



MEMORANDUM

ATTN: Planning Commission

DATE: November 15, 2024

FROM: Jamie P. Worman, Assistant Township Manager

Jamie Worman

SUBJ: Proposed MF-3 Text/Map Amendment- 321-323 Norristown Road

Attached to this memo is the proposed MF-3 Text/Map Amendment that was circulated prior for your review and will be before the PC at your meeting November 20th. Also attached is an alternative version of the ordinance that incorporates changes based on the comments and suggestions from the October 16th, 2024, PC meeting. The following are the main changes in the alternative version:

- Revised front yard setback requirements proposing a 50ft. front yard setback for retail uses fronting Norristown Road and a 200ft. setback for all other uses
- Building height restrictions for uses other than residential, as well as building height restrictions for buildings with less than a 200ft front yard setback
- Base density is reduced with the option to increase it by offering a bonus for providing workforce housing units
- Modifications to the administration of workforce housing and monthly rent qualifications

The alternative language is to illustrate what revisions can be made to the ordinance to address the concerns or suggestions that have been raised during the review process. The Montgomery County Planning Commission has also issued a review of the proposed ordinance and that is attached for your reference. In addition, a presentation provided by a PC member from a recent program on workforce housing in Bucks County is in the meeting packet. Please keep in mind that the item before the PC for discussion is the zoning amendment.

**MONTGOMERY COUNTY
BOARD OF COMMISSIONERS**

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**MONTGOMERY COUNTY
PLANNING COMMISSION**

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SCOTT FRANCE, AICP
EXECUTIVE DIRECTOR

November 14, 2024

Ms. Jamie Worman, Assistant Township Manager
Lower Gwynedd Township
1130 North Bethlehem Pike
Post Office Box 625
Spring House, Pennsylvania 19477

Re: MCPC # 24-0218-001
Plan Name: MF-3 Text & Map Amendment
Lower Gwynedd Township

Dear Ms. Worman:

We have reviewed the above-referenced zoning text and map amendment in accordance with Section 609 of Act 247, "The Pennsylvania Municipalities Planning Code," as you requested on October 10, 2024. We forward this letter as a report of our review.

BACKGROUND

Lower Gwynedd Township is proposing a zoning text amendment to the MF-3 Zoning District as well as a zoning map amendment. The map amendment would rezone the property on the northeast corner of Route 309 and Norristown Road (Parcel No. 39-00-02956-00-2) from D-1 Special Use District to MF-3 Multi-Family Residential District.

The proposed zoning text amendment would add "Mixed-Use Development" to the permitted uses and would be permitted by conditional use in the MF-3 District. A Mixed-Use Development is defined as a development consisting of a minimum of three of the uses listed in the proposed Section 1276.02(e)(1) and would have to meet the conditional use standards included in the amendment. The conditions include provisions for workforce housing, parking regulations for the MF-3 District, and design standards for parking structures.

COMPREHENSIVE PLAN COMPLIANCE

The proposal is generally consistent with the county's comprehensive plan, *MONTCO 2040: A Shared Vision*, which shows the area as being located in the "Business Area" future land use areas. Business areas are concentrations of employment-oriented land uses, such as offices and research facilities, and most are located



near highway interchanges. Other uses include small-scale retail and service businesses, higher-density residential, institutions, and day care centers. Development should be designed to accommodate people walking, and control the impact of noise, light, and pollution on nearby residences.

RECOMMENDATION

The Montgomery County Planning Commission (MCPC) generally supports the applicant's proposal, however, in the course of our review we have identified a number of key issues that we believe should be resolved prior to zoning amendment adoption. Our comments are as follows:

REVIEW COMMENTS

WORKFORCE HOUSING

- A. Density (§ 1276.09(h)). The proposed maximum density for a multifamily apartment building within a mixed-use development is 15 dwelling units per acre. The township would require a minimum of 10% of the units to be designated and leased as workforce units.

We support including affordable units. Our understanding of the Municipalities Planning Code (MPC) is that the MPC does not prohibit nor does it permit the requirement of inclusionary units. If the township solicitor is comfortable with the amendment as written, the township could proceed with the amendment and the requirement of workforce units.

- B. Annual Report (§ 1276.09(h)(2)). The proposed amendment requires that the property owner/developer submit an annual report to the township to demonstrate that the multifamily building is in compliance with the workforce housing requirements (§ 1276.09(h)(2)). We do not see a purpose in the requirement in Section 1276.09(h) that the township review the workforce housing units at least every 10 years, at the request of the property owner. We feel that the requirement in Section 1276.09(h) seems to be redundant with the requirement of Subsection (h)(2).
- C. Administration (§ 1276.09(h)(3)). The Montgomery County Planning Commission is currently in discussion with the Office of Housing and Community Development about the idea of having administrative assistance provided at the county level for municipalities that need help with the ongoing oversight of affordable units. We recognize that this will be needed if affordable units are being provided across jurisdictions.

MIXED USE DEVELOPMENT STANDARDS

- A. Building and Impervious Coverage (Section 1276.09(d)). We recommend the township consider green parking options, such as pervious paving, to mitigate the negative impacts of increased impervious coverage and surface parking lots.

Currently, the MF-3 District requires a maximum of 45% impervious coverage and 20% building coverage. The proposed amendment would require Mixed-Use Developments to have a maximum impervious coverage of 65% and building coverage of 20%. Since buildings are impervious, building coverage is effectively covered under impervious coverage and the discrepancy between building coverage and impervious coverage could incentivize surface parking. We support the provisions for structured parking, as well as the incentive to provide structured parking by allowing an increase in building coverage from 20% to 30%. These provisions will help reduce the area devoted to surface parking lots.

- B. **Building Height.** We recommend the application consider additional standards to address the massing of large buildings. The proposed maximum height for multifamily buildings is 65 feet (no more than 5 stories), which is greater than the building height permitted in the D-1 Special Use District (60 feet, no more than three stories, § 1282.07) as well as in the MF-3 District (30 feet, no more than two stories, § 1276.06). We commend the inclusion of architectural feature requirements; however, we suggest that the massing of larger multifamily buildings could be targeted with additional dimensional standards. Specifically, we suggest that a 12-foot step-back in the façade above the third floor could help to visually reduce the bulk of tall buildings.

OFF-STREET PARKING

We generally support the proposed changes to the off-street parking requirements. Parking is expensive to build and can impact the finances of a development. The proposed minimum parking requirements for uses permitted as part of a mixed-use development are less than what is currently required for those same uses in the Parking and Loading section of the zoning (§ 1294-01). In addition, the applicant is proposing that a minimum of 1.5 parking spaces per dwelling unit be provided for multifamily units. The township currently requires two parking spaces per dwelling (§ 1294-01). Reducing the amount of required parking allows more flexibility in design and can better accommodate parking needs based on the uses. As discussed in the above comments, we recommend considering green parking materials and design to improve the sustainability of a development with large areas of surface parking.

CONCLUSION

We wish to reiterate that MCPC generally supports the applicant's proposal but we believe that our suggested revisions will better achieve Lower Gwynedd's planning objectives for residential mixed use development.

Please note that the review comments and recommendations contained in this report are advisory to the municipality and final disposition for the approval of any proposal will be made by the municipality.

Should the governing body adopt this proposed zoning ordinance amendment, Section 609 of the Municipalities Planning Code requires that we be sent an official copy within 30 days.

Sincerely,



Claire Warner, Senior Community Planner
Claire.Warner@montgomerycountypa.gov – 610-278-3755

c: Mimi Gleason, Township Manager
Craig Melograno, Chair, Planning Commission

BOARD OF SUPERVISORS
LOWER GWYNEDD TOWNSHIP

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. 549

AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE LOWER GWYNEDD TOWNSHIP CODE OF ORDINANCES, PART TWELVE PLANNING AND ZONING CODE, TITLE SIX ZONING, CHAPTER 1276 MF-3 MULTI-FAMILY RESIDENTIAL DISTRICT, § 1276.02 “PERMITTED USES” BY ADDING A MIXED-USE DEVELOPMENT OPTION AUTHORIZED BY CONDITIONAL USE; AND BY ADDING A NEW SECTION 1276.09 “REGULATIONS AND STANDARDS FOR A MIXED-USE DEVELOPMENT” WHICH INCLUDES PROVISIONS FOR WORKFORCE HOUSING AND PROVIDES FOR DIMENSIONAL AND PARKING REGULATIONS AND DEVELOPMENT STANDARDS FOR THE MIXED-USE DEVELOPMENT; FURTHERMORE, ADDING STANDARDS FOR RESIDENTIAL PARKING STRUCTURES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, § 1506 of the Second Class Township Code, Act of May 1, 1993, P. L. 103, No. 69, as amended by the Act of November 9, 1995, P. L. 350, No. 60, at 53 P.S. §66506, entitled “General Powers”, section 601 of the Pennsylvania Municipalities Code, 53 P.S. § 10601, and, section 1299.12 of the Lower Gwynedd Township Zoning Ordinance, as amended (“**Zoning Ordinance**”) authorizes the Lower Gwynedd Township (“**Township**”) Board of Supervisors (“**Board**”) to enact and amend ordinances necessary for the proper management, care and control of the Township and the maintenance of the health and welfare of the Township and its citizens; and

WHEREAS, the Board has determined that an amendment to the MF-3 Multifamily Residential District’s list of permitted uses to allow a mixed-use development option by conditional use, comprised of a multifamily apartment building with workforce dwelling units use, and office, retail, and restaurant uses, is warranted to further the purpose and intent of providing for mixed residential and commercial development uses within the Township (“**Proposed Amendment**”); and

WHEREAS, the Lower Gwynedd Township Planning Commission reviewed the Proposed Amendment at a public meeting and recommended that the Proposed Amendment be approved by the Board; and

WHEREAS, the Board has determined that it is in the best interests of the municipality and the public welfare to adopt the Proposed Amendment to promote the following community development objectives:

1. Achievement of the best use of land within the Township's MF-3 Multifamily Residential District by providing a mixed residential and commercial option.
2. Encouragement and promotion of workforce housing within the Township to achieve a diverse and balanced community.
3. Creation of an economic incentive to encourage developers to construct workforce housing units.
4. Encouragement and promotion of a new mixed residential and commercial use type within the Township to meet the needs of all Township residents.
5. Encouragement of ingenuity in architectural design and site planning by providing for an innovative mixed residential and commercial use concept within the MF-3 Multifamily Residential District.

WHEREAS, a public hearing was held, following notice, for the purpose of considering this Proposed Amendment to the Zoning Ordinance; and

WHEREAS, the Board, after the public hearing held pursuant to public notice, and after receipt of recommendations from the Lower Gwynedd Township Planning Commission and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended by the Proposed Amendment; and

WHEREAS, the Board has determined that amending the MF-3 Multifamily Residential District to permit the mixed-use development, with appropriate regulations and development standards, is warranted to enhance development and the economic vitality of the Township within that district.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, and it is enacted and ordained as follows:

Section 1: Title Six, "Zoning", Chapter 1276 "MF-3 Multifamily Residential District, § 1276.02 "Permitted uses" is amended to read as follows:

(e) Mixed-Use Development, in accordance with §1276.09.

(1) On a property with frontage along a major roadway as classified in §1230.37(b)(1) of the Township Subdivision and Land Development Ordinance, a development consisting of a minimum of three (3) of the following uses, for single and multiple occupancy of property and buildings, shall be permitted when authorized by conditional use, in accordance with §1298.07 "Conditional uses". Existing buildings may be part of a Mixed-Use Development provided they contain a permitted use and meet all standards of §1276.09.

A. Multifamily apartment buildings with amenities, and which may include a parking structure designed in accordance with §1298.20.(b). "Parking Structures".

- B. Office building.
- C. Retail store.
- D. Personal service shop.
- E. Restaurant, excluding drive-thru service.
- F. Bank or financial institution, with drive-thru service.
- G. Medical services, such as dental care, aesthetic procedures, urgent care, and outpatient surgery center.
- H. Medical office.

(2) *Master Plan and Architecture.* For all mixed-use developments, a master plan shall be submitted as part of the required conditional use application, which adequately depicts where each of the above category of uses and parking shall occur on the property. Material changes to the Master Plan involving the relocation, addition or deletion of buildings, vehicular circulation or access shall require an amended conditional use approval from the Board of Supervisors. Review and approval of the conditional use shall include the approval of the dimensional criteria and parking as shown on the Master Plan. As part of the conditional use application, architectural renderings shall be submitted. Such renderings shall include: a perspective view of the building from the exterior main road(s) showing the façade(s) and streetscape, in addition, elevations of all sides of the proposed building(s). The renderings shall be in color and indicate the mass, form, color, and materials of the proposed building(s). The renderings shall show conceptual connections to an existing public trail network which is immediately and directly adjacent to the mixed-use development.

Section 2: Title Six, "Zoning", Chapter 1276 "MF-3 Multifamily Residential District, is amended by adding a new section 1276.09 entitled "Regulations and standards for a Mixed-Use Development", to read as follows:

§ 1276.09 Regulations and standards for a Mixed-Use Development.

The following regulations and standards shall apply to a Mixed-Use Development in the case of a conflict with any other sections of the Zoning Ordinance, the provisions of this section shall apply.

- (a) *Minimum Lot Area.* For a Mixed-Use Development, a lot area of not less than 20 acres shall be provided.
- (b) *Minimum Lot Width.* A lot width of not less than 900 feet shall be provided along a public street or way for every access to the development.
- (c) *Yards.*
 - (1) *Front Yard.* For a Mixed-Use Development there shall be a front yard,

which yard shall not be less than 50 feet in depth.

- (2) *Side Yards. For a Mixed-Use Development there shall be two side yards, neither of which shall be less than 50 feet in depth.*
- (3) *Rear Yard. For a Mixed-Use Development there shall be a rear yard, which yard shall not be less than 100 feet in depth.*
- (d) *Building Coverage. The total building coverage shall not exceed 20%.*
- (e) *Impervious Coverage. The total impervious coverage shall not exceed 65%.*
- (f) *Building Height.*
 - (1) *Multifamily Apartment Buildings. The maximum height for a multifamily apartment building shall be 65 feet, not exceeding 5 stories. For purposes of measuring the building height for multifamily apartment buildings, unoccupied architectural features extending above the main roof, such as dormers, gables and similar treatments, shall be required in order to provide variations in rooflines and the appearance of the multifamily apartment building façade, and shall be excluded from the calculation of height. Such features shall not exceed 10 feet in total height.*
 - (2) *Office Building. The maximum height for an office building shall be 50 feet, not exceeding 3 stories.*
 - (3) *The maximum height for all other buildings and structures shall be 35 feet, not exceeding 2 stories.*
- (g) *Building Spacing. The distance at the closest point between any buildings shall not be less than 75 feet.*
- (h) *Density. For a multifamily apartment building, the number of residential units per gross acre shall not exceed 15 and a minimum of 10% of the residential units shall be leased as workforce dwelling units. Not less than every ten years the Township shall review, upon the request of the property owner, the workforce housing units.*
 - (1) *A Workforce Housing Declaration of Covenants shall be prepared to the satisfaction of the Township Solicitor and agreed upon by the property owner/developer, which Declaration of Covenants shall be recorded in the Montgomery County Recorder of Deeds office at the time of recording of the final land development plan. For the purposes of this clause “workforce housing” shall mean; a dwelling unit available to a household with a total income not exceeding 100% of the Household Median Income (HMI) of Montgomery County as determined on an annual basis by the Pennsylvania Housing Finance Agency (PHFA).*
 - (2) *Property owner/developer shall submit an annual report to the Township Building and Zoning Department which demonstrates that the multifamily apartment building is in compliance with workforce housing requirements*

contained in the Declaration of Covenants. The report shall include, both prior to lease up and annually, the total number of units in the building, and for the workforce housing units only the following additional information: the total number of units, number of bedrooms, tenant incomes and rents, unit locations within the multifamily apartment building, and square footage.

(3) The Lower Gwynedd Township Planning and Zoning Department and/or designee may establish procedures, and prepare forms for the implementation, administration and compliance monitoring consistent with the provisions of this chapter.

(i) Off-street parking and loading.

(1) Multifamily Apartments. For each residential unit, 1.5 parking spaces shall be provided.

(2) Office building. One space for every 250 square feet of gross floor area, minus common areas.

(3) Retail store and/or personal service shop. One space for every 250 square feet of sales area.

(4) Restaurant. One parking space for every 100 square feet of floor space devoted to patron use.

(5) Bank or financial institution. One space for every 500 square feet of floor area space devoted to patron use.

(6) Medical services. One parking space for every 250 square feet of gross floor area.

(7) No parking, service, or loading area shall be located within 75 feet of any side or rear yard property lines or within 10 feet of any side yard property line abutting a major roadway, except as required for normal ingress or egress, and no service drives shall be located within 25 feet of any side or rear property line. No service and loading area shall directly face a highway as defined in §1298.12 unless adequate architectural detailing and/or landscaping is provided which obscures the service and/or loading areas to the satisfaction of the Township Board of Supervisors.

(8) Parking Reduction. The total number of required parking spaces may be reduced by conditional use. The total parking may be reduced by a maximum of up to 20% provided the applicant can demonstrate the reduction is warranted through the submission of a parking study, parking counts, or other pertinent information.

(j) Signage. The Mixed-Use Development shall be permitted one (1) pylon/free-standing sign not to exceed twenty (20) feet in height and two hundred (200)

square feet in area. Each tenant in the Mixed-Use Development shall be permitted one (1) wall sign not to exceed forty (40) square feet per building façade of the leased area facing a street. Digital Signs are prohibited.

- (k) *Storage of Refuse.* Raw materials, supplies, trash, rubbish and other refuse shall be stored in covered containers within an adequate enclosure and handled and disposed of in such a manner so as not to give rise to smoke, odor, or litter.
- (l) *Landscaping.* All Mixed-Use Developments shall be designed and maintained in accordance with the landscape provisions of the Subdivision Regulations.
- (m) *Emergency access.* All Mixed-Use Developments shall have an emergency driveway access in addition to and separate from the main driveway access.
- (n) *Public water and sewer.* All Mixed-Use Developments shall be served by public water and public sewer.
- (o) *With the exception of gate houses, guard houses, and trails, no accessory building or structure shall be located within a required perimeter setback and no accessory building or structure shall be located between the front of a building unit and a street line, if any.*
- (p) *All new buildings within the Mixed-Use Development shall be constructed in accordance with an overall plan and a common architectural theme as approved by the Board of Supervisors during the conditional use stage.*
- (q) *Special Conveyancing.* When a lot or lots are developed as a Mixed-Use Development, the creation of and conveyance of a lot or lots within such Mixed-Use Development shall be permitted upon compliance with the following conditions:
 - (1) *Irrevocable cross-easements in favor of, and duly binding on all title owners within the area of the development plan, their successors and assigns, with respect to use, control and maintenance of the common areas including access, green space, and parking areas are in effect and recorded, with form and substance subject to the prior approval of the Township Solicitor; and*
 - (2) *Individual lots or parcels created pursuant to this section need not comply with the dimensional standards of §1276.09 herein but shall remain in compliance with all other aspects of the approved Mixed-Use Development Plan.*

Section 3: Title Six, “Zoning”, Chapter 1298 “General Provisions”, §1298.20 “Parking structures” is amended to read as follows:

- (b) *The erection and use of structured parking facilities, otherwise prohibited, shall be permitted only in the MF-3 Multifamily Residential District, subject to the following regulations:*

- (1) *Parking structures shall be permitted for a multifamily apartment building provided the parking structure is entirely internal to the multifamily apartment building, or the residential units are wrapped around the perimeter parking structure.*
- (2) *When a parking structure is wrapped with residential units no more than 25% of the perimeter of the parking structure shall be visible from the exterior of the building. The exposed portion of the parking structure shall not directly face an external street. The exposed portion of the parking structure shall be buffered through the use of architectural elements to the satisfaction of the Board of Supervisors.*
- (3) *A parking structure shall not be taller than the residential portions of the building.*
- (4) *The design, layout and sizes of the parking spaces, driveways, ramps and other elements of the parking structure shall be subject to the review of the Township Traffic Engineer and the approval of the Township.*
- (5) *There shall be no projection of lighting or other elements above the required guardrail height on the roof deck of parking structures, except for minimal access shelters over stair enclosures.*
- (6) *Building Coverage. The total building coverage may be increased from 20% to 30% if a parking structure is included as part of the Mixed-Use Development.*

Section 4: Repeal and Ratification. All other sections, parts, and provisions of the Zoning Ordinance and Map shall remain in full force and effect as previously enacted.

Section 5: Severability. The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair the validity of any of the remaining sections, clauses, sentences, part or provisions of the Ordinance. It is hereby declared the intent of the Lower Gwynedd Township Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence, part or provision had not been included herein.

Section 6: Effective Date. This Ordinance shall become effective five (5) calendar days after the date of enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, this ___ day of _____, 2024.

Attest:

**LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS**

Mimi Gleason, Township Manager

By: Danielle A. Duckett, Chairperson

DRAFT

**BOARD OF SUPERVISORS
LOWER GWYNEDD TOWNSHIP**

MONTGOMERY COUNTY, PENNSYLVANIA

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF LOWER GWYNEDD, MONTGOMERY COUNTY, PENNSYLVANIA, AMENDING THE LOWER GWYNEDD TOWNSHIP CODE OF ORDINANCES, PART TWELVE PLANNING AND ZONING CODE, TITLE SIX ZONING, CHAPTER 1276 MF-3 MULTI-FAMILY RESIDENTIAL DISTRICT, § 1276.02 “PERMITTED USES” BY ADDING A MIXED-USE DEVELOPMENT OPTION AUTHORIZED BY CONDITIONAL USE; AND BY ADDING A NEW SECTION 1276.09 “REGULATIONS AND STANDARDS FOR A MIXED-USE DEVELOPMENT” WHICH INCLUDES PROVISIONS FOR WORKFORCE HOUSING AND PROVIDES FOR DIMENSIONAL AND PARKING REGULATIONS AND DEVELOPMENT STANDARDS FOR THE MIXED-USE DEVELOPMENT; FURTHERMORE, ADDING STANDARDS FOR RESIDENTIAL PARKING STRUCTURES; REPEALING ALL INCONSISTENT ORDINANCES OR PARTS THEREOF; PROVIDING A SEVERABILITY CLAUSE AND PROVIDING AN EFFECTIVE DATE.

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WHEREAS, the Board has determined that an amendment to the MF-3 Multifamily Residential District’s list of permitted uses to allow a mixed-use development option by conditional use, comprised of a multifamily apartment building with workforce dwelling units use, and office, retail, and restaurant uses, is warranted to further the purpose and intent of providing for mixed residential and commercial development uses within the Township (“**Proposed Amendment**”); and

WHEREAS, the Lower Gwynedd Township Planning Commission reviewed the Proposed Amendment at a public meeting and recommended that the Proposed Amendment be approved by the Board; and

WHEREAS, the Board has determined that it is in the best interests of the municipality and the public welfare to adopt the Proposed Amendment to promote the following community

Alternative Ordinance Language
development objectives:

1. Achievement of the best use of land within the Township's MF-3 Multifamily Residential District by providing a mixed residential and commercial option.
2. Encouragement and promotion of workforce housing within the Township to achieve a diverse and balanced community.
3. Creation of an economic incentive to encourage developers to construct workforce housing units.
4. Encouragement and promotion of a new mixed residential and commercial use type within the Township to meet the needs of all Township residents.
5. Encouragement of ingenuity in architectural design and site planning by providing for an innovative mixed residential and commercial use concept within the MF-3 Multifamily Residential District.

WHEREAS, a public hearing was held, following notice, for the purpose of considering this Proposed Amendment to the Zoning Ordinance; and

WHEREAS, the Board, after the public hearing held pursuant to public notice, and after receipt of recommendations from the Lower Gwynedd Township Planning Commission and the Montgomery County Planning Commission, deems it appropriate and proper that the Zoning Ordinance be amended by the Proposed Amendment; and

WHEREAS, the Board has determined that amending the MF-3 Multifamily Residential District to permit the mixed-use development, with appropriate regulations and development standards, is warranted to enhance development and the economic vitality of the Township within that district.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, and it is enacted and ordained as follows:

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(e) Mixed-Use Development, in accordance with §1276.09.

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A. Multifamily apartment buildings with amenities, and which may include a parking structure designed in accordance with §1298.20.(b). "Parking

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Structures”.

- B. Office building.
- C. Retail store.
- D. Personal service shop.
- E. Restaurant, excluding drive-thru service.
- F. Bank or financial institution, with drive-thru service.
- G. Medical services, such as dental care, aesthetic procedures, urgent care, and outpatient surgery center.
- H. Medical office.

(2) *Master Plan and Architecture.* For all mixed-use developments, a master plan shall be submitted as part of the required conditional use application, which adequately depicts where each of the above category of uses and parking shall occur on the property. Material changes to the Master Plan involving the relocation, addition or deletion of buildings, vehicular circulation or access shall require an amended conditional use approval from the Board of Supervisors. Review and approval of the conditional use shall include the approval of the dimensional criteria and parking as shown on the Master Plan. As part of the conditional use application, architectural renderings shall be submitted. Such renderings shall include: a perspective view of the building from the exterior main road(s) showing the façade(s) and streetscape, in addition, elevations of all sides of the proposed building(s). The renderings shall be in color and indicate the mass, form, color, and materials of the proposed building(s). The renderings shall show conceptual connections to an existing public trail network which is immediately and directly adjacent to the mixed-use development.

Section 2: Title Six, “Zoning”, Chapter 1276 “MF-3 Multifamily Residential District, is amended by adding a new section 1276.09 entitled “Regulations and standards for a Mixed-Use Development”, to read as follows:

§ 1276.09 Regulations and standards for a Mixed-Use Development.

The following regulations and standards shall apply to a Mixed-Use Development in the case of a conflict with any other sections of the Zoning Ordinance, the provisions of this section shall apply.

- (a) *Minimum Lot Area.* For a Mixed-Use Development, a lot area of not less than 20 acres shall be provided.
- (b) *Minimum Lot Width.* A lot width of not less than 900 feet shall be provided along a public street or way for every access to the development.
- (c) *Yards.*

(1) Front Yard for a Mixed-Use Development.

A. For retail uses fronting on Norristown Road there shall be a front yard, which shall not be less than 50 feet in depth.

B. For all other uses there shall be a front yard, which shall not be less than 200 feet.

(2) *Side Yards. For a Mixed-Use Development there shall be two side yards, neither of which shall be less than 50 feet in depth.*

(3) *Rear Yard. For a Mixed-Use Development there shall be a rear yard, which yard shall not be less than 100 feet in depth.*

(d) *Building Coverage. The total building coverage shall not exceed 20%.*

(e) *Impervious Coverage. The total impervious coverage shall not exceed 65%.*

(f) *Building Height.*

(1) *Multifamily Apartment Buildings. The maximum height for a multifamily apartment building shall be 65 feet, not exceeding 5 stories. For purposes of measuring the building height for multifamily apartment buildings, unoccupied architectural features extending above the main roof, such as dormers, gables and similar treatments, shall be required in order to provide variations in rooflines and the appearance of the multifamily apartment building façade, and shall be excluded from the calculation of height. Such features shall not exceed 10 feet in total height.*

(2) *Office Building. The maximum height for an office building shall be 50 feet, not exceeding 3 stories.*

(3) *The maximum height for all other buildings and structures shall be 35 feet, not exceeding 2 stories.*

(4) The maximum height for buildings and structures with a front yard setback less than 200 feet from Norristown Road shall be 35 feet, not exceeding 2 stories.

(g) *Building Spacing. The distance at the closest point between any buildings shall not be less than 75 feet.*

(h) **Density. For a multifamily apartment building, the number of residential units per gross acre shall not exceed 13.5.**

(1) Bonus Density. Provided that a minimum of 10% of the residential units are designated as workforce housing the density may be increased by 1.5 dwelling units per gross acre. The maximum density, including any density bonus, shall not exceed 15 dwelling units per gross acre.

Alternative Ordinance Language

(2) A Workforce Housing Declaration of Covenants shall be prepared to the satisfaction of the Township Solicitor and agreed upon by the property owner/developer, which Declaration of Covenants shall be recorded in the Montgomery County Recorder of Deeds office at the time of recording of the final land development plan. For the purposes of this clause "workforce housing" shall mean; a dwelling unit available to a household with a total income not exceeding 100% of the Household Median Income (HMI) of Montgomery County as determined on an annual basis by the Pennsylvania Housing Finance Agency (PHFA). The monthly rent amount shall be no more than 30% of the Household Median Income.

(3) Property owner/developer shall submit an annual report to the Township Building and Zoning Department which demonstrates that the multifamily apartment building is in compliance with workforce housing requirements contained in the Declaration of Covenants. The report shall include, both prior to lease up and annually, the total number of units in the building, and for the workforce housing units only the following additional information: the total number of units, number of bedrooms, tenant incomes and rents, unit locations within the multifamily apartment building, and square footage.

(i) Off-street parking and loading.

(1) Multifamily Apartments. For each residential unit, 1.5 parking spaces shall be provided.

(2) Office building. One space for every 250 square feet of gross floor area, minus common areas.

(3) Retail store and/or personal service shop. One space for every 250 square feet of sales area.

(4) Restaurant. One parking space for every 100 square feet of floor space devoted to patron use.

(5) Bank or financial institution. One space for every 500 square feet of floor area space devoted to patron use.

(6) Medical services. One parking space for every 250 square feet of gross floor area.

(7) No parking, service, or loading area shall be located within 75 feet of any side or rear yard property lines or within 10 feet of any side yard property line abutting a major roadway, except as required for normal ingress or egress, and no service drives shall be located within 25 feet of any side or rear property line. No service and loading area shall directly face a highway as defined in §1298.12 unless adequate architectural detailing

Alternative Ordinance Language

and/or landscaping is provided which obscures the service and/or loading areas to the satisfaction of the Township Board of Supervisors.

- (8) *Parking Reduction. The total number of required parking spaces may be reduced by conditional use. The total parking may be reduced by a maximum of up to 20% provided the applicant can demonstrate the reduction is warranted through the submission of a parking study, parking counts, or other pertinent information.*

- (j) *Signage. The Mixed-Use Development shall be permitted one (1) pylon/free-standing sign not to exceed twenty (20) feet in height and two hundred (200) square feet in area. Each tenant in the Mixed-Use Development shall be permitted one (1) wall sign not to exceed forty (40) square feet per building façade of the leased area facing a street. Digital Signs are prohibited.*

- (k) *Storage of Refuse. Raw materials, supplies, trash, rubbish and other refuse shall be stored in covered containers within an adequate enclosure and handled and disposed of in such a manner so as not to give rise to smoke, odor, or litter.*

- (l) *Landscaping. All Mixed-Use Developments shall be designed and maintained in accordance with the landscape provisions of the Subdivision Regulations.*

- (m) *Emergency access. All Mixed-Use Developments shall have an emergency driveway access in addition to and separate from the main driveway access.*

- (n) *Public water and sewer. All Mixed-Use Developments shall be served by public water and public sewer.*

- (o) *With the exception of gate houses, guard houses, and trails, no accessory building or structure shall be located within a required perimeter setback and no accessory building or structure shall be located between the front of a building unit and a street line, if any.*

- (p) *All new buildings within the Mixed-Use Development shall be constructed in accordance with an overall plan and a common architectural theme as approved by the Board of Supervisors during the conditional use stage.*

- (q) *Special Conveyancing. When a lot or lots are developed as a Mixed-Use Development, the creation of and conveyance of a lot or lots within such Mixed-Use Development shall be permitted upon compliance with the following conditions:*
 - (1) *Irrevocable cross-easements in favor of, and duly binding on all title owners within the area of the development plan, their successors and assigns, with respect to use, control and maintenance of the common areas including access, green space, and parking areas are in effect and recorded, with form and substance subject to the prior approval of the Township Solicitor; and*

Alternative Ordinance Language

- (2) *Individual lots or parcels created pursuant to this section need not comply with the dimensional standards of § 1276.09 herein but shall remain in compliance with all other aspects of the approved Mixed-Use Development Plan.*

Section 3: Title Six, "Zoning", Chapter 1298 "General Provisions", §1298.20 "Parking structures" is amended to read as follows:

- (b) *The erection and use of structured parking facilities, otherwise prohibited, shall be permitted only in the MF-3 Multifamily Residential District subject to the following regulations:*
 - (1) *Parking structures shall be permitted for a multifamily apartment building provided the parking structure is entirely internal to the multifamily apartment building, or the residential units are wrapped around the perimeter parking structure.*
 - (2) *When a parking structure is wrapped with residential units no more than 25% of the perimeter of the parking structure shall be visible from the exterior of the building. The exposed portion of the parking structure shall not directly face an external street. The exposed portion of the parking structure shall be buffered through the use of architectural elements to the satisfaction of the Board of Supervisors.*
 - (3) *A parking structure shall not be taller than the residential portions of the building.*
 - (4) *The design, layout and sizes of the parking spaces, driveways, ramps and other elements of the parking structure shall be subject to the review of the Township Traffic Engineer and the approval of the Township.*
 - (5) *There shall be no projection of lighting or other elements above the required guardrail height on the roof deck of parking structures, except for minimal access shelters over stair enclosures.*
 - (6) *Building Coverage. The total building coverage may be increased from 20% to 30% if a parking structure is included as part of the Mixed-Use Development.*

Section 4: Repeal and Ratification. All other sections, parts, and provisions of the Zoning Ordinance and Map shall remain in full force and effect as previously enacted.

Section 5: Severability. The provisions of this Ordinance are severable. If any section, clause, sentence, part or provision thereof shall be held illegal, invalid or unconstitutional by any court of competent jurisdiction, such decisions of the court shall not impair the validity of any of the remaining sections, clauses, sentences, part or provisions of the Ordinance. It is hereby declared the intent of the Lower Gwynedd Township Board of Supervisors that this Ordinance would have been enacted if such illegal, invalid or unconstitutional section, clause, sentence,

Alternative Ordinance Language
part or provision had not been included herein.

Section 6: Effective Date. This Ordinance shall become effective five (5) calendar days after the date of enactment.

ORDAINED AND ENACTED by the Board of Supervisors of Lower Gwynedd Township, Montgomery County, Pennsylvania, this ___ day of _____, 2024.

Attest:

**LOWER GWYNEDD TOWNSHIP
BOARD OF SUPERVISORS**

Mimi Gleason, Township Manager

By: _____
Danielle A. Duckett, Chairperson

DRAFT

Affordable Housing Insights: A Municipal Manager's Forum

OCTOBER 15, 2024

Hosted by the Bucks County Consortium, the Montgomery County Consortium of Communities, and HealthSpark Foundation

LOCAL NEWS

Homebuyers growing weary as home prices are rising in Montgomery County, Pennsylvania

CBS NEWS PHILADELPHIA

By Kim Hudson
July 31, 2024 / 4:58 PM EDT / CBS Philadelphia



Working 40 hours won't pay rent in 15 Pa. counties. Bucks County among least affordable



[Chris Ullery](#)
Bucks County Courier Times

Published 5:34 a.m. ET July 25, 2024 | Updated 5:34 a.m. ET July 25, 2024

Homes in Philadelphia suburbs most expensive in PA, nation. Where does Bucks County rank?



[Chris Ullery](#)
Bucks County Courier Times

Published 4:56 a.m. ET March 26, 2024 | Updated 4:56 a.m. ET March 26, 2024

PhillyBurbs

Developers want to build affordable housing in Bucks County. What's preventing them?

They will say that they support affordable housing. They just believe it should go somewhere else," one developer said.

Mar 15, 2022

PA Eviction Rates Rising In Southeast PA Counties, New Report Says

Eviction filings are on the rise in Pennsylvania, nearly meeting pre-pandemic levels for the first time, advocates say.



Nicole Rosenthal, Patch Staff

Posted Fri, Apr 5, 2024 at 2:56 pm ET

Report: First-time homebuyers in Philly area need to make more to afford a starter home

High mortgage rates, overvalued homes, and low inventory continue to hurt renters looking to enter the housing market.



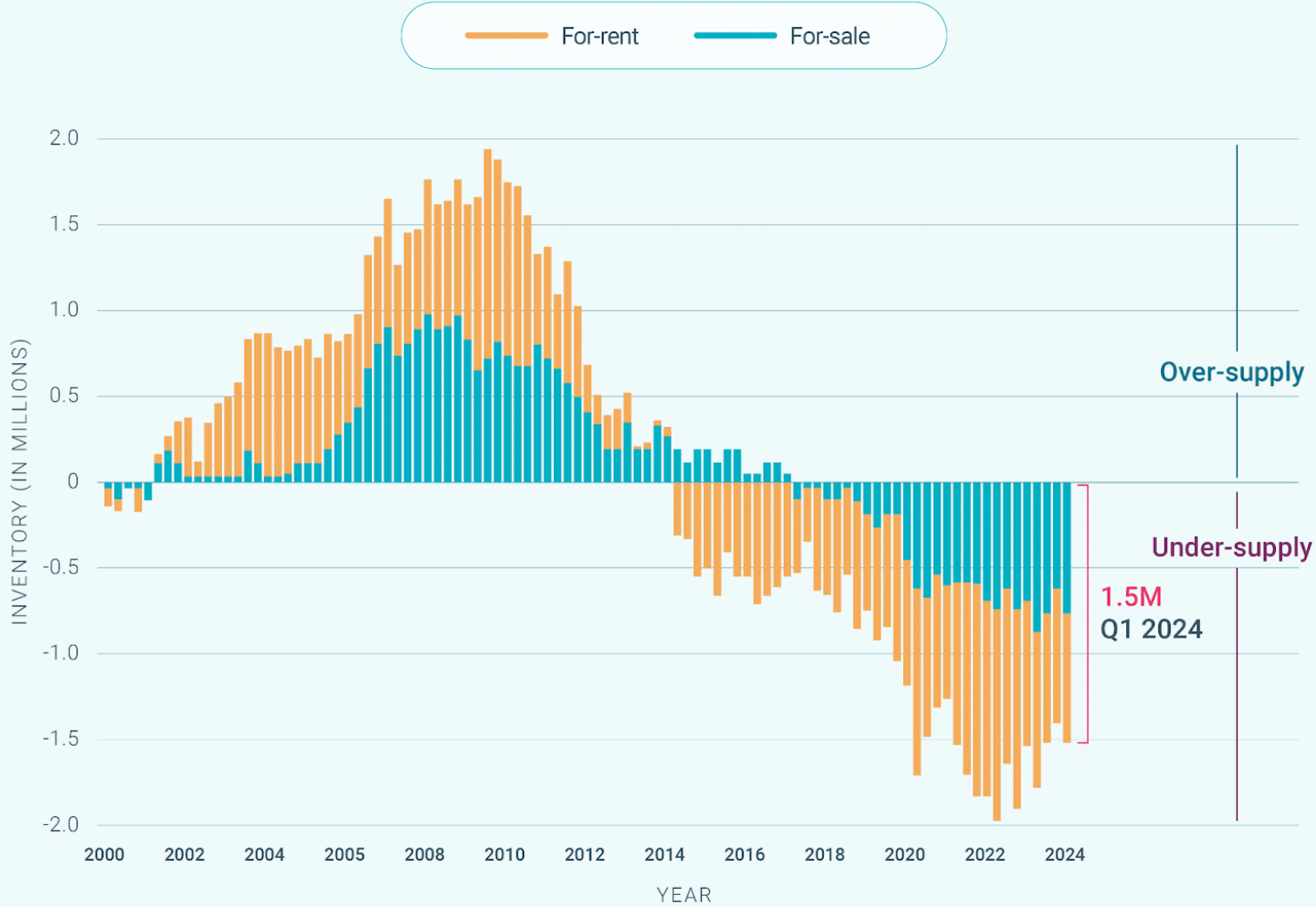
By [Aaron Moselle](#) · August 8, 2023

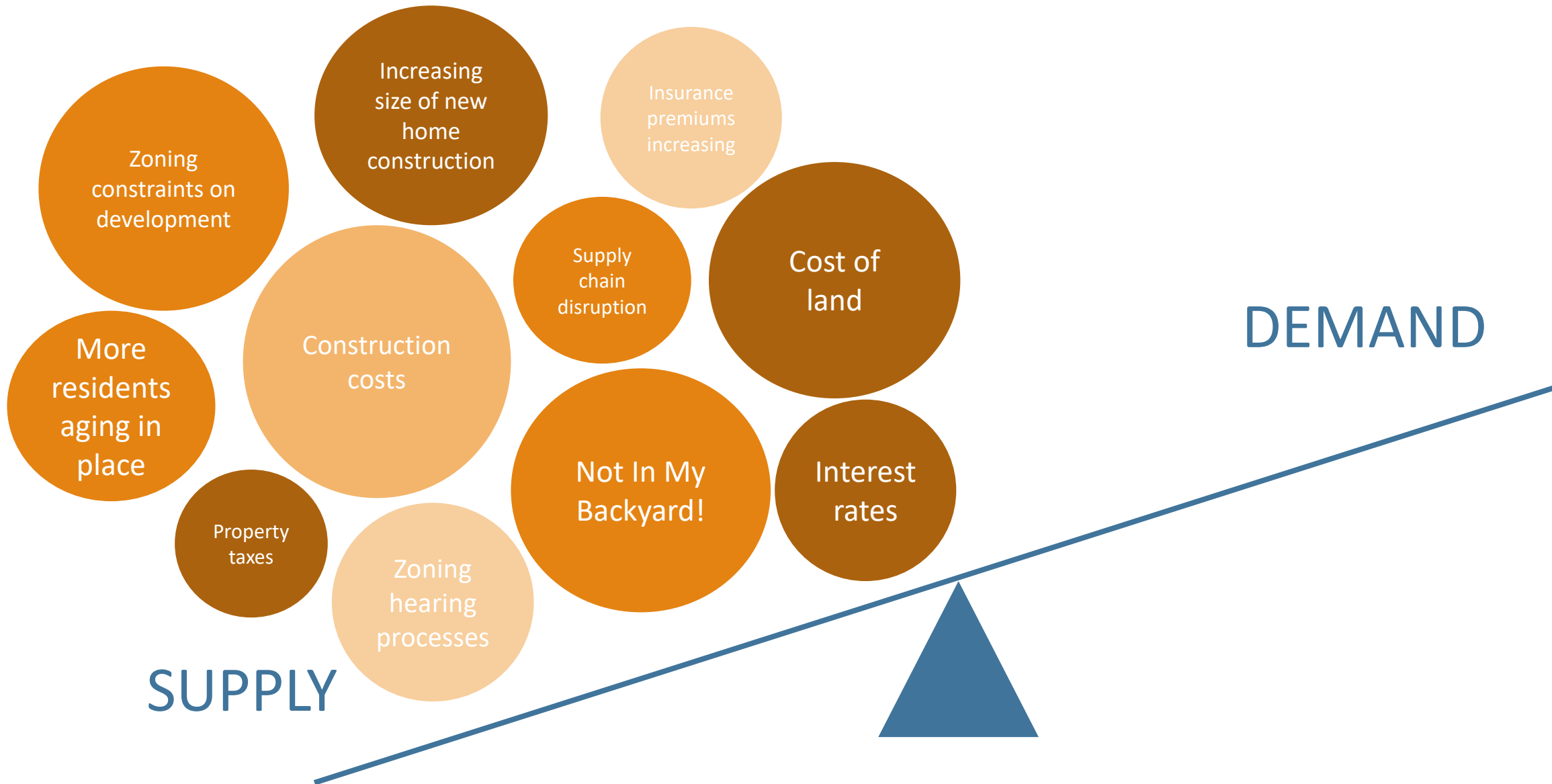
'They're stuck, they're scared': For older people, Bucks County has a major affordable housing crisis

Advocates see a rise in people on the brink of displacement or already unhoused. Older adults face unique obstacles to finding new places to live.

By Emily Rizzo · March 29, 2022

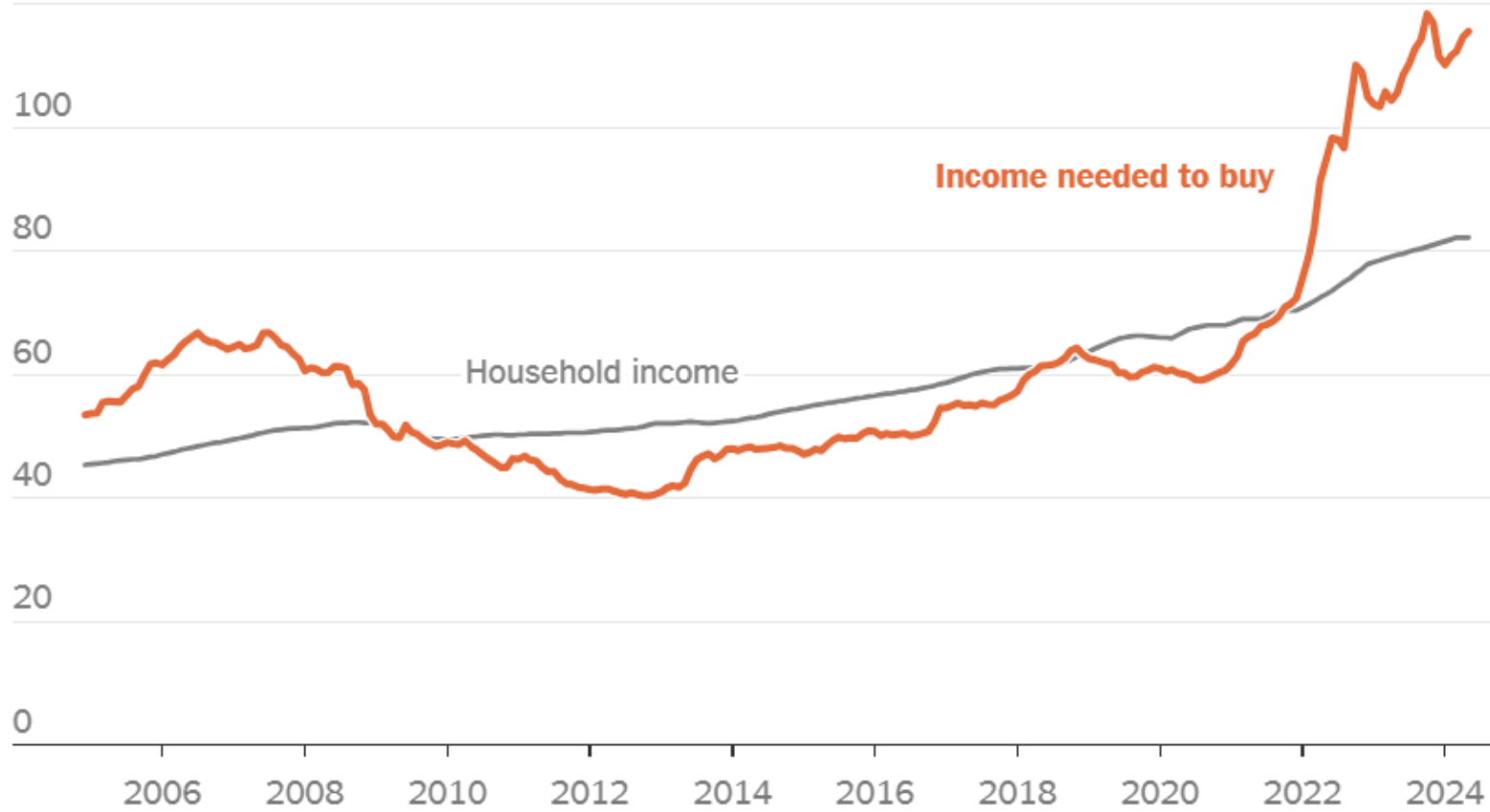
Total For-sale & For-rent Vacant Housing





Income needed to buy median-value house vs. median household income

\$120 thousand



Income needed to buy assumes 10 percent down payment. "Household income" is based on American Community Survey data and Zillow estimates. Not adjusted for inflation. • Source: Zillow • By The New York Times

Montgomery County

Median price for a NEW home (2023):

\$647,866

Single-family detached: \$827,193

Single-family attached: \$551,182

Median price for an EXISTING home (2023):

\$400,000

Single-family detached: \$475,000

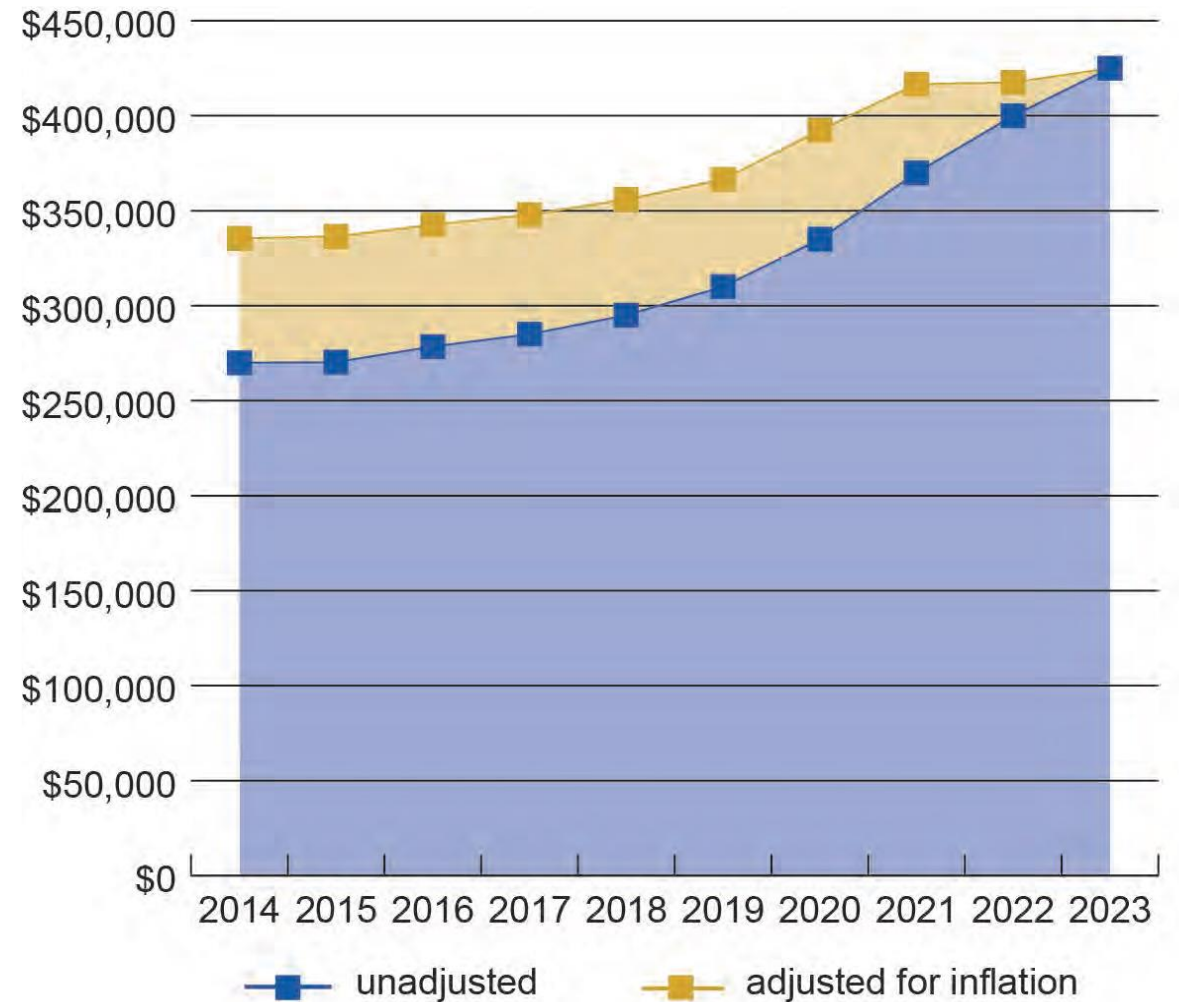
Single-family attached: \$325,000

Bucks County

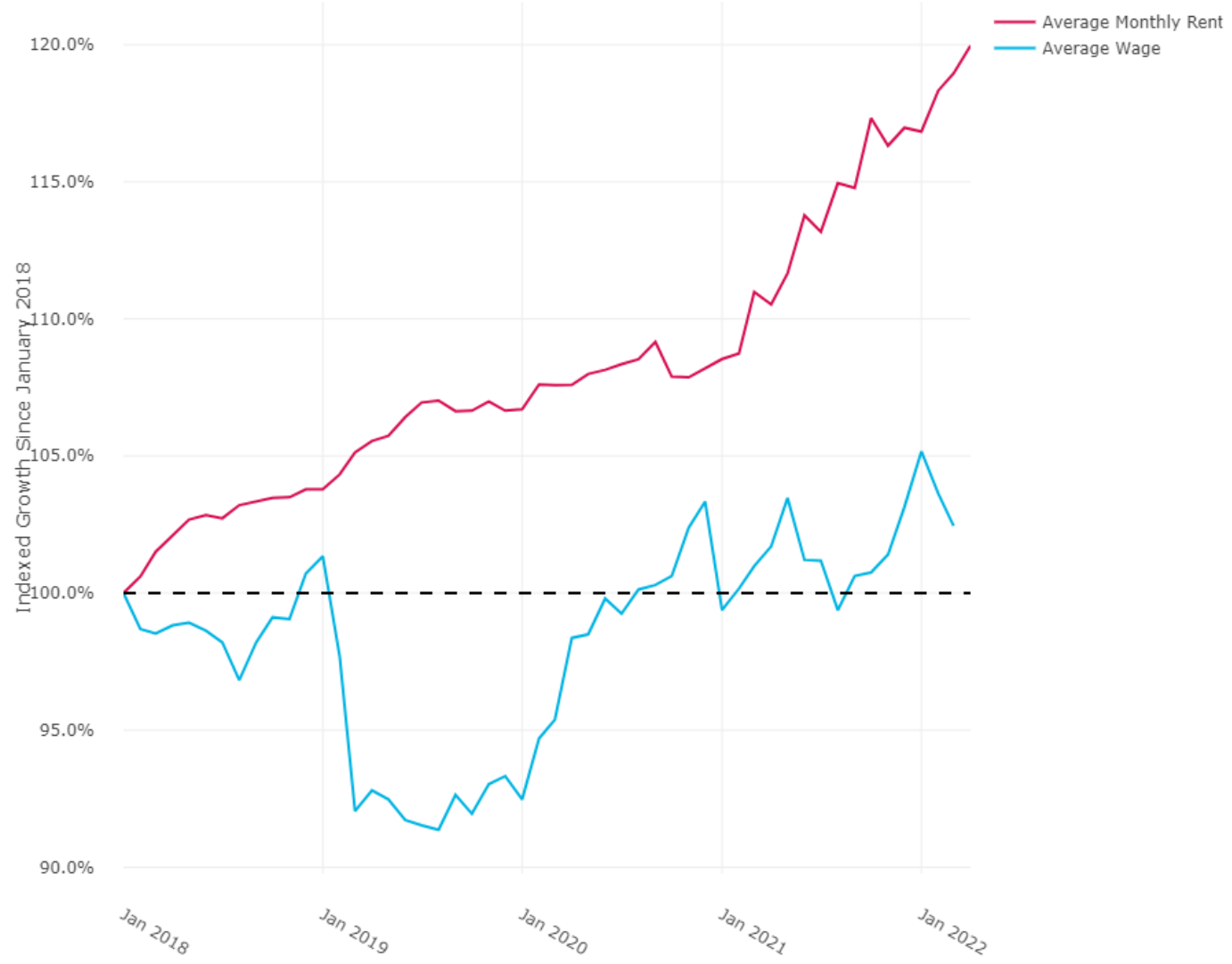
Median price for any home (2023): \$447,000

Average price for a home (2023): \$529,699

All housing unit sales, Montgomery County



Rents Are Increasing Faster than Wages in Philadelphia



52%

of renter households pay more than 30% of their monthly income on rent

20%

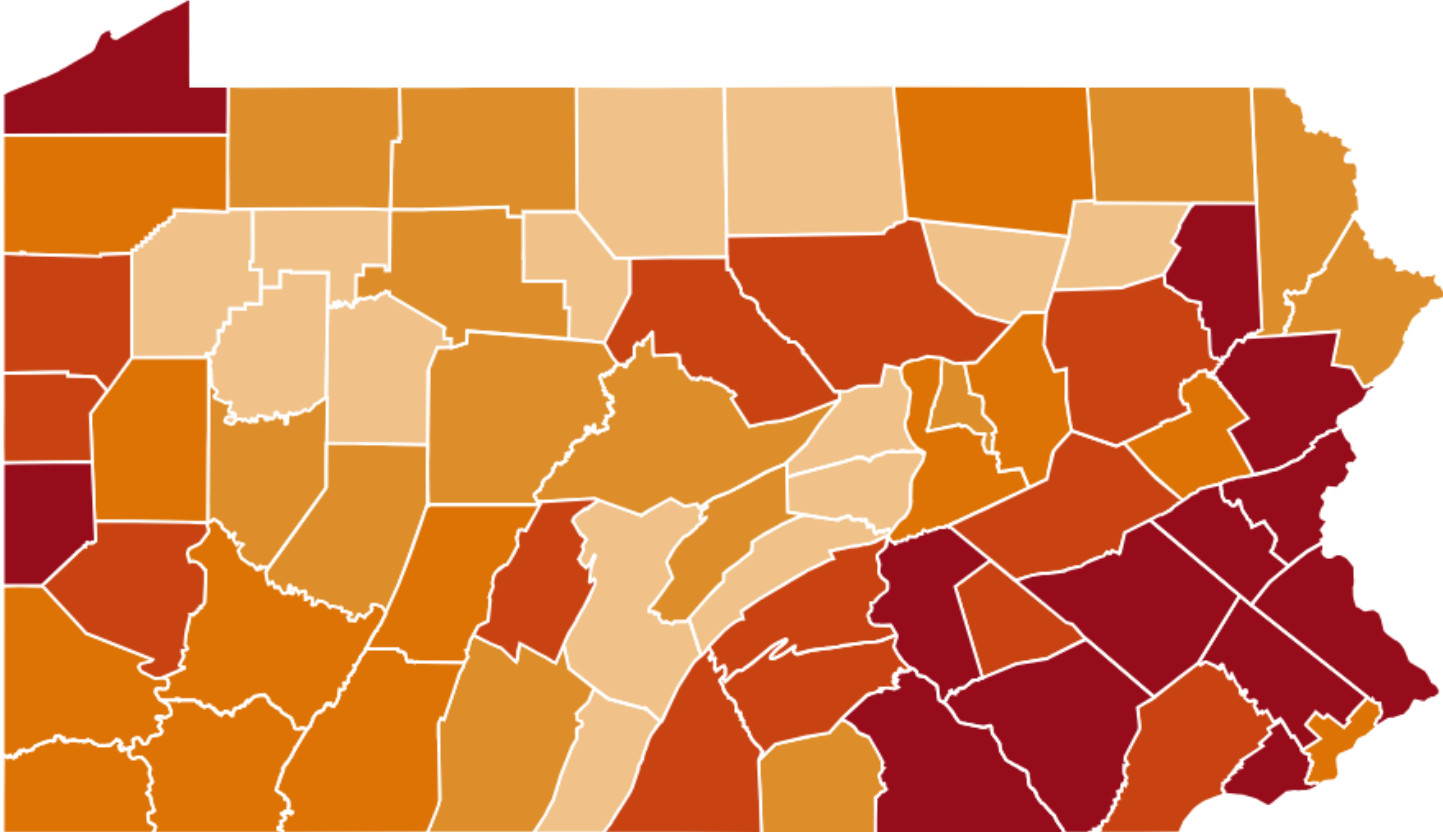
of homeowners pay more than 30% of their monthly income on housing costs



Figure 4: Eviction Filing Rates (July'22-June'23)

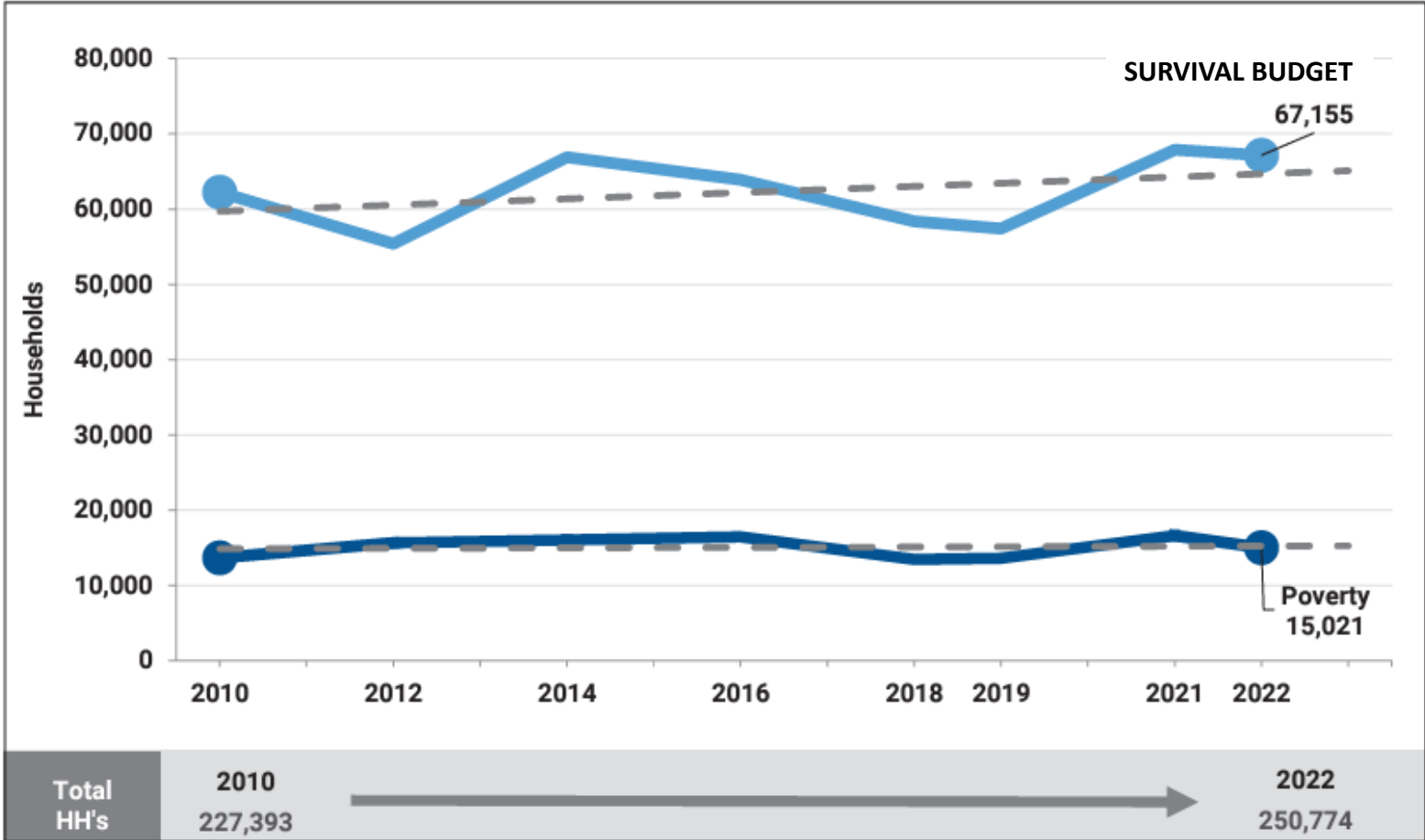
Filing Rate 1.5-2.8% 2.8-3.7% 3.7-5.1% 5.1-7.3% 7.3-16.5%

Bucks and Montgomery Counties have two of the highest rates of eviction in the Commonwealth.



Households by Income, Bucks County, 2010-2022

70,000 households in Bucks and 80,000 households in Montgomery County are living on a survival budget.

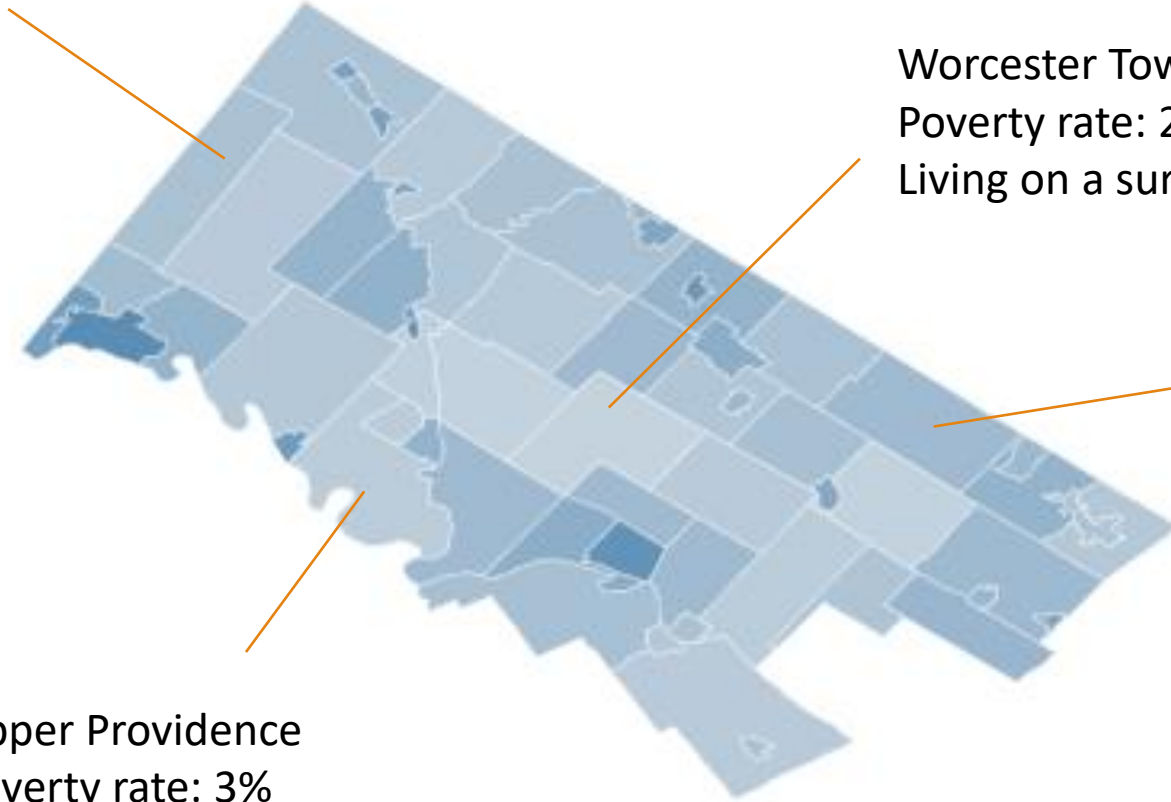


Source: United Way, UnitedForAlice.org/Pennsylvania. ALICE Threshold, 2010-2022 American Community Survey.
 Note: "Survival budget" is used here in place of "Asset Limited Income Constrained, Employed," or "ALICE," for purposes of understandability.

Survival Budget Bucks/ Montgomery Counties (2022)

Budget Category	Two Adults Two Childcare	Single Senior
Housing - Rent	\$1,259	\$973
Housing - Utilities	\$310	\$163
Child Care	\$2,219	\$0
Food	\$1,497	\$507
Transportation	\$1,047	\$332
Health Care	\$761	\$572
Technology	\$116	\$86
Miscellaneous	\$721	\$263
Tax Payments	\$1,518	\$516
Tax Credits	(\$433)	\$0
Monthly Total	\$9,015	\$3,412
ANNUAL TOTAL	\$108,180	\$40,944
Hourly Wage	\$54.09	\$20.47

Douglass Township
Poverty rate: 4%
Living on survival budget: 25%



Worcester Township
Poverty rate: 2%
Living on a survival budget: 16%

Horsham Township
Poverty rate: 4%
Living on a survival budget: 29%

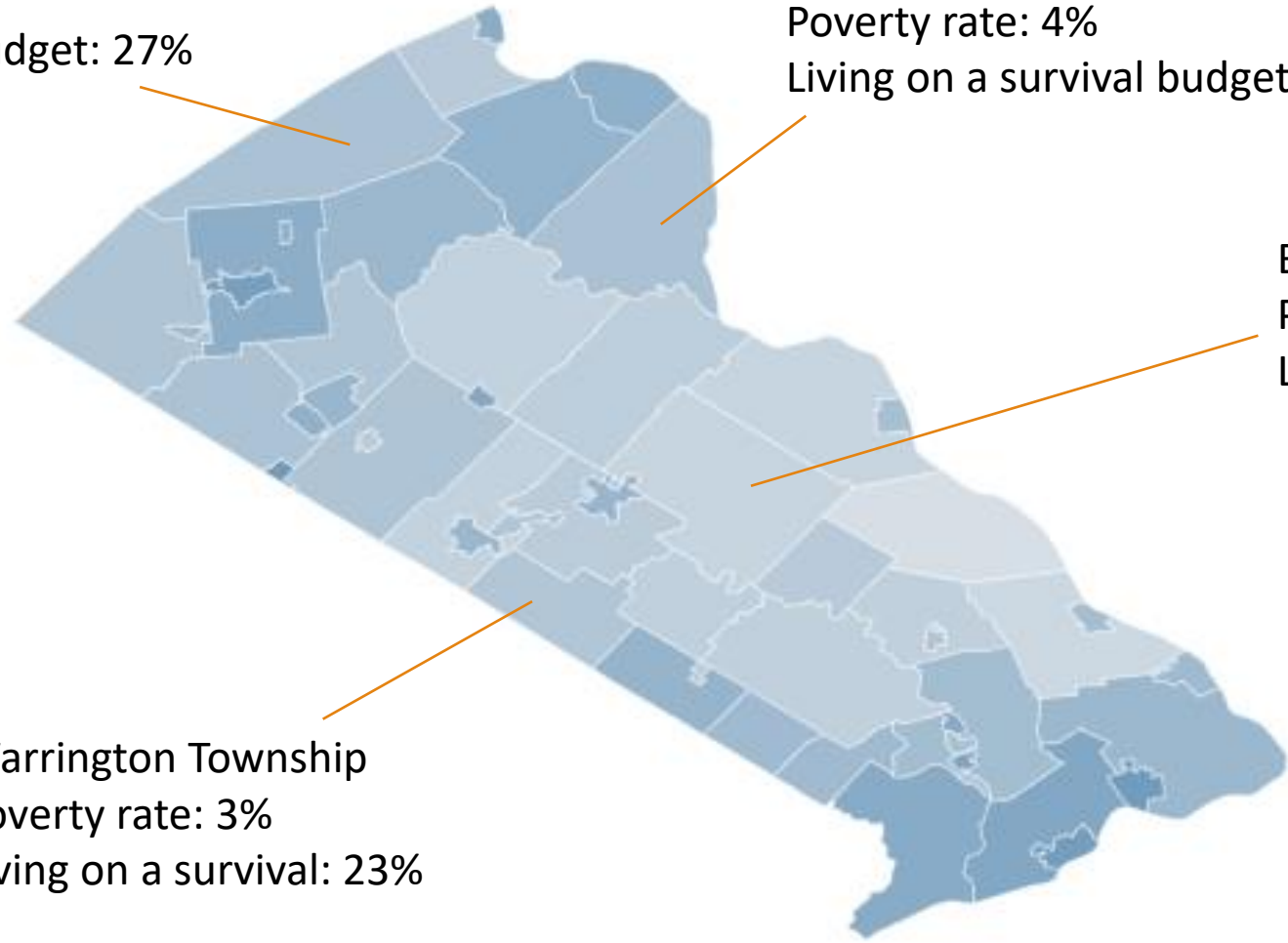
Upper Providence
Poverty rate: 3%
Living on a survival budget: 19%

Springfield Township
Poverty rate: 2%
Living on a survival budget: 27%

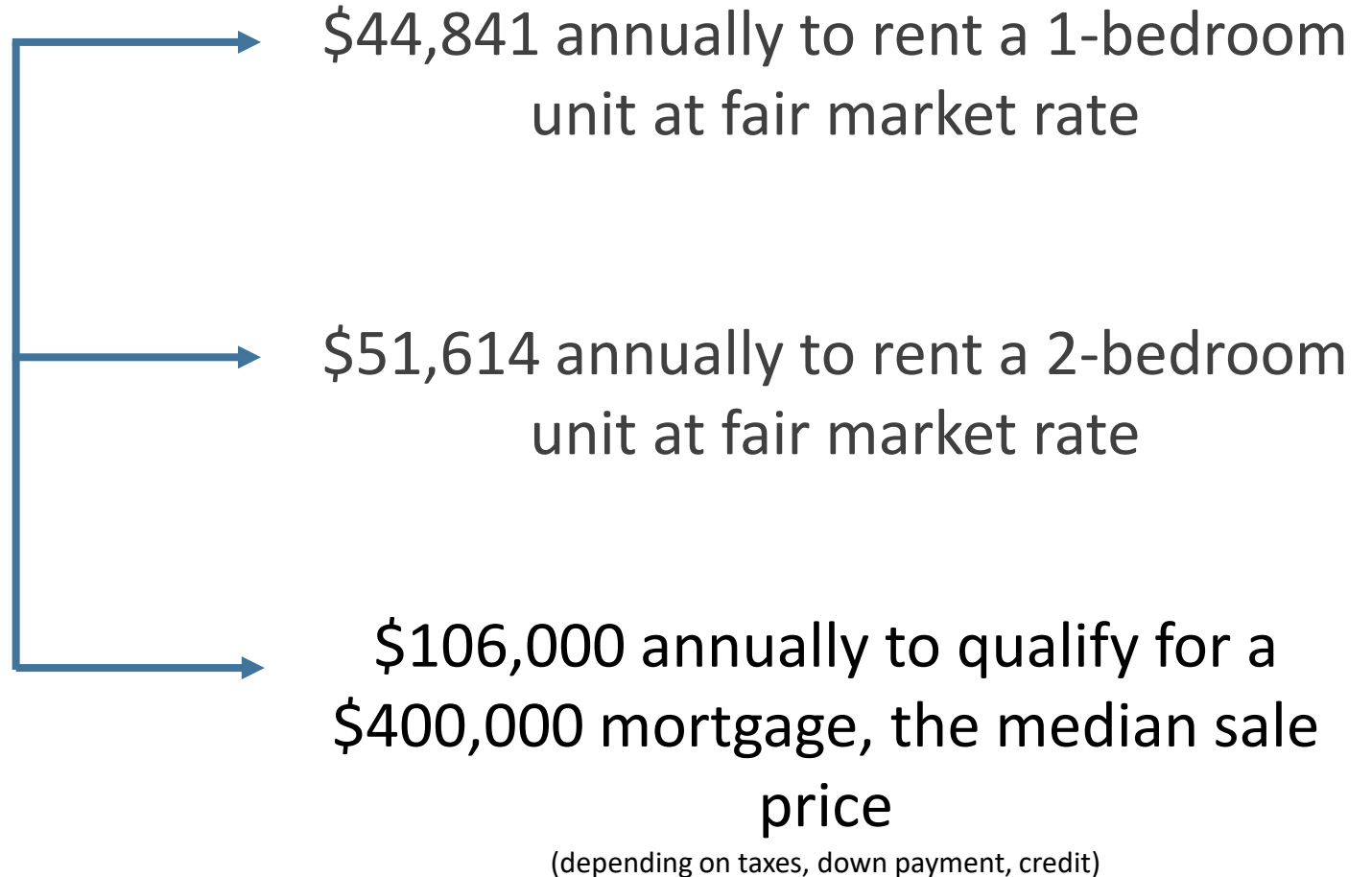
Tinicum Township
Poverty rate: 4%
Living on a survival budget: 25%

Buckingham Township
Poverty rate: 4%
Living on a survival budget: 13%

Warrington Township
Poverty rate: 3%
Living on a survival: 23%



Who is being priced out?



Who is being priced out?

EMTs- \$42,120 to \$48,000

Childcare workers: \$31,200 to \$47,840

Montgomery County Government- \$67,000 average employee salary

Police- \$57,689- \$59,289

Retail: \$35,360

Trades: Plumbing \$58,500, \$69,800 construction, \$56,418 electrician

Licensed Practical Nurse: \$56,160 to \$95,680

Special Ed teacher (Central Bucks) \$73,000

Independent restaurant owner (national): \$29,000- \$69,000



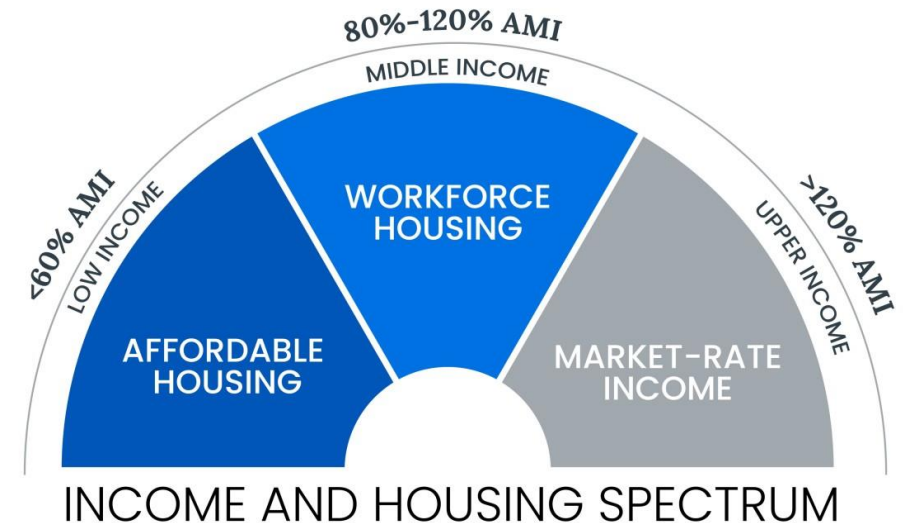
Key Definitions

Affordability: A total housing cost (rent/ mortgage + utilities) that is equal to 30% or less of a household's gross income

Area Median Income: The median household income by household size in a defined geographic area. Income brackets are defined against the median income, such as "60% of the area median income".

Affordable Housing: Housing that is maintained as "affordable" (using the measure above) for households earning about 60% or below of the Area's Median Income

Workforce or Attainable Housing: Housing that is maintained as "affordable" for households earning between 80- 120% of the Area Median Income





Support the
renter/
homeowner
directly



Lower the
cost of
development
& ongoing
expenses



Encourage
housing
diversity
through
zoning



Public
engagement
and
education



Strategies to Encourage Affordability

Strategies to encourage affordability:

Support the renter/buyer directly

Help first time and low-income buyers to purchase a home

- Cash grants or forgivable loans for closing costs or to lower the mortgage amount
- Lower rates for financing through special mortgage programs

Cash grants/ programs to renovate homes for homeowners who are low to moderate income

- Replacing roofs, heating systems, other deferred maintenance

Rental vouchers to lower the cost of a rental unit for a low-income renter

- Housing Voucher Program through local Housing Authority
- Rental programs through county/ state/ federal funding programs
- Utility payment programs to pay heating costs during winter season

Eviction prevention

- Legal counsel and/or rental assistance to prevent eviction from occurring
- Mediation prior to eviction

Strategies to encourage affordability:

Lower the cost of development & operations

Lowering the cost of buying land

- Community Land Trusts – deed restrictions on land
- Landbanks- purchase tax delinquent property and resell at lower rate
- Donations or reuse of public land, such as land owned by a church, municipality, or school

Lowering the cost of development

- Grants to purchase an existing property and rehab/ resell at an affordable rate
- Grants for new construction (county, state, or federal sources)
- Low interest loans for construction costs
- Government subsidy for ongoing operational costs (“project-based voucher” through the Housing Authority)
- Tax credits to finance the development of a property

Strategies to encourage affordability:

Encourage housing diversity through zoning

Township's comprehensive plan specifically discusses local goals for attainable/ affordable housing

Include more flexible zoning types

- Lowering density requirements and allowing more/ different kinds of development in specific areas
- Allowing for duplexes, triplexes, and accessory dwelling units

Encouraging or requiring affordability

- Require set asides for any development over a certain number of units or pay into a local affordable housing fund

Removing barriers that stagnate development

- Lowering parking requirements

Strategies to encourage affordability:

Public engagement and education

Educating local elected officials

- The need in their own community
- Full range of opportunities
- Specific strategies for matching the “look and feel” of the community with affordability measures

Educating the public

- Providing space for education and discussion before/ outside of a specific zoning request
- Engaging a broader swath of the public, especially those who are most in need of housing and least likely to engage in public processes (young families, renters, low- and moderate-income workers in the community)

Partnering effectively

- Working directly with county staff and nonprofit partners for data and resources
- Support with effective messaging and engagement strategies

What can managers do?



Know the data in your own community



Review your local comprehensive plan



Talk with your local Planning Commission and/or Housing Department