____ day of _____, 2017

BOARD OF COMMISSIONERS
OF THE TOWNSHIP OF LOWER MERION

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Daniel S. Bernheim, President

ATTEST:

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Jody L. Kelley, Secretary

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