BILL NO. 33 -2009

AN ORDINANCE

AN ORDINANCE AMENDING THE CITY OF READING ZONING ORDINANCE PER EXHIBIT "A" TO CREATE A NEW ZONING DISTRICT TO BE KNOWN AS MUNICIPAL USE (MU) ZONING DISTRICT AND THE USES ALLOWED THEREIN AS WELL AS THE REQUIREMENTS FOR SUCH USES AND AMENDING THE CITY OF READING ZONING MAP TO REFLECT THE ADDITION OF A NEW ZONING DISTRICT AS DESCRIBED IN AND PER THE MAP ATTACHED AS EXHIBIT "B"

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 a new zoning district to be known as Municipal Use (MU) Zoning District and the uses allowed therein as well as the requirements for such uses and amending the City of Reading Zoning Map per Exhibit "B" to reflect the addition of a new zoning district, Municipal Use (MU) Zoning District

SECTION 2. SEVERABILITY. It is hereby declared to be the legislative intent that if a court of competent jurisdiction declares any provisions of this Amendment to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Amendment shall continue to be separately and fully effective. The City Council hereby declares that it would have passed this Amendment and each section or part thereof, other than any part declared invalid, if it had advance knowledge that any part would be declared invalid.

SECTION 3. REPEALER. Any specific provisions of the City of Reading Zoning Ordinance, Subdivision and Land Development Ordinance or any other City Ordinance or resolution that is in direct conflict within this Zoning Amendment are hereby repealed..

SECTION 4. NUMBERING AND LETTERING. Should any number or letter assigned to an amendment set forth herein conflict with or been previously assigned under a prior amendment to the City of Reading Zoning Ordinance, then the number or letter herein shall be automatically amended when codified to reflect the next available number or letter.

SECTION 5. 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 6. Effectiveness of Ordinance. This Ordinance will become effective in accordance with Charter Section 219.

Enacted June 22, 2009

President of Council

Attest:

City Clerk

(LAW DEPT.)

Submitted to Mayor:
Date: 6-23-09

Received by the Mayor's Office:
Date: 6-23-09

Approved by Mayor:
Date: 6/25/09

Vetoed by Mayor: _____
Date: _____

EXHIBIT A

SECTION 27-701 DISTRICTS IS AMENDED TO ADD:

I. Municipal Use district (MU).

SECTION 27-702 INTENT OF DISTRICTS IS AMENDED TO ADD:

I. Municipal Use district (MU). The Municipal Use district is intended as a relatively isolated area, reserved for those uses and services traditionally provided by local governments, but whose associated nuisances, and/or security concerns warrant a separation, to the extent practical, from publicly accessible and occupied areas. Permitted uses within the Municipal Use district are those operated by the City of Reading, alone or in partnership with other government entities.

PART 8 DISTRICTS IS AMENDED TO ADD:

§27-816 MU - MUNICIPAL USE DISTRICT

Minimum Lot Size	Maximum Building Coverage	Maximum Lot Coverage	Maximum Height	Minimum Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Combined Side Yard Setback
43,560 square feet	40%	80%	80 feet		40 feet	40 feet	40 feet	

<u>PERMITTED USES</u>

Wastewater Treatment Operations

Law Enforcement Operations

Fire Fighting and Rescue Service Operations

Recycling Operations

Multiple principal uses and occupancies on single parcels within the Municipal Use district are expressly authorized, where common (City) ownership makes subdivision otherwise unnecessary; 'area and bulk' standards shall apply to the property as a whole. The adequacy of separations between uses shall be established by agreement between the City's representative and a qualified design professional, and to the satisfaction of the incumbent tenants and their continuing operations. Municipal use parcels are not required to front on a public street, though sufficient (driveway) access must nonetheless be provided.

PART 11 ADDITIONAL REQUIREMENTS FOR SPECIFIC USES OR ZONING DISTRICTS IS AMENDED TO ADD:

§27-1107 Additional Requirements and Performance Standards for Permitted Uses in the MU Zoning District

A. **Wastewater Treatment Operations:** an application for a "wastewater treatment operation" shall include a general explanation of the treatment processes, including the technologies involved, noise and odor mitigating measures, and the receiving water body of the treated effluent. The area of wastewater treatment equipment which is *open to precipitation from above* need not be counted in the calculation of building and impervious coverage percentages.

B. **Law Enforcement Operations:** an application for a "firing range" shall include a description of the design of the berm/backstop, and other safety measures. Designs shall implement the Environmental Protection Agency's Best Management Practices (BMPs) "for lead at firing ranges".

C. **Fire and Rescue Service Operations:** an application for a "live-fire training facility" shall include a description of the different training structures/evolutions designed. Water towers, simulation buildings, and other buildings specifically designed for their height, may exceed the building height maximum, where such increased height is related to the instruction or practice of fire-fighting and/or rescue techniques.

D. **Recycling Operations:** an application for a "recycling operation" shall include a description of the types and quantities of materials to be collected and the loading areas.

SECTION 27-1603.1 OFF STREE PARKING STANDARDS IS AMENDED TO ADD:

GG. **Wastewater Treatment Operations:** off-street parking shall be provided at the rate of at least one space per full-time employee on the largest shift, plus 10% for visitors, inspectors, shift change flexibility, et cetera. When located in the Municipal Use district, a common parking area may be delineated.

HH. **Law Enforcement Operations:** off-street parking shall be provided at the rate of at least one space for every four classroom seats/shooting lanes. When located in the Municipal Use district, a common parking area may be delineated.

II. **Fire and Rescue Service Operations:** off-street parking shall be provided at the rate of at least one space for every four classroom seats. When located in the Municipal Use district, a common parking area may be delineated.

JJ. **Recycling Operations:** off-street parking shall be provided at the rate of at least one space per employee, if any. Rather, a minimum of two loading spaces, exclusive of driveways and sized according to the largest vehicles permitted, shall be provided for every container placed. When located in the Municipal Use district, a common parking area may be delineated.

SECTION 27-2202 DEFINITIONS IS AMENDED TO ADD THE FOLLOWING WORDS AND DEFINITIONS:

WASTEWATER TREATMENT OPERATIONS - includes all infrastructure, equipment and activities related to the collection, conveyance, treatment, monitoring, sampling and discharge of wastewater, regardless of its source, including, but not necessarily limited to, the pipes, manholes, junction boxes, valves, pumps, grinders, grit chambers, screening facilities, presses, centrifuges, clarifiers, settling tanks, physical, biological and chemical treatments, laboratories, vehicular and administrative facilities necessary to consistently remediate wastewater according to current regulatory standards operated by the City's Department of Public Works.

LAW ENFORCEMENT OPERATIONS - includes firing ranges, accessory buildings and activities related to firing ranges, facilities for the disposal of regulated/controlled substances, the educational, vehicular and administrative facilities necessary to the initial and continuing training, qualification and accreditation of law enforcement officers and their supporting staff, operated by the City's Department of Police.

FIRE AND RESCUE SERVICE OPERATIONS - includes live-fire training facilities, the educational, vehicular and administrative facilities necessary to the initial and continuing training, qualification and accreditation of fire fighters, emergency medical and disaster responders, and their supporting staff operated by either the City's Department of Fire and Rescue Services or the County of Berks.

RECYCLING OPERATIONS - includes facilities for the collection and organization of recyclable materials, and/or the composting of organic materials. It may include collection events for the general public, where sufficient loading and staging areas are delineated operated by either the City's Department of Public Works or the Berks County Solid Waste Authority.

EXHIBIT B

MUNICIPAL USE (MU) ZONING DISTRICT

The City of Reading Municipal Use (MU) Zoning District shall consist of:

That portion of the City of Reading commonly known as Fritz Island, bounded on the north by the centerline of the Angelica Creek, on the east by centerline of the Schuylkill River, on the south by the municipal boundary of the Township of Cumru, and on the west by the municipal boundary of the Township of Cumru and the centerline of Morgantown Road (SR 0010).

CITY OF READING, PENNSYLVANIA

CITY COUNCIL
ROOM 2-24
815 WASHINGTON STREET
READING, PA 19601-3690
(610) 655-6204

LINDA A. KELLEHER CMC
CITY CLERK

DATE: **May 7, 2009**
FROM: **Linda A. Kelleher, City Clerk**

Please place the following ad in the Reading Eagle Times in the Public Notice Section on Tuesday, May 19th and Tuesday, May 26th .

City of Reading
Amendment to the Zoning Ordinance

The City of Reading City Council has introduced an ordinance that will amend the City's zoning ordinance as summarized below.

ORDINANCE - TO CREATE A NEW ZONING DISTRICT TO BE KNOWN AS MUNICIPAL USE (MU) ZONING DISTRICT AND THE USES ALLOWED THEREIN AS WELL AS THE REQUIREMENTS FOR SUCH USES AND AMENDING THE CITY OF READING ZONING MAP TO REFLECT THE ADDITION OF A NEW ZONING DISTRICT AS DESCRIBED IN AND PER THE MAP ATTACHED AS EXHIBIT "B".

A copy of the complete ordinances may be obtained from the City Clerk's Office, City Hall, 815 Washington St, Rdg, PA during regular business hours or by E Mail at Council@readingpa.org or by reviewing the May 11th agenda posted on the City's website at ReadingPa.gov.

Linda A. Kelleher CMC
City Clerk

CITY OF READING, PENNSYLVANIA

LINDA A. KELLEHER CMC
CITY CLERK

CITY COUNCIL
ROOM 2-24
815 WASHINGTON STREET
READING, PA 19601-3690
(610) 655-6204

DATE: **June 4, 2009**
FROM: **Linda A. Kelleher, City Clerk**

Please place the following ad in the Reading Eagle Times in the Public Notice Section on Wednesday, June 10th.

City of Reading
Amendment to the Zoning Ordinance

The City of Reading City Council has introduced an ordinance that will amend the City's zoning ordinance as summarized below.

ORDINANCE - TO CREATE A NEW ZONING DISTRICT TO BE KNOWN AS MUNICIPAL USE (MU) ZONING DISTRICT AND THE USES ALLOWED THEREIN AS WELL AS THE REQUIREMENTS FOR SUCH USES AND AMENDING THE CITY OF READING ZONING MAP TO REFLECT THE ADDITION OF A NEW ZONING DISTRICT AS DESCRIBED IN AND PER THE MAP ATTACHED AS EXHIBIT "B".

A copy of the complete ordinances may be obtained from the City Clerk's Office, City Hall, during regular business hours, by E Mail at Council@readingpa.org or by reviewing the May 11th agenda posted on the City's website at ReadingPa.gov.

City Council held a public hearing on the proposed ordinance on Wednesday, June 3, 2009 at 5 p.m. in Council Chambers and plans to take action on the proposed ordinance at their regular business meeting scheduled for Monday, June 22, 2009 at 7 p.m. in Council Chambers, City Hall 815 Washington St, Rdg, PA.

Linda A. Kelleher CMC
City Clerk

ACCESS (RAILROAD) RD
ACCESS (RAILROAD) RD
DAVIS DR