



**TOWNSHIP OF NEWTOWN  
DELAWARE COUNTY, PENNSYLVANIA  
ORDINANCE NO. 2018-04**

**AN ORDINANCE OF THE TOWNSHIP OF NEWTOWN, DELAWARE COUNTY, PENNSYLVANIA, AMENDING ARTICLE I, SECTION 172-2 (DEFINITIONS) TO ADD A DEFINITION FOR “MOTOR VEHICLES SALES AGENCY” AND, FURTHER, BY AMENDING THE “CODE OF THE TOWNSHIP OF NEWTOWN”, CHAPTER 172, ZONING, ARTICLE XXIV “OFF-STREET PARKING AND LOADING FACILITIES”, SECTION 172-132 (REQUIRED NUMBER OF PARKING SPACES) BY ADDING A NEW SUBSECTION 172-132.F. SETTING FORTH PARKING REQUIREMENTS FOR A “NEW MOTOR VEHICLES SALES AGENCY”**

The Board of Supervisors of the Township of Newtown, Delaware County, Pennsylvania, does hereby ENACT AND ORDAIN THAT:

**Section 1.** The “Code of the Township of Newtown”, specifically the Zoning Ordinance, Chapter 172, Article I, Section 172-2 (Definitions) is hereby amended to provide the definition of a “Motor Vehicles Sales Agency” as follows:

**MOTOR VEHICLES SALES AGENCY**

An area of land, together with structures thereon, used primarily for the sales, service and repair of new motor vehicles under a manufacturer’s franchise agreement, including the sales of goods and products normally provided in connection with such sales, repairs and service, together with a permitted component for used motor vehicles sales, repairs and service.

**Section 2.** Chapter 172, Article XXIV “Off-Street Parking and Loading Facilities”, Section 172-132 “Required Parking Spaces”, is hereby amended by adding a new Subsection “F” setting forth parking requirements for a “Motor Vehicles Sales Agency” as follows:

“Section 172-132. Required Number of Parking Spaces.

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“F. Motor Vehicles Sales Agency Use:

- (1) A motor vehicles sales agency shall provide the following minimum parking spaces:
  - (a) One (1) parking space for each employee on the shift of greatest employment (Employee Parking);
  - (b) One (1) parking space for every eight hundred (800) square feet of building floor area accessible to the public and devoted to the sale of motor vehicles (Customer Parking), or 10 customer parking spaces, whichever is greater.
  - (c) One (1) parking space for every inventory vehicle that is displayed for sale and accessible to customers (Inventory Parking). Inventory Parking may be stacked in rows no more than three (3) cars deep, with only on (1) row having direct access to a drive aisle. Rear rows of vehicles can gain access to the drive aisle by moving vehicles in front. Inventory Parking inside the building showroom shall be serviced by an accessway of sufficient width and height to allow sequential movement of display inventory vehicles in and out of the showroom. Display motor vehicles may be placed in the showroom in any manner that accommodates sequential movement of such vehicles by employees in and out of said showrooms; and
  - (d) In connection with motor vehicles being serviced, two (2) parking spaces per service bay, in addition to any spaces that are provided in the service bay (Service Parking). Service Parking may be stacked in rows no more than three (3) cars deep, with only one (1) row having direct access to a drive aisle. Rear rows of vehicles can gain access to the drive aisle by moving vehicles in front.
- (2) Inventory vehicles that are not displayed for sale and are not accessible to customers shall be considered Inventory Storage, not parking areas or Inventory Parking. Inventory Storage is to be marked as “off limits” to customers. The minimum requirements for parking spaces, the size of parking spaces and the design features for parking areas provided elsewhere in the Zoning Ordinance do not apply to Inventory Storage, except all buffer requirements shall be observed and as set forth in this section.
- (3) Parking spaces for Customer Parking shall measure ten feet by twenty feet (10’ x 20’). Parking spaces for Employee Parking, Inventory Parking and Service Parking shall have a minimum size of nine feet by eighteen feet (9’ x 18’).
- (4) Parking lot green area requirements of Section 172-135 shall only apply for customer and employee parking. Chapter 172, Attachment 3, Figure 7, shall be met for customer and employee parking, but shall not apply to Inventory Parking, Inventory Storage and Service Parking. For Inventory

Parking, Inventory Storage and Service Parking, the required parking lot Green Area under Section 172-135, shall not apply; provided however that the 10% Green Area for any Inventory Parking, Inventory Storage and Service Parking is provided elsewhere on the property, in addition to any other Green Area or pervious coverage requirements for the property.

- (5) The minimum parking requirements, including, but not limited to size and number of parking spaces, setbacks and any other design features set forth in Section F(1), (2), (3) and (4) hereof, or as may be set forth elsewhere in the Township Zoning Ordinance, may be modified, altered and/or reduced up to twenty-five percent (25%) by Conditional Use Application filed with the Board of Supervisors under this Subsection F(5). The twenty-five percent (25%) cap shall not apply to any conditional use relief requested in connection with any adjoining boundary line setback requirements for adjoining lots/parcels supporting a motor vehicle sales agency use and/or any component thereof. The Board in such cases shall be authorized to modify, alter, reduce or waive such requirements, notwithstanding the twenty-five percent (25%) cap hereunder provided. The Board of Supervisors shall consider the following factors in an Application for Conditional Use relief hereunder:
  - (a) Whether or not the proposed motor vehicles sales agency requires the number of parking spaces and/or design as set forth by Township Ordinances due to the nature and scope of Applicant's specific business model, price and nature of vehicles sold or other factors affecting volume, need for parking;
  - (b) Whether historical data and statistics of a comparable motor vehicles sales agency or agencies of similar nature supports the requested reduced parking or reduction or waiver of other Township Ordinance requirements;
  - (c) Whether the reduction in parking and/or parking design modifications are needed to accommodate the proposed motor vehicles sales agency development and operations; and
  - (d) Whether there would be any material adverse impact on surrounding properties which cannot be mitigated by alternate design features and improvements;
  - (e) Whether, after considering proposed mitigating improvements, the requested modification of any Township Ordinance requirement will create on-site or off-site conditions which would interfere with emergency vehicles or otherwise pose a danger or have a material adverse impact on the public health, safety and welfare.

**Section 3.** All Ordinances or parts of Ordinances inconsistent herewith are hereby repealed.

**ENACTED AND ORDAINED THIS 10 day of September, 2018.**



**TOWNSHIP OF NEWTOWN**

By: \_\_\_\_\_

**John A. Nawn, P.E.**

**Chairman, Board of Supervisors**

**ATTEST:**

By: Stephen M Nease  
**Stephen M. Nease**  
**Township Manager**