

**ORDINANCE NO. 87**

**AN ORDINANCE OF BENNER TOWNSHIP, CENTRE COUNTY,  
AMENDING THE BENNER TOWNSHIP ZONING ORDINANCE NO. 70  
BY AMENDING THE CAMPUS INDUSTRIAL ZONING DISTRICT TO ADD VALET  
PARKING FACILITY AS A CONDITIONAL USE**

Pursuant to the powers vested in the Township of Benner, Centre County, Pennsylvania, under the provisions of the Second Class Township Code 53, P.S. 65101 *et. seq.* and the Pennsylvania Municipalities Planning Code 53 P.S. 10101 *et. seq.*, Benner Township hereby enacts the following Ordinance.

**SECTION 1.** The Benner Township Zoning Ordinance No. 70, is amended as hereinafter set forth. All other sections of the aforesaid Benner Township Zoning Ordinance are hereby ratified, approved, and reenacted.

**SECTION 2.** Article III, Campus Industrial Zoning District Chart, is amended as follows:

CAMPUS INDUSTRIAL DISTRICT (I-3) Criteria and Standards for Benner Township, Centre County, PA							
Permitted Uses	Lot Requirements			Yard Setbacks			
PRIMARY USES AND STRUCTURES	Minimum size	Minimum Width (at street line)	Maximum Height	Maximum Lot Coverage (impervious included)	Front Yard	Side Yard	Rear Yard
CONDITIONAL USES							
1. Valet Parking Facility	60,000 sq ft.	100 ft.	45 ft.	80%	30 ft.	30 ft.	30 ft.

**SECTION 3.** Article XII, Definitions, Section 2. "Definitions." is amended to include:

**Valet Parking Facility:** Any lot or parcel of land used, in whole or in part, for storage or for parking of motor vehicles, where a storage or parking fee is charged and which is open to the general public.

**SECTION 4.** Article IV, Use Regulations, as amended by adding Section 2.2.19 Valet Parking Facility, as listed below. The remaining subsections shall be renumbered accordingly.

**2.2.19. Valet Parking Facilities**

Valet parking facilities, as specified below, is permitted as a "Conditional Use" in the Campus Industrial District (I-3), subject to the following criteria:

**A. Purpose and intent**

This section provides requirements for the site development and provide standards and controls for the layout and maintenance of parking lots so as to ensure the safe movement of pedestrian and vehicular traffic, protect abutting properties from potential nuisances arising from parking lots and generally promote the public health, safety and welfare, in

addition to existing requirements for industrial uses in the I-3 District and in addition to the general requirements for parking lots found in the “Supplemental District Regulations, Article V, Section 10.8”.

**B. Site Plan**

No person shall construct or maintain a valet parking lot, without a site plan of the proposed parking lot, approved by the Township. Such plan shall contain the outline of each parking area and shall clearly designate areas of traffic flow and parking areas for vehicles.

**C. Layout and design**

1. Layout and design of a valet parking lot shall be subject to review and approval by the Township upon recommendation of the Township Engineer.
2. Individual stalls shall be identified by line stripes, and all handicapped stalls shall be marked according to American Disabilities Act (ADA) requirements.
3. Parking lots shall have smooth and durable surfaces, adequately drained, so as not to retain water. Lots shall remain free of dust or loose particles. Stormwater management shall comply with the requirements of the *Benner Township Stormwater Management Ordinance*.
4. Vehicle stops shall be provided and shall be properly placed to protect landscaping or screening devices from damage from vehicles.
5. Access points shall meet the requirements of the *Benner Township Street Standards Ordinance*. Access and circulation shall provide for ingress and egress to all parking areas and circulation within the parking lot to permit vehicles to enter and exit the parking facility without backing into any street.

**D. Landscaping**

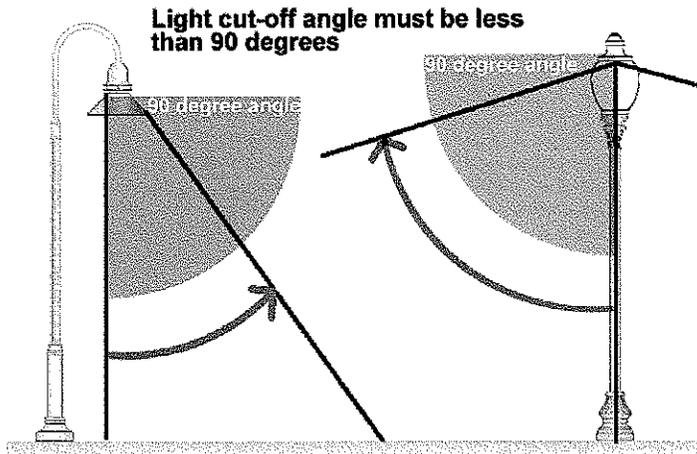
Landscaping shall conform to the requirements of *Article V, Section 10.8 (H) and (I)*, as outlined in this Ordinance.

**E. Exterior Lighting/Illumination**

“Lighting Plan” for all exterior illumination shall be submitted to the Township for review and approval. Such plans shall include the type, size, and location of all lighting and lighting fixtures proposed for the site. All exterior lighting proposed, installed or replaced shall conform to the standards set forth below.

- (1) All outdoor lighting fixtures, including without limitation, ground, pole, and building mounted fixtures and canopy lighting shall be of a design and type containing shields, reflectors, fracture panels or recessed light sources such that the cutoff angle is less than 90 degrees. For purposes herein, the cutoff angle is that angle formed by a line

drawn from the direction of light rays at the light source and a line perpendicular to the ground from the light source above which no light is permitted. (see Figure 1)



**Figure 1.** Outdoor fixtures showing cutoff angle of less than 90 degrees

- (2) Notwithstanding *Subsection (1)* above, decorative fixtures producing a cutoff angle of greater than 90 degrees may be permitted upon approval by the Township. Decorative fixtures shall minimize glare through the use of either:
  - (a) light dispersing globes and decorative shields; or
  - (b) maximum of 2,700 lumens (equivalent to 150 watts incandescent).
- (3) All light rays emitted from fixtures shall be directed toward the ground and shielded from shining toward the sky; provided, however, lighting used to directly illuminate building facades, landscape features or site features may use lighting of up to a maximum 2,700 lumens (150 watt maximum incandescent) restricting illumination to the area or surface intended to be illuminated.
- (4) Lighting fixtures for commercial or industrial uses shall have a maximum height of 25 ft.
- (5) All lighting fixtures not described in *Subsections (4)* above shall have a maximum height of 20 ft.
- (6) The permitted illumination average shall be calculated in foot-candles and measured for the development area only, which shall include all paved and landscaped areas of the site.

- (7) For nonresidential sites, the maximum maintained illumination average shall not exceed 5.0 foot-candles, and the minimum illumination average shall not be less than 2.0 foot-candles.
- (8) The maximum permitted illumination at the property line for nonresidential uses that are located adjacent to other nonresidential uses shall not exceed 0.5 foot-candles. All other uses including nonresidential uses adjacent to residential shall not exceed 0.2 foot-candles as measured at ground level.
- (10) Lighting from all fixtures, including internally illuminated signs, which are to remain illuminated during non-operating hours shall be reduced by at least 75% of the lighting level used during hours of operation; provided, however, such reduction shall not apply to residential uses.
- (11) Lighting fixtures used to illuminate flags, statues or any other objects mounted on poles, pedestals or platforms shall project a narrow cone of light for the purpose of focusing the light on the intended object and minimizing spill-light and glare.
- (12) The following fixtures shall be excluded from the standards set forth in *Subsections (1) through (12)* above:
  - a. Light fixtures producing light directly by the combustion of fossil fuels, such as kerosene lanterns and natural gas lamps.
  - b. Temporary lights used for holiday decorations.
  - c. Construction or emergency lighting provided such lighting is temporary and is removed immediately upon completion of the construction work or abatement of the emergency.

**F. Maintenance of parking lot**

- (1) Parking lots shall be kept free from dirt, ice, sleet and snow and shall be kept in safe condition for the travel of pedestrians using said parking lot.
- (2) Sufficient aisle space shall be provided for firefighting equipment and other emergency equipment.
- (3) Every parking area shall be maintained in a clean and sanitary condition. The accumulation of rubbish or the storage of any kind of junk or waste is prohibited. At least one trash receptacle shall be located at the point of collection of fees.
- (4) Areas reserved for parking shall be separated from abutting properties and public highways and sidewalks through either areas of landscaping, curbing or other substantial barriers. Barriers, curbing and landscaped areas shall be so designed as to ensure that no portion of any vehicles parked on the lot shall extend over the property lines.

**G. Rules governing valet parking lot facilities**

- (1) At no time will loitering, washing, waxing, or fueling of vehicles, or any other type of such activity be permitted. The only exception to these limitations shall be emergency repairs to a vehicle lawfully parked upon said premises.
- (2) Excessive loud noises, such as radios, the tooting of horns, or the racing of motors, shall not be permitted.
- (3) There shall be no parking in the aisles.

**H. Screening/buffering**

Screening and buffering shall comply with the requirements of *Article II, Section 3.2.12 "Buffer yards"* of this Ordinance.

**I. Signs**

Signs shall conform to the *Benner Township Sign Ordinance*, as amended, and shall additionally conform to the following requirements:

- a. Signs shall not obstruct the vision of traffic.
- b. Entrances and exits shall be clearly marked.
- c. A sign stating capacity full must be posted at the main entrance to the parking lot when the maximum capacity has been reached.
- d. Signs must be sufficiently illuminated and easily visible.

**J. Structures**

Structures used for attendants or operation of each parking lot may be permitted, provided such building is permanent. Buildings and structures are to be maintained in a neat, orderly manner.

**SECTION 5. Repealer.** Any Ordinance or part of any Ordinance conflicting with the terms of this Ordinance is hereby specifically repealed.

**SECTION 6. Severability.** The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional, illegal, invalid or otherwise unenforceable by a court of competent jurisdiction, the remaining portions hereof shall not be affected thereby.

**SECTION 7.** The remainder of Ordinance No. 70 will remain fully in force and effect as originally ordained.

**SECTION 8. Effective date.** This Ordinance shall become effective the 7th day of June, 2004, after its reenactment or adoption.

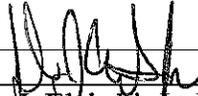
ENACTED AND ORDAINED, this 7<sup>th</sup> day of June, 2004.

TOWNSHIP OF BENNER

By:



David C. Breon, Chairman



John L. Elitski, Jr., Vice Chairman



James C. Swartzell, Supervisor

ATTEST:



Sharon Royer, Secretary/Treasurer