

**PART 9
OFF-STREET PARKING AND LOADING**

§27-900. Required Off-street Parking Space.

Off-street parking spaces shall be provided and satisfactorily maintained in accordance with the following provisions for each use defined in §27-406 which, after the effective date of this Chapter, is erected, enlarged, or altered for use for any of the following purposes.

§27-901. General Regulations Applying to Required Off-street Parking.

1. **Existing Parking.** Structures and uses in existence at the date of adoption of this Chapter shall not be subject to the requirements of this Part 9 so long as the kind or extent of use is not changed, provided that any parking facility now serving such structures or uses shall not in the future be reduced below such requirements.
2. **Change in Requirements.** Whenever there is an alteration of a structure or a change or extension of a use which increases the parking requirements according to the standards of §§27-406 and 27-900, the total additional parking required for the alteration, change or extension shall be provided in accordance with the requirements of that section; however, when the use of the existing structure is changed or intensified without substantial addition to the structure, the additional parking normally required may be reduced or waived by special exception in accordance with §27-1204 if the Zoning Hearing Board finds that the provisions of this Part 9 and §27-406 are impracticable or would require destruction of important architectural or landscape elements.
3. **Conflict with Other Uses.** No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.
4. **Continuing Character of Obligation.** All required parking facilities shall be provided and maintained as long as the use exists which the facilities were designed to serve. Off-street parking facilities shall not be reduced in total extent after their provision, except upon the approval of the Zoning Hearing Board and then only after proof that, by reason of diminution in floor area, seating area, the number of employees, or change in other factors controlling the regulation of the number of parking spaces, such reduction is in conformity with the requirements of this Part 9. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the employees or other person whom the facilities are designed to serve. Such facilities shall be designed and used in such a manner as to at no time constitute a nuisance, a hazard, or unreasonable impediment to traffic.

5. **Multiple Uses.** Where two or more uses occupy a common structure, building or lot, the total number of parking spaces which will be provided and maintained will be calculated as the sum of the parking spaces required for the individual uses which occupy the structure, building or lot; or, as the combined gross floor area or number of seats devoted to patron use.
6. **Fractional Spaces.** Where the computation of required parking spaces results in a fractional number, any fraction of the next highest number shall be counted as one.
7. **Maintenance of Parking Areas for Nonresidential Uses.** On parking areas for three or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with suitable material, and drained all of which should be to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties. All off-street parking spaces shall be marked to indicate their location and shall conform to the requirements of the Federal Americans with Disabilities Act, providing an adequate number of sized, marked, and signed spaces. All off-street parking spaces shall be kept free of weeds, trash and other forms of debris.
8. **Maintenance of Parking Areas for Residential Uses.** On parking areas for three or more vehicles, the area not landscaped and so maintained, including driveways, shall be graded, surfaced with suitable material, and drained, all of which should be to the satisfaction of the Borough Engineer to the extent necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties. All off-street parking spaces shall be kept free of weeds, trash and other forms of debris.
9. **Location of Parking Spaces.** Required off-street parking spaces shall be on the same lot or premises with the principal use served. Where this requirement cannot be met, it shall be within 300 feet of the same principal use, but not in Residential Districts. Off-premises parking shall be owned by the owner of the principal use or through a shared parking contractual agreement for joint uses permitted in §27-901.10.A.
10. **Reduction of Nonresidential Parking Requirements.** In order to prevent the establishment of greater number of parking spaces than is actually required to serve the needs of non-residential uses, Borough Council after consulting with the Planning Commission and Borough Engineer, may at their sole discretion permit a conditional reduction of parking space through either (1) joint use or (2) reservation of land for future parking.
 - A. **Joint Use:** Two (2) or more uses may provide for required parking in a common parking lot if the total space provided is not less than the sum of the spaces required for each use individually. The number of spaces

required in a common parking facility may be reduced below this total if it can be demonstrated that the hours or days of peak parking needed for the uses are different and that a lower total will provide adequately for uses served by the parking area. The total number of parking spaces shall not be less than 75 percent of what would be required under strict ordinance interpretation.

- B. **Reservation of Land for Future Parking:** The design of the parking lot, as indicated on the land development plan, must designate sufficient space to meet the parking requirements of this Chapter. The plan shall also illustrate the layout for the total number of parking spaces which must be in compliance with the impervious surface and yard requirements of this ordinance.

The balance of the parking area reserved shall not include areas for required buffer yards, setbacks, or areas which would otherwise be unsuitable for parking spaces due to the physical characteristics of the land or other requirements of this Chapter. This parking area which is reserved shall be landscaped and shall be located so that it can be used for additional parking spaces if required.

The applicant shall establish a performance bond with adequate security following the issuing of the last occupancy permit to cover the cost of paving the additional spaces and shall enter into an agreement with the Borough to ensure that the paving will be provided by the current or any future owners when it is determined that the paving is needed. The developer shall enter into a written agreement with Borough Council that, after one (1) year and six (6) months following the issuing of the last occupancy permit, the additional parking spaces shall be provided at the developer's or owner's expense should it be determined, at the sole discretion of Borough Council, that the required number of parking spaces are necessary to satisfy the need of the land development.

§27-902. Design Standards.

The design standards specified in the Subdivision and Land Development Regulations [Chapter 22] shall be required for all off-street parking facilities with a capacity of three or more vehicles built after the effective date of this Chapter.

§27-903. Loading.

Loading shall not be permitted on public streets.

§27-904. Design and Layout of Off-street Loading Facilities.

1. Off-street loading facilities shall be designed to conform to applicable requirements of the Subdivision and Land Development Regulations [Chapter 22].
2. Off-street loading facilities shall be designed to conform to the following specifications:
 - A. Each off-street loading and unloading space shall be at least 12 feet in width by 35 feet in length and shall have at least 14 feet of vertical clearance.
 - B. Each space shall have sufficient maneuvering room separate from other parking to eliminate traffic conflicts within off-street loading and parking areas.
 - C. Each space shall be located entirely on the lot being served and be so located that each space and all maneuvering room is outside of required buffer areas, yard areas, and right-of-ways.
 - D. Off-street loading facilities shall have adequate and unobstructed access to a street, service drive or alley. Such facilities shall be arranged so that they may be used without blocking or otherwise interfering with the use of all automobile accessways, parking facilities, fire lanes or pedestrian ways or backing out into a street.
 - E. The maximum width of driveway openings (measured at the street line) shall be 35 feet and the minimum width shall be 20 feet.
 - F. All off-street loading and unloading spaces, maneuvering areas, driveways, and entranceways shall be graded, surfaced with asphalt or other suitable material and drained to the satisfaction of the Borough Engineer to the extent necessary to prevent nuisances of dust, erosion or excessive water flow across public ways and to protect adjoining property.
 - G. No such facilities shall be designed or used in any manner so as to constitute a nuisance, a hazard or an unreasonable impediment to traffic.
 - H. All such facilities shall comply with applicable lighting and landscaping requirements of this Chapter.
2. All required loading facilities shall be provided and maintained in accordance with the following requirements:

- A. They shall be provided and maintained as long as the use exists which the facilities were designed to serve.
- B. Reasonable precautions shall be taken by the owner or sponsor of particular uses to assure the availability of required facilities to the delivery and pick-up vehicles that they are designed to serve.