

## 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 Operating In The C-2 Commercial District; 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:

\* \* \* \* \*

H. Motor vehicle parking lot. Such use is permitted only as a proposed use on an existing lot in the R6A District and provided: the existing lot shares its entire side and rear property lines with an existing commercial use; and the proposed parking lot will be accessory to and on the same lot as a permitted commercial use operating in a C 2 Commercial District. No buildings or structures shall be permitted on that portion of a motor vehicle parking lot permitted by this sub-section.

**Section 2.** 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 I., Two-Family Detached Dwellings which shall read as follows:

- I. Two-Family Detached Dwellings. Such use shall be permitted subject to the following requirements:
  - 1. Such use shall be permitted to be constructed and/or inhabited only within the footprint limitations of an existing dwelling and existing buildings accessory thereto; and

2. The lot shall be adjacent to a commercial use permitted in the C- 2 Commercial District; and
3. At least one of the dwelling units must be occupied by an affordable to moderate-income household. Such unit(s) shall be so maintained by a 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 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; and
4. The height of a two-family detached dwelling or a building accessory thereto shall not exceed three stories or 35 feet; and
5. 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. Development Requirements

- (1) Impervious surfaces. No more than 95% of each lot may be covered by impervious surfaces.
- (2) Exterior Lighting. No exterior lighting fixtures may be installed on the lot.
- (3) Front yard. A landscaped front yard having a minimum depth of ten feet shall be provided. No paving or vehicles access shall be permitted in the landscaped area

**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

\_\_\_\_\_  
Daniel S. Bernheim, President

ATTEST:

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Jody Kelley, Secretary