

**ARTICLE XXV OFF-STREET PARKING AND LOADING****Section 2500 PURPOSE AND APPLICABILITY****A. Purpose.**

1. Provide adequate parking and loading facilities for all permitted structures and uses; and
2. Reduce traffic congestion and promote the allocation of parking and loading spaces to increase public safety and convenience.

**B. Applicability.**

1. Off-Street Parking and loading areas shall be provided whenever:
  - a. A new structure is constructed or new use established in an existing structure;
  - b. The use of an existing structure is changed to a use requiring more parking or loading facilities; or
  - c. An existing structure or use is altered or enlarged so as to increase the amount of parking and loading spaces required.
2. Structures and uses in existence on the date of adoption of this Ordinance shall not be subject to the provisions of this Article, except as provided in Section 2500.B.1.

**Section 2501 OFF-STREET PARKING****A. General Requirements.**

1. Construction and Maintenance. All parking areas required by this Section shall be constructed and maintained for as long as the structure or use which they are designed to serve remains in existence.
2. Location of Required Parking Spaces.
  - a. Required Off-Street Parking spaces shall be located on the same lot as the principal use, unless provided in compliance with Section 2501.C.
  - b. Off-Street Parking spaces shall be located outside of the public right-of-way.
3. Use of Parking Area. No parking area shall be used for any use that interferes with its availability for the parking need it is required to serve.

**B. Required Off-Street Parking.**

1. Uses not specifically listed in Section 2501.B.5 shall comply with the requirements for the most similar use listed in Section 2501.B.5.

2. Where a building or use contains or includes more than one (1) type of use, regardless of whether each use is listed in Section 2501.B.5, or is unlisted, the number of parking spaces required shall be the sum of the parking requirements for each separate use.
3. Two (2) or more uses may provide for required parking in a common parking lot if the total number of spaces provided is not less than eighty (80) percent of the sum of the spaces required for each use individually, in compliance with the provisions of Section 2501.D.
4. No required off-street loading area shall be used to satisfy the parking requirements listed in the table below.
5. The following Off-Street Parking provisions shall constitute the minimum space required for the following buildings and uses hereafter erected, converted or otherwise established in any district:

<b>Residential Uses</b>	<b>Parking Requirement</b>
Single-Family Detached Dwelling	2 Spaces per unit
Duplex or Single-Family Semi-Detached Dwelling	2 Spaces per unit
Multi-Family	1 Space per bedroom, plus 1 Space per every 5 dwellings units for visitor parking
Residential Conversion	1 Space per bedroom
Mobile Home Park	2 Spaces per mobile home, plus 1 Space per 5 mobile homes for visitor parking

<b>Commercial Uses</b>	<b>Parking Requirement</b>
Accessory Use	No additional Spaces allowed
Amusement Center	1 Space per 300 square feet gross floor area
Motor Vehicle Repair/Gas Station	1 Space per gas pump, plus 2 stacking Spaces per gas pump, plus 2 Spaces per service bay, however the internal Space of a service bay shall not count towards parking requirements
Bank or similar Financial Institution	1 Space per 100 square feet gross floor area devoted to customer service, plus 1 Space per 300 square feet devoted to administration
Where an establishment has facilities for “drive-through” service	A vehicle stacking lane is required that can accommodate a minimum of 8 cars in addition to the requirements above. The stacking lane shall not interfere with the movement of vehicles in and out of required parking spaces and vehicles entering or exiting the site
Bed and Breakfast	1 Space per rental unit, plus 1 Space per employee, plus 2 Spaces for the property owners
Club/Lodge/Fraternity House	1 Space for every 3 seats provided for patrons, customers, members, or guests, plus 1 Space per employee on the largest shift

Day Care Center	1 Space per employee, plus an area for the drop off and pick up of children equal to 1 Space per 5 children the facility is intended to serve at maximum capacity
Dentist or Orthodontist	4.5 Spaces per 1,000 square feet gross floor area, or 4 Space per practitioner, plus 1 Space per employee
Funeral Home	1 Space per every 50 square feet occupied by viewing rooms, plus 1 Space for every official funeral vehicle
Home Occupation	See Section 2412
Hotel/Motel	1 Space per rental unit, plus 1 Space per employee on the largest shift
Kennel	1 Space per employee, plus 1 Space per 10 of animal holding capacity
Laundry, Dry Cleaning Facility	1 Space per 50 square feet devoted to customer service
Medical or Veterinary Clinic	4.5 Spaces per 1,000 square feet gross floor area, or 4 Spaces per doctor, and 1 Space per employee
Multi-Shop Retail	1 Space per 400 square feet gross floor area
Office	1 Space per 400 square feet gross floor area
Personal Service Shop (Barber shop, Photo shop...)	1 Space per 250 square feet gross floor area
Planned Campus Development, involving educational, and/or religious, uses:  a. Educational use  b. Religious use	1 Space per employee, plus 1 Space per 20 students in grades K-9, plus 1 space per 10 students in grades 10—12  1 Space per every 4 seats for the first 300 seats and 1 Space per every 6 seats above 300 seats, plus 1 Space per every 500 square feet of gross floor area dedicated to administration or meeting rooms
Planned Campus Development, for professional, executive or business office use	1 Space per 250 square feet of gross floor area
Recreational Facility/Park  a. Indoor Recreation or Physical Fitness Club  b. Outdoor Recreation or Park	1 Space per 200 square feet gross floor area, plus 1 Space per employee  1 Space per 1,500 square feet of lot area
Recycling Center	2 Spaces per 1,000 square feet of lot area
Research and Development Facility	1 Space per 250 square feet gross floor area

Restaurants and Taverns	1 Space for every 3 seats provided for patrons, customers, members, or guests, plus 1 Space per employee on the largest shift
a. Where establishments provide benches instead of fixed individual seats	3 linear feet of bench shall equal 1 seat
b. Where no fixed seats are used	150 square feet of gross floor area shall equal 1 seat
c. Where an establishment has facilities for “drive-through” or “pick-up” of products	A vehicle stacking lane is required that can accommodate a minimum of 8 cars in addition to the requirements above. The stacking lane shall not interfere with the movement of vehicles in and out of required Space and vehicles entering or exiting the site
Theater	1 Space per every 4 seats, plus 1 Space per employee on the largest shift
Retail Shop	1 Space per 400 square feet gross floor area
Supplemental Dwelling	1 Space per Supplemental Dwelling
Upper Floor Dwelling Unit	1 Space per bedroom
Wholesale business or establishment	1 Space per 1,000 square feet gross floor area

<b>Public/Institutional Uses</b>	<b>Parking Requirement</b>
Adult Care Facility	1 Space per every 4 beds, plus 1 space per employee on the largest shift
Church/Religious Use	1 Space per every 4 seats for the first 400 seats and 1 Space per every 6 seats above 400 seats
Educational Use	1 Space per employee, administrator, or teacher whether full or part-time, plus 1 Space per 20 students in grades K-9, plus 1 space per 10 students in grades 10-12
Library	3 Spaces per 1,000 square feet of gross floor area
Institution/Government	1 Space per 850 square feet gross floor area, plus 1 Space per every 3 seats of capacity for public meeting facilities
Institutional Home	1 Space for each resident supervisor, plus 1 Space per employee on the largest shift, and if the residents of the Institutional Home are adults 1 Space per 4 residents
Post Office	1 Space per 100 square feet devoted to customer service, 1 Space for every delivery vehicle when not in service, plus 1 Space per 300 square feet devoted to administration
Municipal Use	1 Space per 400 square feet of gross floor area.
Utility	2 Spaces per facility plus 1 Space per assigned employee

<b>Industrial/Manufacturing Uses</b>	<b>Parking Requirement</b>
Industrial	2 Spaces per 1,000 square feet gross floor area
Manufacturing	1 Space per employee on the largest shift, plus 3 spaces for visitors, inspectors or salesman
Warehouse/Storage	1 Space per 1,000 square feet gross floor area

**C. Off-Site Parking Alternatives.**

1. Off-Site Parking Lots. Required parking spaces may be accommodated off-site in Commercial, Institutional, or Industrial Districts, provided:
  - a. The owner(s) of the use(s) or structure(s) shall submit an application that includes a site plan and agreement showing (joint) use, (agreement), maintenance responsibility, and location of the Off-Street Parking area.
  - b. The number of spaces fulfills the requirement(s) for the structure(s) and use(s) for which the lot is designated to accommodate.
  - c. Pedestrian walkways or sidewalks for pedestrian safety are available.
  - d. The lot can be accessed by patrons where safe crossing of arterial or collector streets is available, and are located within two hundred (200) feet of the building entrance(s) in which the use(s) is(are) located.
  - e. The applicant(s) shall provide sufficient, legal documentation, as required by the Planning Commission, to assure the long-term availability of the parcel to be used for off-site parking. This may be in the form of a lease, contract, deed restriction, easement, or similar instrument, of which the form and duration shall be subject to the review of the Borough Solicitor.
2. On-Street and Public Parking Credit. Aside from a separate parcel being utilized for off-site parking in accordance with Section 2501.C.1, above, on-street parking or a public parking lot can be credited towards the Off-Street Parking requirements when approved by the Planning Commission in accordance with the following provisions:
  - a. Only retail, professional office, or similar uses within the Commercial and Industrial Districts shall be permitted to count on-street parking toward Off-Street Parking requirements.
  - b. On-street parking may be counted towards meeting a maximum of forty (40) percent of Off-Street Parking requirements, provided the spaces can be accessed without patrons crossing arterial or collector streets, and are located within two hundred (200) feet of the building entrance in which the use is located.
  - c. Spaces available in public parking lots may be counted towards meeting a maximum of forty (40) percent of Off-Street Parking requirements provided the spaces can be accessed by patrons where safe crossing of arterial or collector streets is available, and are located within two hundred (200) feet of the building entrance in which the use is located.

- d. On-street parking and public parking may comprise a combined maximum of sixty (60) percent of Off-Street Parking requirements.
3. Shared Parking. Up to fifty (50) percent of the required parking spaces for a church, theater, restaurant, or other uses of primarily evening entertainment, may be provided and used jointly by banks, offices, retail stores, service establishments, and other similar uses which are not normally open, used or operated during evening hours (beyond typical business hours of 8 a.m. to 5 p.m.), and on the weekend days of Saturday and Sunday, according to the following provisions:
    - a. The sharing of parking must be approved by a special exception from the Zoning Hearing Board which shall consider, among other criteria, the hours of operation of the uses which are sharing required parking spaces and the number of spaces involved.
    - b. A written agreement assuring the retention of parking spaces for such sharing of required parking shall be properly drawn and executed by the parties concerned, and approved as to form and execution, by the Borough Solicitor. Such approval may be rescinded by the Borough, and additional parking shall be obtained by the owner to meet the required standard in the event the Borough determines the joint use of parking results in a public nuisance or adversely affects the public health, safety, or welfare.
    - c. Shared or common parking lots shall be provided with appropriate signage indicating the buildings and/or uses for which the spaces are available.
    - d. Places of public assembly, including churches, auditoriums, gymnasiums or other assembly halls may provide up to fifty (50) percent of required parking in excess of three hundred (300) seats on off-street public or leased parking lots located within five hundred (500) feet of the site.
  4. Fee in Lieu of Providing Off-Street Parking.
    - a. As an alternative to the provision of required Off-Street Parking, an applicant for a commercial, institutional, or industrial use may seek a conditional use approval from Borough Council to pay a fee in lieu of required parking. It shall be the preference of Borough Council that required parking be provided on-site and that, where this proves infeasible, and an applicant can conform to the provisions of Sections 2501.C.1, 2501.C.2, and 2501.C.3, above, the provision of off-site parking is preferred. Where, in the opinion of the Borough Council in response to the applicant's request for conditional use approval, neither on-site or off-site parking presents a feasible and desirable means of providing all of the Off-Street Parking required by this Section, the Council may authorize the payment of a one-time fee in lieu of the actual creation of some or all of the required parking by the applicant.
    - b. The amount of the fee shall be specified in the parking fee schedule adopted by resolution of the Borough Council.
    - c. All fees collected and all interest earned thereon shall be placed in the Borough Parking Fund. Such fees and interest shall be used only for studies relating to parking and parking facilities, the acquisition and/or lease of land for Off-Street Parking purposes, and the improvement or maintenance of land owned or leased by the Borough and

utilized for Off-Street Parking. Such collected fees shall be expended for the purposes set herein within ten (10) years of the receipt thereof.

5. **Removal of Curb Cut(s).** In the following cases, the Borough Planning Commission may approve the removal of a curb cut by a business or industry to either increase the number of parking spaces or increase the open space, aesthetics, or access to a parking lot:
  - a. Where an existing parking lot has more than one (1) access and the applicant(s) can prove that removal of a curb cut(s) will improve the condition of the street from which it is removed and will not cause substantial problems surrounding the remaining access point(s).
  - b. Where two (2) or more adjacent businesses can feasibly interconnect their existing or proposed parking lot(s), the number of curb cuts may be reduced and the total number of required spaces for the associated uses may be reduced by up to twenty (20) percent per parking lot connection.

**D. Design of Off-Street Parking Facilities.**

1. Except for single-family or two-family residential driveways, each parking space shall contain a minimum of one hundred eighty (180) square feet, exclusive of driveways, aisles and maneuvering space, provided that two (2) feet of the required eighteen (18) foot parking space length may overhang a grass strip, and shall be a minimum of nine (9) feet in width. Individual parking spaces shall be clearly marked by durable white or yellow stripping at least four (4) inches in width.
2. All parking areas and driveways shall be constructed and maintained to provide safe and orderly access to a street, alley, or other approved driveway, at all times. No parking area or access shall be constructed so that it constitutes a nuisance, hazard, or unreasonable impediment to traffic. Provisions for clear sight distance in Section 409 of the Malvern Subdivision and Land Development Ordinance shall apply to all access points.
3. No parking area, except for permitted driveways, shall directly abut a street. Parking areas shall be separated from the street by a curb or planting strip as described under Section 2501.D.10.
4. For the purposes of servicing any property, entrance or exit driveways be limited to two (2) along the frontage of any single street, and their centerlines shall be spaced a minimum of fifty (50) feet apart.
5. Access shall be a minimum of forty (40) feet from a street intersection or parallel street, and shall be measured from the closest street line to the closest edge of the accessway or driveway.
6. In the case of a corner lot, an exemption from Section 2501.D.5 shall be made. The location of any access driveway(s) shall be on the street of lowest functional classification as identified in the Malvern Borough Comprehensive Plan.
7. Parking lots which abut a residential district or residential use shall be provided with a planting screen consisting of fencing, earthen berms, trees, shrubs, or other plant materials the full length of the lot, in conformance with Section 2309.

8. Lighting. Lighting of parking lots shall be in accordance with Section 2307.
9. Construction of Off-Street Parking.
  - a. Parking lots and spaces in Commercial, Institutional, and Industrial Districts shall be constructed of an all-weather paved surface.
  - b. Parking lots and spaces in Residential Districts may be constructed of either an all-weather paved surface or a permeable surface.
  - c. Parking lots and spaces in the POSC District shall be constructed of a permeable surface, unless otherwise approved or required by the Borough.
  - d. Parking spaces and access aisles shall have a minimum slope of one (1) percent. Parking spaces and access aisles shall have a maximum slope of five (5) percent and eight (8) percent, respectively.
  - e. Aisles within parking lots separating rows of parking spaces, shall be a minimum of fourteen (14) feet for one-way use and twenty-four (24) feet in width for two-way use and clearly defined by means of painted lines, curbing, or landscaping.
  - f. Wherever an Off-Street Parking area has a required capacity for three (3) or more motor vehicles, the following provisions shall apply:
    - 1) Driveways and parking areas shall include, within the property lines, turning areas so constructed and surfaced that a vehicle entering or leaving the property is not required to back onto a street or onto the property.
    - 2) Parking areas shall be designed to permit each motor vehicle to proceed to and from the parking space provided without requiring the moving of any other motor vehicle.
    - 3) Excluding areas that are landscaped and/or provide a buffer between adjacent uses or streets, the remaining portion of required parking area, including any driveways, shall be graded and surfaced with an all-weather surface, and drained as necessary to prevent dust, erosion, or excessive water flow across streets or adjoining properties, as approved by the Borough Engineer.
10. Buffering and Screening. The following buffering and screening regulations shall apply to parking lots:
  - a. *Parking lots larger than three (3) spaces shall provide:*
    - 1) A buffer strip along the entire perimeter of the lot that abuts a residential district or use shall be provided at least three (3) feet in width, except for driveway access to streets and comply with buffering standards of Section 2309.
    - 2) There shall be no more than twelve (12) consecutive parking spaces without a raised planting island. Raised planting islands shall be a minimum of five (5) feet in width and shall be the length of the adjacent parking spaces.

- 3) Surface treatment of raised planting islands and perimeter plantings shall be grass, ground cover, or low maintenance shrubs.
  - 4) All raised planting islands shall be protected by curbs.
  - 5) All buffering and screening requirements for Off-Street Parking shall conform to the general requirements in Section 2309.B, for Buffering and Screening.
- b. *The following additional standards shall apply to parking lots in excess of twenty (20) parking spaces:*
- 1) A buffer strip shall be provided and maintained between the property line and all parking lot paving, except for driveway access to streets. Such buffer strips shall extend from each property line and sidewalk a minimum of five (5) feet wide at all points.
  - 2) Parking lots shall be divided and defined by permanent raised curbs and landscaped islands that create access lanes which are clearly defined, and that moving traffic is confined to designated access lanes.
  - 3) At least seventy-five (75) percent of each island shall be planted and maintained with ground cover, shrubs, trees or other Borough approved plant materials. At least one (1) shade tree shall be planted per island, with such trees from the Plant List in Appendix A.
11. **Handicapped Parking.**
- a. In any lot that exceeds five (5) spaces, there shall be a minimum of one (1) handicapped parking space. One (1) parking space for every twenty-five (25) spaces shall be designed and designated for handicapped persons, and shall meet provisions of the Americans with Disabilities Act.
  - b. Each handicapped space shall be identified with a clearly visible marking that displays the international symbol of access.
  - c. Each handicapped space shall be a minimum of twelve (12) feet in width, and located in a level paved surface as close to the building entry as possible.
12. Pervious Parking, as specified in the applicable section of the Borough Subdivision and Land Development Ordinance.

## **Section 2502      LOADING AND UNLOADING SPACE**

- A. **Applicability.** Any use, building, or structure that require the receipt or distribution of materials, supplies, merchandise, or other goods by trucks or similar vehicles, shall provide a sufficient number of off-street loading and unloading berths for the intended use in accordance with the following provisions.

**B. General Provisions.**1. Location.

- a. All loading berths shall be located on the same lot as the use served, and no portion of the vehicle shall project into any traffic lane; parking space; access to parking spaces; driveway; sidewalk; or within the front, side or rear yard setbacks, except as provided in Section 2502.B.5, below. Loading and unloading operations, including arrival and departure, shall not interfere with traffic and pedestrian circulation on public streets or within required Off-Street Parking areas.
- b. Loading and unloading areas shall not be located between the front building line and the street line, and loading facilities shall be screened in accordance with Section 2309.
- c. All off-street loading berths shall be provided with safe and convenient access to a street or alley or from an aisle or driveway connecting with a street or alley. The ingress and egress of loading operations shall not require backing into a street or lot.

2. Size.

- a. For structures and uses that are served by smaller vehicles such as vans, the minimum size for each berth shall be ten (10) feet in width and twenty (20) feet in length, with a minimum vertical clearance of twelve (12) feet.
- b. For structures and uses that are served by larger vehicles than specified in Section 2502.B.2.a, above, such as tractor-trailers, the minimum size for each berth shall be twelve (12) feet in width and fifty (50) feet in length, with a minimum vertical clearance of fourteen (14) feet.

3. Construction and Maintenance.

- a. Areas provided for loading and unloading shall be graded and improved with a compacted subbase, surfaced with asphalt or concrete or other suitable material, and drained to meet the satisfaction of the Borough Engineer to prevent dust, water flow, and erosion outside of the property.
- b. All off-street loading berths shall be constructed and maintained for as long as the structure or use for which they are designed to serve remains in existence.

4. Screening.

- a. All loading berths and circulation areas which abut a residentially zoned district or residential use shall be buffered in accordance with Section 2309.
- b. Any loading berth that abuts a public street shall be buffered in accordance with Section 2309.

5. Off-Street Loading Alternatives.

- a. *Use of public alleys and streets.* The Borough Zoning Hearing Board may approve the use of public alleys and streets for loading and unloading provided the following conditions are met:
- 1) The applicant demonstrates that loading and unloading may be conducted without blocking or interfering with vehicular and pedestrian traffic;
  - 2) Loading and unloading is limited to a total of three (3) times per week;
  - 3) Loading and unloading is limited to off-peak hours but no earlier than 7 am.
- b. *Common loading and unloading facilities.* Required off-street loading spaces may be provided cooperatively for two (2) or more uses provided the following conditions are met and approved by the Borough Zoning Hearing Board:
- 1) The uses being served are in the same structure.
  - 2) Loading and unloading will be conducted in an existing structure or between existing structures which are adjacent to the property.

6. Number of Berths. Off-street loading and unloading requirements:

- a. Every retail establishment, office building, restaurant, auditorium, institutional use, educational facility, hospital, warehouse, wholesale establishment, or other commercial or industrial use not specifically listed here, shall have at least one (1) off-street loading space unless as provided in Section 2502.B.5, above.
- b. Where a structure or use includes more than one (1) type of use, the number of berths required shall be the sum of the requirements for each separate use.

