

TOWNSHIP OF LOWER MERION

Building & Planning Department

Memorandum

Topic: Zoning Code Testing

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Date: November 27, 2019

Background

Following adoption of the 2016 *Lower Merion Township Comprehensive Plan* the Township initiated a process to adopt a new Zoning Code. The Comprehensive Plan recommended that a new, more user-friendly Zoning Code be prepared to effectively address future growth. This is the first full rewrite of the Township's Zoning Code since one was originally adopted in 1927.

An important goal of the Comprehensive Plan is to preserve and protect those elements that make Lower Merion Township a special place to live and do business. Accordingly, the Zoning Code standards should be designed to ensure that new development is either consistent in form with the prevailing pattern, where desired, or that the form of new development promotes the vision of the new Comprehensive Plan where the prevailing pattern may be changed.

With these goals in mind, the new Zoning Code was drafted and refined. The current Draft Zoning Code version 4.0 includes user-friendly illustrations and tables. Under the Draft Zoning Code, the Township establishes defined Institutional Districts and significantly limits residential development potential in many districts. Furthermore, architectural standards are established Township-wide to ensure that new infill development is cohesive with the existing built environment. The recently included Predominant Setback standards also go a step further in maintaining the existing development pattern.

At a public hearing in September 2019 the Board of Commissioners postponed the consideration of the Draft Zoning Code and directed staff to work with a third party to conduct testing of the Draft Zoning Code. In November the Montgomery County Planning Commission (MCPC) facilitated a charette to conduct a test of the Draft Zoning Code with outside planning, design and engineering professionals. The MCPC also conducted a comprehensive internal review of the Draft Zoning Code. The findings of the review and testing are included in the attached MCPC letter dated November 26, 2019. Several recommended edits to strengthen the Draft Zoning Code are included in the letter, but overall, the testing indicates the Draft Zoning Code achieves the goals set forth in the Comprehensive Plan.

The recommended edits are grouped by zoning district type and/or general topic area. At staff request for ease of review each recommendation is categorized as either a minor revision, a revision requiring policy discussion, and/or a revision that requires a thorough master planning process. Lower Merion Planning Staff will identify which of the minor revisions may be immediately incorporated into the Draft Zoning Code and which of the minor revisions require additional analysis. Staff is working with the MCPC to prepare language to address the minor edits that may be immediately incorporated into the Draft Zoning Code for the B&P to consider on December 4th. The draft language will be distributed with the Final B&P Agenda on December 3rd.

Once the Draft Zoning Code is adopted a more targeted approach may be taken to further refine and adjust the provisions, as needed. As the MCPC's review letter points out, adjustments to the VC and TC commercial district standards will be best suited to a master planning process. The Institutional District standards may also be refined in coordination with a new Subdivision and Land Development Code. While the testing did reveal areas where the Zoning Code could be strengthened it also showed that the Draft Zoning Code is ready for adoption with the incorporation of the minor edits identified.