

TOWNSHIP OF LOWER MERION

Building & Planning Department

Memorandum

Topic: Staff Response to MCPC Zoning Code Testing Results

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Date: December 3, 2019

Background

This fall the Montgomery County Planning Commission (MCPC) with outside planning, design and engineering professionals conducted a test of the Draft Zoning Code. The Zoning Code test results, which are summarized in the MCPC letter dated November 26, 2019 includes suggested edits to the Draft Zoning Code. 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.

Staff has been working with the MCPC to identify which edits may be easily incorporated into the Zoning Code for the B&P to consider on December 4th. This memo includes the MCPC test results with a staff recommendation for each comment. There are a few instances where the MCPC indicated that a minor revision could address an issue, but staff felt that it may require a larger policy discussion or further analysis. These instances are called out in the following chart.

The accompanying spreadsheet lists just the Zoning Code edits for ease of use. Two additional Zoning Map changes are also included in the attached spreadsheet involving the rezoning of Palace Missions from IN to IC and the rezoning of the rowhouses on the southerly side of West Spring Avenue from MDR2 to MDR1, which is consistent with the zoning of the surrounding residential properties.

Staff Response to MCPC Zoning Code Test Results

A. VILLAGE CENTER (VC) AND TOWN CENTER (TC) DISTRICTS

MCPC Comment A1

Variations in VC and TC Districts: Several properties proposed to be zoned Village Center (VC) in different areas of the township were tested. It was noted that VC districts along Montgomery Avenue and in Gladwyne are significantly different in scale and character than the VC districts along Lancaster Avenue. Different standards may be necessary to establish proper front setbacks, building height limits, and public space standards. In terms of building height, a 3 story maximum building height may not incentivize redevelopment in some of the districts where this is a policy

objective, primarily due to the cost of structured parking that would be necessary in many cases.	
More refinement of height limits could be based on street typology within the VC and TC districts.	Master Planning; Policy Discussion
Consider establishing a VC1 district that could include larger commercial areas along primary arterial roads. Evaluate through master planning whether some areas could accommodate 4 story buildings with additional stepbacks above the third floor.	Master Planning; Policy Discussion
Consider establishing a VC2 district that could include smaller commercial areas along secondary roads where a greater front setback of 15-20 feet, lower impervious coverage limits, and/or a 2 story building height limit may be more appropriate.	Master Planning; Policy Discussion
For the TC districts, evaluate through master planning increasing the building height limit to 5 stories in certain areas, with the provision of incentives such as public parking or public gathering space, and front and side stepbacks above the third floor.	Master Planning; Policy Discussion
A1 Staff Recommendation:	
Staff recommends proceeding with a master planning process following the adoption of the Zoning Code to refine the standards in the commercial districts.	No immediate action

MCPC Comment A2	
Frontage Occupation: A minimum frontage occupation requirement is included in the commercial zoning districts. Through site testing, the need for a clear definition of frontage occupation was identified. Additional standards for how to measure frontage occupation and what counts towards the minimum percentage frontage occupation should also be added to Article 3. In addition, a 90% frontage occupation requirement (TC1) may be overly restrictive on certain sites, such as narrow lots and corner lots and could disincentivize the creation of public green spaces along the street frontage.	
Add a definition for “frontage occupation” to Article 2 and additional standards in Article 3. All required setbacks and required pedestrian and vehicular accessways should be excluded from the frontage occupation requirement.	Minor Revision (View Edit Below)
Add language related to the application of “frontage occupation” to Article 3 Clarifying that frontage yard types that allow buildings to be setback further than the maximum front yard setback (e.g., pedestrian forecourt) count towards the frontage occupation calculation.	Minor Revision (View Edit Below)
More refinement of the frontage occupation requirement could be based on street typology within the VC and TC districts. Consider reducing the frontage occupation requirement to allow for more flexible site layout and the creation of public green spaces along the street frontages through a master planning process.	Master Planning

A2 Staff Recommendation:	
Staff agrees that the refinement of the frontage occupation requirement according to the street typology in the VC and TC districts is best suited to a master planning process.	No immediate action
Draft language to address the minor revisions relating to frontage occupation is provided below. Definitions were added for both “Frontage Occupation” and “Primary Frontage” for clarification. As recommended, exclusions were added to the Frontage Occupation standards. It should be noted that staff does not recommend excluding vehicular access from the frontage occupation calculation. The minimum Frontage Occupation is 60% in the MDR 1-3 Districts 70% in the VC and TC2 Districts, which allows enough space for a driveway. The TC1 District is located in the heart of Ardmore, which is highly walkable. Additional curbcuts in this area are not desirable.	Immediate revision
Edit to Draft Zoning Code 4.0	Section Number
<u>Frontage Occupation: The percentage of the Primary Frontage that shall be occupied by a building.</u>	2.1
<u>Primary Frontage: The frontage of a Lot facing onto a public or private Street, but shall not include a rear alley.</u>	2.1
Frontage occupation is regulated according to the underlying zoning district. <u>Frontage Occupation standards apply to all Primary Frontages. The following elements shall be excluded from the Frontage Occupation calculation:</u> <u>3.5.2.a.i. Pedestrianway;</u> <u>3.5.2.a.ii. Pedestrian Forecourt;</u> <u>3.5.2.a.iii. Required minimum setbacks;</u> <u>3.5.2.a.iv. Required minimum buffer areas;</u> <u>3.5.2.a.iv. Required change in building plane in compliance with “Section 155-3.9.4.f”;</u> and <u>3.5.2.a.v. Public Gathering Space.</u>	3.5.2.a.
MDR1 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 60% min.	TABLE 4.2.1
MDR2 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 60% min.	TABLE 4.2.2
MDR3 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 60% min.	TABLE 4.2.3
VC DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 70% min.	TABLE 4.3.1
TC1 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 90% min.	TABLE 4.3.2
TC2 DIMENSIONAL STANDARDS Lot Occupation Primary Frontage <u>Occupation</u> 70% min.	TABLE 4.3.3

MCPC Comment A3

Frontage Yard Types: Based on the illustrations and descriptions of permitted frontage yard types in Article 3, it appears that a “pedestrian forecourt” frontage yard could not be applied at a corner, similar to the “vehicular forecourt” frontage yard type. Pedestrian-oriented public spaces at the corners of prominent commercial sites with multiple street frontages could become attractive focal points within the township’s commercial districts. Corner pedestrian plazas should be appropriately landscaped, activated by ground floor commercial storefronts, and accessible from both the sidewalk and the adjacent buildings.

Modify the illustration and description of the “pedestrian forecourt” frontage yard type to permit this type of frontage yard to be applied at the corner of corner properties in the VC and TC districts, or create a new frontage yard typology for “pedestrian forecourts” at corner locations, rather than mid-block locations.

Minor Revision
([View Edit Below](#))

A3 Staff Recommendation:

Revise the “pedestrian forecourt” illustration and standard as suggested.

Immediate revision

Edit to Draft Zoning Code 4.0

Figure Number

FRONTAGE YARD TYPES

E. PEDESTRIAN FORECOURT (*Revised Illustration*)



ACTIVATION Shall be lined with habitable space on at least two sides.

3.5.1

MCPC Comment A4

Commercial Ground Floor: Table 5.3 requires that all multi-family buildings in the VC and TC districts have “storefront” on at least 80% of the primary front façade of each building. Through development scenario testing, it was noted that the current market is not likely to support all storefront retail on the ground floor of each building. Additional standards related to the configuration of ground floor commercial spaces, such as a minimum depth, would help encourage the creation of flexible and marketable commercial spaces.

Clarification is needed because the term “storefront” is meant to refer to a building façade typology rather than a land use. In general, the definition of “storefront” in this context should be broad enough to include office, community space, and other appropriate ground floor uses. Also, a minimum depth of at least 40 feet should be required for retail space.

Minor Revision
([View Edit Below](#))

More refinement of the ground floor commercial activation requirement could be based on street typology within the VC and TC districts. Consider reducing the amount of required ground floor activation along secondary streets through a master planning process.

Master Planning

A4 Staff Recommendation:	
Staff concurs that the refinement of the ground floor commercial activation requirement is best suited to a master planning process.	No immediate action
<p>Draft language is provided below to:</p> <ul style="list-style-type: none"> - Clarify that “storefront” refers to a set of architectural design standards in the Zoning Code, and does not regulate a specific use. - Require that ground floor commercial uses extend a minimum depth of 40 feet. 	Immediate revision
Edit to Draft Zoning Code 4.0	Table Number
<p>USES: RESIDENTIAL (VC, TC1, TC2) Multi-family (small)</p> <p>Multi-family (small) shall be permitted subject to the following regulations:</p> <ul style="list-style-type: none"> • Active G ground floor commercial use is required. The depth of the space devoted to the ground floor commercial use shall be a minimum depth of 40 feet. • No single-use residential building shall be permitted. • 80% of t The ground floor of the primary front facade shall be devoted to comply with “Section 155-3.9.4 Sstorefronts”. 	TABLE 5.3
<p>USES: RESIDENTIAL (VC, TC1, TC2) Multi-family (large)</p> <p>Multi-family (large) shall be permitted subject to the following regulations:</p> <ul style="list-style-type: none"> • Active G ground floor commercial use is required. The depth of the space devoted to the ground floor commercial use shall be a minimum depth of 40 feet. • No single-use residential building shall be permitted. • 80% of t The ground floor of the primary front facade shall be devoted to comply with “Section 155-3.9.4 Sstorefronts”. 	TABLE 5.3

MCPC Comment A5	
<p>Building Separation and Rear Setback: Several zoning tests of VC and TC sites were conducted that suggested that some of the setback standards should be evaluated. For example, the lack of a rear setback requirement in the VC and TC district could result in an odd site layout if two buildings in these districts abut each other along a rear property line without a rear setback or building separation requirement.</p>	
A master planning process will help establish whether a rear separation is a concern in the VC and TC districts, and if so, a rear setback requirement could be applied to resolve conflicts in specific locations.	Master Planning
A5 Staff Recommendation:	
In the VC and TC districts a minimum 20 feet wide buffer along the rear property line is required when a lot abuts a property zoned LDR, MDR1 or MDR2. Additionally, the rear setback in the VC and TC2 districts are increased to 25 feet to match the abutting zoning district where the lot abuts a LDR or MDR1 or MDR2 zoning district. The only time a rear setback is not required is when two commercial lots abut each other. Staff agrees that the refinement of the rear setback in the VC and TC districts is best suited to a master planning process.	No immediate action

MCPC Comment A6	
Build-to-Line/Front Setback: The front setback range of 12-15 feet in the VC and TC districts can be too narrow to allow sufficient sidewalk space for tree planting, sidewalk and outdoor dining, dependent on the location of the right-of-way relative to the current curblane. Also, mixed-use residential buildings located along primary roads may require a greater, landscaped front yard setback to allow them to be buffered from high traffic volumes.	
The front setback/build-to-line requirement in the VC and TC districts could be more clearly defined through master planning. Context-sensitive streetscape standards that include street cross-section illustrations for different commercial areas within the township could also be created.	Master Planning
A6 Staff Recommendation:	
Under the current Zoning Code, a zero feet setback is allowed in the C2, ASDD-1 and MUST districts and a minimum setback of 10 feet is allowed in the C1 district. A minimum setback of 12 feet in the VC and TC districts, which will replace the C1, C2, ASDD-1 and MUST districts, is an improvement over the existing Code. Staff agrees that additional refinement of the front setback is best suited to a master planning process.	No immediate action

MCPC Comment A7	
<u>Building Stepbacks</u> : Potential building massing of mixed-use buildings on several TC1 sites was tested and suggestions related to the impact of the required building stepbacks above the third floor were identified. For example, if a rear setback were to be added, also requiring a rear stepback may be unnecessary and could make the upper floors less feasible to develop.	
Remove rear stepback requirement for TC1 if a rear setback requirement is added.	Minor Revision; Master Planning
Establish a 10 foot side stepback above the third floor for buildings in the TC1 district along side property lines where a shared party wall is located. A new 4+ story building would fit into the built environment of the TC1 district better with a stepback that wraps around the upper floors as viewed from the street and allow for visual separation between taller buildings. This requirement should not apply to narrow lots (e.g., lots less than 100 feet wide).	Minor Revision (Master Planning Recommended)
A7 Staff Recommendation:	
As noted under the staff recommendation for Comment A5, staff agrees that the refinement of the rear setback in the VC and TC districts is best suited to a master planning process.	No immediate action
Staff feels that the establishment of a side stepback would also benefit from a commercial area master planning process.	

MCPC Comment A8	
Building Separation: The VC and TC districts do not require a minimum separation between multiple nonresidential buildings on a site which can result in inappropriate building mass in certain districts.	
A master planning process will help establish the extent of Downtown Ardmore (TC1), where existing street blocks provide sufficient separation between building blocks. In other locations of the VC/ TC district, a building separation of 50 feet and a maximum building length of 250-300 feet would be appropriate.	Master Planning
A8 Staff Recommendation:	
In certain locations a continuous street wall is desirable to enhance the pedestrian environment in commercial areas. Establishing an arbitrary separation requirement could diminish the walkability. A master plan would help to identify where separations are most appropriate. Staff agrees that establishing a minimum separation for nonresidential buildings is best suited to a master planning process.	No immediate action

B. MEDIUM DENSITY RESIDENTIAL (MDR) DISTRICTS

MCPC Comment B1	
Residential Subdivision Design: New residential development scenarios were tested for several MDR sites. The lack of design standards, particularly for rowhouse developments, was noted, as well as the need to evaluate some of the dimensional standards related to this type of development.	
Enhance rowhouse design standards and site layout by reducing the potential for the development of new cul-de-sacs: <u>Option 1:</u> Require all new townhouses to have frontage on an existing public road. This is a more restrictive path that will reduce density significantly for larger lots. <u>Option 2:</u> Allow rowhouses to front onto internal roadways or alleys provided there is a continuous internal road network (i.e., no cul-de-sacs). Internal roadways/alleys shall have the same design standards as public streets (e.g., require street trees).	Policy Discussion
B1 Staff Recommendation:	
Draft Zoning Code 4.0 includes a requirement that rowhouses have a primary front façade facing onto a public or private street (Section 155-3.4.5.a.). Additionally, Section 155-3.8.1.b. requires that each rowhouse with an entrance towards a street have a walkway connecting the sidewalk to the entrance. Staff feels that this comment has been largely addressed. This may be addressed through a future Code amendment as the standards alluded to under Option 2 may be more appropriately addressed in the Subdivision and Land Development Code.	No immediate action

MCPC Comment B2	
MDR2 on Montgomery Avenue: Parts of the south side of Montgomery Avenue between Lower Merion High School and Booth Lane are currently characterized by multifamily buildings on large lots and are proposed to be zoned MDR2 which does not permit “large multifamily”. The densest residential land use permitted in the MDR2 district is “small multifamily”, which is somewhat challenging to develop on larger lots, such as those located in this area of Montgomery Avenue. Therefore, rowhouse development could be incentivized on large lots zoned MDR2, where larger multi-family buildings may actually be more appropriate.	
Consider up zoning large MDR2 lots on the south side of Montgomery Avenue to MDR3 to reflect existing land uses.	Policy Discussion
The restriction of a maximum of 6 units per building (“small multi-family”) in MDR2 districts seems arbitrary and could restrict alternate building layouts such as courtyard type buildings. A dimensional standard could be based on building size rather than unit count to allow for more flexibility in building design and site layout. In addition, specific building design standards should be added for situations where more than two multifamily buildings are proposed on a lot.	Policy Discussion
Evaluate through master planning increasing the minimum front yard setback for MDR districts along Montgomery Avenue to maintain the established green setback.	Master Planning
B2 Staff Recommendation:	
Staff notes that the zoning designations and permitted land uses along Montgomery Avenue have been refined throughout the Zoning Code adoption process. The area south of Montgomery Avenue between Lower Merion High School and Booth Lane was initially proposed to be zoned MDR3, but staff received direction from the commissioners to downzone this area to MDR2. This area includes a mix of residential land uses from single-family detached homes to four-story multifamily buildings. Where the current Zoning Map allows for large, multifamily buildings in this area, the draft Zoning Map takes a more conservative approach to the future redevelopment of the Montgomery Avenue corridor by zoning this area MDR2. Staff does not recommend a change to the zoning at this time.	No immediate action
Staff notes that Draft Zoning Code 4.0 includes a Predominant Setback standard for all MDR districts to maintain a uniform development pattern. The predominant setback is determined by calculating the median front setback of existing principal buildings within 200 feet of the subject property’s Lot Line. This provision will help to maintain the established green setback along Montgomery Avenue. Additional refinement of the Predominant Setback provisions may be best achieved through a Master Planning process.	No immediate action

MCPC Comment B3

Preservation of Existing Affordable Housing: The MDR2 district includes several locations of affordable rowhouses on small, non-conforming lots. The MDR2 proposed standards for rowhouses and “small multifamily” could potentially incentivize redevelopment of those areas, if several lots were to be assembled.

Consider mapping the exact locations where these conditions exist in the MDR2 district and consider downzoning them to MDR1. The lower density limit in the MDR1 district could make redevelopment of these blocks less likely.

Policy Discussion
([View Edit Below](#))

B3 Staff Recommendation:

The proposed zoning designation of the rowhouses on the southerly side of West Spring Avenue are proposed to be changed from MDR2 to MDR1. The proposed zoning is consistent with the MDR1 designation of rowhouses across the street.

Staff will continue to review other similar affordable areas with an MDR2 zoning designation. It is important to note that currently many of these affordable neighborhoods are zoned R6A and are presently susceptible to townhouse and multifamily development.

**Immediate Zoning
Map Change**

C. INSTITUTIONAL (I) DISTRICTS

MCPC Comment C1					
<u>Institutional Building Stepbacks</u> : A building stepback for buildings greater than 3 stories tall is not required in the institutional districts, which could be especially important for the façade of a building located along a pedestrianway.					
Consider institutional front stepbacks above the third floor to create a pedestrian- scale along the main building frontage. It may be necessary to differentiate between primary roads such as Montgomery Avenue versus City Avenue because the adjacent residential context of certain institutional properties may require greater stepbacks than institutions located along commercial corridors.	Minor Revision; Master Planning				
C1 Staff Recommendation:					
Staff notes that a stepback provision would be less effective where there are increased setbacks. The revised Institutional District Form standards already require an additional setback of 50 feet for each story over 3-stories, except along Primary Roads. The overall goal is to minimize the impact of the taller buildings on the surrounding residential neighborhoods. Staff agrees that including additional stepback requirements is best suited to a campus planning process.	No immediate action				
The Institutional District height provisions are provided below.					
District	Max. Height	Min. Setback	District	Max. Height	Min. Setback
IN	3-Stories (40 ft.) 4-Stories (52 ft.)	50 ft. 100 ft.	IE2	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	40 ft. 90 ft. 140 ft.
IC1	3-Stories (40 ft.) 4-Stories (52 ft.)	50 ft. 100 ft.	IE3	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	25 ft. 75 ft. 100 ft.
IC2	3-Stories (40 ft.) 4-Stories (52 ft.)	40 ft. 90 ft.	IH1	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	50 ft. 100 ft. 150 ft.
IC3	3-Stories (40 ft.) 4-Stories (52 ft.)	25 ft. 75 ft.	IH2	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	40 ft. 90 ft. 140 ft.
IE1	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	50 ft. 100 ft. 150 ft.	IH3	3-Stories (45 ft.) 4-Stories (52 ft.) 5-Stories (65 ft.)	25 ft. 75 ft. 100 ft.

MCPC Comment C2
Institutional Green Space Location and Design: Impervious coverage requirement does not provide guidance regarding preferable locations of green spaces. Specifically in institutional districts where there is extensive open space with impervious coverage limit as low as 21% and large lots, it is important that pervious surfaces are maximized as well-designed open space.

Amend the dimensional standards tables for the Institutional districts in section 4.4 to require a minimum of 15% of the pervious area of the site be useable green space. These standards could be refined based on lot size and zoning district. Useable green space integrates amenities (e.g., plaza, garden, gazebo, benches), is connected to the main buildings on the site by pedestrian pathways, and incorporates significant landscaping.	Minor Revision (Campus Planning Recommended)
Establish design guidelines for open space within institutional districts. This can be achieved either by an overlay district that applies to institutional tracts (like the OSOD for residential districts), or by adding an open space section to section 4.4.	Policy Discussion
C2 Staff Recommendation:	
Staff notes that the issue of requiring useable green space on an institutional property may be best resolved through a campus planning process.	No immediate action

D. ARCHITECTURAL DESIGN STANDARDS

MCPC Comment D1	
<u>Façade Articulation:</u> Section 3.8.3 of the proposed zoning code requires a change in building plane of at least 4 feet every 160 feet for multi-family buildings. Uninterrupted building façade lengths of 160 feet would be out of character in most areas of the township.	
Refine the façade articulation standards based on zoning district and building typology: <ul style="list-style-type: none"> Mixed-Use Buildings (VC and TC Districts): The ground floor design shall be regulated by storefront standards. Require façade articulation at a spacing of at least every 50 feet through a change in building material or building façade depth. Multi-Family Buildings (MDR Districts): Require façade articulation at a spacing of at least every 50 feet through a change in building material or building façade depth. 	Minor Revision (View Edit Below)
D1 Staff Recommendation:	
Draft language is provided below to address Comment D1 above.	Immediate revision
Edit to Draft Zoning Code 4.0	Section Number
3.8.3 Multi-family buildings and outer courts: 3.8.3.a. The greatest dimension in length or depth of a multi-family building, shall not exceed 160 50 feet without a change in building plane of at least four feet. Exceptions include:	3.8.3.a.

<p>3.9.4 Storefronts:</p> <p>3.9.4.f. In VC and TC districts:</p> <p>3.9.4.f.i. Storefront facades shall have a minimum 12-inch and maximum 42-inch high solid bulkhead at sidewalks. See “Figure 3.9.1 Storefront Configuration”. Building walls with window and door areas less than 25% of the wall area, including exposed party walls, shall be designed as a Façade with details such as masonry courses, mouldings, and blank windows.</p> <p>3.9.4.f.ii. <u>The greatest dimension in length or depth of a mixed-use building, shall not exceed 50 feet without a change in building plane of at least four feet. The change in building plane may exceed the maximum setback requirement by up to four feet.</u></p>	3.9.4.f.
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E. LANDSCAPE AND GREEN SPACE STANDARDS

MCPC Comment E1	
<u>Landscape Design Standards:</u> Through the testing process, an opportunity to clarify how the draft zoning code’s landscape requirements relate to the township’s existing landscape standards in other codes, such as the subdivision and land development ordinance (SALDO), was identified.	
Expand section 3.10 “Landscape Standards” to include a reference to the street tree requirement in SALDO section 135-30.	Minor Revision (View Edit Below)
Amend the table of greening standards in SALDO Attachment 1, Table 1 (SALDO section 135-41.4) to specify which standards apply to the VC, TC, and RHR districts.	Minor Revision (SALDO Edit)
E1 Staff Recommendation:	
Amendments to the Subdivision and Land Development Code (SALDO) will be considered under a separate ordinance.	SALDO Edit
Draft language is provided below to expand the Landscape Standards.	Immediate revision
Edit to Draft Zoning Code 4.0	Section Number
Shade tree standards in Subdivision & Land Development Code Section 135-30 shall apply in all districts, unless otherwise specified in the underlying zoning district.	NEW 3.10.6

MCPC Comment E2	
Green Space Design Standards on Large Lots: When large lots redevelop, a minimum area of the site must be pervious based on the maximum impervious coverage limit; however the code does not include standards for how this green space should be designed and standards to ensure it is a useable amenity for residents and users of the site.	
Amend the dimensional standards tables for the VC and TC districts in sections 4.2 and 4.3 to require a minimum amount of useable green space on large sites. The requirement should be relative to the size of the lot (e.g., a minimum of 3% of the lot area, or 3,000 sq. ft., whichever is greater) and exempt small lots (such as lots less than 2 acres in size). Additional standards should ensure the green space design incorporates amenities (e.g., plaza, garden, gazebo, benches) and is connected to the main buildings on the site by pedestrian pathways. A similar requirement could be applied to rowhouse and multi-family developments in the MDR districts.	Minor Revision (Master Planning Recommended)

E2 Staff Recommendation:	
Staff notes that identifying the proper placement and size of “useable green space” in commercial areas is best achieved through a master planning process.	No immediate action

F. PARKING STANDARDS

MCPC Comment F1	
Residential Parking Requirement for Mixed-Use Buildings: During the development scenario testing of mixed-use redevelopments on larger VC and TC lots, it was noted that the minimum residential parking requirement of 1.5 spaces per unit is too high and could incentivize larger, luxury residential units due to the cost of constructing structured parking.	
Consider refining the minimum parking requirement for residential units in the VC and TC districts based on the number of bedrooms, or the size of the unit, so that smaller units have a smaller parking requirement.	Minor Revision (Master Planning Recommended)
Evaluate opportunities for shared parking and central public parking facilities within dense commercial areas as part of a master planning process.	Master Planning
F1 Staff Recommendation:	
Staff notes that the parking requirements were significantly revised and increased through the Zoning Code adoption process at the Board’s direction. Staff recommends refining the parking standards through a master planning process for the VC and TC commercial areas.	No immediate action

MCPC Comment F2	
Commercial Driveway Width: Section 8.5.3.a.ii. limits the width of driveways in the VC, TC, and RHR districts to 20 feet, which may be too narrow to accommodate commercial truck traffic for deliveries to retail establishments such as grocery stores.	
Consider moving the maximum driveway width standard to the SALDO so that it can be evaluated more easily on a case-by-case basis.	Minor Revision (SALDO Edit)
F2 Staff Recommendation:	
Amendments to the Subdivision and Land Development Code (SALDO) will be considered under a separate ordinance.	SALDO Edit
Additional flexibility is proposed for the driveway width standards in the interim.	Immediate revision
Edit to Draft Zoning Code 4.0	
VC, TC, BMV , and RHR: 20 feet in width, unless determined by the Township Engineer that a wider driveway is necessary.	Section Number 8.5.3.a.ii.

G. MISCELLANEOUS

MCPC Comment G1	
Historic Resources Overlay District (HROD): The HROD does not include specific guidelines related to the preservation of buffers and viewsheds around historic properties, which is of particular importance on sites where additional infill development around historic properties is possible. In addition, on sites where both the HROD and OSOD apply, it is unclear what land uses are permitted because the OSOD is restricted to residential land uses, while the HROD allows non-residential land uses as well.	
Language could be added to section 7.1.2 “Applicability” to clarify that the greater range of permitted land uses in the HROD applies to properties where both the HROD and OSOD apply.	Policy Discussion
Consider adding language to the HROD to establish a buffer of open space around historic properties to help preserve viewsheds of the historic resource. These standards could be refined based on lot size and zoning district.	Minor Revision (HRI Revision)
G1 Staff Recommendation:	
Staff notes that the area around a historic structure is regulated through the historic review process and the Secretary of the Interior’s Standards. Each historic resource is unique in regard to the site design and historical context that contributes to its listing as a resource on the local Historic Resource Inventory. As a planning tool, zoning may not be the best way to regulate the preservation of historic viewsheds. A more tailored approach may involve revising the Township's Historic Resource Database and any Pennsylvania Historic Resource Form to more fully describe the viewsheds to be preserved. This concept may involve a more formal policy discussion.	No immediate action (HRI Revision)
Staff also notes that if a historic resource is also in the Open Space Overlay District the open space areas are required to preserve and protect the tract’s significant natural features, cultural landscapes and historic sites (Section 155-7.2.4.f).	
MCPC Comment G2	
Open Space Overlay District (OSOD): Section 7.2.5.a. requires a minimum setback from any tract property line equal to the front setback of the underlying district. It is unclear whether the structures can align with the setback so that the front yard of each new property within a cluster development is within that setback yet remains unbuilt (i.e. the required setback serves as the front yard of properties). If the setback is prohibited from serving as the front yard for these properties, this eliminates the opportunity of creating a street frontage, and this seems to be an unwanted consequence.	
Clarify language in 7.2.5.a. to allow the required tract setback to be provided within the front setback of properties facing the street.	Minor Revision
G2 Staff Recommendation:	
Staff notes that the perimeter setback is treated like a required setback and not a buffer. No change is recommended at this time.	No immediate action

MCPC Comment G3	
Lots Currently Non-Conforming to Impervious Coverage: The proposed zoning code does not establish building coverage limits. Existing nonconforming lots with high impervious coverage can claim existing nonconforming status, if less than 75% of the existing impervious surface is removed as part of the redevelopment. This can result in higher building coverage and impervious coverage levels.	
Consider creating building coverage limits for sites that will be nonconforming to the impervious coverage limits under the proposed zoning code.	Minor Revision (View Edit Below)
G3 Staff Recommendation:	
Staff agrees that a building coverage limit should be established for sites nonconforming to the impervious surface. A new definition for Building Coverage is proposed to be added to the Zoning Code. The standards for lots that are nonconforming to the impervious surface are proposed to be revised to establish a building coverage limit of 80% of the maximum impervious coverage permitted in the underlying zoning district.	Immediate revision
Zoning Code Edit	Section Number
Building Coverage: The footprint of a building or structure measured by the horizontal cross section at its greatest outside dimensions at or above the ground level, excluding cornices, eaves, gutters or chimneys projecting not more than 18 inches, bay windows not extending through more than one story and not projecting more than five feet, one-story open porches projecting not more than 10 feet, steps and balconies.	2.1
<p>Nonconforming impervious coverage. A lot or lots nonconforming to the impervious coverage provisions in this Chapter shall be subject to the following:</p> <p>10.12.6.b.i. Nonconforming impervious coverage levels may not be increased, unless otherwise permitted by the Zoning Code.</p> <p>10.12.6.b.ii. When more than 75% of the impervious coverage is removed the lot or lots shall conform to the underlying impervious coverage provisions. This requirement does not apply to existing parking lots that are only being restriped or resurfaced.</p> <p>10.12.6.b.iii. When a lot or lots are being developed and less than 75% of the impervious surface is removed, the lot or lots shall be subject to a building coverage limit that is no greater than 80% of the maximum impervious coverage permitted in the underlying zoning district.</p>	10.12.6.b.

MCPC Comment G4	
Ordinance Useability: The detailed regulations within the code include numerous cross references, as well as the use of alternate dimensional and design standards based on the zoning classification of adjacent properties, could be difficult for some individuals to follow.	
<p>A user manual could include a summary list of the most pertinent articles and sections within the zoning code and a flow chart to help guide users. Based on our experience testing the draft zoning code, the most commonly used sections include:</p> <ul style="list-style-type: none"> • Article 3 – for standards general to all districts (especially sections 3.3 – 3.10) • Article 4 – for standards specific to each district (excluding “special districts”) • Article 5 – for standards related to land use • Article 6 – for standards for “special districts” • Article 7.1 – for historic resources • Article 7.2 – for residential properties of 5 acres or greater • Article 8 – for parking standards 	Policy Discussion
G4 Staff Recommendation:	
Staff agrees that a User Manual will be extremely helpful in using the Code.	No immediate action