

BILL NO. 54 -2008

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A," TO CREATE, ADD AND DEFINE THE USE OF STUDENT HOME AS A CONDITIONAL USE AND REQUIREMENTS THEREFOR IN THE CITY OF READING R-1A (RESIDENTIAL), R-1 (RESIDENTIAL) AND R-2 (RESIDENTIAL) ZONING DISTRICTS AND AS A PERMITTED USE IN R-3 (RESIDENTIAL) CITY OF READING ZONING DISTRICTS

THE COUNCIL OF THE CITY OF READING HEREBY ORDAINS AS FOLLOWS:

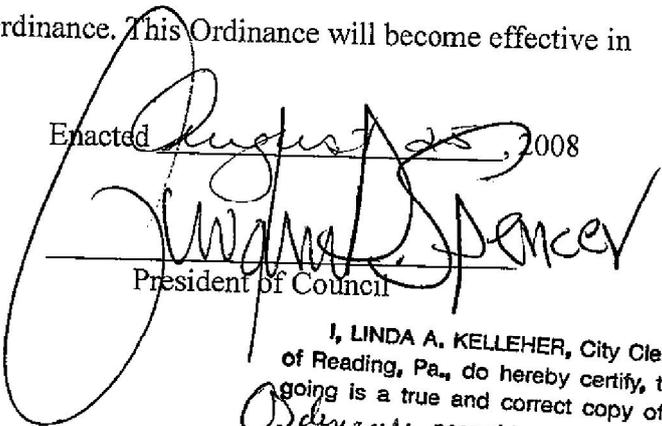
SECTION 1. The Zoning Ordinance of the City of Reading is amended per attached Exhibit "A," to create, add and define the use of Student Housing as a conditional use in the R-1A (RESIDENTIAL), R-1 (RESIDENTIAL) and R-2 (Residential) and as a Permitted Use In R-3 (Residential) City of Reading Zoning Districts.

SECTION 2. All property owners desiring to register their properties in R-1A (RESIDENTIAL), R-1 (RESIDENTIAL), and R-2 (Residential) City of Reading Zoning Districts as non-conforming of this Ordinance shall do so no later than sixty (60) days from adoption hereof. Said registration shall also require any property owner wishing to permit more than three (3) unrelated students to continue to reside in their properties. To obtain non-conforming status, however, under this provision (more than 3 unrelated) must be capable of proving such use was a legal rental unit that existed prior to the City's adoption of Ordinance 69-2005.

SECTION 3. All other provisions of the City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances shall remain unchanged and in full force and effect.

SECTION 4. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

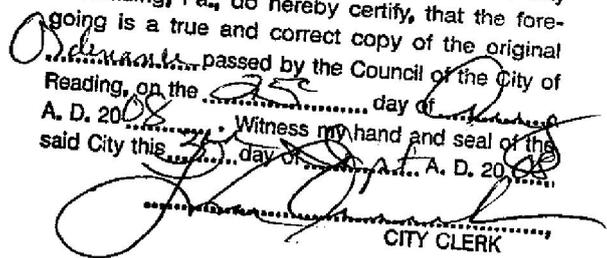
Enacted August 25, 2008

  
\_\_\_\_\_  
President of Council

Attest:

  
\_\_\_\_\_  
City Clerk  
(LAW DEPT.)

I, LINDA A. KELLEHER, City Clerk of the City of Reading, Pa., do hereby certify, that the foregoing is a true and correct copy of the original Ordinance passed by the Council of the City of Reading, on the 25 day of August, A. D. 2008. Witness my hand and seal of the said City this 25 day of August, A. D. 2008.

  
\_\_\_\_\_  
CITY CLERK

The City of Reading Zoning Ordinance, Section 27-101 et seq. of the City of Reading Codified Ordinances is hereby amended and added to as follows:

**PART 22**

**DEFINITIONS/SPECIFIC WORDS AND PHRASES DEFINED**

§27-2202. General Definitions is hereby amended to amend or add the following words, terms and definitions:

**FAMILY** - one or more persons related by blood, marriage, adoption or foster relationship, *legal custody, guardianship or written permission of a person with custody or are the great-grandparent, great-grandchild, grandparent, grandchild, parent, child, brother, sister, aunt, uncle, niece, nephew, great uncle, great aunt, great nephew, great niece, or cousin less than to the second degree*, living together as a single housekeeping unit; or a group of not more than three unrelated persons over the age of 14 years, who are living together in a single dwelling unit and maintaining a common household with a single cooking facility. A roomer, boarder or lodger shall not be considered a member of the family. Shared housing arrangements, where the individuals are permanent or temporary "roommates," do not constitute family arrangements. The term "family" shall also not include the occupants of a clubhouse, hotel, motel, *student home or student housing, fraternity house, sorority house or dormitory.*

**ROOMMATE HOUSEHOLDS** - a shared housing arrangement where at least two, and no more than three persons not related by blood, marriage, adoption or foster relationship *or are not the great-grandparent, great-grandchild, grandparent, grandchild, parent, child, brother, sister, aunt, uncle, niece, nephew, great uncle, great aunt, great nephew, great niece, or cousin more than to the second degree* of each other live together in a single dwelling unit and/or a single housekeeping unit on a permanent or temporary arrangement. Any exception to this definition in number of persons in the occupancy arrangement requires approval as a conditional use review by the Zoning Hearing Board. *Said definition or arrangement shall not include any such use that falls within the definition of Residential Care Home or Student Home.*

**STUDENT** - An individual who is enrolled or has made application and been accepted at a university, college or trade school and whose primary occupation is as a student or who is on a semester or summer break from studies at a college, university or trade school or any combination of such persons. The term "student" shall apply to both undergraduate and graduate students alike. The residents of a student home share living expenses and may live and cook as a single housekeeping unit but may also only share access to cooking facilities and not live and cook as a single housekeeping unit.

**STUDENT HOME** - A living arrangement for at least two (2) students to a maximum of three students (3) (as defined in this chapter) unrelated by blood, marriage or legal adoption. The term Student Home shall not include dormitories, fraternity house or sorority house. The term Student Home shall be used interchangeable with the term Student Housing.

**STUDENT HOUSING** - See Student Home.









**PART 12**

**PROVISIONS FOR CONDITIONAL USE AND CONDITIONAL USES**

**§27-1203. Conditions for Conditional use** Uses is hereby amended to add Student Home as a conditional use in the R-1A, R-1 and R-2 City of Reading Zoning Districts:

27-1203(9) Student Home as defined herein shall be permitted in the City of Reading Zoning Districts R-1A and R-1 and R-2, provided that the following standards are met, all requirements therefor under this Ordinance, along with any other stipulations set forth by the Zoning Hearing Board:

- A. A site plan and architectural plans, drawn to scale. These plans must show the location and dimensions of off-street parking, private entrances, walkways, the dimensions and square footage of each room and storage space and shall indicate the intended use of each room.
- B. The roommate housing arrangement must meet the standards of the City of Reading building, housing and fire codes as required for residential rental properties. The owner must verify to the City of Reading on an annual basis that the building meets all of the plumbing, electrical, heating, building, fire, and similar standards set by the City and by the Commonwealth of Pennsylvania.
- C. No cooking facilities of any kind shall be located in any room except the central kitchen.
- D. Every bedroom shall be at least 70 square feet of floor area and there shall be no more than two occupants per bedroom.
- E. No basement or cellar shall be used as a habitable bedroom except by special approval and variance.
- F. No Student Home shall be located within 500 linear feet of any other lot on which is established a Student Home, except by variance, measured by the shortest distance between the two lots where the proposed student home is located (including but not limited to each existing student home use located in any district which is of a different designation than the district in which the new student home use is proposed).
- G. The one-family dwelling has a floor area of at least 1,000 square feet exclusive of basements, garages and accessory buildings.
- H. A student home shall not be located within 500 feet of a group home, group quarters institution, church, educational use, housing for the elderly or home for handicapped individuals. The distance between the two uses shall be measured by the shortest distance between the lot on which the proposed student home will be located and the lot or lots which contain the existing uses.
- I. A student home shall meet the area and bulk requirements for a one-family dwelling in the applicable zoning district where such use is proposed.

J. The owner of the student home, or the agent or manager of the student home, shall annually register the student home with the Codes Enforcement Division on a form provided by the City of Reading. If the owner of the student home fails to maintain a current registration of his or her student home, the Codes Enforcement Division in conjunction with the Zoning Officer shall enforce such condition in accordance with §27-201 et seq of this chapter.

K. If the one family dwelling where the student home is proposed cannot meet the parking requirements set forth in § 27-1603DD herein, the Governing Body may still authorize the conditional use with the condition that the number of occupants which may reside at the student home shall be limited to the number of off-street parking spaces provided at the one family dwelling.

**PART 16**

**OFF-STREET PARKING AND LOADING**

§27-1603. Off-Street Parking Standards is hereby amended to add the following:

DD: Student Home -

R-1A and R-1: one space per every occupant which would be permitted to reside in the dwelling up to a maximum of three (3), plus one additional, subject to the provisions of § 27-1203(9).

R-2: one space per every occupant which would be permitted to reside in the dwelling up to a maximum of three (3), plus one additional, subject to the provisions of § 27-1203(9).

MAYOR'S ACTION

Bill No. 54-2008

Submitted to Mayor: [Signature]  
Date: 8-26-08

Received by Mayor's Office: mg  
Date: 9-3-08

Approved by Mayor: [Signature]  
Date: 9/3/08

Vetoed by Mayor: \_\_\_\_\_  
Date: \_\_\_\_\_

Sustained by Council: \_\_\_\_\_  
Date: \_\_\_\_\_

Overridden by Council: \_\_\_\_\_  
Date: \_\_\_\_\_