

AN ORDINANCE TO AMEND THE MILLERSVILLE BOORUGH CODE OF ORDINANCE, CHAPTER 380, ZONING, TO CHANGE THE TRADITIONAL NEIGHBORHOOD ZONING DISTRICT FROM AN OVERLAY DISTRICT TO A CONVENTIONALZONING DISTRICT, TO REVISE THE PROVISIONS FOR TRADITIONAL NEIGHBORHOOD DEVELOPMENT AND TO REVISE PROVISIONS FOR LIVE-WORK UNITS.

Under the authority and procedures of the Pennsylvania Municipalities Planning Code, the Borough Council of the Borough of Millersville, Lancaster County, Pennsylvania hereby adopts and enacts the following amendment to the Borough of Millersville Zoning Ordinance:

Section One. The Millersville Borough Code of Ordinance, Chapter 380, Zoning, §380-24, Zoning Map, is hereby revised to change the legend from the “Traditional Neighborhood Overlay District (Option)” to the “TN Traditional Neighborhood District.” The affected land areas are shown on the attached map labeled “Millersville Borough - Exhibit A - Draft Zoning Map Changes - October 2022,” which is part of this Ordinance Amendment. All references throughout the Zoning Ordinance to the “Traditional Neighborhood Overlay District” shall be changed to the “Traditional Neighborhood District.”

Section Two. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-21, Terms defined, shall be amended by inserting the following definition in alphabetical order:

LIVE-WORK UNIT. A dwelling unit that is also allowed to be used for certain business purposes by a resident of the dwelling and which meets the standards for the use in Section 380-34. A Live-Work Unit operates similar to a home occupation, except certain zoning provisions are more permissive than apply to a home occupation.

Section Three. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-22, Designation of districts and purposes, Subsection A, shall be amended by adding “TN Traditional Neighborhood District” to the list of districts.

Section Four. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-22, Designation of districts and purposes, Subsection C, Overlay districts, shall be amended to provide as follows:

- C. Overlay districts. The floodplain area, as defined by Article V, shall serve as an overlay district to the applicable underlying districts. The Historic Overlay District shall exist as described in §380-30. The Downtown District shall serve as an overlay district and exist as described in §380-30.1.

Section Five. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-22, Designation of districts and purposes, Subsection D, Purposes of each district, shall be amended by inserting a new Paragraph (9) which shall provide as follows:

- (9) TN Traditional Neighborhood District: See statement of purpose in §380-39.A.

Section Six. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-34, Additional requirements for specific principal uses, Subsection A, shall be amended by inserting a new Paragraph (20.1) which shall provide as follows:

(20.1) Live-Work Unit.

- (a) A Live-Work Unit is one building space that is used both for residential and for business space, such as for an office or an artist's studio. The business use shall be a use that is listed as permitted by right in the Zoning District. The unit shall be treated as a dwelling unit, except: (1) a sign shall be allowed meeting the requirements for the R-P district, and (2) minimum parking requirements shall also apply for the portion of the space that is used for business purposes if there are non-resident employees or customer traffic to the site.
- (b) If allowed in a Residential District, a minimum of 50 percent of the unit floor area shall be primarily used for residential purposes and a maximum of 3 persons shall work in the unit who do not reside within the unit.
- (c) The operator of the business in the unit shall also be a permanent resident of the unit.

Section Seven. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-29, shall be amended to provide as follows:

“§ 380-29 TN Traditional Neighborhood Development District.

A. Purposes. This district is primarily intended to:

- (1) Encourage new development to occur in a manner that will be consistent with the traditional patterns and scale of development and mix of uses that occurred in Millersville Borough before 1946;
- (2) Promote a mix of diverse but compatible types of neighborhood development;
- (3) Avoid development that would be inconsistent with the character of the community and could cause inefficient patterns of sprawled development;
- (4) Encourage a blending of recreation areas, preserved natural features, compatible institutional uses, and a mix of housing at a medium density, including housing intended to be affordable to middle-income persons;
- (5) Provide for reasonably safe and convenient pedestrian, bicycle and vehicle circulation, with an emphasis on avoiding conflicts between vehicles backing out of garages across sidewalks;
- (6) Encourage persons to live, work, shop, attend religious services and enjoy recreation within the Borough;
- (7) Encourage the creation of a sense of place, feelings of belonging and a community spirit that promotes social interaction and volunteerism;
- (8) Encourage the location of places of worship and other principal non-residential uses with distinguished architectural features at prominent locations around a central commons, to serve as a focal point for the development; and
- (9) Serve the purposes for Traditional Neighborhood Development (TND) as listed in the Pennsylvania Municipalities Planning Code, as amended (MPC).

B. District. Under the authority of the MPC, any new principal use or principal building within the TN District shall be in the form of a TND, except that the land in the TN District may also be used for:  
a) agricultural uses under the same regulations as would apply within the R-1 district, b) accessory

uses that are customarily accessory under the R-1 district regulations, or c) publicly-owned or publicly-operated recreation areas and facilities.

C. Master Plan for a TND.

- (1) Before any lot is subdivided or zoning permit is issued for a new principal use, the applicant shall submit an overall Master Plan for conditional use approval. Such Master Plan shall plan at a concept plan stage for all adjacent land owned, equitably owned or otherwise controlled by the applicant, even if all of the land is not currently proposed for development. If the applicant's land extends into an adjacent municipality or zoning district, then it is requested that the Master Plan also show such area to plan for a coordinated road and infrastructure system.
  - (a) If a TND exists, is proposed or has been approved on an adjacent tract, then the Master Plan shall be coordinated with that adjacent land.
  - (b) The land for the TND shall be under control or equitable ownership by a single entity at the time of approval of the Master Plan. However, an individual phase of development may be constructed by a separate entity, provided there is compliance with the Master Plan, and provided that the phasing lines, timing of improvements, and responsibilities to complete improvements by each entity are clearly defined and approved under the Borough SALDO, and provided that the applicant proves that each phase will be able to properly function if later phases are not completed.
- (2) The overall Master Plan shall show proposed streets, alleys, cartway widths, lots, common open spaces, recreation areas, major pedestrian and bicycle pathways, parking areas, major detention basins and proposed types of housing and non-residential uses. The Master Plan is intended to be similar in detail to what is commonly termed a "sketch plan." The Master Plan is not required, for the purposes of these zoning district regulations, to meet the minimum submission requirements for a preliminary or final subdivision/land development plan, which shall submitted later in the process.
  - (a) An applicant may voluntarily submit a preliminary subdivision or land development plan at the same time as a conditional use application and thereby have the conditional use application be considered during a time period that overlaps with review and approval of the subdivision or land development plan.
- (3) The Master Plan and application for the traditional neighborhood development shall be reviewed by the Borough Planning Commission and require approval by the Borough Council as a conditional use. Once conditional use approval is granted for the traditional neighborhood development, then individual lots may be submitted for approval under Chapter 325, Subdivision and Land Development, and allowed uses may occur as permitted-by-right uses, provided that the lots and uses comply with the approved Master Plan.
- (4) Plan Revisions. If the Zoning Officer determines that a zoning or subdivision application represents a significant divergence from the approved Master Plan, then the differences in the Master Plan shall need conditional use approval. However, the Zoning Officer may permit minor deviations from the Master Plan, without needing a second conditional use approval, if the applicant proves to the Zoning Officer that such differences are minor changes that do not affect zoning ordinance matters and do not adversely affect matters of public concern. Examples of minor deviations include adjustments in street alignments and detention basin designs to reflect more detailed engineering.
- (5) Other Requirements. All other requirements of this chapter and other Borough ordinances shall apply within the TN District, except for provisions that are specifically modified by this

§ 380-29.

- (6) Traffic Impact Study. As part of any conditional use application for a project that is expected to generate more than 500 additional trips per day on public streets, a Traffic Impact Study shall be provided by the applicant at the time of conditional use submittal. The study shall be completed by Registered Professional Engineer with substantial experience in transportation planning and traffic engineering. The study shall estimate anticipated impacts upon levels of service of adjacent streets from the proposed development, after considering any improvements or mitigation measures that are proposed to be funded by the applicant. The study shall also analyze traffic safety issues, including crash data along adjacent streets. The study shall also consider bicycle and pedestrian access. The traffic counts must be conducted during weeks when Millersville University and Penn Manor public schools are both in session. The Traffic Impact Study shall meet published standards of PennDOT for a Traffic Impact Study that would apply as if there was an application for a Highway Occupancy Permit.

D. Overall requirements. Conditional use approval shall be granted for a TND only if the applicant proves that the following minimum requirements will be met, in addition to other applicable Borough requirements:

- (1) The Borough Council shall have the authority to determine whether any pre-existing stub streets will be extended into the new development, or whether they will be limited to emergency vehicles, pedestrians and bicyclists. Streets shall be interconnected within the development.
  - (a) The development shall include a park that is open to the public during at least daylight hours (a "Commons"), and that has at least one allowed non-residential use facing onto the park. See subsection F.2. below regarding the Commons.
  - (b) A cul-de-sac shall be permitted only where the applicant proves that there are no feasible alternatives. Street linkages shall be provided to allow connections with future phases of development or adjacent undeveloped tracts. Where direct street access is not practical between two areas, then the Borough Council may require the provision of bicycle and pedestrian access using an easement.
- (2) A minimum of 60% of the principal residential buildings shall include a front door accessing onto an unenclosed front porch with a minimum depth of six feet and a minimum length of nine feet. Such porch shall be covered by a permanent roof. Such porch shall not be enclosed along the front or sides that are not abutting the walls of the dwelling, but may include screening to keep out insects and movable blinds.
- (3) As a condition of conditional use approval, the applicant shall prove that proper site planning and architectural design will be used to minimize visual impact of garages and garage doors as viewed from the front of the lot. The placement of garages along rear or side alleys or to the rear of the lot with a side driveway is encouraged. A vehicle garage shall not be located with a setback from the front lot line that is more than 5 feet closer than the living quarters of the dwelling are located from the front lot line. On-street parallel parking may be approved along an alley under other provisions of this § 380-29.
  - (a) Garage doors shall not make up more than 50% of the front street level of the primary facade of a dwelling. A garage entering onto the side of a dwelling shall be allowed, even if it faces a street.
  - (b) If the Zoning Hearing Board should grant a variance to this Subsection D(3), then the minimum lot width should be required to be increased as a condition of the variance, to prevent the majority of the front yard from being covered by paving.

- (c) All streets and alleys shall have a right-of-way, whether public or private.
- (d) See Subsection I of this section, which allows on-street parking to be counted towards off-street parking requirements. To the maximum extent feasible, vehicle parking, carports and garages shall be placed to the rear or side of lots, preferably with rear or side access. For example, the following alternative methods of providing parking are permitted and encouraged:
  - [1] A rear landscaped shared parking court or shared carport structure;
  - [2] Detached rear garages or rear individual parking pads or side-entry garages accessed from alleys or side driveways, with such driveways being of minimal width within the front yard;
  - [3] Decks built extending over attached garage driveways; or
  - [4] A landscaped shared parking court connected to a street, provided that parked vehicles do not need to back out onto a through street, and provided that all paving is set back a minimum of 25 feet from any dwelling (other than a front porch).
- (e) If driveways pass through the front of the lot (such as to reach detached rear garages), then it is encouraged to place driveways of adjacent dwellings immediately adjacent to each other. This would allow the driveway on each lot to be more narrow than would otherwise be possible. However, each property owner shall still be responsible for their own half of the driveway, and each half shall be wide enough to allow a passenger car to travel on each lot.
- (4) No principal building shall have the appearance of a flat roof or butterfly roof, as viewed from the street, except that a flat roof may be approved as part of a conditional use approval for townhouses or connected commercial buildings if the buildings have a decorative cornice. Significant roof pitches and variations in rooflines are specifically encouraged.
- (5) Sidewalks shall be provided along both sides of each street.
- (6) See Subsection F. of this section concerning common open space.
- (7) Commercial. Allowed commercial uses and their parking areas shall occupy a maximum of 12 percent ~~5%~~ of the total land area of the TND. If a parking area serves a mix of uses, the portion of the parking area that is required to serve the commercial uses shall be counted within the maximum commercial land area.
- (8) Perimeter Setback. The only principal buildings that shall be located within 150 ~~100~~ feet from the lot line of a single-family detached dwelling that existed as of January 1, 2022 shall be new single-family detached dwellings. Any proposed new principal commercial building and its parking area shall be setback a minimum of 250 feet from the lot line of any single family detached dwelling that existed as of January 1, 2022.
- (9) Any alleys shall be designed to discourage through traffic. All streets and alleys, whether public or private, shall be constructed to the same roadbed construction standards as would apply to a public street within the Borough.
  - (a) Alleys shall have a minimum paved width of 10 feet if serving one-way traffic and 14 feet if serving two-way traffic. Additional width shall be required if any parallel parking is provided. The right-of-way for an alley shall be at least four feet wider than the cartway.
  - (b) If the Borough does not agree in advance to accept dedication of alleys, they shall be maintained by a legally-binding homeowners' association.
- (10) New streets shall be sufficient in width to allow on-street parking along at least one side of each street and to provide room for bicycle riding, unless a separate bicycle pathway is provided.
- (11) Any commercial uses that are developed should be located adjacent to a central commons or

other community focal point. One or more prominent sites adjacent to the central commons should be proposed for a principal non-residential use. The conditional use approval for the TND may list a range of allowed business uses within approved business areas, to allow a developer with reasonable flexibility to attract different uses.

- (12) Public transit. An applicant for a TND shall provide evidence that he/she has contacted the provider of public transit services and requested the provision of service to the development once it is significantly complete. If public transit service is intended to eventually be provided, the applicant shall show that provisions have been made for convenient public transit stops and shelters. Any shelters should also be designed to be suitable for use as school bus stops.
- (13) Streetlights. The applicant shall install streetlights meeting minimum requirements of the Borough and the electric provider. Such streetlights shall be of sturdy construction, decorative design, be dark in color (such as black, dark gray or dark green), and have a maximum total height of 25 feet.
- (14) The applicant shall establish legally enforceable provisions controlling the styles of architecture, rooflines and the exterior materials in such a manner as to replicate the best features of pre-1946 architecture. Such provisions shall be prepared by a registered architect and be provided to the Borough in writing. At a minimum, such provisions shall address front porches, roof pitches, restrictions on flat roofs unless there is a decorative cornice, variations in rooflines, locations of vehicle garages, and prohibitions on blank walls along a street. Such provisions shall not be designed to require excessive uniformity in design nor to restrict home purchasers to a single design, but instead to encourage high-quality design with a consistent character. A process shall be established by the applicant to enforce such provisions, to approve reasonable modifications, and for the review of proposed exterior architectural plans, such as by establishing a Design Committee.
- (15) The TND shall include a pedestrian and bicycle pathway system. The pathway system shall connect common open spaces and other major destinations.
- (16) The applicant shall provide evidence that there is sufficient room for fire apparatus to negotiate the streets within the development. This shall include showing that there is sufficient turning radii for fire apparatus in locations where the trucks are likely to need to turn. This requirement shall not apply to approved alleys.

E. Allowed uses.

- (1) The following uses shall be allowed within an approved TND, provided that all the uses are consistent with the overall Master Plan that was granted conditional use:
  - (a) Single-family detached dwellings.
  - (b) Twin dwellings, side by side, with each dwelling on its own fee-simple or condominium lot.
  - (c) Townhouses, with each dwelling on its own fee-simple or condominium lot.
  - (d) Places of worship.
  - (e) Public transit or school passenger shelters.
  - (f) Libraries and museums.
  - (g) Child or adult day-care as a principal use meeting § 380-34, or as an accessory use meeting § 380-35.
  - (h) Nursing home or assisted-living/personal-care center, which shall not exceed 20% of the total tract area of the development.
  - (i) Offices.
  - (j) Meeting facility for a membership club.
  - (k) Retail store with a maximum floor area per establishment of 5,000 square feet. Restaurant,

brewpub, micro-distillery, urban winery, meadery, art gallery, retail bakery, crafts or artisan's studio, financial institution or personal service use, with each establishment limited to a maximum floor area of 6,500 square feet. Storage areas that are not accessible to customers shall not count towards the maximum floor area. Drive-through facilities being prohibited in all cases.

- (l) Exercise club or bed-and-breakfast inn with a maximum of 20 guest rooms.
  - (m) Apartment dwellings shall only be allowed on a floor above an approved commercial use, within the same building. The number of apartment dwellings shall be regulated within the total allowed density of the tract.
  - (n) Public recreation areas and facilities, a community center for residents or the general public, or non-commercial recreation facilities for the residents and their invited guests.
  - (o) Live-Work Units meeting the requirements of Section 380-34, provided that the locations of the Live-Work Units shall be designated on the approved Master Plan.
  - (p) An approved dwelling unit may be used as a Group Home, under the same regulations as would apply within the R-1 district.
  - (q) Model homes for sales, which shall be designed to be eventually used as regular dwellings, and a rental and management office.
- (2) The allowed business uses shall be clustered together in an arrangement that is similar to a historic main street, with shared off-street parking and with on-street parking. No outdoor business storage shall be permitted.

F. Common open space.

- (1) A minimum of 25% of the total lot area of the tract shall be permanently preserved as common open space. The common open space shall meet the definition of "open space, common" in § 380-21. This open space requirement shall be in place of any recreation land or fee requirements in Chapter 325, Subdivision and Land Development. A landscaping and tree preservation plan for the common open space shall be prepared by a registered landscape architect.
- (2) If a TND involves 30 or more dwelling units, then some or all of the required common open space shall be provided within at least one central commons.
  - (a) Any required central commons shall have a minimum lot area of 0.5 acre. The majority of the central commons shall be planted so as to eventually result in a canopy of deciduous trees over areas of the commons that are not planned for active recreation.
  - (b) Any required central commons shall have a minimum width and minimum length of 60 feet.
  - (c) The central commons shall include benches of durable construction and pathways. Pathways should include decorative materials, such as paving block or patterned concrete.
- (3) Stormwater detention basins and drainage channels shall not be used to meet the minimum common open space requirements, except for areas that the applicant proves to the satisfaction of the Borough Council would be able to be attractively maintained and be reasonably dry and usable for recreation during storms less severe than a five-year storm. As part of the conditional use process, a stormwater retention basin may be approved to be part of the required open space if the applicant proves it will be designed to serve as an attractive scenic feature with landscaping and pathways around it.

G. Dimensional requirements. See bonuses permitted under Subsection G(9) below.

- (1) Single family detached dwellings:\*\*
  - (a) Minimum lot area: 6,000 square feet.
  - (b) Minimum lot width at the minimum building setback line: 40 feet.
- (2) Twin dwelling unit:\*\*
  - (a) Minimum lot area: 5,000 square feet.
  - (b) Minimum lot width at the minimum building setback line: 30 feet.
- (3) Townhouse dwelling unit:\*\*
  - (a) Minimum lot area: 2,000 square feet.
  - (b) Minimum dwelling unit width at the front of the enclosed dwelling unit: 20 feet.
- (4) Principal nonresidential use (a lot may include more than one allowed nonresidential use):
  - (a) Minimum lot area: 12,000 square feet.
  - (b) Minimum lot width at the minimum building setback line: 70 feet.
- (5) Maximum coverage for all uses,\*\* per lot:
  - (a) Maximum building coverage: 55%, except 80% for a townhouse lot.
  - (b) Maximum impervious coverage: 70%, except 90% for a townhouse lot. For every 500 square feet of horizontal building roof that is covered by active solar panels or a vegetated green roof, the maximum impervious coverage on that lot may be increased by 100 square feet.
- (6) Building setbacks for principal buildings\*\* (along a street, minimum yards shall be measured from the proposed right-of-way):
  - (a) Front or side yard from a local street: minimum 10 feet; maximum 25 feet.
  - (b) Front yard or side yard from a collector street: minimum 10 feet; maximum 30 feet.
  - (c) Any yard from an arterial street: minimum 50 feet.
  - (d) The minimum setback shall apply to the front of an unenclosed front porch. The maximum setback shall apply to the front of the actual enclosed principal building.
  - (e) Side yards: minimum five feet each. Each twin dwelling unit shall have one side yard, while a side yard shall be required for each end townhouse unit. For a detached building, it is encouraged to make one side yard wider than the other to allow wider use by the residents of the larger side yard and/or to provide for a side driveway to rear parking.
  - (f) Rear yards: minimum 35 feet. However, if shown as part of the approved subdivision plan creating the lot, then an attached or detached garage may have a rear yard of 5 feet from an alley. This arrangement may include a garage adjacent to an alley, with a breezeway or similar structure connecting the dwelling to the garage, and with an outdoor area between the dwelling and the garage.
  - (g) See exceptions for setbacks in § 380-57.
  - (h) For accessory structures: the provisions of the R-2 district shall apply.
  - (i) Principal buildings fronting on the same block shall line up to form a consistent setback.

\*\* NOTE: In place of individual fee-simple lots meeting these dimensional requirements, an applicant may choose to utilize a condominium form of ownership. In such case, the lots shall be laid out so that the dimensional and coverage requirements would be met. However, the actual lot lines do not need to be legally established.

- (7) Parking setback. No parking area of five or more spaces shall be located within 30 feet from a contiguous lot line of an existing dwelling on another lot that is outside of the TND.
- (8) Maximum overall density based upon "buildable area". The maximum overall density of the TND shall be determined as follows, as calculated in acres (and decimals):



- (a) Start with the total land area of the development tract, after deleting existing rights-of-way of existing streets.
- (b) Delete land area within lots of non-residential principal uses from Subsection G(8)(a).
- (c) Delete 50% of the area of lands with a natural slope over 25% from Subsection G(8)(b).
- (d) Delete 25% of the area of lands with a natural slope of 15 to 24.9% slope from Subsection G(8)(b).
- (e) Delete 50% of the area of lands within the one-hundred-year floodplain from Subsection G(8)(c).
- (f) Multiply the resulting acreage by four dwelling units per acre to result in the maximum number of permitted dwelling units within the development. See bonuses in Subsection G(9) below.

NOTE: This method of calculating density does not require the deletion of stormwater detention basins, shared parking areas, new streets, new common recreation areas, new alleys or similar features. Therefore, the actual density that could be achieved on a net piece of land would be higher than four dwelling units per acre.

(9) Density bonuses.

- (a) As an option to the applicant, the Borough Council, as part of the conditional use approval, may approve the following increases in the maximum density provided in Subsection G(8) above.

[1] The maximum density may be increased by a maximum of one additional dwelling unit per acre if the applicant agrees to restrict occupancy of 100 percent of the dwelling units to at least one person age 55 and older, and with no person under age 18 residing in the dwelling unit for more than 30 total days in any calendar year.

[2] The maximum density may be increased by a maximum of one additional dwelling unit per acre if the applicant proves to the satisfaction of the Borough Council that the architectural standards required by subsection D(15) above will result in an exceptional level of building, design and that additional standards will result in an exceptional level of community and streetscape design.

[3] The maximum density may be increased by a maximum of one additional dwelling unit per acre if the applicant commits to construct substantial non-commercial recreation facility improvements, an indoor community center and landscaping beyond the amounts of landscaping and improvements that would otherwise be required. The market value of the additional recreational improvements, community center and/or landscaping improvements shall exceed a minimum of \$20,000 per each additional dwelling unit that is allowed. The recreation facilities and community center shall at a minimum be available to all residents of the TND.

[4] The maximum density may be increased by a maximum of one additional dwelling unit per acre if the applicant agrees to commit to build a new collector road as shown on the Comprehensive Plan that provides an alternative route to Millersville University, as shown on the Borough Comprehensive Plan Map. The exact alignment of the road may differ from the Comprehensive Plan Map, provided that it serves the intended purpose. The new road shall also be accompanied by a pedestrian and bicycle trail that provides the same access.

[5] In no case shall the density bonuses provided in this Section result in a maximum density exceeding six dwelling units per acre of buildable area, based upon the calculation provided in subsection G(8) above. However, such maximum density shall be increased to seven dwelling units per acre of buildable area for a TND located

south of Cottage Avenue. If any of the density bonuses in this subsection G(9) are approved, then the following reductions in minimum lot areas shall be permitted:

- [a] From 6,000 to 4,800 square feet for each single-family detached dwelling.
- [b] From 5,000 to 4,000 square feet for each twin dwelling unit.
- [c] From 2,000 to 1,800 square feet for each townhouse dwelling unit.

(10) Maximum building height: 40 feet or three stories, whichever is more restrictive. See exceptions in § 380-56 and definition in § 380-21.

- H. Landscaping and street trees. See § 380-58. A grass strip with a minimum width of five feet shall be provided to accommodate street trees between the curb and the sidewalk, unless an alternative location for street trees is specifically approved by the Borough. Areas that are between the dwelling and the street curb and that are not used for approved sidewalks shall be maintained in a vegetative ground cover and landscaping. A minimum of one deciduous street tree shall be required for an average of each 50 feet of street frontage. The site design of a traditional neighborhood development shall carefully consider and maximize the preservation of existing healthy attractive trees with a trunk width of six inches or more at a height of 3.5 feet above the ground level.
- I. Parking incentive. If a parking area is shared by 3 or more principal business uses, the minimum number of parking spaces may be reduced by 10 percent. As part of the conditional use process, the Borough Council may allow further reductions in the required number of parking spaces if the applicant proves that there will be different peak periods of demand among the businesses and residences that share a parking area. An applicant may meet a maximum of 50% of the off-street parking space requirements for each abutting business or dwelling unit by counting on-street spaces parallel to the curb along a local street or along an alley. This provision shall be permitted only:
  - (1) For spaces along the same side of a street along curb that is directly contiguous to the set of lots being served, or a new alley within a TND, and provided that the spaces are within 200 feet of each dwelling or business they serve; and
  - (2) If the applicant proves to the satisfaction of the Borough Council that the street or alley would be sufficiently wide to allow the parking and that there are no unusual safety hazards involved, compared to typical on-street parking at other locations; and
  - (3) If the applicant proves that such number of parking spaces could be legally accommodated along the street or alley, considering the locations of driveways, fire hydrants and street corners.
- J. Design controls. The applicant shall submit a written statement of the proposed substance of deed restrictions or similar controls that would affect matters addressed in this chapter.
- K. Association provisions. If applicable, a draft set of homeowners' association or condominium association provisions shall be submitted for legal acceptance by the Borough Solicitor prior to recording of the final subdivision plan.
- L. Street standards. As authorized by the TND provisions of the MPC, the Borough Council shall have the authority to modify specific street requirements of Chapter 325, Subdivision and Land Development, to result in a development that is pedestrian-oriented and that promotes low-speed traffic.
  - (1) For example, the Borough Council may approve reduced street cartway widths, street right-of-way widths and street curve radii.

- (2) The applicant shall submit a request for modifications in writing, which shall state the reasons why the modification would be consistent with the purposes for a traditional neighborhood development as stated in this chapter and the MPC and would be in the public interest while protecting public safety.

M. Access controls. As part of the conditional use process, the applicant shall prove that the development involves a fully coordinated interior traffic access system that minimizes the number of streets and driveways entering onto a state highway.

- N. Signs. For a development within the TN District, the following sign requirements shall apply:
- (1) A Live-Work Unit shall meet the sign requirements that would apply within the RP district.
  - (2) Areas approved for principal commercial uses shall meet the sign requirements that would apply within the NC district.
  - (3) All other areas and uses shall meet the sign requirements that would apply within the R2 district.”

Section Eight. The Millersville Borough Code of Ordinances, Chapter 380, Zoning, §380-30.1, Downtown District, Subsection B, Definitions, shall be amended by deleting the definition of Live-Work.

Section Nine. All other sections, parts and provision of the Code of Ordinances of Millersville Borough shall remain in full force and effect and previously enacted and amended.

Section Ten. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance or other sections of the Code of Ordinances that were not declared to be invalid or unconstitutional.

Section Eleven. Effective Date. This Ordinance is hereby adopted and ordained by the Borough Council of the Borough of Millersville, and shall become effective immediately after adoption.

This Ordinance is hereby ENACTED and ORDAINED this  
\_\_\_\_\_ date of \_\_\_\_\_, 2023.

ATTEST:

**BOROUGH COUNCIL OF THE BOROUGH OF  
MILLERSVILLE**

\_\_\_\_\_  
Borough Secretary

\_\_\_\_\_  
President

\_\_\_\_\_  
Mayor