

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWNSHIP OF SPRING, BERKS COUNTY, PENNSYLVANIA, AMENDING THE TOWNSHIP OF SPRING ZONING ORDINANCE OF 2015, ORDINANCE NO. 415 OF 2015 (CHAPTER XXXII ENTITLED “ZONING” OF THE CODE OF ORDINANCES OF THE TOWNSHIP OF SPRING), AS AMENDED, BY: (1) AMENDING SECTION 202 ENTITLED DEFINITIONS OF PART 2 ENTITLED “DEFINITIONS”, TO (a) AMEND THE FOLLOWING DEFINITIONS: “BEVERAGE DISTRIBUTOR”, “CENTRAL GREEN”, “DWELLING”, “RETAIL STORE” AND “SHOPPING CENTER”; AND (b) ADD THE DEFINITION OF “GROCERY STORE”; (2) AMENDING SUBPART (B), ENTITLED “ADDITIONAL REGULATIONS”, OF SECTION 324, ENTITLED COMPLIANCE AND PERFORMANCE STANDARDS FOR CERTAIN PRINCIPAL USES”, OF PART 3, ENTITLED “ZONING DISTRICTS AND REGULATIONS, BY: (a) AMENDING SUBSECTION (35), ENTITLED “CONVENIENCE STORE”, IN ITS ENTIRETY; (b) AMENDING SUBSECTION (44), ENTITLED “GARDEN APARTMENTS OR SINGLE-FAMILY ATTACHED DWELLINGS (TOWNHOUSES) IN ITS ENTIRETY; AND (c) AMENDING SUBSECTION (65), ENTITLED “MIXED-USE DEVELOPMENT”; AND (3) AMENDING TABLE 7.1, ENTITLED “OFF-STREET PARKING REQUIREMENTS”, SET FORTH IN SECTION 701, ENTITLED REQUIRED NUMBER OF OFF-STREET PARKING SPACES”, IN ITS ENTIRETY.

NOW THEREFORE BE IT ENACTED AND ORDAINED by the Board of Supervisors of the Township of Spring, Berks County, Pennsylvania (“Township of Spring”) and it is hereby enacted and ordained by the authority of the same as follows:

SECTION 1. Section 202, entitled “Definitions”, of Part 2, entitled “Definitions”, of Chapter XXXII entitled “Zoning” of the Code of Ordinances of the Township of Spring is amended to amend the definition of “Beverage Distributor”, “Central Green”, “Dwelling”, “Retail Store” and “Shopping Center” in their entirety so as to hereafter read as follows:

BEVERAGE DISTRIBUTOR – a business establishment engaged primarily in the sale of alcoholic and non-alcoholic beverages for off-site consumption. This definition specifically excludes taverns, bars, restaurants, convenience stores and grocery stores.

CENTRAL GREEN – a centrally located open space area available for unstructured recreation, its landscape consisting of grassy areas and trees.

DWELLING – a building designed or used as a living quarters for one (1) or more families. The term “dwelling” shall not be deemed to include rooming house, tourist home,

hotel, motel, hospital, nursing home, dormitory, fraternity, sorority house or other group residence. For purposes of this Chapter, the following types of dwellings are defined:

(1) Single-Family Detached Dwelling. A detached building arranged, designed and intended for occupancy exclusively by one (1) family. The term “single-family detached dwelling” shall be deemed to include a factory-built “modular home” placed on a permanent perimeter foundation.

(a) Modular Home Dwelling (defined by the Pennsylvania Industrialized Housing Act/Act 70). Any structure designed primarily for residential occupancy which is wholly or in substantial part made, fabricated, formed or assembled in manufacturing facilities for installation or assembly and installation, on the building site; housing units defined as mobile homes are excluded from this definition.

(b) Mobile/Manufactured Home. A transportable, single-family detached dwelling designed so that it can be used for permanent occupancy, contained in one (1) unit or in two (2) units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site complete and ready for occupancy except for minor and incidental unpacking and assembly operations and constructed so that it may be used with or without a permanent foundation. Mobile/manufactured homes shall be constructed in accordance with the Safety Construction Standards of the U.S. Department of Housing and Urban Development. The term “mobile/manufactured home” shall not be deemed to include “recreation vehicle” nor a “modular home” placed on a permanent perimeter foundation.

(2) Two-Family Semidetached Dwelling. A building arranged, designed and intended for occupancy by two (2) families living independent of each other in separate dwelling units which are entirely separated by vertical walls and which are unpierced except for access to the outside. This type of dwelling is commonly called a twin or a semidetached dwelling.

(3) Two-Family Detached Dwelling. A building arranged, designed and intended for occupancy by two (2) families living independently of each other in separate dwelling units that are separated primarily by horizontal floors as opposed to vertical walls. This type of dwelling is commonly called a duplex.

(4) Multiple-Family Building. A building arranged, designed and intended for three (3) or more dwelling units and which include the following housing types:

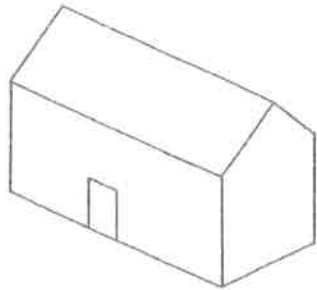
(a) Garden Apartment. A multifamily building in which the individual dwelling units have entrances from common hallways. The building is on a lot which is held in single and separate ownership which

has yards in common but which may also have other joint facilities and services.

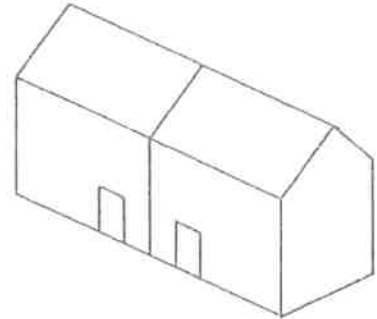
(b) **Single-Family Attached Dwelling.** A dwelling unit within a building which has no more than six (6) attached dwelling units (including the end unit), unless otherwise permitted within a Mixed-Use Development. Each unit is arranged, designed, intended for and occupied exclusively by one (1) family. Each dwelling unit is separated by unpierced vertical fire walls and has at least one (1) separate entrance. Each internal dwelling unit has no side yards and each end unit has one (1) side yard. This includes most dwellings commonly referred to as “townhouses” or “row homes”.

(5) **Apartments on Upper Levels.** A building arranged, designed or intended for one (1) or more dwelling units on the upper floor(s) where the ground or first floor is used solely for a permitted nonresidential use.

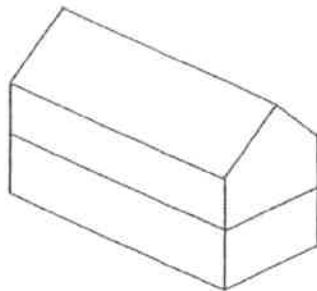
NOTE: See following page for sketches that illustrate the types of dwelling units.



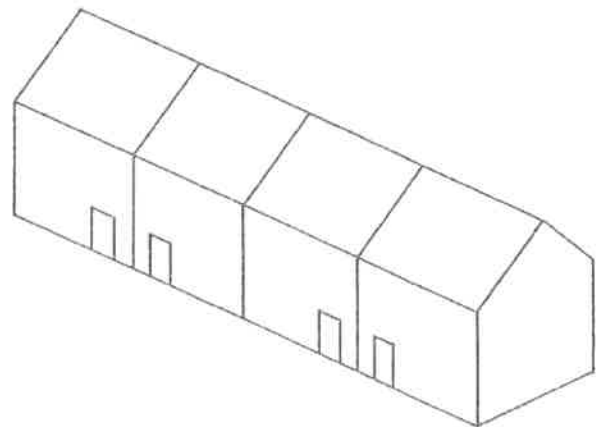
SINGLE FAMILY DETACHED



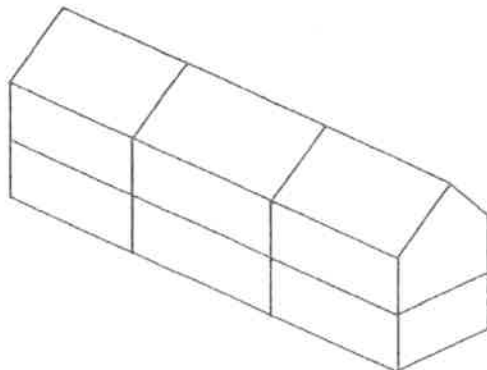
TWO FAMILY SEMI-DETACHED



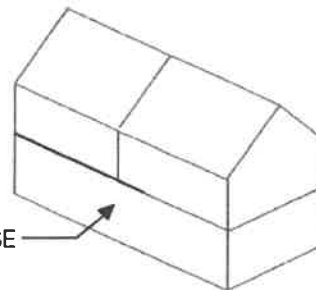
TWO FAMILY DETACHED



TOWNHOUSES OR
SINGLE FAMILY ATTACHED
DWELLINGS



GARDEN APARTMENTS



NONRESIDENTIAL USE

UPPER LEVEL APARTMENTS

RETAIL STORE – a building in which retail merchandise is sold or rented, including a furniture store, a gift shop, a grocery store, office equipment sales, musical instrument sales and an establishment for the sale of automobile accessories. This shall not include an adult business use.

SHOPPING CENTER – a group of retail stores and commercial establishments built on a site that is planned, developed, owned and managed as a single operating unit related in location, size and type of shops and distinguished from a commercial area comprised of unrelated individual uses.

SECTION 2. Section 202, entitled “Definitions”, of Part 2, entitled “Definitions”, of Chapter XXXII entitled “Zoning” of the Code of Ordinances of the Township of Spring is amended to add the definition of “Grocery Store”, as follows:

GROCERY STORE – a retail establishment primarily engaged in selling a range of food and food-related products, including but not limited to fresh and packaged items, for consumption off-site.

SECTION 3. Subsection (35), entitled “Convenience Store”, of Subpart (B), entitled “Additional Regulations”, of Section 324, entitled “Compliance and Performance Standards for Certain Principal Uses”, of Part 3, entitled “Zoning Districts and Use Regulations”, of Chapter XXXII, entitled “Zoning” of the Township of Spring Code of Ordinances is hereby amended in its entirety so as to hereafter read as follows:

(35) Convenience Store.

(a) The use shall be located on a lot abutting a collector or arterial street.

(b) The lot shall have a minimum area of one (1) acre, although such lot may include other permitted uses.

(c) The applicant shall prove to the satisfaction of the Board of Supervisors that any outdoor lighting will be placed such that it will not create a significant nuisance to existing and future dwellings.

(d) Convenience stores located outside of the PMU District may include fuel pumps, only upon special exception approval by the Board.

(e) All activities except those to be performed at the fuel pumps shall be performed within a building.

(f) Fuel pumps shall be at least twenty-five (25) feet from any existing and required future street right-of-way or fifty (50) feet from the street centerline, whichever is greater.

(g) Any drive-through facilities shall comply with the Drive-Through Off-Street Stacking Space Regulations of Part 7 of this Chapter.

(h) If a convenience store serves prepared food that is to be consumed on site, it shall comply with the provisions for a fast food restaurant included in this Chapter.

SECTION 4. Subsection (44), entitled “Garden Apartments or Single-Family Attached Dwellings (Townhouses)”, of Subpart (B), entitled “Additional Regulations”, of Section 324, entitled “Compliance and Performance Standards for Certain Principal Uses”, of Part 3, entitled “Zoning Districts and Use Regulations”, of Chapter XXXII, entitled “Zoning” of the Township of Spring Code of Ordinances is hereby amended in its entirety so as to hereafter read as follows:

(44) Garden Apartments or Single-Family Attached Dwellings (Townhouses)

(a) Uses. Permitted principal uses include dwelling units permitted in the district. Permitted accessory uses include a rental office, recreational facilities, off-street parking, indoor vending machines and laundry or laundromat facilities. These accessory uses shall be intended only for the use of the residents of the development.

(b) Sewer and Water. Each dwelling unit shall be served by a public sewer and centralized water system.

(c) All garden apartment or townhouse developments shall conform to all of the requirements as herein established, unless located within a Mixed-Use Development, in which case the provisions of Section 324(B)(65)(m) shall apply:

	<u>Garden Apartment</u>	<u>Single-Family Attached Dwellings</u>
Minimum tract size:	5 acres	3 acres
Minimum lot width at building line:	300 feet	22 feet ⁱ
Minimum side yard:	75 feet	30 feet ⁱⁱ
Minimum rear yard:	75 feet	30 feet
Minimum front yard:	75 feet	30 feet
Distance between buildings:	See §324(B) (44)(d)(4)	See §324(B) (44)(d)(4)

Parking area setback from lot line or street ultimate right-of-way	15 feet	30 feet ⁱⁱⁱ
Maximum dwelling units per gross acre	1+5	10
Minimum usable open space (not including driveway areas) devoted solely to recreational use and activities:	15% of the tract	10% of the tract ^{iv}
Maximum height:	3 Stories or 40 feet ^v	2-1/2 Stories or 35 feet ^{iv}
Maximum building coverage:	50%	50%
Maximum impervious coverage:	70%	70%

- NOTE: i Minimum width of a townhouse dwelling unit is twenty-two (22) feet per unit.
 ii Applies to end building only.
 iii Parking areas for individual townhouses.
 iv Useable open space shall not include front, side and/or rear yards of an individual townhouse or garden apartment.
 v Whichever is less.

NOTE: See §327(C) of this Chapter for special standards relating to storage sheds and other accessory uses, buildings and structures.

(d) Notwithstanding the provisions of the above requirements, the following shall also apply:

1) No more than six (6) townhouse dwelling units shall be attached, unless otherwise permitted within a Mixed-Use Development.

2) The developer should vary architectural treatments within apartment projects, individual apartments and between dwelling units in a townhouse development. Variations may include those of exterior elevation, building setbacks, provision of balconies, architectural details, pitch of roof, exterior materials or use of color. Variety and flexibility in design layout and arrangement of buildings, parking areas, services, recreation areas, common open space and planting that fully considers the particular physical characteristics of the site and natural amenities is highly desired.

3) Unless otherwise permitted within a Mixed-Use Development, the horizontal distance between groups of townhouses or garden apartments shall be at least:

i) Two (2) times the average height of the two (2) groups of townhouses and garden apartments for front or rear walls facing front or rear walls.

ii) One and one-half (1-1/2) times the average height for front or rear walls facing side walls.

iii) Equal to the height of the highest building for side walls facing side walls.

4) Unless a larger setback is otherwise required in this Chapter, the minimum distance between a building and a street, driveway or parking area should not be less than fifteen (15) feet.

5) Parking may be provided on the lot, as carports, as an integral part of the townhouse or a joint parking facility for a group of townhouses with such deed restrictions as are necessary to determine ownership and maintenance of common parking facilities and methods of assigning charges for maintaining snow removal and repairs.

6) Usable open space devoted to recreational use as herein required shall be designed for use by tenants or owners of the development and shall be improved and equipped by the developer in accordance with plans submitted to and approved by the Planning Commission.

7) Garden apartment buildings shall not exceed two hundred fifty (250) feet in length.

8) In the event a development is designed to contain more than one (1) permitted use, the submitted plan shall indicate an area designed for each such use and shall designate all requirements of this Chapter for each use.

(e) Number of Spaces. Off-street parking, whether garage or on-lot, shall be provided on the premises at the following rates, unless otherwise permitted within a Mixed-Use Development:

1) Garden apartments located on college-adjacent properties: one (1) space for each bedroom (but not less than two (2) spaces per dwelling unit) plus one (1) space for every three (3) dwelling units.

2) All other garden apartments: two (2) spaces for each dwelling unit.

(f) Requirements for off-street parking areas shall be as follows:

1) All access drives and parking areas shall be at least fifteen (15) feet from any building on the lot and from exterior lot lines.

2) All parking areas shall be designed in accordance with the requirements of §703, except as modified by this Section.

3) Access drives and driveways shall be designed in accordance with the requirements of §704.

4) All parking areas that include twenty (20) or more spaces shall be separated from view of any public street and directly abutting single-family detached residence by a buffer yard as described in §405(1), but with a width of ten (10) feet. A planting plan specifying type, size and location of existing and proposed planting material shall be submitted with the application for approval.

5) No more than fifteen (15) contiguous spaces shall be permitted in any continuous row without interruption by landscaping.

6) No more than sixty (60) parking spaces shall be accommodated in any single parking area. A single parking area shall be separated by a minimum of thirty (30) feet of interruption by landscaping measured along the centerline of the access drive or aisle to any adjoining parking areas.

7) The total length of any single or combined parking area shall not exceed six hundred (600) feet. The length shall be measured from the centerline of the public or private street providing access to the furthest point of the parking area. Where a combined parking area has a second access point to a public or private street, the total length of any single or combined parking area shall not exceed one thousand two hundred (1,200) feet measured from the centerlines of the intersection public or private streets providing access.

8) In the case of townhouses, no more than fifty percent (50%) of the required front yard shall be used for parking.

(g) The developer shall install a storm runoff and drainage system in accordance with acceptable engineering practices so as to adequately drain the project site, to adequately dispose of all runoff and drainage away from the project

site, at a rate no greater than existed prior to development. Plans for such drainage system shall be submitted and shall be subject to approval by the Township Engineer of the Township.

(h) All provisions of existing Township ordinances and subdivision and land development ordinances regarding storm drainage shall be complied with.

(i) Lighting for buildings, accessways and parking areas shall be so arranged as not to reflect towards public streets and not to cause any annoyance to building occupants or surrounding property owners or residents. All lighting shall comply with the provisions of §513.

(j) Exterior storage areas for trash and rubbish shall be visually screened on three (3) sides and contained in airtight vermin-proof containers. Interior storage areas for trash and rubbish shall at all times be kept in an orderly and sanitary fashion.

(k) Swimming Pool.

1) No structure shall be permitted without a filtering system utilizing chlorinated water.

2) No structure shall be permitted unless a permanent continuous fence which is four (4) feet minimum in height surrounds the facilities.

3) No structure shall be within fifty (50) feet of any property line or easement.

4) No structure shall be constructed between the building setback line and the street line.

5) No structure shall be permitted unless surrounded by a paved surface extending a minimum of five (5) feet from the water line.

6) Lighting shall not create a glare on any surrounding properties.

7) No persons other than residents and their guests shall be permitted to use the facility.

8) One (1) parking space for each three (3) dwelling units shall be provided in addition to the residential requirements, unless located within a Mixed-Use Development that has a tract size of 50 acres or greater.

(l) Outdoor recreation.

1) Such facilities shall be limited to tennis courts, which are completely surrounded by a fence ten (10) feet in height, barbecue or other cookout facilities constructed of permanent material, yards which are completely landscaped, garden areas for tenant use, playlots, provided that facilities located in this area are surrounded by fencing at least four (4) feet in height, with benches for adults; facilities for such games as shuffleboard or basketball, provided that a paved surface is provided and that such facilities are located at least fifty (50) feet from any building.

2) No outdoor recreational facilities, except yards and garden areas, shall be located within fifty (50) feet of any lot line.

3) No outdoor facilities, except yards, shall be located between the building setback line and the street line.

(m) No outdoor clothesline shall be located in any required side yard, rear yard or between the building setback line and the street line with permanent metal poles for support.

(n) No activities shall be permitted which create a public nuisance and/or interfere with the use of adjacent land.

(o) No structure or building shall be permitted specifically designed for pets.

(p) Garden apartment and townhouse developments shall be deemed to be a subdivision governed by the provisions and procedures of the Township's Subdivision and Land Development Ordinance (Chapter XXVII) and the procedures established in said ordinance for approval shall be followed.

SECTION 5. Subsection (65), entitled "Mixed-Use Development", of Subpart (B), entitled "Additional Regulations", of Section 324, entitled "Compliance and Performance Standards for Certain Principal Uses", of Part 3, entitled "Zoning Districts and Use Regulations", of Chapter XXXII, entitled "Zoning" of the Township of Spring Code of Ordinances is hereby amended in its entirety so as to hereafter read as follows:

(65) Mixed-Use Development

(a) Purpose. The purpose of a Mixed-Use Development is to create a walkable, livable, and attractive development center in the community intended to:

- 1) Encourage economic development through the creation of a variety of compatible uses.
- 2) Provide opportunities for multi-family housing in a manner that would integrate well with a mixture of retail, personal service and businesses, while maintaining the livability of the residences.
- 3) Promote a walkable community with pedestrian-oriented buildings and open space that connects to nearby destinations.
- 4) Ensure that new development is consistent with and enhances the nearby streetscape.
- 5) Promote the adaptive reuse of existing buildings.

(b) Uses Permitted by Right within the PAC District. Except for the prohibited uses listed below, each principal use permitted by right within the Penn Avenue Commercial (PAC) District, as listed under Section 314(B), shall be permitted by right within a Mixed-Use Development located within the PAC District, provided that the use, type, dimensional, and all other applicable requirements of this Chapter are satisfied.

(c) Uses Permitted by Right within the POB District. Except for the prohibited uses listed below, each principal use permitted by right within the Planned Office Business (POB) District, as listed under Section 318(B), shall be permitted by right within a Mixed-Use Development located within the POB District, provided that the use, type, dimensional, and all other applicable requirements of this Chapter are satisfied.

(d) Additional Uses Permitted by Right within all Mixed-Use Developments. Each of the following uses, which are otherwise permitted by special exception within the Penn Avenue Commercial (PAC) District or the Planned Office Business (POB) District, are permitted by right within all Mixed-Use Developments, without the requirement to obtain Zoning Hearing Board approval:

- 1) Amusement establishment*.
- 2) Auditorium*.
- 3) Off-street parking not located on the same lot as the permitted principal use*.
- 4) Place of worship*.

*See Section 324 for additional requirements

(e) Additional Uses Permitted by Right within certain Mixed-Use Developments. Each of the following uses are permitted by right within any Mixed-

Use Development that has a tract size of 50 acres or greater:

- 1) Beverage distributor*.

(f) Special Exception Uses. Each of the following principal uses and their accessory uses may be permitted in any Mixed-Use Development by Special Exception by the Board in accordance with the standards contained in §325 of this Chapter:

- 1) The inclusion of drive-through facilities as part of any use that is a permitted use within a Mixed-Use Development.
- 2) Convenience store that contains fuel pumps*.
- 3) Micro-brewery, micro-winery or micro-distillery*.
- 4) Tavern*.

* See Section 324 for additional requirements

(g) Conditional Uses. The following principal uses and their accessory uses may be permitted in any Mixed-Use Development by Conditional Use by the Board of Supervisors in accordance with the standards contained in §326 of this Chapter:

- 1) Animal hospital*.
- 2) Garden apartments*,**.
- 3) Health club*.
- 4) Hotel*.
- 5) Personal service establishment*.
- 6) Restaurant, fast food*.
- 7) Single family attached dwellings (townhouses)*,**.
- 8) Single family detached dwellings*.

* See Section 324 for additional requirements

** See Section 324(B)(44) for additional requirements for garden apartments and single-family attached dwellings

(h) Uses Prohibited within a Mixed-Use Development. Despite the following uses being permitted within the Penn Avenue Commercial (PAC) District or the Planned Office Business (POB) District, such uses are prohibited within a Mixed-Use Development:

- 1) Beverage distributor, within a Mixed-Use Development that has a tract size of less than 50 acres.
- 2) Communication antennae.
- 3) Forestry.
- 4) Funeral home.
- 5) Holiday tree sales.
- 6) Indoor sports facility.

- 7) Miniature golf, outdoor.
- 8) Recreation, non-municipal outdoor.
- 9) Retail greenhouse/nursery.
- 10) Temporary retail sales that are not accessory to an existing retail use approved in the Mixed-Use Development.

(i) Land Use Groups. Uses within a Mixed-Use Development are categorized into the following land groups:

Group 1 Uses: Office, entertainment, institutional and related uses, including:

- 1) Adult day care.
- 2) Ambulatory surgical center.
- 3) Amusement establishment.
- 4) Animal hospital.
- 5) Auditorium.
- 6) Civic or social organization.
- 7) Conference /training center.
- 8) Copy center.
- 9) College, excluding those with dormitories.
- 10) Community center.
- 11) Construction co., excluding those that have substantial outdoor storage of equipment or materials.
- 12) Cultural center.
- 13) Financial establishment.
- 14) Health club.
- 15) Hospital or medical center.
- 16) Indoor civic or social organization.
- 17) Medical office or clinic.
- 18) Membership club.
- 19) Nursery school or day care.
- 20) Office.
- 21) Place of worship.
- 22) Recreation, non-municipal indoor.
- 23) Township-owned use.
- 24) Vocational school.

Group 2 Uses: Retail, restaurant, and related uses, including:

- 1) Art or photography studio.
- 2) Bakery.
- 3) Beverage distributor.
- 4) Catering establishment.
- 5) Convenience store, with or without fuel pumps.
- 6) Hotel.

- 7) Micro-brewery, micro-winery or micro-distillery.
- 8) Personal service establishment.
- 9) Restaurant, fast food.
- 10) Restaurant, food stand.
- 11) Restaurant, standard.
- 12) Retail store.
- 13) Tavern.

Group 3 Uses: Residential, including:

- 1) Apartments on the upper levels of buildings containing a permitted nonresidential use.
- 2) Garden apartments.
- 3) Single family attached dwellings (townhouses).
- 4) Single family detached dwellings.

(j) Mixing Requirements for Land Use Groups. Mixed-Use Development shall comply with the following requirements for the relative percentages of land use groups, depending upon the size of the development:

<u>Tract Size</u>	<u>Mixing Requirements (percent of total floor area)</u>		
Less than 3 acres	No mixing requirements. Developments may consist of one or more uses		
3 acres to less than 5 acres	Mixed-Use Development shall include at least two of the land use groups listed above, with each of the required groups comprising at least 10% of the development's building floor area. In addition, Group 2 uses and Group 3 uses shall each not exceed 45% of the development's building floor area.		
5 acres to less than 15 acres	<u>Uses According to Group</u>	<u>Minimum Floor Area</u>	<u>Maximum Floor Area</u>
	Group 1 Uses	20%	70%
	Group 2 Uses	20%	50%
15 acres to less than 50 acres	<u>Uses According to Group</u>	<u>Minimum Floor Area</u>	<u>Maximum Floor Area</u>
	Group 1 Uses	10%	70%
	Group 2 Uses	10%	50%

50 acres or greater	Uses According to Group	Minimum Floor Area	Maximum Floor Area
	Group 1 Uses	2%	70%
	Group 2 Uses	10%	50%
	Group 3 Uses	20%	85%

(k) Overall Development Intensity.

1) The maximum overall intensity of a Mixed-Use Development shall be based upon the permitted Floor Area Ratio (FAR) in accordance with the provisions listed below. FAR is defined as “the square footage of the total building area, divided by the total square footage of the Lot Area or Tract Size”. The Total Building Area in this calculation takes into account the number of floors of a building.

2) The Floor Area Ratio (FAR) shall be utilized to determine the total floor area allowed within a development based upon the size of the tract being developed; the higher this number, the more floor area that may be developed. The floor area ratio shall be applied to the entire Mixed-Use Development, not to individual lots within the development. (See examples of FAR calculations in § 324(B)(62)(I).

3) Any Mixed-Use Development may have a Floor Area Ratio (FAR) up to 0.75. This maximum may be increased by the Township where a Mixed-Use Development qualifies for the bonuses listed below by providing the increased amenities or services specified.

4) The maximum permitted Floor Area Ratio (FAR) may be increased by the Township to 1.25 if it is determined that a Mixed-Use Development qualifies for such bonus based upon the provision of any of the following:

i) The provision of high quality open space and amenities, which increases the retail viability and attractiveness of the development.

ii) A high potential to revitalize adjacent parcels, in particular neighboring commercial areas.

iii) A high level of architectural design. This may include diversity of building types and sizes, articulated facades to increase visual interest and conformity to the surrounding community’s character and scale, street level windows with visually prominent framing, variations in roof lines, compatible building materials and colors, and entryway design elements and variations.

5) A Mixed-Use Development that qualifies for the bonuses listed above and also has been determined by the Commissioner of Public Safety to include significant safety, firefighting, fire prevention or emergency access facilities or features, beyond those that are required by applicable regulations, shall qualify for a maximum Floor Area Ratio (FAR) of 1.75.

(l) Examples of Floor Area Ratio (FAR) Calculations. These examples are provided solely for the purpose of demonstrating how the FAR calculations should be performed. They are not intended to demonstrate buildings or layouts that are in full compliance with all provisions of the Mixed-Use Development regulations.

Example No. 1

Site Data:

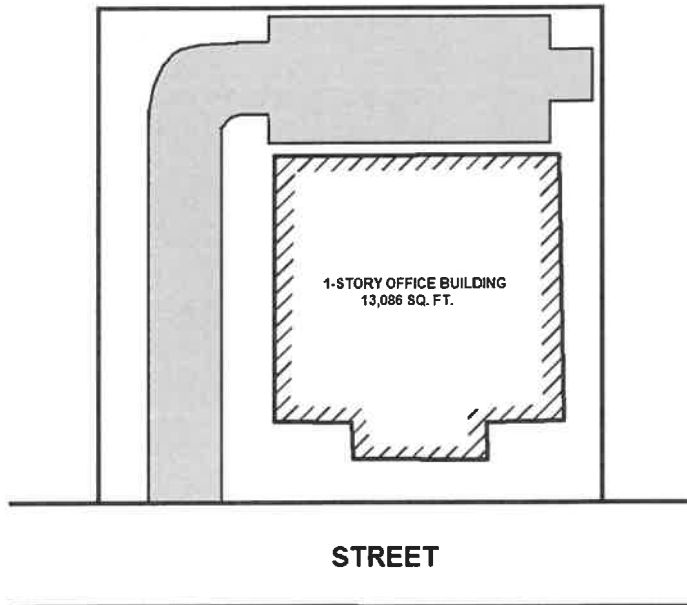
No. of Lots: 1
 Lot Area: 21,780 sq. ft.
 (1/2 acre)

Building Data:

No. of Buildings: 1
 No. of Stories: 1
 Building Footprint: 13,086 sq. ft.
 Building Coverage: 60%

FAR Calculations:

Total Bldg. Area = 13,086 X (no. of stories)
 = 13,086 X (1) = 13,086
 FAR = (13,086/21,780) = 0.60



Example No. 2

Site Data:

No. of Lots: 1
Lot Area: 43,560 sq. ft.
(1 acre)

Building Data:

Building A:

No. of Stories: 2
Building Footprint: 8,710 sq. ft.

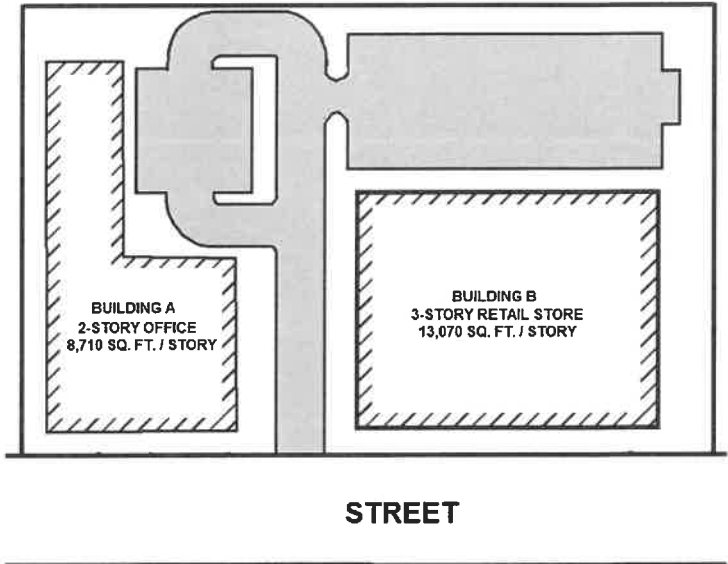
Building B:

No. of Stories: 3
Building Footprint: 13,070 sq. ft.
Building Coverage: 50%

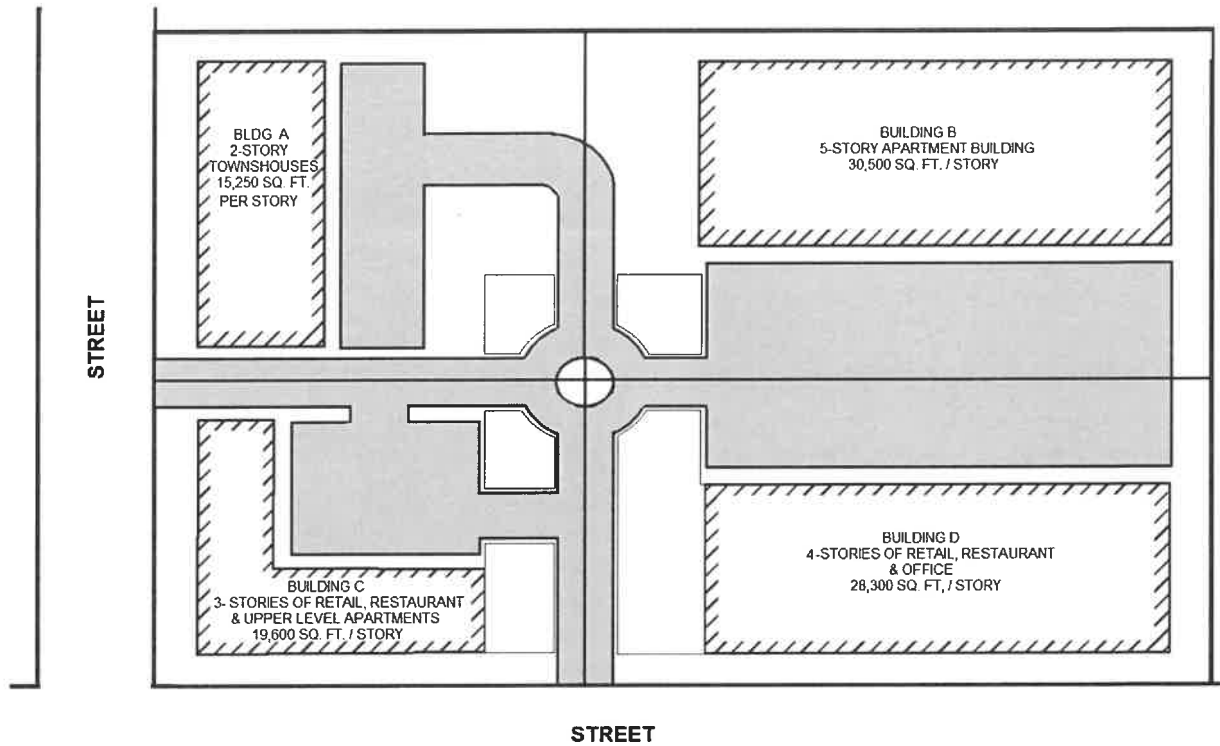
FAR Calculations:

Total Bldg. Area = 8,710 X (2 stories) +
13,070 X (3 stories) =
= 56,630

FAR = (56,630/43,560) = 1.30



Example No. 3



Site Data:

No. of Lots: 4
 Tract Size: 217,800 sq. ft.
 (5 acres)

FAR Calculations:

Total Bldg. Area = 15,250 X (2 stories) +
 30,500 X (5 stories) +
 19,600 X (3 stories) +
 28,300 X (4 stories) =
 = 355,000
 FAR = (355,000 / 217,800) = 1.63

Building Data:

Building A:
 No. of Stories: 2
 Building Footprint: 15,250 sq. ft.
 Building B:
 No. of Stories: 5
 Building Footprint: 30,500 sq. ft.
 Building C:
 No. of Stories: 3
 Building Footprint: 19,600 sq. ft.
 Building D:
 No. of Stories: 4
 Building Footprint: 28,300 sq. ft.
 Building Coverage: 43%

(m) Mixed Use Dimensional Requirements. All Mixed-Use Development shall comply with the following dimensional requirements, where applicable:

**DIMENSIONAL REQUIREMENTS FOR MIXED-USE DEVELOPMENTS
WITHIN THE PAC DISTRICT**

	<u>Residential Uses (Garden Apartments & Townhouses)</u>	<u>Nonresidential Uses (With or without Upper Level Apartments)</u>
Setbacks along Exterior Tract Boundaries	Front Yd.: 5 ft. Side Yd.: 10 ft. Rear Yd.: 25 ft.	Front Yd.: 5 ft. Side Yd.: 10 ft. Rear Yd.: 25 ft.
Min. Tract Area	10,000 sq. ft.	10,000 sq. ft.
Min. Tract Width	-	100 ft.
Min. Lot Area	2,000 sq. ft. ¹	10,000 sq. ft.
Min. Lot Width	22 feet ¹	100 ft.
Max. Building Coverage ²	60%	60%
Total Impervious Coverage ²	75%	75%
Max. Building Height	3 stories ^{3,7} or 40 feet ^{3,4,7}	3 stories ^{3,7} or 40 feet ^{3,4,7}
Min. Front Yard ⁵	5 feet	5 feet
Min. Side Yard ⁵ (one)	10 feet	10 feet
Min. Rear Yard ⁵	25 feet	25 feet
Building Separation Distances ⁶	30 feet or the distance equivalent to the average height of the 2 buildings, whichever is greater	

¹ For townhouse units.

² Maximum building & impervious coverage shall apply to overall mixed-use development, not to individual lots within the development.

³ Zoning Hearing Board may increase number of stories, and the corresponding building height, by special exception (See § 324(B)(62)(n)).

⁴ Whichever is less.

⁵ For internal lot lines.

⁶ Between multiple residential buildings located on the same lot.

⁷ Where proposed residential or nonresidential buildings, having heights in excess of 3 stories or 40 feet, are located along exterior tract boundaries that adjoin existing residential uses, buffer yards and planting screens complying with the provisions of § 405(I) shall be provided.

DIMENSIONAL REQUIREMENTS FOR MIXED-USE DEVELOPMENTS WITHIN THE POB DISTRICT

	<u>Residential</u>		<u>Single Family Detached</u>	<u>Nonresidential Uses</u> (with or without <u>Upper Level Apartments</u>)
	<u>Garden Apartments</u>	<u>Townhouses</u>		
Setbacks along Exterior Tract Boundaries	Front Yd.: 50 ft. Side Yd.: 75 ft. Rear Yd.: 75 ft.	Front Yd.: 30 ft. Side Yd.: 30 ft. Rear Yd.: 30 ft.	Front Yd.: 20 Side Yd.: 10 Rear Yd.: 20	Front Yd.: 5 ft. Side Yd.: 10 ft. Rear Yd.: 25 ft.
Min. Tract Width	300 feet	-	N/A	100 ft.
Min. Lot Area	-	2,000 sq. ft.	6,500 sq. ft.	10,000 sq. ft.
Min. Lot Width	-	18 ft.	50 ft.	100 ft.
Average Lot Width	-	20 ft. minimum	-	-
Max. Building Coverage ¹	50%	50%	45%	60%
Total Impervious Coverage ¹	70%	70%	65%	75%
Max. Building Height	5 stories ^{2,6} or 60 feet ³	3 stories ^{2,6} or 40 feet ³	3 stories ^{2,6} or 30 ft.	5 stories ^{2,6} or 60 feet ³
Min. Front Yard ⁴	5 feet	5 ft.	20 ft.	50 ft.
Min. Side Yard ⁴ (one)	10 feet	10 ft.	10 ft.	20 ft.
Min. Rear Yard ⁴	25 feet	25 ft.	20 ft.	30 ft.
Building Separation Distances ⁵	30 feet or the distance equivalent to the average height of the 2 buildings, whichever is greater	20 ft.	N/A	30 feet or the distance equivalent to the average height of the 2 buildings, whichever is greater

¹ Maximum building & impervious coverage shall apply to overall mixed-use development, not to individual lots within the development.

² Zoning Hearing Board may increase number of stories, and the corresponding building height, by special exception (See § 324(B)(62)(n)).

³ Whichever is less.

⁴ For internal lot lines.

⁵ Between multiple residential buildings located on the same lot.

⁶ Where proposed residential or nonresidential buildings, having heights in excess of 3 stories or 40 feet, are located along exterior tract boundaries that adjoin existing residential uses, buffer yards and planting screens complying with the provisions of § 405(I) shall be provided.

(n) Additional Requirements for Garden Apartments and Townhouses. In addition to the provisions in Section (i) above, portions of Mixed-Use Developments containing garden apartments or townhouses shall comply with the following:

- 1) The maximum length of a building containing garden apartments shall be one hundred sixty feet (160') within the PAC District and two hundred fifty feet (250') within the POB District.
- 2) No more than eight (8) townhouse dwelling units shall be attached.
- 3) In the case of townhouses, no more than fifty percent (50%) of the front yard shall be used for parking.

(o) Special Exception Criteria for Additional Building Stories. The Zoning Hearing Board, in accordance with the procedures listed for special exceptions in Part 8 of this Chapter, may increase the number of allowable stories, and the corresponding building height, for buildings within a Mixed-Use Development. The granting of an increase in the number of stories, or building height, does not increase the permitted Floor Area Ratio (FAR) on the development. The Zoning Hearing Board shall consider the following when reviewing an application for such special exception approval:

- 1) The approval of additional stories shall not adversely affect the character of the general neighborhood, or the health and safety of residents or workers on adjacent properties and in the general neighborhood.
- 2) Adequate parking facilities to accommodate the additional stories shall be provided.
- 3) The Township Commissioner of Public Safety shall determine that the additional building stories shall not present increased safety, firefighting, fire prevention or emergency access concerns.

(p) General Layout. All Mixed-Use Developments shall comply with the following:

- 1) The various land uses shall be laid out and spaced to make walking from one land use to any other land use as easy as possible.
- 2) Retail uses shall be located as physically close to as many of the following on and off-site features as possible: existing retail areas, bus stops, existing collector or arterial streets, and proposed plaza areas.

3) Within a Mixed-Use Development that includes single-use residential buildings (garden apartments or townhouses), such buildings shall be located so as to provide a transition between any abutting off-site residential zoning districts or uses and any nonresidential uses of higher concentration within the Mixed-Use Development. Such buildings shall not alter the essential character of the neighborhood within which the development is located.

4) Where the Tract Size permits, streets shall be laid out with blocks that include public pedestrian connections through the blocks. Such blocks shall be laid out so that there shall be a street intersection or pedestrian connection, at a minimum, every three hundred feet (300').

5) Mixed-Use Developments shall be designed to support existing or future public transportation service through the provision of bus shelters and roads and access drives designed to accommodate bus traffic.

(q) Standards for Approval of a Mixed-Use Development. To assure that the intent and requirements of a Mixed-Use Development are complied with, the following shall be addressed in the application for a Mixed-Use Development.

1) Site Plan. A Site Plan is required. See Section 409.

2) Relationship to Surroundings. The applicant shall show how the development will be coordinated with access and utilities of other existing or proposed developments in the vicinity.

3) Open Space and Landscaping. The application shall include an overall plan of open spaces and landscaping. The plan shall be implemented through a series of deed restrictions on each lot.

4) Coordinated access. Any Mixed-Use Development shall make the absolute maximum use possible of the interior streets and access drives, as opposed to numerous driveways entering onto existing public streets. Where applicable, deed restrictions shall be placed on any individual lots that are created, to require access to the interior street system only.

5) Easements for Access. The Board of Supervisors may, at the time of approval of a subdivision or land development within a Mixed-Use Development, require a lot or tract to provide an easement, stub street extension and/or street right of way extension for vehicular traffic to adjoining tracts to allow an efficient interior access system.

6) Shared Parking. Where shared or common parking areas are proposed to serve multiple buildings, uses or lots, evidence of continued

availability and maintenance responsibility, in the form of written agreements, deed restrictions or covenants, shall be provided and, upon approval, shall be recorded in the Berks County Recorder of Deeds Office.

7) Traffic Impact Study. When the proposed development would meet the criteria for a traffic study specified in the Subdivision and Land Development Ordinance (Chapter XXVII), or when determined necessary by the Township Engineer, an application for a Mixed-Use Development shall include a Traffic Impact Study addressing the anticipated impact of the proposed development.

8) Staged Construction. If development is to occur in progressive stages, each stage shall be planned and occur so that the purposes and requirements of this Chapter, including the provision of open space, are fully complied with at the completion of each stage. Each stage shall be shown on the plan. For developments with total project areas greater than fifteen (15) acres, the initial stage shall encompass a minimum of forty percent (40%) of the Total Building Area. The initial stage shall not consist of a single use group, but shall contain components of each required use group. In no case shall the staging of the project result in an interim condition having construction of more than fifty percent (50%) of the total proposed residential units, without including construction of buildings for the other required use groups.

9) Information on Covenants.

i) A Mixed-Use Development shall include a reasonable set of deed restrictions or covenants imposed by the developer on each lot. These covenants shall cover types of uses, maintenance of lots and open space, shared parking and commercial operations, with a proper means for enforcement. The covenants shall also be written to carry out the purposes and requirements of a Mixed-Use Development.

ii) A Mixed-Use Development shall be in single ownership, under a unified management control or subject to a Master Planned Community Association. Deed restrictions or covenants shall ensure compliance with this requirement.

iii) Where lots within a Mixed-Use Development would not separately comply with all provisions of this Chapter if considered as individual, stand-alone lots, deed restrictions or covenants shall stipulate that the lot shall remain part of the Mixed-Use Development and shall conform to the provisions of the Mixed-Use Development regulations and all applicable deed restrictions or covenants.

iv) The language of these covenants shall be presented to the Township before a Mixed-Use Development is approved.

10) Sewer and Water. All lots and/or uses within a Mixed-Use Development shall be provided with centralized sewer and water services.

(r) Exemptions from Certain Compliance and Performance Standards.
When a permitted use is located within a Mixed-Use Development:

1) Any specific setback requirements listed for that use, other than those included in the provisions of Section (l) above, shall apply only to the exterior boundary of the Mixed-Use Development, and not to any interior lot lines.

2) Any specific lot area or coverage requirements listed for that use, other than those included in the provisions of Section (l) above, shall apply only to the total area of the Mixed-Use Development, not to an individual lot located within the Mixed-Use Development.

3) Any requirement that such use be located on a lot abutting and having a direct vehicular access onto an arterial or collector street shall be deemed met if the Mixed-Use Development abuts and has direct access to such a street.

4) Where the Board of Supervisors previously approved a mixed-use development plan ("Approved Plan") on a tract of land that is 50 acres or greater in accordance with the requirements of the then applicable Zoning Ordinance, the Approved Plan may be further divided into separate smaller lots, parcels or tracts of land, each representing a specific category of use (i.e. retail, apartment, hotel, townhouse, single-family, and/or municipal), that may be leased, purchased, sold and/or mortgaged, without the imposition of external setback requirements between the new internal boundaries created by the division of the Approved Plan into smaller lots, parcels or tracts of land, provided the distance between the structures is not decreased from what was shown on the Approved Plan.

(s) Building Design Standards for Mixed-Use Developments

1) Buildings containing nonresidential uses and located within the Penn Avenue Commercial (PAC) District shall have a maximum building footprint of 25,000 sq. ft., except where the Board has granted a special exception permitting a modification to the maximum building footprint in accordance with the provisions of Part 8 of this Chapter. In

reviewing an application for such special exception, the Board shall give consideration to the same issues listed for additional building floors under Section (n) above.

2) An architecturally designed façade is a façade designed by an architect licensed in the Commonwealth of Pennsylvania, that is substantially similar to the front façade of the structure, and is consistent with the facades of other structures in the neighborhood, as approved in writing by the Board of Supervisors prior to issuance of building permits.

3) Where all facades of a building have been architecturally designed, front façades of buildings may be oriented toward existing or proposed streets or parking lots, with a main entrance in the front façade. Buildings with multiple front façades shall have entrances along each façade.

4) All primary building entrances shall be accentuated with accents such as recessions, protrusions, canopies, porticos or overhangs.

5) Loading doors, service doors, and loading docks shall not be located along any façade facing a street.

6) Blank walls shall not be permitted along any wall facing a street. Walls in these locations shall be provided with a minimum of thirty-five percent (35%) window area, with windows interspersed along the façade, except where all facades of a building have been architecturally designed.

7) Ground floor facades of retail, restaurant or related uses facing a street shall comprise a minimum of fifty percent (50%) clear window area, with windows providing views of display areas or the inside of the building, except where all facades of a building have been architecturally designed. Smoked, reflective or black glass in windows is prohibited.

8) Walls or portions of walls where windows are not provided shall have architectural treatments designed to reduce the uniform appearance and to provide visual interest.

9) Rear and side façades shall have colors and materials that are similar to the front façade and shall blend with structures in the development.

10) Building ridgelines or roof planes facing a street, parking area or walking area, shall be interrupted by architectural features at least

once every one hundred feet (100'). Buildings shall use parapets or mansard roof styles to conceal flat roofs and roof top equipment.

(t) Parking Design Standards for Mixed-Use Developments

1) Parking within a Mixed-Use Development shall be in accordance with the provisions of Part 7 of this Chapter, except that the minimum number of parking spaces provided for Garden Apartments located within a Mixed-Use Development having a tract size greater than 50 acres, shall be 1.65 spaces per unit.

2) Where residential parking is adjacent to, or in close proximity of, parking spaces intended to serve a nonresidential use, the spaces intended to serve the residences shall be reserved and physically identified as such, to the satisfaction of the Township.

3) Applicants for a Mixed-Use Development shall make good faith efforts to locate parking lots to the rear or side of principal buildings. Wherever parking lots are proposed to be located between a building and a street, a buffer yard and planting screen in accordance with the provisions of Section 405(I)(3) shall be provided. This planting screen shall not be required within any required clear sight triangle or wherever vehicular sight distance is required.

4) Parking lots visible from a street shall be continuously screened by a three foot (3') high wall, fence or hedge. With the exception of the height requirement, such fence or hedge shall otherwise comply with the provisions of Section 405(I)(3) pertaining to planting screens or fences within buffer yards. Chain-link fence is prohibited for such use.

5) Each lot created within a Mixed-Use Development shall provide cross-access easements for its parking areas and access drives guaranteeing access to adjacent lots within the development.

(u) Provisions of Penn Avenue Overlay District (PAO).

1) Mixed-use developments located within the PAC District shall be entitled to the supplemental provisions under Section 315 Penn Avenue Overlay District (PAO), including those for parking relief and parking space size.

(v) Pedestrian Design Standards for Mixed-Use Developments

1) Sidewalks with a minimum width of eight feet (8') are required along all street frontages with retail, restaurant and related uses. Sidewalks with a minimum width of six feet (6') are required along all street

frontages with other uses. All other sidewalks available for use by the public shall have a minimum width of four feet (4').

2) Sidewalks are required to connect the street frontage to all front building entrances, parking areas, plazas and any other destination that would generate pedestrian traffic. Sidewalks shall connect to existing sidewalks on abutting tracts and other nearby pedestrian destination points and bus stops.

(w) Sidewalk Displays of Retail Merchandise

1) Sidewalk displays of retail merchandise are permit along the fronts of retail stores within a Mixed-Use Development.

2) The display area shall not obstruct the use of any egress door or aisle, access lane or standpipe.

3) Sidewalk displays of retail merchandise are permitted only at times that the retail store is open for business. All retail merchandise and display equipment, accessories or appurtenances must be removed from the sidewalk at times that the retail store is closed.

4) Within the Penn Avenue Commercial District (PAC), sidewalk displays of retail merchandise may encroach into public street right-of-way and/or public sidewalk area, subject to the following regulations:

i) No encroachment into the public street cartway or driving surface, or layout of merchandise or display equipment which causes pedestrians or customers to walk within the street cartway, shall be permitted.

ii) Display areas shall provide not less than five (5) contiguous feet of sidewalk clear of obstructions to allow unimpeded pedestrian traffic. Display areas shall be arranged to permit a smooth alignment of the pedestrian sidewalk across several properties and shall not cause abrupt turns or angles. At street corner intersections, the display area shall comply with all ADA requirements and shall not obstruct the clear sight distance for vehicles nor be located within required clear sight triangles.

iii) Any encroachment of a display area into a public street right-of-way requires Township approval, which shall include an indemnification. Prior to placing any items associated with the use upon any public sidewalk, the Township will inspect the

condition of the sidewalk to its conformance to Township specifications.

iv) The licensee of the sidewalk display is responsible for keeping the premises clean at all times, including the public sidewalk and other furnishings of the sidewalk display. At no time may trash or debris of any kind be blown, swept or otherwise deposited onto the street or sidewalk.

(x) Open Space and Plaza Design Standards for Mixed-Use Developments

1) Required open space shall only consist of Plazas, Central Greens, trails, Greenways, Pedestrian Malls, promenades, picnic areas, and other similar types of usable public space.

2) Required open space areas shall be designed as focal points within the development and shall make public access as easy and straightforward as possible.

3) Required open space shall not contain stormwater detention basins, unless such facilities are designed with permanent pools of water and are provided with specific amenities, such as fountains or waterfalls, to enhance the aesthetics of the open space.

4) Plazas shall meet the following requirements:

i) A Mixed-Use Development shall provide one square foot of Plaza area for every forty (40) square feet of gross building floor area; however, developments with less than 25,000 square feet of gross floor area are not required to provide Plaza area.

ii) Individual Plazas shall be no smaller than 2,500 square feet.

iii) Plazas shall be surrounded on all sides by either streets or front façades of buildings.

iv) At least twenty-five percent (25%) of the Plaza area shall be landscaped with trees, shrubs and mixed plantings with year-round interest.

v) Plazas shall be centrally located within the Mixed-Use Development and easily accessible from residential and non-residential buildings.

vi) A Plaza shall not be used for parking, loading or vehicular access.

(y) Lighting Standards for Mixed-Use Developments

1) Adequate lighting for pedestrians and vehicles shall be provided in all areas open to the public.

2) Lighting shall comply with the requirements of Section 513 of this Chapter.

3) Lighting for buildings, accessways and parking areas shall be arranged so as not to reflect toward public streets and not to cause any annoyance to building occupants or surrounding property owners or residents.

4) Lighting for pedestrian walkways and trails shall be designed at a pedestrian scale.

(z) Outdoor Dining. Outdoor dining areas shall comply with the requirements of Section 324(B)(87) of this Chapter.

(aa) Signs. Signs within a Mixed-Use Development shall comply with all applicable provisions of Part 6 of this Chapter.

SECTION 6. Table 7.1, entitled "Off-Street Parking Requirements", set forth in section 701, entitled "Required Number of Off-Street Parking Spaces", is hereby amended in its entirety so as to hereafter read as follows:

Table 7.1

Off-Street Parking Requirements

CATEGORY	NUMBER OF REQUIRED OFF-STREET PARKING SPACES***
AGRICULTURAL USES	
Agriculture	1 per employee
Animal Hospital/Veterinarian	1 per employee + 4 per doctor
Animal Husbandry	1 per employee
Greenhouse/Nursery (Retail)	1 per employee + 1 per 120 SF*
Kennel	1 per employee + 1 per 4 animals of capacity
Seasonal Roadside Produce Stand	1 per employee + 1 per 120 SF**
Stable or Riding Academy, Commercial	1 per employee + 1 per 4 animals of capacity
RESIDENTIAL USES	
Apartments, Garden or Upper Level	See §324(B)(44)(e)
Dwelling, 3 bedrooms or less	2 per dwelling unit
Dwelling, 4 bedrooms or more	3 per dwelling unit
Group Home	1 per each employee on largest shift + 1 space per resident, unless the applicant proves the home will be limited to persons who are unable, or not permitted, to drive
Home Occupation	1 per 200 SF of floor area accessible to customers* + 1 per each nonresidential employee, to a maximum of 3 spaces in addition to those required for the dwelling unit
Housing for the Elderly	1 per 2 dwelling units + 1 per each employee on largest shift
Rooming/Boarding House, Fraternity and Other Similar Places	1 per roomer/boarder + 1 per each rental unit + 1 for each employee

CERTAIN USES WITHIN A MIXED-USE DEVELOPMENT

Garden Apartment	2 per apartment unit, unless located within an approved Mixed-Use Development having a tract size greater than 50 acres (See §324(B)(65)(t)1)
Retail and commercial portion of a Mixed-Use Development having a tract Size greater than 50 acres	5 per 1,000 SF** (See additional parking requirements under §324)

RECREATIONAL USES

Bowling Alley	4 per lane + 1 per employee on largest shift
Community Center	1 per 200 SF** or 1 per 4 seats, whichever shall require more spaces
Health Club	1 per 200 SF** + 1 per employee on largest shift
Library	4 per 1,000 SF* + 1 per employee
Indoor Recreation, including Membership Club	1 per 45 SF of floor area accessible to customers* + 1 per each employee on largest shift
Outdoor Recreation (Ballfields, Golf Courses)	1 per 3 persons of design capacity + 1 per each employee on the largest shift
Swimming or Tennis Club	1 per 4 persons of maximum occupancy + 1 per each employee on largest shift
Stadium	1 per 3 seats + 1 per employee on largest shift
Theater or Auditorium	1 per 3 seats + 1 per employee on largest shift

INSTITUTIONAL AND EDUCATIONAL USES

Ambulatory Surgical Center	1 per 600 SF**
College or University, with dormitories	1 per 2 students + 1 per employee on largest shift
College, without dormitories	1 per student + 1 per staff member/employee
Conference/Training Center	1 per 3 seats + 1 per employee

Convalescent or Nursing Home	1 per 2 beds _ 1 per employee on largest shift
Cultural Center	1 per 500 SF** + 1 per employee (indoor facility) or 1 per 4,000 SF of lot area dedicated to use + 1 per employee (outdoor facility)
Hospital/Medical Center	1 per bed + 1 per employee
Hospital Staff Dormitory	1 per resident + 1 per employee on largest shift
Medical or Dental Office/Clinic	4 per person engaged in practice + 1 per employee (including doctor)
Medical Laboratory	1 per 250 SF**
Nursery School or Day Care Center, Including Adult Day Care	1 per employee + 1 per 6 children or persons being cared for at the facility
Patient Hostel	1 per guest room + 1 per employee on largest shift
Places of Worship	1 per 3 seats + 1 per employee
School, Elementary/Middle/Jr. High	2 per administrative employee + 1.5 per additional employee + 0.25 per gymnasium and auditorium seat
School, High	1 per employee + 1 per every 3 students accommodated at one time
Treatment Center	1 per each employee on largest shift + 1 space per resident, unless the applicant proves the treatment center will be limited to persons who are unable, or not permitted, to drive
Utility Substation	1 per vehicle required to service such facility

RETAIN AND COMMERCIAL SERVICES USES

Adult Bookstore	1 per 100 SF** + 1 per employee
Auto, Recreational or Boat Sales	1 per 10 vehicles/RVs/boats on display + 1 per each employee
Bed and Breakfast	1 per guest unit + 1 per employee on largest shift
Casino or Gaming Establishment	1.5 per gaming position + 1 per employee

Fast Food Restaurant or Fast Food Restaurant with Drive-Through (with seating)	1 per 2 seats + 1 per 2 employees on largest shift + 3 for takeout from restaurant
Fast Food Restaurant or Fast Food Restaurant with Drive-Through (without seating)	1 per 80 SF** + 1 per 2 employee on largest shift + 3 for takeout from restaurant
Financial Establishment	1 per 250 SF** + 1 per employee
Food Stand	1 per 20 SF** 1 per employee
Furniture Store	1 per 750 SF**
Funeral Home	1 per 50 SF** + 1 per employee
Hotel/Motel	1 per guest unit + 1 per employee on largest shift. Parking for any associated restaurant, nightclub, conference/training, recreation or other use shall be calculated separately.
Laundromat	1 per 3 machines + 1 per each employee
Nightclub	1 per 30 SF** + 1 per employee on largest shift or 1 per 2 persons of maximum occupancy + 1 per employee on largest shift, whichever shall require more spaces
Office, less than 400 SF	1 per 150 SF**
Office, more than 400 SF	1 per 250 SF**
Off-Track Betting Parlor	1 per 40 SF** + 1 per employee on larges shift or 1 per 2 persons of maximum occupancy + 1 per employee on largest shift, whichever shall require more spaces
Open Air Retail	1 per 1,500 SF of lot area dedicated to use
Personal Service Business	1 per 150 SF* + 1 per employee
Restaurant	1 per 3 seats + 1 per employee on largest shift

Tavern	1 per 3 seats + 1 per employee on largest shift or 1 per 3 persons of maximum occupancy + 1 per employee on largest shift, whichever shall require more spaces
Retail/General Merchandise Store	1 per 200 SF** + 1 per employee
Shopping Center	5 per 1,000 SF** (See additional parking requirements under §324)
Vocational School	1 per student + 1 per staff member/employee
INDUSTRIAL, WHOSALE AND WAREHOUSING USES	
Industrial, Manufacturing or Warehousing Uses	1 per employee on two largest successive shifts

- * Of all floor area occupied by equipment, furnishings or inventory accessible to customers or patrons, but not including corridors, toilet rooms and other such accessory rooms as may be provided.
- ** Gross floor area.
- *** In addition to the required off-street parking spaces, a day care or any interior service and convenience uses that involve a day-care shall have one (1) off-street stacking space for every ten (10) participants in the day-care, which shall be in accordance with the Drive-Through Off-Street Stacking Space Regulations of §707.

SECTION 7. All ordinances or parts of ordinances conflicting with the provisions of this Ordinance are hereby repealed insofar as they are inconsistent with this Ordinance.

SECTION 8. If any provision, sentence, clause, section or part of this Ordinance is for any reason found to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect or impair any of the remaining provisions, sentences, clauses, sections or parts of this Ordinance. It is hereby declared as the intent of the Board of Supervisors of the Township of Spring that this Ordinance would have been adopted had such unconstitutional, illegal or invalid provision, sentence, clause, section or part thereof had not been included herein.

SECTION 9. The Code of Ordinances of the Township of Spring, as amended, shall be and remain unchanged and in full force and effect, except as amended, supplemented and modified by this Ordinance. This Ordinance shall be-come a part of the Code of Ordinances of the Township of Spring, as amended, upon adoption.

SECTION 10. This Ordinance shall become effective in accordance with the law.

ENACTED AND ORDAINED this _____ day of _____, 2024.

BOARD OF SUPERVISORS OF THE
TOWNSHIP OF SPRING,
BERKS COUNTY, PENNSYLVANIA

Patti J. Smith, Chairperson

George Stuck III, Vice Chairperson

Michael Kocher, Member

Jesse Royer, Member

Michael Wertz, Member

Attest: _____
(Assistant) Secretary

MUNICIPAL CERTIFICATION

I, _____, (Assistant) Secretary of the TOWNSHIP OF SPRING, BERKS COUNTY, PENNSYLVANIA, do hereby certify that the foregoing Ordinance No. _____ was advertised in the *Reading Eagle*, a daily newspaper of general circulation in the Township of Spring, on ____ day, _____, 2024 and ____ day, _____, 2024 and was duly enacted and approved as set forth at a regular meeting of the Board of Supervisors held on _____, 2024.

(SEAL)

(Assistant) Secretary