

TOWNSHIP OF MIDDLESEX
CUMBERLAND COUNTY, PENNSYLVANIA
ORDINANCE NO. 4 - 2023

AN ORDINANCE OF THE TOWNSHIP OF MIDDLESEX, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE MIDDLESEX TOWNSHIP ZONING ORDINANCE, ORDINANCE NO. 3-1989, AS AMENDED, ARTICLES II, IX, AND X CREATING A USE TO BE KNOWN AS A "FAMILY ENTERTAINMENT CENTER" THAT WOULD BE PERMITTED IN CERTAIN ZONING DISTRICTS.

BE IT HEREBY ENACTED AND ORDAINED and it is hereby enacted and ordained by the Board of Township Supervisors in and for the Township of Middlesex, Cumberland County, Pennsylvania, as follows:

Section 1. Section 2.03 of the Middlesex Township Zoning Ordinance is hereby amended as follows:

Family Entertainment Center: — A Business occupying a Premises, Structure and Use owned, operated, or leased as small indoor and/or outdoor amusement parks that offer a wide variety of entertainment for all ages, which may include food and beverage service, music, event space, meeting rooms, and a variety of amusements.

- A. The Premises shall contain a minimum of 10 acres.
- B. The Premises shall have access and frontage along a public street.
- C. Notwithstanding anything in this Ordinance to the contrary, the Maximum Impervious Area Coverage for a Family Entertainment Center shall be 70%.
- D. Notwithstanding anything in this Ordinance to the contrary, parking standards for a Family Entertainment Center shall be calculated using a Parking Demand Analysis as follows:

- 1. To ensure that a Family Entertainment Center provides adequate, but not excessive, vehicle parking, the Township requires applicants thereof to submit a written computation of their required off-street parking spaces based on the estimated parking demand of the proposed Use(s).

2. The Applicant shall prepare a Parking Analysis Report to propose the number of required off Street parking spaces. The Report shall be prepared by a Professional Engineer. The Parking Analysis Report shall contain the following:

- a. Site Plan. A Site Plan containing the following:
 - (1) Legal property boundary of the Family Entertainment Center.
 - (2) Existing and proposed project layout.
 - (3) All existing and proposed uses.
 - (4) All existing and proposed parking spaces.
- b. Analysis of parking demand information from professional literature that is pertinent to the proposed development. Such information may include data or literature from the Urban Land Institute's (ULI) Shared Parking, Third Edition publication and/or the Institute of Transportation Engineers' (ITE) Parking Generation Manual, 5th Edition.
- c. Current parking quantity and parking Use data from existing developments that are similar to the proposed development. The information about the existing development and its parking demand shall include enough detail to evaluate similarities and differences between the existing development and the proposed development.
- d. The Analysis Report may also include other historical or anecdotal information supplied by the Applicant based on the Applicant's existing business, if any, in the Township or elsewhere.
- e. Propose a minimum and maximum parking ratio.
- f. Peak hours of operation and parking occupancy.
- g. In preparing the Analysis Report, the Professional Engineer may also consider the need for overflow parking or additional parking in case of future expansion.
- h. Final number of proposed required parking spaces with justification and summary of findings (Note: Where the calculation of minimum parking spaces does not result in a whole number, the result shall be rounded up to the next whole number).

3. Township Approval.

- a. As part of any required subdivision or land development plan application approval process, or independently if there is no new plan proposed, the Township Board of Supervisors, upon recommendation of the Township Planning Commission and in consultation with the Township Zoning Officer and Township Engineer, shall consider the final parking requirements determination made in the Applicant's

Parking Analysis Report. Based on the Applicant's materials and other data the Township Zoning Officer and Township Engineer deem relevant, the Board of Supervisors shall set the requirements for minimum parking allowed. Conditions of approval may be placed on the Decision to ensure compliance with the parking determination.

- b. The Applicant may appeal the Township's Decision to the Zoning Hearing Board pursuant to Article XVIII of this Ordinance.

Section 2. Section 9.02 of the Middlesex Township Zoning Ordinance is hereby amended as follows (new language is underlined):

K. Family Entertainment Center.

Section 3. Section 10.03 of the Middlesex Township Zoning Ordinance is hereby amended as follows (new language is underlined):

N. Family Entertainment Center.

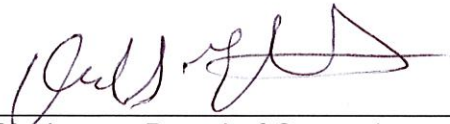
Section 4. Except only as amended, modified, and changed by this Ordinance, the Middlesex Township Zoning Ordinance as amended shall remain in all other respects in full force and effect.

Section 5. The provision of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal, or otherwise invalid, the decision shall not affect the remaining provisions of this Ordinance or the Middlesex Township Zoning Ordinance.

Section 6. This Ordinance shall become effective in accordance with applicable law.

DULY ENACTED AND ORDAINED this 27th day of October, 2023, by the Board of Township Supervisors of the Middlesex Township in public session duly assembled.

MIDDLESEX TOWNSHIP:

By: 
Chairman, Board of Supervisors

ATTEST:


Township Secretary

(Township Seal)

