

AN ORDINANCE

NO. _____

AN ORDINANCE, Amending The Code Of The Township Of Lower Merion, Chapter 155, Zoning, Article II, Definitions §155-4, Terms Defined, To Provide A Definition For Expanded Building Or Structure, And Amending Article XXXIV, Bryn Mawr Village District, §155-214, Parking And Loading, To Decrease The Number Of Off-Site Metered Public Parking Spaces That May Be Counted Towards Required Parking Calculations For Existing Buildings And To No Longer Allow New Buildings To Count Off-Site Public Parking Spaces Towards Their Required Parking.

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 II, Definitions, §155-4, subsection B thereof, shall be amended by the addition of the following definitions in alphabetical order:

Article II. Definitions

§ 155-4. Terms defined.

B. Words and terms defined. Unless otherwise expressly stated, the following words and phrases shall be construed throughout this chapter to have the meanings indicated in this article:

EXPANDED BUILDING OR STRUCTURE - In those districts where public parking spaces may be counted in satisfaction of required parking spaces, an “expanded” building or structure is one where the existing floor area of the building is being increased. If no more than 75% of the existing floor area is damaged or destroyed by fire or other cause, the building may be rebuilt up to the previously existing floor area of the building without being considered an expanded a new building.

Section 2. The Code of the Township of Lower Merion, Chapter 155, entitled Zoning, Article XXXIV, Bryn Mawr Village District, §155-124, Parking and Loading, shall be amended to provide as follows:

§ 155-214. Parking and loading.

The parking and loading provisions of §155-94 and §155-95 shall apply in the Bryn Mawr Village Districts, except where in conflict with the provisions below:

E. If adequate on-site parking is not available, the parking requirements for uses in existing and expanded mixed-use buildings may be met by designating currently undesignated metered public parking spaces in a municipal parking lot within 900 feet of the ~~proposed-use,~~ measured from lot line to the center of the public parking lot. Each ~~metered~~ public parking space may only be ~~counted~~ allocated once when this parking provision is utilized. A maximum of ~~25 such metered~~ 10 parking spaces in public parking lots may be designated under this section. ~~for buildings being expanded and a maximum of 10 such metered spaces for new buildings.~~ Public parking spaces may not be designated for uses in new buildings. If ~~such metered~~ public parking spaces are designated for dwelling units, the parking required on the lot where the residential units are located shall not be reduced to less than one space per unit. The provisions of this subsection shall not apply to parking required for a student home use.

Section 3. 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 4. 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 4. This Ordinance shall take effect 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 _____, 2018.

BOARD OF COMMISSIONERS OF THE
TOWNSHIP OF LOWER MERION

Daniel S. Bernheim, President

ATTEST:

Jody Kelley, Secretary