

ORDINANCE NO. 16- 7

AN ORDINANCE OF THE BOARD OF SUPERVISORS OF THE TOWNSHIP OF HANOVER, COUNTY OF NORTHAMPTON, COMMONWEALTH OF PENNSYLVANIA TO AMEND THE CODE OF ORDINANCES BY AMENDING THE TEXT OF THE "HANOVER TOWNSHIP ZONING ORDINANCE" CHAPTER 185 TO PROVIDE FOR AMENDMENTS TO THE OFF-STREET PARKING REGULATIONS INCLUDING THE CREATION OF SHARED PARKING REGULATIONS

WHEREAS, The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the "Second Class Township Code" of Pennsylvania and the authority and procedures of the "Pennsylvania Municipalities Planning Code", as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendment to the text of the Hanover Township Zoning Ordinance; and

WHEREAS, the Board of Supervisors of Hanover Township desire to amend its Zoning Ordinance by providing for amendments to the off-street parking regulations, including provisions for shared parking.

NOW, THEREFORE, be it enacted and ordained by the Board of Supervisors of Hanover Township, Northampton County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

SECTION 1: The Supervisors of Hanover Township, Northampton County, Pennsylvania, under the powers vested in them by the "Second Class Township Code" and the "Pennsylvania Municipalities Planning Code", as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby ordain and enact the following amendments to the text of the Hanover

Township Zoning Ordinance Chapter 185 Zoning, of the Code of Ordinances, as amended.

SECTION 2: Chapter 185 Zoning, of the Code of Ordinances of Hanover Township is hereby amended by amending Section 185-17. Off-Street Parking Regulations; Subsection 185-17B to read as follows:

“185-17B. Off-street parking standard. Except as may be agreed to by the Board of Supervisors during site or land development plan review, the building types and uses listed in Subsection C shall have the minimum number of off-street parking spaces shown adjacent to the building type or use per unit of measurement as listed. For uses not listed in Subsection C, the same requirement shall apply as for most similar uses, as determined by the Zoning Administrator

- (1) Parking spaces required for one building type or use shall not be included in the computation of required spaces for a second building or use;
- (2) For mixed uses other than a shopping center, the total requirement shall be the sum of the requirements of the component uses computed separately; and
- (3) Computations resulting in fractional spaces shall be rounded up to the next full space.”

SECTION 3: Chapter 185 Zoning, of the Code of Ordinances of Hanover Township, Section 185-17 Off-Street Parking Regulations is hereby amended by deleting 185-17 D in its entirety.

SECTION 4: Chapter 185 Zoning, of the Code of Ordinances of Hanover Township is hereby amended by amending Section 185-17. Off-Street Parking Regulations; by adding a new subsection 185-17 G to read as follows:

“G. Shared Parking – The amount of off-street parking required by Section 185-17.C may be reduced by an amount determined by the Board of

Supervisors when shared parking facilities for two or more uses are proposed, provided:

- (1) The total parking area exceeds 5,000 square feet;
- (2) The parking facilities are designated and developed as a single on-site common parking facility, or as a system of on-site and off-site facilities, if all facilities are connected with improved pedestrian facilities and no building or use involved is more than 800 feet from the most remote shared facility;
- (3) The amount of the reduction shall not exceed 10 percent for each use, unless:
 - (i) The normal hours of operation for each use are separated by at least one hour;
 - (ii) A parking demand study is prepared by a professional traffic engineer and submitted by the applicant documenting that the hours of actual parking demand for the proposed uses will not conflict and that uses will be served by adequate parking if shared parking reductions are authorized;
 - (iii) The Board of Supervisors shall determine the amount of reduction, subject to Subsection 4 of this Section.
- (4) The total number of parking spaces in the common parking facility is not less than the minimum required spaces for any single use;
- (5) A covenant or other agreement for shared parking between the cooperating property owners is approved by the Board of Supervisors. This covenant or agreement must be recorded with the Recorder of Deeds of Northampton County, Pennsylvania as a deed restriction on all affected properties and cannot be modified or revoked without the consent of the Board of Supervisors; and
- (6) If any requirements for shared parking are violated, the affected property owners must provide a remedy satisfactory to the Board of Supervisors or provide the full amount required off-street parking for each use, in accordance with the requirements of this Article unless a satisfactory alternative remedy is approved by the Board of Supervisors.

SECTION 5: SEVERABILITY. If a court of competent jurisdiction declares any provisions of this Amendment to be invalid in whole or in part, the effect of such decision shall be limited to those provisions expressly stated in the decision to be invalid, and all other provision of this zoning Amendment shall continue to be separately and fully effective.

SECTION 6: REPEALER. All provisions of Township ordinances and resolutions or parts thereof that are in conflict with the provisions of this Ordinance, are hereby repealed.

SECTION 7: ENACTMENT. This Amendment shall be effective five (5) days after the date of passage.

THIS ZONING ORDINANCE IS HEREBY ORDAINED AND ENACTED this 22nd day of November, 2016, by the Hanover Township Board of Supervisors.

ATTEST:

By: Elizabeth D. Ritter
Elizabeth D. Ritter
Township Secretary

HANOVER TOWNSHIP
BOARD OF SUPERVISORS

By: John N. Diacogiannis
John N. Diacogiannis
Chairman, Board of
Supervisors