

## **ARTICLE 10**

### **OFF-STREET LOADING AND PARKING**

#### **Section 1001: Statement of Intent**

- (A) The purpose and objective of the provisions established under Article 10 of this Zoning Ordinance is to establish specific regulations pertaining to off-street loading, parking and access management.
- (B) The provisions contained in Article 10 of this Zoning Ordinance are intended to serve as minimum requirements to promote the public health, safety and the general welfare of the residents and property owners of Upper Bern Township. The regulations shall supplement and not replace other land use provisions established within this Zoning Ordinance. Where these regulations impose greater restrictions than those of any other statute, ordinance or regulation, the provisions established under this Article of the Zoning Ordinance shall be upheld.

#### **Section 1002: General Provisions for Off-Street Loading and Off-Street Parking**

- (A) Off-street loading and parking spaces shall be provided and maintained in accordance with the provisions of this Zoning Ordinance, whereas, the number, type, size, orientation and location of the off-street loading and parking spaces shall be satisfactorily designed to accommodate the use.
- (B) The provisions for off-street loading shall apply to non-residential uses when a new non-residential use is established, changed or modified and/or when a building is constructed, enlarged or altered to accommodate the non-residential use. Unless otherwise specified by this Zoning Ordinance, the off-street loading spaces shall comply with the design standards specified under Section 1003 of this Zoning Ordinance.
- (C) The provisions for off-street parking shall apply to residential and non-residential uses when a new use is established, changed or modified and/or when a building is constructed, enlarged or altered to accommodate the use. Unless otherwise specified by this Zoning Ordinance, the off-street parking spaces shall comply with the design standards specified under Section 1004 of this Zoning Ordinance.
- (D) Where the lot area cannot accommodate the required number of off-street loading spaces or off-street parking spaces for the intended use, either the minimum lot area shall be enlarged or the intensity of the use shall be reduced.
- (E) Where an existing building or use pre-exists the effective date of this Zoning Ordinance, the provisions for off-street loading and off-street parking, as specified within this Article shall not specifically apply, unless the building or use is enlarged or altered in a manner that increases the demand for off-street loading or off-street parking.
- (F) Where an existing building or use is enlarged by floor area, number of employees, number of residential units, seating capacity, bed spaces, service bays, or other provisions specified by this Zoning Ordinance, the required number of off-street loading spaces and/or off-street parking spaces shall be proportionately or incrementally increased based upon the enlargement of the building or use.
- (G) Where the computations for off-street loading spaces or off-street parking spaces results in a fractional number greater than  $\frac{1}{4}$  or 0.25, the fractional number shall be rounded up to the next whole number. The Upper Bern Township Zoning Officer shall determine or verify the number of off-street loading and parking spaces that are required for a specific use.
- (H) No off-street loading space or off-street parking space shall be utilized for any other use that interferes with its purpose, availability or function.
- (I) All designated off-street loading spaces or off-street parking spaces shall be continued and maintained so long as the use in which the spaces were originally designed for are still in operation or existence. Unless otherwise approved

by Upper Bern Township, the designated off-street loading spaces or off-street parking spaces shall not be reduced in size or modified in any manner.

- (J) Common or joint off-street parking spaces may be permitted for residential or non-residential uses, subject to the following provisions:
- (1) The total number of off-street parking spaces required for each permitted use shall be accounted for in the cumulative total for the common or joint off-street parking area.
  - (2) The residential or non-residential uses shall share common characteristics and will not have any adverse conflicts. As part of this requirement, the applicant or developer shall demonstrate that the uses will not generate additional off-street parking demands from employees and patrons during peak hours of operation.
  - (3) The common or joint off-street parking spaces shall be located within 400 feet of the principal use(s).
  - (4) The individual property owners and/or tenants for each use shall secure a written agreement with the owner(s) of the property in which the common or joint off-street parking facilities are located. The agreement shall clearly define the specific areas, conditions for use, maintenance, fees, and other terms that may be required by the Upper Bern Township Solicitor.
- (K) Common or joint off-street loading spaces shall not be permitted. Each use requiring an off-street loading space shall designate an area meeting the requirements for off-street loading, as specified under Section 1003 of this Zoning Ordinance.
- (L) No tractor trailer truck, or trailer from a tractor trailer truck, shall be stored or parked for more than seventy-two (72) consecutive hours over any seven (7) day period within the MDR, SV and RC Zoning District.
- (M) No commercial vehicle or part thereof having a gross weight of more than 26,000 pounds or in excess of 20 feet in length shall be stored or parked on a parcel of land within the BMP, MDR and SV Zoning Districts for more than seventy-two (72) consecutive hours over any seven (7) day period.
- (N) Major recreational equipment, including but not limited to boats and boat trailers, travel trailers, pick-up campers or coaches, motorized dwellings, tent trailers or similar equipment, shall not be parked or stored on any public street within Upper Bern Township. All such major recreation equipment may be parked or stored on an approved lot, provided it is located as follows: within a carport; within a completely enclosed building; within the side or rear of a lot, but no closer than five (5) feet to a property line; or on a non-residential lot, which has been previously approved for storing major recreational equipment.
- (O) Unless otherwise permitted as part of the normal functions of a commercial campground or similar use, no major recreational equipment shall be utilized for living, housekeeping or similar activities, when parked or stored on any lot within Upper Bern Township.
- (P) The deposit or storage of two (2) or more unlicensed, non-inspected, abandoned, wrecked or disabled vehicles shall not be permitted on any lot within Upper Bern Township for a period of time exceeding forty-eight (48) hours unless it is part of a permitted automobile repair establishment, junkyard or similar use determined appropriate by the Zoning Officer. The storage of unlicensed, non-inspected, abandoned, wrecked or disabled vehicles on any lot, parcel of land or public streets shall be subject to the appropriate provisions established by Upper Bern Township.

### **Section 1003: Off-Street Loading Areas**

- (A) Where required to accommodate a residential or non-residential use, paved off-street loading and unloading space(s) shall be provided with proper access from a public street, common driveway or alley. All such areas for the loading and unloading of vehicles, and for the servicing of establishments or shops by refuse collection, fuel and other service vehicles, shall be of such size, design and arrangement that they may be used without blocking or otherwise interfering with the use of automobile accessways, parking facilities or pedestrian ways.

- (B) Unless otherwise permitted by Upper Bern Township, all loading areas and access drives shall be paved to accommodate the type of vehicles entering and exiting the site. The paving composition shall comply with the provisions established by Upper Bern Township.
- (C) The loading areas shall not be located within required front yards and shall not be located within ten (10) feet of any side or rear lot line. All such spaces shall have dimensions not less than twelve (12) feet by forty five (45) feet with a clearance of not less than fourteen (14) feet in height. Alternative designs may be permitted by Upper Bern Township, provided that the applicant or landowner can demonstrate that the types of trucks that have access to the site do not require the prototypical dimensional requirement for loading and unloading.
- (D) The total number of off-street loading spaces shall be determined by the requirements specified on Matrix Chart 9. The required off-street loading spaces shall be located exclusive of any public right-of-way or required parking area.

<b>OFF-STREET LOADING SPACE REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 9)</b>		
<b>Land Use Category</b>	<b>Gross Floor Area or Units</b>	<b>Required Spaces</b>
Residential developments containing townhouse or apartment units	Less than 100 residential units <sup>(1)</sup>	1
	100 to 300 residential units <sup>(2)</sup>	2
	More than 300 residential units <sup>(2)</sup>	3
Office Buildings, Banks and Financial Institutions	Less than 10,000 square feet <sup>(1)</sup>	1
	10,000 to 20,000 square feet <sup>(2)</sup>	2
	Over 20,000 square feet <sup>(2)</sup>	3
Retail Sales, Professional Service Establishments, Restaurants, Shopping Centers, Mini-Malls and other Commercial Uses	Less than 5,000 square feet <sup>(1)</sup>	1
	5,000 to 25,000 square feet <sup>(2)</sup>	2
	25,000 to 50,000 square feet <sup>(2)</sup>	3
	Over 50,000 square feet <sup>(2)</sup>	4
Institutional and Recreational Uses	Less than 20,000 square feet <sup>(1)</sup>	1
	20,000 to 50,000 square feet <sup>(2)</sup>	2
	Over 50,000 square feet <sup>(2)</sup>	3
Manufacturing, Mini-Warehousing, Self-Storage Units, Warehousing , Wholesaling Establishments and other Industrial Uses	Less than 10,000 square feet <sup>(1)</sup>	1
	10,000 to 50,000 square feet <sup>(2)</sup>	2
	50,000 to 100,000 square feet <sup>(2)</sup>	3
	Over 100,000 square feet <sup>(2)</sup>	4
<p>(1) Denotes that the off-street loading requirement may be reduced or eliminated if the applicant or developer provides documentation to Upper Bern Township that the use will not need or utilize the off-street loading space.</p> <p>(2) Denotes that the off-street loading requirement may be reduced or increased by Upper Bern Township depending upon the needs and intensity of the use.</p>		

- (E) Where Matrix Chart 9, as specified under Section 1003(D) of this Zoning Ordinance, does not specify a requirement for the land use activity, or the site conditions do not warrant the specified requirement contained within the table, the Upper Bern Township Board of Supervisors may consider and require an alternative provision.

#### **Section 1004: Off-Street Parking Areas**

- (A) Off-street parking facilities shall be provided whenever: a building is constructed or new use established; the use of an existing building is changed to a use requiring more parking facilities; an existing building is altered so as to increase the amount of parking spaces required; and/or a residential or non-residential use requires off-street parking as specified by the provisions of this Zoning Ordinance.
- (B) Each parking space shall have a minimum area of two hundred (200) square feet with the minimum dimensions of ten (10) feet by twenty (20) feet. In addition, appropriate driveways, aisles and maneuvering space shall be provided to permit safe and convenient access to and use of the area provided for parking purposes. Proper access from a street, alley or driveway shall be provided.
- (C) Off-street parking spaces for residential uses shall be located on the same lot as the use served. Off-street parking spaces for other uses shall be provided for on the same lot as the use being served, or in parking facilities within 400 feet of the principal uses, except in the case of a shopping center or similar grouping of buildings on a lot, in which case all parking areas shall be provided entirely within the lot lines of the property.
- (D) All parking spaces designated for single-family residential units shall be located behind the street right-of-way line.
- (E) Joint parking facilities for two (2) or more uses may be established, provided that the number of spaces provided is not less than the sum of the spaces required for each individual use.
- (F) All parking spaces and means of access, other than those relating to a dwelling, shall be adequately illuminated during night hours of use. The illumination shall be designed in accordance with Section 920 of this Zoning Ordinance. The illumination shall not be of excessive brightness and shall not produce a light trespass or glare beyond the limits of the off-street parking area.
- (G) Unless otherwise permitted by Upper Bern Township, all off-street parking areas and access drives shall be paved and contain marked parking spaces. The off-street parking areas shall be properly graded to provide convenient vehicular access and proper drainage and shall be maintained in usable condition. The minimum grade of areas used for parking shall be at least one (1) percent and the maximum grade shall not exceed five (5) percent. Surface water shall not be concentrated onto public sidewalks and other premises.
- (H) The areas designated to comply with the provisions for off-street parking shall not be used for the sale, dead-storage, repair, dismantling or servicing of vehicles.
- (I) Off-street parking facilities existing at the effective date of this Zoning Ordinance shall not be subsequently reduced to an amount less than that required under this Zoning Ordinance for a similar new building or use.
- (J) The width of aisles within the off-street parking areas shall comply with the following minimum requirements:
  - (1) Where the angles of the parking spaces are at 90 degrees angles, the width of the aisle shall be 24 feet in width and may accommodate two (2) way travel.
  - (2) Where the angles of the parking spaces are at 60 degrees angles, the width of the aisle shall be 18 feet in width and shall be restricted to one (1) way travel.
  - (3) Where the angles of the parking spaces are at 45 degrees angles, the width of the aisle shall be 16 feet in width and shall be restricted to one (1) way travel.
  - (4) Unless otherwise permitted by the Planning Commission, the parking spaces shall not be designed with angles of less than 45 degrees.
  - (5) Regardless of the configuration or angle of the parking space, the area of the space shall accommodate a rectangular area with a width of ten (10) feet and a depth of twenty (20) feet
- (K) Where parking requirements are determined by the number of seats and no permanent seats are provided, the number of parking spaces to be provided shall be based upon the capacity for temporary seats in normal usage.

- (L) The parking areas shall be arranged and marked to provide safe and orderly movement without disrupting traffic or moving other vehicles. The design of off-street parking areas for all uses shall be such to prevent the back up of vehicles on a public street.
- (M) Parking areas shall be arranged so that no portion of any vehicle parked within a designated parking space can extend over any property line of the lot on which it is parked.
- (N) Parking areas for non-residential uses, which are designed to contain more than five (5) vehicles shall be screened from the view of persons on any land areas zoned as AP, BMP and MDR Zoning Districts, which is adjacent to the land on which the non-residential parking area is located. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare of the parked cars.
- (O) Parking areas and access drives for non-residential uses shall be located a minimum of fifteen (15) feet from a lot line and street right-of-way line. The area between the parking area and the lot line or street right-of-way line shall be landscaped in accordance with the standards specified under Section 915 of this Zoning Ordinance.
- (P) Parking areas and access drives for multi-family residential development shall be located a minimum of twenty (20) feet from an exterior property line and street right-of-way line. The area between the parking area and the lot line or street right-of-way line shall be landscaped in accordance with the standards specified under this Zoning Ordinance.
- (Q) Unless otherwise specified by this Zoning Ordinance, the off-street parking areas and access drives for all other residential uses shall be located to comply with the following minimum setback requirements from any property line: five (5) feet for single-family detached units; zero (0) feet for the common property line of a single family semi-detached units and five (5) feet for all other property lines; zero (0) feet for the internal common off-street parking area of multi-family units within the development and twenty (20) feet from all exterior property lines and existing street right-of-way lines.
- (R) The number of off-street parking spaces to be provided for each use shall be sufficient to accommodate all occupants, employees, visitors and customer parking. The off-street parking spaces required shall be further specified by Matrix Chart 10 and shall be located exclusive of any public right-of-way or other specified use.

<b>CATEGORICAL OFF-STREET PARKING REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 10)</b>		
<b>Use</b>	<b>Land Use Category</b>	<b>Off-Street Parking Requirement</b>
Residential	Single Family Detached Units	2 parking spaces per unit not including garage spaces
	Single Family Semi-Detached Units	2 parking spaces per unit not including garage spaces
	Two-Family Detached Unit	2 parking spaces per unit not including garage spaces
	Multi-Family Townhouse Unit Development	2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development
	Multi-Family Apartment Unit Development	2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development
	Conservation by Design in the BMP and MRD Zoning Districts	2 parking spaces per unit not including garage spaces
	Group Homes	1 parking space for each employee plus 1 space for each 2 beds
	Convalescent and Nursing Homes	1 parking space for each employee plus 1 space for each 3 beds
	Age Qualified Retirement Communities	1 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development
	Mobile Home Parks	2 parking spaces per unit plus 0.5 spaces per unit for overflow parking within the development
	Other Residential Uses	As determined appropriate by the Zoning Officer

**CATEGORICAL OFF-STREET PARKING REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 10)**

Use	Land Use Category	Off-Street Parking Requirement
Commercial	Retail Business Establishment	1 parking space per 200 square feet of gross floor area plus 1 space per employee
	Business and Professional Office	1 parking space per 250 square feet of gross floor area plus 1 space per employee
	Personal Care or Service Establishment	1 parking space per 250 square feet of gross floor area plus 1 space per employee
	Medical, Dental and Paramedical Office	6 parking spaces per practitioner engaged with the principal services plus 1 space per employee
	Banks and Financial Institutions	1 parking space per 200 square feet of gross floor area plus 1 space per employee
	Funeral Homes	1 parking space per 50 square feet of gross floor area plus 1 space per employee
	Convenience Store or Mini-Market	1 parking space per 150 square feet of gross floor area plus 1 space per employee
	Home Day Care Facility	2 parking spaces for the residential use plus 2 stacking spaces for loading/unloading
	Commercial Day Care Facility	1 parking space per 6 students plus 4 stacking spaces for loading/unloading plus 1 per employee
	Restaurants	1 parking space per 3 seats plus 1 space per employee plus tavern or taproom requirements
	Club, Lodge, Taverns, Taprooms and Night Clubs	1 parking space per 100 square feet of gross floor area plus 1 space per employee
	Hotel or Motels	1 parking space per room, plus 1 space per employee on the maximum shift plus accessory uses
	Mini-Malls	1 parking space per 200 square feet of gross floor area plus 1 space per employee
	Shopping Centers	1 parking space per 200 square feet of gross floor area plus 1 space per employee
	Veterinary Hospital or Animal Clinic	4 parking spaces per practitioner engaged with the principal services plus 1 space per employee
	Theater or Family Entertainment Complex	1 parking space per 3 seats plus 1 space per 200 gross square feet of accessory or subordinate retail space plus 1 space per employee
	Equipment Rental Business	1 parking space per 250 square feet of gross floor area plus 1 space per employee
	Automobile Service Stations	1 parking space per 250 square feet of office/retail space plus 2 spaces per service bay plus 1 space per employee
	Automobile Sales	1 parking space per 500 square feet of office/retail space plus 1 space per vehicle plus 1 space per employee
	Adult Business and Entertainment Use	1 parking space per 100 square feet of gross floor area plus 1 space per employee
	Commercial Campground	1 parking space per 250 square feet of office/retail space plus 1 space per campsite plus 1 space per employee
	Wagering or Gambling Establishment	1 parking space per 100 square feet of gross floor area plus 1 space per employee
	Kennels	1 parking space per 10 animals kept or housed plus 1 space per employee
	Other Commercial Uses	As determined appropriate by the Zoning Officer

<b>CATEGORICAL OFF-STREET PARKING REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 10)</b>		
<b>Use</b>	<b>Land Use Category</b>	<b>Off-Street Parking Requirement</b>
Industrial	Manufacturing	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Wholesaling and Warehousing	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Fabrication and Finishing	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Quarrying and Mining	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Solid Waste Disposal and Reduction	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Junk Yards and Salvage Yards	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Trucking or Motor Freight Terminals	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Other Industrial Uses	As determine appropriate by the Zoning Officer
Agricultural	General Agricultural Uses	As determine appropriate by the Zoning Officer
	Intensive Agricultural Uses	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Commercial Composting	1 parking space per 2 employees on the 2 largest shifts combined plus 1 space for each vehicle stored on-site
	Other Agricultural Uses	As determine appropriate by the Zoning Officer
Recreational	Bowling Alleys	4 parking spaces per bowling alley plus 1 space per employee on the maximum shift plus accessory uses
	Golf Courses, Driving Ranges and Miniature Golf Courses	4 parking spaces per tee plus 1 space per employee on the maximum shift plus accessory uses
	Public or Commercial Swimming Pools	1 parking space per 4 persons of total membership capacity plus 1 space per employee
	Community Recreation Center	1 parking space per 3 seats (auditorium) plus 1 space per 500 square feet (non-auditorium) plus 1 space per employee on the maximum shift plus accessory uses
	Health and Fitness Club	1 parking space per 250 square feet of gross floor area plus 1 space per employee on the maximum shift
	Other Recreational Use	As determined appropriate by the Zoning Officer
Institutional	Auditorium, Conference Center, and Public Meeting/Assemblage Facilities	1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers
	Education Use: Nursery School through the 9 <sup>th</sup> Grade.	1 parking space per 10 students plus 1 space per employee plus auditorium requirements
	Education Use: 10 <sup>th</sup> through 12 <sup>th</sup> Grade; Vocational; or Higher Learning Facility	1 parking space per 4 students plus 1 space per employee plus auditorium requirements
	Hospital and Medical Centers	1 parking space per 3 beds plus 1 space per employee and visiting medical staff on the maximum shift
	Assisted Living Care Facilities, Nursing Homes and Convalescent Homes	1 parking space per 4 beds plus 1 space per employee and visiting medical staff on the maximum shift
	Churches and Religious Facilities	1 parking space per 3 seats, which may be available on chairs, seats, pews, benches or bleachers
	Utility, Governmental or Municipal Uses	As determined appropriate by the Zoning Officer
	Other Institutional Uses	As determined appropriate by the Zoning Officer

- (S) Where Matrix Chart 10, as specified under Section 1004(R) of this Zoning Ordinance, does not specify a requirement for the land use activity, or the site conditions do not warrant the specified requirement list within the table, the Board of Supervisors may consider and require an alternative requirement.
- (T) Where a reduction in the total number of off-street parking spaces is considered, the applicant shall provide documentation to support that the use does not warrant the spaces required by the Zoning Ordinance, whereas, Upper Bern Township may permit a reduction, which shall not exceed 20 percent of the required total.
- (U) In addition the required off-street parking spaces specified under Section 1004(R), handicapped parking spaces shall be located, designed and constructed in accordance with the standards and provisions of all local, state and federal laws. Unless otherwise permitted by Upper Bern Township, the total number of handicapped parking spaces shall be determined by Matrix Chart 11 and shall be located exclusive of any public right-of-way or other specified use:

<b>HANDICAPPED PARKING SPACE REQUIREMENTS (SUPPLEMENTAL MATRIX CHART 11)</b>	
<b>Off-Street Parking Spaces Required</b>	<b>Total Number of Handicapped Spaces Required</b>
Less than 5 off-street parking spaces	As required by local, state or federal laws
5 to 25 off-street street parking spaces	1 additional handicapped space
26 to 50 off-street street parking spaces	2 additional handicapped spaces
51 to 75 off-street street parking spaces	3 additional handicapped spaces
76 to 100 off-street street parking spaces	4 additional handicapped spaces
101 to 125 off-street street parking spaces	5 additional handicapped spaces
126 to 150 off-street street parking spaces	6 additional handicapped spaces
151 to 200 off-street street parking spaces	7 additional handicapped spaces
201 to 300 off-street street parking spaces	8 additional handicapped spaces
301 to 400 off-street street parking spaces	9 additional handicapped spaces
401 to 500 off-street street parking spaces	10 additional handicapped spaces
501 to 1,000 off-street street parking spaces	2 percent of the total number of off-street parking spaces
1,000 or more off-street street parking spaces	20 handicapped parking spaces plus 1 percent of the total number of off-street parking spaces

- (V) In addition to the requirements of Matrix Chart 11, as specified under Section 1004(U), the required handicapped spaces shall be designed in accordance with the following specifications:
  - (1) Handicapped parking spaces shall be located within a safe and convenient area, which would result in the shortest reasonable distance from the handicapped parking space to the building or intended use as well as other provisions, such as, cross-slopes, access ramps, elevators, ramps, walkways and entrances.
  - (2) Above-grade signs and suitable pavement markings shall be provided at each required handicapped parking space. The sign and pavement markings shall be subject to the approval of the Zoning Officer.
  - (3) Where a curb exists between a parking lot surface and a sidewalk surface, an inclined curb approach or a curb cut shall be provided to accommodate handicapped individuals, as specified by all locals, state and federal laws. If a curb ramp is located where pedestrians must walk across the ramp, then the ramp shall be designed with flared sides, as specified by the Upper Bern Township Engineer or Zoning Officer.
  - (4) All handicap parking shall comply with the provisions of the Americans with Disabilities Act. When there is a conflict between the parking requirements listed under this Section of the Zoning Ordinance and those of the Americans with Disabilities Act, then the most stringent requirement shall govern.



- (W) Off street parking areas shall be suitably designed to control stormwater and minimize erosion. The minimum grade of areas used for parking shall be at least one (1) percent and the maximum grade shall not exceed five (5) percent. The maximum grade of access drives shall not exceed ten (10) percent. The surface water shall be directed to stormwater management facilities, which are designed in accordance with the provisions of Upper Bern Township.
- (X) Off-street parking areas shall be suitably landscaped in order to enhance or buffer the surrounding area. The following landscaping requirements shall be provided for all off-street parking areas containing ten (10) off-street parking spaces:
- (1) A landscaping plan shall be prepared and submitted with the subdivision plan or land development plan. The landscaping plan shall meet the criteria specified under Section 915 of this Zoning Ordinance.
  - (2) Raised concrete or curbed planter islands shall be placed at each end of a row of parking spaces, which begins or terminates at an internal circulation drive, and within each row of parking spaces. The raised planter islands shall be placed so that there are not more than 15 off-street parking spaces in a continuous row without an intervening landscaped planter island. The raised continuous concrete curbing shall be required around each planting island. Each such island shall be at least 180 square feet in size and planted with suitable landscaping materials.
  - (3) The perimeter of the off-street parking area shall be suitably landscaped to provide a visual buffer or to enhance the aesthetics of the area adjacent to the off-street parking area. The landscaping materials shall be selected from the list contained within Section 914 of this Zoning Ordinance.
  - (4) Parking areas required to accommodate non-residential uses shall be screened from the view of residential uses located with the AP, BMP and MDR Zoning Districts. The screening shall be comprised of a fence, wall and/or landscaping materials of at least four (4) feet in height, which shall be designed to obstruct headlight glare and screen the view of the parked cars.
  - (5) Where possible, the use of existing trees shall be incorporated into the design of the off-street parking area or to establish a buffer yard.

**Section 1005: Driveways, Access Lanes, Fire Lanes and Fire Apparatus Access Roads**

- (A) Driveways or access lanes shall be required to permit accessibility between a public or private street and the existing or proposed use on the lot to which it provides service. Unless otherwise specified by this Zoning Ordinance, the driveway or access lane shall be designed in accordance with the following provisions:
- (1) All driveways or access lanes shall be so constructed and maintained with materials, which will not wash nor be deposited upon public roads. No driveways or access lanes shall be located, designed and constructed so as to create a drainage or sedimentation problem on an adjacent property or street
  - (2) All driveways serving residential or non-residential uses shall be located, designed, constructed and maintained in accordance with the provisions specified by Upper Bern Township. Unless otherwise specified by Upper Bern Township, the following specific provisions for paving shall apply:
    - (a) All driveways, access lanes and off-street parking areas serving a residential use within the MDR and SV Zoning District shall be paved.
    - (b) All driveways and access lanes serving a residential use in the AP, BMP, RC, HC, GI and AI Zoning District shall be paved a minimum distance of twenty-five (25) feet from the edge of the cartway of the public road to which the driveway or access land has access.
    - (c) All driveways, access lanes, parking areas and loading areas serving a non-residential use within the SV, RC, HC, GI and AI Zoning District shall be paved.
    - (d) All driveways and access lanes serving agricultural or conservation uses within the AP, BMP and AI Zoning District shall be maintained in a mud-free condition.

- (3) All driveways and access lanes shall be located, designed and constructed as to provide optimum sight distance and visibility at the intersection with the existing or proposed street.
  - (4) All driveways and access lanes shall be designed and constructed with a leveling area not to exceed a centerline grade of five (5) percent, as measured twenty (20) feet from the edge of the cartway of the public road to which the driveway or access land has access.
  - (5) Where a lot within an approved subdivision or land development plan fronts on either the arc of the curve of a public road or on a cul-de-sac bulb, the required driveway or part thereof, including any turnaround area, shall be located a minimum of five (5) feet from a property boundary line.
  - (6) A permit issued by Upper Bern Township shall be required for all proposed driveways entering onto a road, which is currently owned by Upper Bern Township or proposed to be owned by Upper Bern Township.
  - (7) A permit issued by the Pennsylvania Department of Transportation, shall be required for all proposed driveways entering onto a road, which is currently owned by the state or proposed to be owned by the Commonwealth of Pennsylvania.
- (B) Unless otherwise permitted by Upper Bern Township, the following provisions shall apply to private roads:
- (1) New private roads serving two (2) or more residential uses shall be prohibited.
  - (2) The use of existing private roads shall be permitted to continue, provided that additional residential lots or land uses are not created along the private road.
  - (3) If additional residential lots or land uses are to be created along a private road, the entire length of the private road, between the public road and the residential lots having access, shall be constructed and paved in accordance with the standards and specifications of Upper Bern Township. Further, agreements for required site improvements, maintenance provisions and continued use of the private lane shall be required for all parties having an interest in accessibility to the private lane.
  - (4) Upper Bern Township may permit a private road or service road in order to provide access to a permitted non-residential use within the AP, SV, RC, HC, GI or AI Zoning Districts. The location, design, width, length and construction specifications shall be subject to the approval of Upper Bern Township.
  - (5) Upper Bern Township shall not be required to accept the ownership and maintenance responsibilities of any private road, regardless of its condition or improved status.
- (C) Where required by Upper Bern Township, a fire lane shall be located, designed and constructed in accordance with those provisions specified by Upper Bern Township.
- (D) Where required by Upper Bern Township, a fire apparatus access road shall be located, designed and constructed in accordance with the provisions specified by Upper Bern Township.

**Section 1006: Highway Frontage Development and Access Management Requirements**

- (A) Subdivision and land development activity along the frontage of collector streets and arterial streets shall comply with the following provisions:
- (1) All areas for off-street parking, off-street loading and unloading, and the storage or movement of motor vehicles shall be physically separated from the public street or highway by a raised curb, planting strip or other suitable barrier against unchanneled motor vehicle entrance or exit, except for the necessary accessways or access roads, which supply ingress and egress from such parking, loading or storage area.

- (2) Each use with less than 150 feet of frontage along a public street shall have not more than one (1) point of ingress and egress to each such street. No use with 150 feet or more frontage along a public street shall have more than two (2) points of ingress and egress to any one (1) street for each 300 feet of frontage. Where feasible, movement into and out of parking areas shall avoid direct access to or from an arterial street or major collector.
  - (3) Unless otherwise permitted by Upper Bern Township or the Pennsylvania Department of Transportation, where there is more than one (1) driveway to an off-street parking facility, consideration should be given to limit the driveways to one (1) way travel either as a point of ingress or a point of egress to the off-street parking facility. The width of such entrances and exits, as measured at the right-of-way line, shall conform to the following schedule:
    - (e) For one (1) way travel providing a point of ingress or egress, the minimum width shall be 12 feet and the maximum width shall be 24 feet.
    - (f) For two (2) way travel providing a point of ingress and egress, the minimum width shall be 24 feet and the maximum width shall be 36 feet
  - (4) Unless otherwise required by Upper Bern Township or the Pennsylvania Department of Transportation, the radius of the edge or the driveway apron shall be at designed at a minimum radius of ten (10) feet and a maximum radius of thirty (30) feet.
  - (5) The location and width of the point of ingress and/or egress for all driveways and access lanes shall be planned so as not to interfere with the use of adjacent property and with pedestrian and vehicular traffic on the collector or arterial street.
- (B) In order to enhance mobility and limit accessibility along collector and arterial streets, the following access management strategies shall be considered as part of the subdivision and land development process:
- (1) Driveway cuts along collector and arterial routes should be minimized or consolidated. Where appropriate and permitted by Upper Bern Township, common driveways for certain land uses or developments may be considered.
  - (2) The lot width, type of land use, and the anticipated traffic volumes should determine how many driveway cuts should be permitted along a collector or arterial road. Where required, the traffic impact study should consider the impacts that could adversely reduce mobility along the collector or arterial route.
  - (3) Where appropriate to enhance safety conditions, traffic improvements shall be considered as part of the subdivision and land development plan application, which may include: the installation of traffic signals; the construction of separate right turn lanes and/or left turn lanes; the installation of median barriers to efficiently separate and direct vehicular traffic to its intended destination; and to require the installation of sidewalks, handicapped ramps and crosswalks.
  - (4) Prohibit inappropriate turning movements along collector or arterial streets.
  - (5) Maintaining lines of sight and enhancing visibility at all driveways and access lane by establishing effective setback requirements, limiting the size of signs, minimizing distractions, and establishing a horizontal profile that will provide sufficient right-of-way to accommodate future transportation improvements.
- (C) Where in the best interest of the community, the Board of Commissioner may consider alternative methods of highway frontage development and/or access management strategies provided that the alternative provides consideration for public safety, enhancing mobility and limiting accessibility along collector and arterial streets.