

AN ORDINANCE

NO. _____

AN ORDINANCE To Amend The Code Of The Township Of Lower Merion, Chapter 135, Entitled Subdivision & Land Development, Article I, Legislative Intent; Words Defined To Add A Definition For Residential Protection Zone, And To Amend Article III, Plan Processing Procedures, §135-6, General, To Include Campus Plans, And To Add A New §135-6.1, Campus Plan To Establish Plan Processing Procedures for Campus Plans, And To Amend Article IV, Plan Requirements By The Addition Of A New §135-15.1, Campus Plan To Establish Plan Requirements For Campus Plans, And To Add A New Article XII, Campus Plan To Establish The Intent And Standards For Campus Plans.

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

Section 1. The Code of the Township of Lower Merion, Chapter 135, entitled Subdivision and Land Development, Article I, Legislative Intent; Words Defined, § 135-2 Word usage; definitions, subsection B, shall be amended by the addition in alphabetical order of the following words:

§ 135-2 Word usage; definitions.

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RESIDENTIAL PROTECTION ZONE – An area located adjacent to residential uses in residential zoning districts.

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Section 2. The Code of the Township of Lower Merion, Chapter 135, entitled Subdivision and Land Development, Article III, Plan Processing Procedures, § 135-6, General, is hereby amended to provide as follows:

§ 135-6 General.

This article sets forth the application requirements and review procedures for requesting approval of proposed subdivisions, ~~and land developments,~~ and campus plans. The form of the various plans referred to in this article and the information required to be furnished with such plans shall be as specified in Article IV.

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Section 3. The Code of the Township of Lower Merion, Chapter 135, entitled Subdivision and Land Development, Article III, Plan Processing Procedures, is hereby amended by the addition of a new § 135-6.1, Campus Plan, to provide as follows:

§ 135-6.1 Campus Plan.

- A. When required. A campus plan shall be required when a proposed development in the Institutional District exceeds the base impervious surface established in “Chapter 155, Zoning, Table 4.4 Institution Form Standards” or when there is a change of the Primary Use in conformance with § 155-4.4.3.f.
- B. Campus plan submittal. An electronic copy in a format approved by the Department of Building & Planning, plus four hard copies of the campus plan shall be submitted.
- C. Plan review.
- (1) The Director of Building and Planning, the Township Engineer, and the Land Development Committee shall review the plans and submit their comments and recommendations to the Township Planning Commission. The Historical Commission or the Board of Historical Architectural Review, pursuant to Chapter 88, shall also review the plans and shall submit their comments where the property is located in an Historic Resource Overlay District and/or a local historic district. Where applicable, the Environmental Advisory Council and Shade Tree Commission will also submit its comments.
 - (2) The Township Planning Commission shall discuss the campus plans with the applicant and shall convey its reactions and recommendations to the applicant.
 - (3) Campus plans shall be subject to approval or disapproval by the Board of Commissioners. Board action shall take place in accordance with time limitations set forth in § 135-10G.
- D. Campus plan implementation. Once approved, the campus plan shall allow individual component development without additional campus plan approval processes provided each component conforms to the requirements of this Article and the approved campus plan.
- E. Campus plan amendments. Changes to individual components of the campus plan may be approved by the Board of Commissioners as set forth in §135-9B.

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Section 4. The Code of the Township of Lower Merion, Chapter 135, entitled Subdivision and Land Development, Article IV, Plan Requirements, is hereby amended by the addition of a new § 135-15.1, Campus Plan, to provide as follows:

§ 135-15.1 Campus Plan.

Campus plans shall conform to the following standards.

- A. Drafting standards. The plans shall comply with the drafting standards set forth in § 135-17.A.
- B. Plan of Existing Campus Features and Neighboring Context. The plans shall show the existing features set forth in § 135-17.B.
- C. Future Development Plan and Redevelopment Plan. The campus plan shall include:
 - (1) Illustrative Plan, which shall contemplate future growth and shall identify all future building footprints, paved areas, fields, sport courts, and green spaces.
 - (2) Regulating Plan, which shall:
 - (a) Show and describe compliance with all the regulations of “155-4.4 Institutional Districts”.
 - (b) Identify all existing and intended setbacks, building footprints, paved areas, playfields, sport courts, landscapes, and Residential Protection Zones as set forth in § 135-77;
 - (c) Provide building height and massing, fence and wall heights;
 - (d) Show entrances and pathways for pedestrians, bicycles, and vehicles and all parking spaces;
 - (e) Show viewsheds and corridors as identified in the Township Comprehensive Plan, and views into and across property from frontages and abutting properties.
 - (f) Phasing Plan. Provide proposed phasing of development, if phasing is proposed.
 - (g) Provide a manual including include text, drawings and photos illustrating building configuration; architecture standards, including style and materials, photos of existing buildings and elevation drawings of proposed buildings in the initial phase of development; sign standards; and ambience standards including lighting and noise.

- (h) For institutions of less than five (5) acres, proposing to build or renovate projects of less than 10,000 square feet, photos of existing buildings and elevation drawings of proposed future buildings, sign design, and lighting design and noise criteria, may suffice.

D. Landscape Plan, which shall show:

- (1) Planted areas,
- (2) Paved areas,
- (3) Stormwater management areas and systems, and
- (4) Fields and courts for recreation and sports.

E. Parking & Access.

- (1) A Mobility and Parking Management Plan shall be provided to demonstrate that all parking can be accommodated on campus or that a shared parking agreement can be made to accommodate additional parking off-site and shall include a parking plan showing all spaces numbered, with quantitative data of parking spaces required by each use, and parking spaces provided.
- (2) For institutions of five (5) acres or more and all IE and IH uses, a mobility plan for pedestrian, bicycle and vehicle circulation routes, including connections to transit, and sidewalks and paths within public-rights-of-way shall be provided. A Traffic Impact Study, shall be required. The traffic generated by the proposed use shall not result in a level of service lower than C, or if the level of service is already C or below, shall not alter such level of service for adjacent streets and intersections. A Transportation and Parking Demand Analysis and Management Plan may be required.

F. Operation.

- (1) An Annual Program Calendar shall be required for both primary and accessory uses, including:
 - (a) An annual program indicating reasonable dates and times of special events customary to institutional uses, including but not limited to weddings, graduations, and back to school nights. The Annual Program Calendar shall indicate any anticipated deviations from noise or parking requirements and shall also provide a plan for internalization and minimization of such externalities. For events with amplified sound, the applicant shall present a plan to minimize off campus impacts. For events which require additional parking, the applicant shall provide a plan to accommodate additional parking off campus with minimal impact upon the surrounding neighborhood.

(b) On January 1 of every calendar year applicants shall submit an updated Annual Program Calendar to the Director of Building and Planning indicating any anticipated deviations from noise, lighting or parking requirements and a plan for internalization/minimization of such externalities.

(2) Quantitative Data shall be provided, which shall include:

(a) Existing Use and Density for each Building, and for each outdoor sports, performance or other use facility;

(b) Noise and lighting impacts;

(c) Institutional Primary Use limits for the number of users on a regular basis as students, employees, and visitors; and

(d) Institutional Accessory Use limits for temporary users, such as participants in special events, conferences, competitive sports, camps, et. al; events duration, and hours of operation.

(e) The name and contact information of the staff person dedicated to oversee these activities shall be provided to the Director of Building & Planning.

G. Public process. An outline of the public process shall include a summary of outreach and engagement of Abutting property owners and surrounding neighborhoods during the campus planning process. The applicant shall establish a committee of constituents and Abutting property owners to discuss the campus plan and to review proposals for future buildings.

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Section 5. The Code of the Township of Lower Merion, Chapter 135, entitled Subdivision and Land Development, is hereby amended by the addition of a new Article XII, Campus Plan, to provide as follows:

Article XII Campus Plan

§ 135-75. Intent.

The intent of the campus plan is to facilitate the evolution of institutions according to the goals of the Township Comprehensive Plan, while protecting surrounding residential properties, and promoting public benefits.

§ 135-76. Public Benefit.

Approval of a campus plan is dependent upon an applicant demonstrating to the Board of Commissioners that the proposed plan provides a public benefit. The Board of Commissioners may impose reasonable adjustments to the campus plan to minimize externalities. Public benefit shall be demonstrated by the inclusion of the following elements:

A. Establishment of a Residential Protection Zone; and

B. At least one of the following:

- (1) Open space preservation; or
- (2) Protection of a scenic viewshed shown in the Township Comprehensive Plan; or
- (3) Community connectivity; or
- (4) Public use of playfields and recreational facilities.

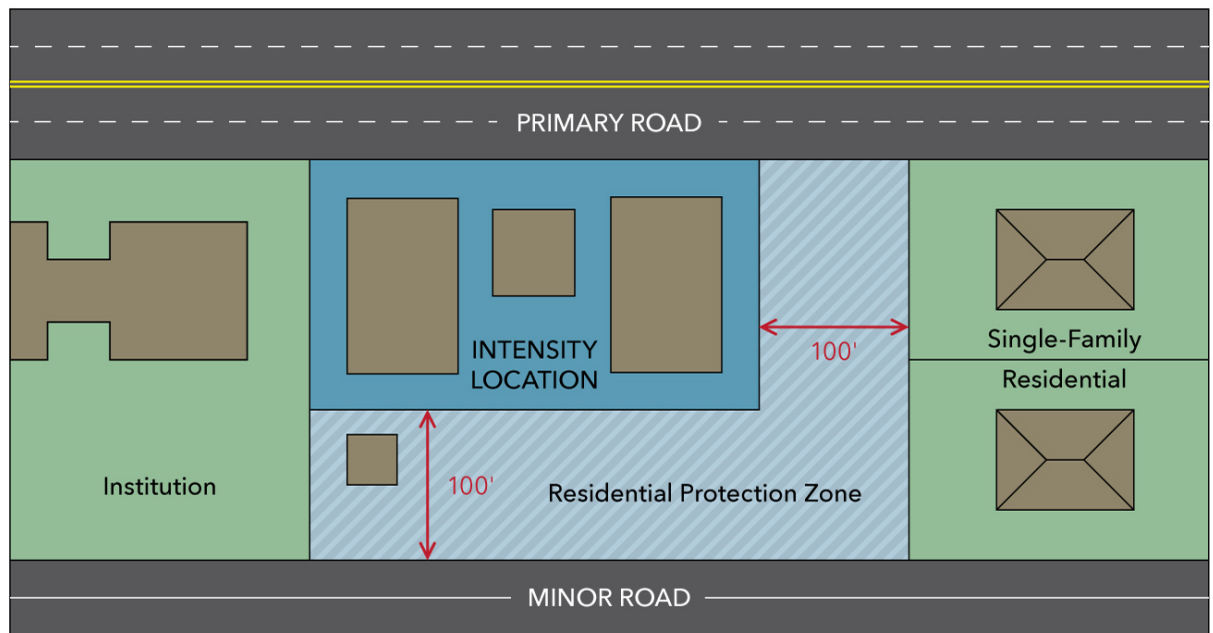
§ 135-77. Residential Protection Zone.

A. Establishment of a Residential Protection Zone.

- (1) The Residential Protection Zone shall be established based on the functional classification of the street(s) on which the institution is located as shown in the Township Comprehensive Plan, except:
 - (a) When an institution abuts a single-family residential use in a residential zoning district, the Residential Protection Zone shall extend 100 feet onto the institutional property from the right-of-way or the nearest property line.
 - (b) When an institution abuts another institutional use in an institutional zoning district, the Residential Protection Zone shall be zero feet.
- (2) The Residential Protection Zone shall be measured from the right-of-way or the nearest property line.

RESIDENTIAL PROTECTION ZONE	FUNCTIONAL CLASSIFICATION OF STREET
None Required	Primary
25 ft.	Secondary
50 ft.	Tertiary
100 ft.	Minor or Private

Figure 1: Example of a Residential Protection Zone



B. Design and layout within a Residential Protection Zone.

(1) The Residential Protection Zone may be developed in conformance with the standards set forth in “Chapter 155, Zoning, Table 4.4 Institution Form Standards.”

(2) Development within a Residential Protection Zone may not exceed the Base Impervious Surface as set forth in “Chapter 155, Zoning, Table 4.4 Institution Form Standards”. The additional impervious surface achievable through the approval of a campus plan shall be located in the portion of the property that is not located within a Residential Protection Zone (The Board shall consider a range between 5-15% for the impervious surface increase).

Section 6. Nothing in this Ordinance or in Chapter 135 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 135 prior to the adoption of this amendment.

Section 7. 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 8. This Ordinance shall take affect and be in force from and after its approval as required by law.

Approved by the Board this ____ day of _____, 2019.

BOARD OF COMMISSIONERS
TOWNSHIP OF LOWER MERION

Daniel S. Bernheim, President

ATTEST:

Jody L. Kelley, Secretary