

# Marshall Township – Steering Committee Meeting #4 Memorandum

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**Project** Marshall Township Ordinance Update

**Date** January 24, 2024

**From** Nick Sisco, AICP, GISP – Michael Baker International

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## General Zoning Updates

Nicole Hanson and Kathy Wyrosdick have worked collaboratively through a number of work sessions to reformat and update all of the Articles of the Zoning Ordinance. A completely new format is being used for the new ordinance that will help make it easier to find information and for any future updates. You can view the format and how the existing sections are being reorganized in the New Zoning Tracker which is attached to this email.

To date, Articles regarding General Provisions (Art. 100), Districts (Art. 200/300), Uses (Art. 400), and Procedures (Art. 800) have been drafted. The new District section includes an updated Table of Permitted Uses and Accessory Uses which reflects use terminology that is up to date with more modern and best practice terminology. A copy of the Use Matrix is also attached for your review. The Use Matrix is a tool used to track which Uses are Permitted, Conditional, or Not Permitted in each district. We will continue to draft Articles 500 – General Regulations, Article 700 – Signs, and Article 900 – Definitions over the next few months.

## CR District

In keeping with the Township’s Comprehensive Plan, the intent of changes to this district is not to introduce any drastic departure from the development pattern or landscape of the area; it is to further enhance the remarkable natural space preservation the Township has achieved through the cluster option, considering the opportunities and constraints on remaining large developable tracts. Adjustments to this district, as well as those in other sections of the ordinance made with this district in mind, will strengthen protections for trees, intensify vegetated screening and diversify permitted housing types without intensifying base density. Considerations include:

- Adding a 10-acre minimum for cluster subdivisions
- Retaining the original cluster option (single-family detached dwellings only, greenway land minimum 40% of adjusted tract area plus constrained land)
- Introducing two new cluster options (mixed cluster and housing variety configurations) that permit a wider variety of housing types in exchange for enhanced greenway preservation at **neutral density**

- Minor dimensional adjustments – for example, front setback reduction from 30' to 25' in CR, 20' from 25' in SR, adding dimensions applicable to new housing types

### 910 Overlay

A new transitional overlay will address the changing interplay of traffic and land use along Route 910 between Mingo Road and Davidford Drive. This overlay will likely include a northern and southern component to provide enhanced buffering for residential neighbors. The overlay will require a large minimum lot area for commercial or multi-family uses (that will likely require parcel assembly), as well as access management, such as design of a rear access road. For instance, development on the southern side would likely require a single access point and access road with a traffic light at the intersection. Additionally, building design and performance standards, including buffering and screening for noise, light and viewshed, will apply. The application of these standards may translate to a slower redevelopment timeline; however, they are critical to improving traffic conditions and mitigating the impacts of transition on surrounding property owners and residents. Zoning changes cannot reduce the existing volume of traffic along 910, but they can shape future conditions.

*(Note: There was a suggestion to change the base district to MDR. We recommend applying the overlay to the existing base district(s) in order to apply the design standards, access management, buffering, etc. to all development/redevelopment beyond what's permitted now.)*

Here are some statistics on the segment of Route 910 (Mingo to Davidford) that we are using to inform the policy decision of creating an overlay: Route 910 experiences an annual average daily traffic (AADT) count of 17,350. AADT is calculated by taking total number of trips the segment sees in a year and dividing them by 365. You can check traffic counts using PennDOT's online tool called the [Traffic Information Repository \(TIRe\)](#). Every few years or so, PennDOT will take traffic counts at certain locations. This method of gathering data about certain points along a road segment is called a Traffic Management System (TMS). [The TMS report](#) for this section of Route 910 shows an increase of ~5,000 trips (33% increase) in the last 30 years. This trend is expected to increase as the North Hills communities and industries continue to grow.

PennDOT is currently resurfacing 910 from the I-79 interchange to Gibsonia for a total of \$8.4 million. [Here](#) is the one-page report. You can find the interactive Construction Map [here](#). It is safe to assume that PennDOT will not be adding a turn lane or a traffic signal in this area unless the land uses in the area change or there are fatalities (from 2013 to 2022 there have been 51 crashes along this stretch of 910 with zero fatalities; data queried from [this source](#)).

Using the Institute of Transportation Engineers (ITE) Trip Generation Manual 10<sup>th</sup> Edition, one of Michael Baker's traffic engineer was able to provide estimates on the number of trips generated by some of the land uses we are considering for this area (and a few for comparison). Trip estimations are a product of a formula based on traffic studies. The square footage of the land use in question is one of the factors that determines the number of trips generated. Below is the table with estimated daily trips, percent traffic increase, and AM/PM peak hour trips. All values were rounded up to the nearest whole number. Please note that even a use that would potentially generate the highest number of trips would only increase traffic by 3% of the existing daily traffic along this road. The team is considering traffic generation figures to make final recommendations on use and footprint.

Land Use	Assumed SQFT	Assumed Units	Estimated Daily Trips	Percent Increase to		
				Existing Traffic	AM Peak hour trips	PM Peak hour trips
Medical-Dental Office Building	2,500	n/a	87	0.50%	7	9
Coffee/Donut Shop without Drive-Through Window	1,000	n/a	550	3.17%	102	37
Fast Casual Restaurant	5,000	n/a	405	2.33%	11	71
Quality Restaurant	5,000	n/a	420	2.42%	4	39
High Turnover Sit Down Restaurant	5,000	n/a	561	3.23%	71	87
Hair Salon	2,500	n/a	27	0.16%	4	4
Bakery, Bagelry, Donut Shop	1,000	n/a	443	2.55%	71	28
Townhomes	n/a	30	186	1.07%	14	17

### Heritage Tree Ordinance

The project team has been investigating heritage tree ordinances across the commonwealth for potential adoption in Marshall Township.

Here are some ordinances we have researched in Pennsylvania:

- [West Chester](#)
- [Lower Makefield](#)
- [Whitemarsh](#)

Some municipalities will adopt national or state registries of heritage trees if there are any nationally recognized trees in their community. Because Marshall does not have a Township Arborist, it could adopt the PA Champion Trees Program as its de facto arborist. Citizens could go through that judiciary process to have their trees recognized by the PA Champion Trees organization and then subsequently protected in the Township. It should be noted that municipalities will also offer development fee discounts for the preservation of heritage trees.

Essentially, the issue of preserving heritage trees in Pennsylvania abuts the private property rights of an individual and the rights to harvest timber on one's land outlined by the PA Municipalities Planning Code, (MPC) Article VI, Section 603, paragraph F.<sup>1</sup> A municipality cannot simply enact an ordinance that protects all trees over a certain breast height diameter in perpetuity without infringing on the property rights mention above. Therefore, the solution lies with the *current* property owners to protect their large trees.

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<sup>1</sup> MPC Article VI, Section 603, Paragraph F; "Zoning ordinances may not unreasonably restrict forestry activities. To encourage maintenance and management of forested or wooded open space and promote the conduct of forestry as a sound and economically viable use of forested land throughout this Commonwealth, forestry activities, including, but not limited to, timber harvesting, shall be a permitted use by right in all zoning districts in every municipality."

### Screening/Bufferyard/Landscaping Visual Preference Survey

The committee was sent a [visual preference survey](#) alongside this memo showing potential options of what an updated landscaping requirement could look like. The intent of this survey is to familiarize the committee with “meadowscaping” (the industry best practice for establishing native landscapes) and to garner feedback from the committee on what types/styles of landscapes are appropriate for the entrances of developments in Marshall Township.

Marshall Township lies within an ecoregion called the [Pittsburgh Low Plateau](#). Its natural landscapes are primarily Appalachian oak forests and mixed mesophytic forests (temperate forests that are neither too dry or too wet with many undergrowth species of perennials, fungi, ferns, etc.) nestled in rounded hills and narrow valleys. Understanding Marshall’s ecoregion and [hardiness zone \(6b\)](#) determines which flora species are suitable for planting.

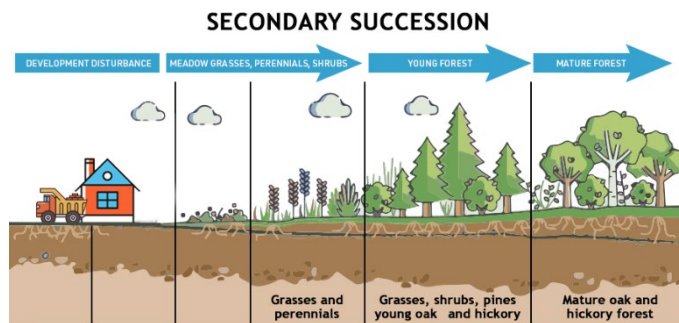


Figure 1: Graphic Showing How Secondary Forest Succession Works

The way that this project can help reestablish the native landscape of Marshall Township and to integrate the built and natural environments is to permit a landscaping requirement that would begin the secondary succession process with desirable, native species. Secondary succession is a type of ecological process in which plants and animals recolonize a habitat after a major disturbance such as a devastating flood, wildfire, landslide, or human activity (e.g., farming or building construction).

Meadowscaping is the planting native species in natural drifts rather than neat rows. This provides the community a low-maintenance landscaping solution that is environmentally friendly and ecologically productive. These neighborhood entrances could provide habitat for pollinators and other fauna, allow for greater stormwater capture, nutrient cycling, soil formation, and promote a more natural aesthetic. While this is an industry best practice, it should be noted that the forest succession process takes considerable time. Trees reach maturity at different rates (some species only need 10 years, others need 30 to 40 to reach their mature height).

While we are still working on finalizing the list of recommended plant species, the following list of invasive/non-native species in the [current ordinance](#) will be removed:

- Small Trees for Partial Screening:
  - Russian-olive
  - Goldenrain tree
  - Carolina cherry laurel
  - Callery pear
  - Bradford pear
- Large Trees for Shading:
  - Norway maple

- Small Shrubs for Evergreen Screening:
  - Warty barberry
  - Wintergreen barberry
- Large Shrubs for Evergreen Screening:
  - Japanese privet
- Assorted Shrubs for Broken Screens:
  - Japanese barberry