



§500-29 Off-Street Parking and Loading Update of old §500-31

This §500-29 shall apply to all new and expanded uses and to changes of use and all such uses shall be provided with parking and loading areas adequate to meet the needs of the use. Any proposal which is considered a land development as defined by Chapter 196 (Subdivision and Land Development) shall be governed by the parking and loading area design standards in that Chapter. Following the establishment of any land development and for existing uses, the ongoing operation and maintenance of the off-street parking and loading facilities shall comply with the requirements of this §500-29 and violations shall be subject to the enforcement provisions of this chapter.

A. Availability and Use of Facilities.

- (1) Availability. The facilities required herein shall be available throughout the hours of operation of the particular business or use for which such facilities are provided. As used herein, the term *parking space* includes either covered garage space or uncovered parking lot space located off the public right-of-way.
- (2) Location of Parking.
 - (a) Required off-street parking spaces shall be on the same lot with the principal use served, except as

approved in §500-29K.

- (b) Driveways, garages, and carports not in the public right-of-way may be considered parking spaces.
- (c) Outdoor parking areas may also be provided on the roofs of buildings especially designed to support such use.

- (3) Continuing Obligation of Parking and Loading Spaces. All required numbers of parking spaces and off-street loading spaces shall be available as long as the use or building which the spaces serve still exists, and such spaces shall not be reduced in number below the minimum required by this chapter.
- (4) Non-Parking Use. Required off-street parking, loading, and unloading facilities and access ways shall not be used for any other purpose, including, but not limited to, sales, display or storage areas, or the parking of any vehicles for which the area was not approved (e.g., parking of tractor trailers in required passenger vehicle areas).
- (5) Existing Parking. Any parking spaces serving such pre-existing structures or uses at the time of the adoption of this chapter shall not in the future be reduced in number below the number required by this chapter. If a new principal nonresidential building is constructed on a lot, then any existing parking on such lot that serves such building shall be reconfigured to comply with this chapter, including, but not limited to, required parking and areas reserved for additional parking if needed, requirements for channelization of traffic from adjacent streets, channelization of traffic within the lot, minimum aisle widths, paving and landscaping.

B. Site Plan; Design.

- (1) Site Plan. The project application shall include a site plan that shows the parking, loading and unloading area, and access design.
- (2) General. Parking spaces, loading and unloading areas, and access ways shall be laid out to result in safe and orderly use and to fully address all of the following: vehicular access onto and off the site, vehicular movement within the site, pedestrian patterns and any drive-through facilities. No parking area shall cause a safety hazard or impediment to traffic on or off the lot.
- (3) Pedestrian Access and Circulation. The parking and access plan shall include details of pedestrian access to the site and pedestrian circulation within the site. The intent shall be to facilitate pedestrian access and provide safe and convenient circulation from parking areas to the structure or use.
- (4) Design. Off-street parking areas, access ways, fire lanes, traffic flow signs, pavement markings, and other necessary facilities shall be designed and provided in accord with the most current Institute of Transportation Engineers Traffic Engineering Handbook, or other generally accepted methodology approved by the Borough. The Applicant shall provide copies of the methodology used for the design. Notwithstanding the above, all parking spaces and the overall design shall be ample in size for the vehicles for which use is intended and stalls shall be a minimum of nine feet by 20 feet. ~~with aisles of not less than 24 feet unless designed as required above.~~

- C. Illumination. All driveways, aisles, maneuvering spaces, vehicular service areas, and spaces between or around buildings, designed for use by more than four cars other than those accessory to a single dwelling, shall be illuminated according to §500-67.



- D. Public Rights-of-Way. Parking, loading, and unloading of vehicles shall not be permitted on public right-of-ways, except in designated areas and in accord with municipal parking regulations. No parking area shall be designed which requires or encourages parked vehicles to be backed into a public street.
- E. Parking and Loading in C-3 District. The following provisions shall apply in the C-3 Local Commercial District:
 - (1) Nonresidential. No additional off-street parking or loading and unloading areas shall be required for any proposed, expanded or changed nonresidential use except as required in §500-29E(2).
 - (2) Overnight Accommodations. Off-street parking and loading and unloading areas shall be provided for new or expanded nonresidential uses offering overnight accommodations including, but not limited to, hotels, bed and breakfast establishments, and short-term rentals.
 - (3) Residential Buildings. Off-street parking and loading and unloading areas shall be provided for new or expanded residential buildings, CONVERSIONS ????
- F. Number of Spaces. Any structure or building which is hereafter erected, converted, or enlarged, or any open area used for commercial purposes, shall be provided with off- street parking spaces adequate to serve such use. The number of parking spaces required by this §500-29F shall be considered the minimum and maximum requirements unless modified in accord with this §500-29F.

Updated table from old §500-31A(6)

Note: SFGFA means *square feet of gross floor area*. Gross floor area is the sum of the total horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for vehicles, or any space where the floor-to-ceiling height is less than six feet.

USE	PARKING SPACES REQUIRED
A. Dwellings	
1. Single-family and two-family	2 per unit
2. Multi-family	1.5 per dwelling unit
3. Residential conversion	Same as dwelling type proposed
4. Home occupation	In addition to dwelling requirements: 1 per employee plus 1 for a visitor per 200 sq ft of home occupation area
B. Homes for handicapped or infirm, nursing homes, group care homes, halfway houses, and similar uses	3 per every 5 beds
C. <u>Overnight accommodations</u>	
1. <u>Hotels, motels, and other uses providing overnight accommodations not otherwise listed</u>	<u>1.1 per bedroom</u>
2. <u>Boarding homes, bed and breakfast establishments and short-term rentals</u>	<u>1 per bedroom</u>
D. Sales and rental of goods, merchandise, and equipment	
1. Retail establishments	1 per 200 SFGFA open to the public
2. Food markets and grocery stores	1 per 100 SFGFA open to the public
3. Wholesale establishments	1 per 800 SFGFA
4. Outdoor flea markets	1 per 200 square feet of lot area designated for display or sales

E. Offices, research facilities and services not primarily related to goods	
1. Serving customers or clients on premises such as attorneys, physicians, insurance, and travel agents	1 per 200 SFGFA
2. Drive-in banks	1 per 200 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window
3. Serving little or few customers or clients on premises, such as corporate offices	1 per 250 SFGFA
4. Funeral homes	1 per 100 SFGFA open to the public
F. Manufacturing and industry, distribution centers, truck terminals, warehousing, and storage	1 per employee on largest shift, plus 10 for nonemployees
G. Educational, cultural religious social, fraternal uses	
1. Public schools	1.75 per classroom for elementary and middle schools; and 5 per classroom for high schools
2. Trade and vocational schools, colleges	1 per 100 SFGFA open to the public
3. Churches, synagogues, and temples	1 per every 3 seats used for services
4. Libraries and museums, social, fraternal clubs, and lodges; and similar uses	1 per 300 SFGFA open to the public
H. Recreation, amusement, and entertainment	
1. Bowling alleys, skating rinks, indoor athletic or exercise facilities and similar uses	1 per every 3 persons of fully utilized design capacity (if measurable in such fashion), otherwise 1 per 200 SFGFA
2. Movie theaters, stadiums, and similar uses with seating accommodations	1 per every 3 seats available for assembly
3. Public and private outdoor recreation facilities such as golf courses, swimming pools and similar uses	1 per 200 SFGFA open to the public plus 1 per every 2 persons of fully utilized design capacity
I. Hospitals, clinics, and other medical treatment facilities; personal care homes	1 per 3 beds plus 1 for each employee on largest shift
J. Restaurants, bars, taverns, and other eating establishments	1 per 50 SFGFA open to the public plus reservoir lane capacity equal to 5 spaces per drive-in window
K. Vehicle related uses (See definition of "vehicle" in Article III.)	
1. Sales, service, repair	1 per 250 SFGFA
2. Gas sales	1 per 250 SFGFA plus sufficient parking area at pumps which does not interfere with other required spaces
3. Car or truck wash	1 per 100 SFGFA plus 2 reservoir spaces in front of each stall for self-serve and 5 reservoir spaces for conveyor type
L. Miscellaneous uses	
1. Veterinary	1 per 200 SFGFA open to the public
2. Nursery schools and day care	1 per 150 SFGFA open to the public
3. Greenhouses	1 per 200 SFGFA open to the public
4. Emergency services	1 per 200 SFGFA open to the public
5. Junk and scrap yards	1 per 200 SFGFA open to the public
6. Post office	1 per 200 SFGFA open to the public

Note: SFGFA means *square feet of gross floor area*. Gross floor area is the sum of the total horizontal areas of the several floors of a building measured from the exterior face of exterior walls, or from the centerline of a wall separating two buildings, but not including interior parking spaces, loading space for vehicles, or any space where the floor-to-ceiling height is less than six feet.

- (1) Fractional Numbers. Fractional numbers of parking spaces shall be increased to the next whole number.
- (2) Unidentified Uses. For uses not specifically provided in the Table, the Zoning Officer shall determine the required number of spaces based upon the similarity of the proposed use to the uses in the most current *Parking Generation Manual* published by the Institute of Transportation Engineers.
- (3) NEW Borough Required Reduction. In the case of parking for conditional uses and special exceptions, if the Borough Council/Zoning Hearing Board determines that the number of parking spaces required by this §500-29F is not necessarily required to meet the immediate needs of the proposed use, the Borough may require the number of spaces provided to be reduced by a maximum of 25 percent. The developer shall dedicate sufficient and suitable area to future parking to meet the normal standards in this §500-29F.
- (4) NEW Applicant Proposed Reduction/Increase. The required number of parking spaces may be reduced or increased subject to conditional use approval by the Borough Council for uses classified as principal permitted uses and conditional uses and by the Zoning Hearing Board for uses classified as principal permitted uses and special exceptions. The applicant shall provide evidence justifying the proposed reduction or increase of spaces, such as studies of similar developments during peak hours. The applicant shall also provide relevant data, such as number of employees and peak expected number of customers/visitors. Any approval to permit such decrease or increase shall be subject to the following:
 - (a) Ordinance and Plan Consistency. The project design and parking space decrease shall be consistent with the purposes contained in this chapter and the goals and objectives of the Comprehensive Plan.
 - (b) Quality of Design. The applicant shall demonstrate to the Borough Council that the proposed decrease will result in an adequate number of parking spaces, or the increase will not produce an excess number of spaces for the use based on a specific study of the parking demands for the proposed use or empirical data reported by a generally accepted source such as the Institute of Transportation Engineers, the Urban Land Institute, the American Planning Association, or similar entity.
 - (c) Local Conditions. In making its determination the Borough Council or the Zoning Hearing Board shall also consider, among others, the demographics and character of the neighborhood, demographics of targeted customers and employees, availability of mass transit, existing on-street parking conditions, and any employer instituted transportation demand management programs.
 - (d) Burden; Conditions.
 - [1] If the Borough Council or the Zoning Hearing Board, in its sole discretion, determines that the applicant has met the burden of proof, it may grant a conditional use for the decrease or increase.
 - [2] In no case shall parking be reduced by more than 30 percent nor be increased by more than 20 percent of the minimum parking requirement.

- [3] If the applicant provides more parking spaces than the minimum required, the additional parking spaces shall not result in the removal of specimen trees.
- [4] The Borough Council or the Zoning Hearing Board may impose such conditions as will, in its judgment, secure the objectives and purposes of this chapter, including, but not limited to, reserving parking.
- (5) Form of Reservation. Each parking reservation shall be in a form acceptable to the Borough Solicitor that legally binds current and future owners of the land to keep the reserved parking area in open space and, if the Borough determines it is necessary, to provide the additional parking in the time and manner as stipulated in the reservation document. Proof of recording of the agreement shall also be provided to the Borough before the issuance of a zoning permit for the project.
- (6) Reserved Parking Disturbance and Stormwater. The reserve parking areas shall remain undisturbed or shall be landscaped but shall be included in the calculations of lot coverage area and for stormwater management and for the requirement of a NPDES permit. The stormwater facilities shall be constructed in accord with the approved sequencing design as parking areas are constructed.
- (7) Multiple Uses. For projects involving more than one use and/or structure the total number of parking spaces required shall be determined by summing the number of spaces for each individual use.
- (8) Handicapped Parking. Parking for the handicapped shall be provided in accord with current Pennsylvania regulations governing accessible and useable buildings and facilities and the spaces shall count as part of the spaces required for the use by this §500-29.
- G. Off-Street Loading and Unloading Areas. **Updated old §500-31B**
- (1) Required.
- (a) In connection with any building or structure which ~~is erected or substantially altered and which~~ requires the receipt or distribution of materials or merchandise by trucks or similar vehicles, ~~or which requires the entry and exit of persons which are dropped off and picked up at the entry/exit (e.g., day care centers, schools)~~, off-street loading and unloading berths shall be provided as specified in this §500-29G. For the purposes of this section, the words "loading" and "unloading" are used interchangeably.
- (b) This requirement shall not apply in the C-3 Local Commercial District.
- (2) Number. Each use shall provide off-street loading facilities sufficient to accommodate the maximum demand generated by the use and the maximum sized vehicle, in a manner that will not routinely obstruct traffic on a public street. If a reasonable alternative does not exist, traffic may be obstructed during off-peak hours for loading and unloading along an alley, rear service lane or parking area. Loading areas shall not be used to satisfy parking requirements.
- (3) Location. All required loading areas shall be located on the same lot as the use to be served. No loading area for vehicles of more than two-ton capacity shall be located closer than 100 feet from any residential district. No loading area shall be located within 50 feet of a property line unless the lot is less than 200 feet wide, in which case such setback may be reduced to not less than 25 feet at the discretion of the Borough. No loading facilities shall be constructed within any required setback areas. Loading facilities shall be located on either the side or rear of the building and screened in accord with §500-60.

- (4) Access. Each required off-street loading area shall be designed with appropriate means of vehicular access to an interior drive in a manner which will least interfere with traffic movements and shall be subject to the approval of the Borough. Such access shall have paved surfaces to provide safe and convenient access during all seasons.
 - (5) Repair and Service. No storage of any kind, nor motor vehicle repair work of any kind, except emergency work, shall be permitted within any required loading area.
 - (6) Hours of Operation. ~~The limitation of hours of operation for loading or unloading activities may be established as a condition of approval for conditional uses and special exceptions to address impacts on nearby residential uses. Where the use requiring loading and unloading activities is located within 500 feet of a residential use or district, the hours of operation for loading or unloading activities shall be prohibited between the hours of 11:00 p.m. and 6:00 a.m.~~
 - (7) Fire Lanes. All buildings shall be accessible to emergency vehicles and shall meet applicable requirements and all related Jim Thorpe Fire Codes.
- H. Access to Off-Street Parking and Loading Areas. There shall be adequate provisions for ingress and egress to all parking and loading spaces designed for use by employees, customers, delivery services, salespeople and/or the general public. Access to and from all off-street parking, loading and vehicle service areas along public rights-of-way shall consist of well-defined separate or common entrances and exits and shall comply with the following provisions:
- (1) Parking Spaces. ~~Parking spaces shall be accessed directly by a Borough or State Road, or by a driveway serving the use. Access shall not be through and/or across a parking space located on a Borough or State Road. (per Ord. 2021-01)~~
 - (2) Width. Unless otherwise required by Penn DOT for access to a state road, the width of the driveway/access way onto a public street at the right-of-way shall comply with the most current Institute of Transportation Engineers design standards for the type and volume of vehicles anticipated and shall meet applicable requirements.
 - (3) Controlled Access. Each entrance and exit shall be clearly defined with curbing, fencing, landscaping, or vegetative screening so as to prevent access to the area from other than the defined entrance and exit.
 - (4) Highway Occupancy Permit. All new uses shall be required to obtain a highway occupancy permit from the Borough or PA DOT. In the case of a change in use or the expansion of an existing use, a highway occupancy permit or a revised highway occupancy permit shall be required if there will be increase in average daily traffic based on the most recent edition of the International Traffic Engineers Traffic Generation Manual. Where a use accesses the public right-of-way via a private road, the highway occupancy permit requirement and criteria shall be applied at the public right-of-way intersection.
 - (5) Interior Travelways. The applicant shall demonstrate that travelways within the property are adequate to safely and efficiently serve vehicles which are reasonably expected to visit the property. Turning radius templates developed by the American Association of State Highway Transportation Officials (AASHTO) shall serve as the design standard.
 - (6) Curbing. Access drives and landscaping shall be defined with concrete curbing, or such alternate material as may be approved by the Borough.

I. Parking and Loading Area Setbacks. NEW

- (1) Roads and Property Lines. Unless other provisions of this chapter require a greater buffer, all proposed or required parking and loading areas (not including parking decks) and parallel circulation and service lanes serving any commercial, industrial, institutional or multi-family use shall be separated from any public road right-of-way by a landscaped buffer not less than 10 feet in width and five feet in width along other property lines.
- (2) Uses Prohibited. The buffer area shall be maintained in natural vegetative ground cover and shall not include:
 - (a) Paving except for approved driveway/access way crossings
 - (b) Fences unless integral to landscaping
 - (c) Parking, storage or display of vehicles
 - (d) Items for sale or rent
- (3) Uses Permitted. The buffer area may include the following:
 - (a) Permitted freestanding signs
 - (b) Pervious storm water facilities
 - (c) Approved driveway/access way crossings
- (4) Buildings. Parking spaces serving principal nonresidential buildings and multi-family dwellings shall be located a minimum of five feet from any building wall, unless a larger distance is required by another ordinance provision. This distance does not apply at vehicle entrances into or under a building.

J. Grading and Drainage; Paving. Updates old §500-31A(3)

- (1) Grading and Drainage. Parking and loading facilities, including driveways, shall be graded, and adequately drained away from building areas, to prevent erosion and to avoid increased or altered flow of stormwater runoff into streets or onto adjacent properties.
- (2) Grade. All areas provided for the parking of vehicles shall have a minimum grade of 0.5 percent and a maximum grade of six percent.
- (3) Paving. Except for single-family dwellings, all portions of required or proposed parking areas, loading areas and access ways (except for landscaped areas) shall be surfaced with a minimum of 2.5 inches of compacted asphalt paving on a six-inch compacted stone base or equivalent as determined by the Zoning Officer. (See §500-27G for use of pervious surfaces.) CURRENT: Such areas shall also be provided with a durable and dustless surface, such as gravel, asphalt, or concrete, to provide for the safe storage and smooth transit of vehicles.

K. Off-Site or Shared Parking. Updates old §500-31A(2)(a)

- (1) Off-Site. Required parking may be provided on a different lot than on the lot on which the principal use is located, provided the parking is not more than 300 feet from the principal use lot. Off-lot parking areas shall be permitted only in a district where the principal use is permitted. Both parcels shall be under the same control, either by deed or long-term lease, as the property occupied by such principal use, and the owner shall be bound by covenants of record filed in the office of the County Recorder of

Deeds requiring the owner and his or her heirs and assigns to maintain the required number of off-street parking spaces during the existence of said principal use.

- (2) Shared Parking. In cases where two principal uses share a common property line, shared parking facilities may be utilized. The arrangement for share parking shall be provided by deed restriction for the portion of each parcel included in the shared arrangement. The shared parking area may span the common property line thereby eliminating the required setback. The standards in §500-29F for number of spaces to be provided shall apply to shared parking. To the extent that principal uses operate at different times, the same spaces may be credited to both uses. (Example: If a church parking lot is generally occupied only to ten percent of capacity on days other than a Sunday, another development not operating on a Sunday could make use of the unused church lot spaces on weekdays.)
- L. Changes to Access and Parking Areas and Loading/Unloading Areas. A zoning permit shall be required for any changes to any access (including new curb cuts) and parking areas and loading/unloading areas. **NEW**
- M. Shopping Carts. Establishments furnishing carts or mobile baskets shall provide definite areas on the site for the storage of the said carts. Storage areas shall be clearly marked and designed for the storage of shopping carts and/or mobile baskets. Establishments furnishing carts or mobile baskets shall provide definite areas on the site for the storage of the said carts. Storage areas shall be clearly marked and designed for the storage of shopping carts and/or mobile baskets. **NEW**
- N. Snow Storage and Removal. All plans for proposed parking areas shall include details for adequate snow storage and removal. **NEW**
- O. Landscaping. All improved off-street parking areas not entirely contained in a garage or building shall comply with the buffering and landscaping requirements of §500-60 and §500-61, respectively. **NEW**

§500-30 to §500-32 Reserved

Old section. DO NOT INCLUDE THIS.

§ 500-37. Conversions other than residential conversions.

Where provided in commercial districts, structures may be redesigned and converted from any former use to any other use permitted in the district, subject to the following regulations:

- A. The design of said conversion shall be compatible with that of other structures in the neighborhood. In addition, both the structure and all uses to be located therein shall be in compliance with the performance standards of the appropriate section under Article IV.
- B. All driveways, vehicular access points and loading zones for the structure shall be designed in such a manner as to minimize conflict points between vehicles and pedestrians, and between vehicles with each other. Driveway access points shall be restricted to the minimum required to provide safe vehicular access, and loading zones, and wherever possible, shall be located in areas not adjacent to sidewalks used by pedestrians.