

**ORDINANCE NO. 781**  
**AN ORDINANCE OF THE TOWNSHIP OF CUMRU, BERKS COUNTY,  
PENNSYLVANIA, AMENDING THE CUMRU TOWNSHIP ZONING  
ORDINANCE OF 2009 TO ADD CERTAIN ADDITIONAL USES  
PERMITTED AS OF RIGHT IN THE MIXED-USE AND GENERAL  
COMMERCIAL ZONING DISTRICT.**

WHEREAS, the Board of Commissioners of the Township of Cumru desires to amend the Cumru Township Zoning Ordinance to add certain additional permitted uses in the Mixed-Use and General Commercial Zoning District and to establish the parameters thereof, and to make certain other amendments to the Zoning Ordinance.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED and it is hereby adopted, enacted and ordained by the Board of Commissioners of Cumru Township, Berks County, Pennsylvania ("Township"), as follows:

SECTION 1. The Cumru Township Zoning Ordinance of 2009, as heretofore amended, is hereby amended to add a new Section 411(B)(16) and a new Section 411(B)(17), which shall state, as follows:

"Section 411: Mixed-Use and General Commercial (MUGC) Zoning District

(B) Uses by Right: The following principal uses and their accessory uses are permitted within the MUGC Zoning District, provided that the use is approved by the Zoning Officer and complies with all supplemental development and design requirements specified by this Ordinance and the other Ordinances and Resolutions of the Township.

(16) Warehouse and Freight Terminal Uses, in accordance with Section 854, except as may be amended hereby;

(17) Wholesale and Distribution Uses, in accordance with Section 855, except as may be amended hereby."

SECTION 2. The Cumru Township Zoning Ordinance of 2009, as heretofore amended, is hereby further amended to replace the current Matrix Chart MUGC, provided for at Section 411(D), with the Matrix attached hereto providing for the basic utility and dimensional requirements for the two added permitted uses.

SECTION 3. The Cumru Township Zoning Ordinance of 2009, as heretofore amended, is hereby amended to add a new Section 910 (A) (12), which shall state, as follows:

"(12) Fences and walls constructed on any property shall not be constructed within two (2) feet of the property line, in front yards, side yards or back yards."

SECTION 4. The Cumru Township Zoning Ordinance of 2009, as heretofore amended, is hereby amended to replace Section 910 (A) (3), which shall now state, in its entirety, as follows:

"(3) Unless otherwise specified by this Zoning Ordinance, all fences and wall utilized for a residential use shall not exceed a maximum height of three (3) feet within a front yard and eight (8) feet within a side yard or rear yard. Notwithstanding the foregoing, fences in a front yard may exceed three (3) feet in height, but no higher than four (4) feet in height, if the fence is an

ornamental fence and has open areas of at least seventy-five (75) percent of the fence surface. Fences in a front yard shall also have gated access, or open area access, to the front yard area.”

SECTION 5. The Cumru Township Zoning Ordinance of 2009, as heretofore amended, is hereby amended to add a new Section 1102 (K) (7), which shall state, as follows:

“(7) Advertising or other signs shall be permitted to be located on bus shelters owned by a public transportation authority or entity.”

SECTION 6. The Zoning Officer, the Engineer and the Solicitor of the Township of Cumru are hereby authorized to take such actions as may be necessary to cause the Cumru Township Zoning Ordinance of the Township to be amended in accordance with the terms and provisions of this Ordinance and shall take such other actions as may be necessary to effectuate the terms of this Ordinance.

SECTION 7. All Ordinances or resolutions, or parts of ordinances or resolutions, in so far as they are inconsistent with this Ordinance are hereby repealed.

SECTION 8. The provisions of this Ordinance shall be severable and if any of its provisions shall be held to be unconstitutional or illegal, the validity of any other remaining provisions of the Ordinance shall not be affected thereby. It is hereby expressly declared as the intent of the Board of Commissioners that this Ordinance would have been adopted had such unconstitutional or illegal provision or provisions had not been included herein.

SECTION 9. This Ordinance shall become effective on the earliest date permitted by law after enactment.

ENACTED AND ORDAINED as an Ordinance of the Township of Cumru, Berks County, Pennsylvania this 17th day of May, 2023.

BOARD OF COMMISSIONERS OF  
CUMRU TOWNSHIP

By: *Bridget O'Leary*  
President

By: *[Signature]*  
Vice President

By: *William B. Guth*  
Member

By: *Samuel Kalbach*  
Member

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

Attest *[Signature]*  
Secretary

MATRIX CHART MUGC

(attached hereto below)

**MUGC Zoning District: Utility and Dimensional Requirements (Matrix Chart MUGC)**

Use	Procedural Requirement	Utility Requirements		Minimum Net Lot Area	Minimum Lot Width	Minimum Yard Requirements			Maximum Height	Maximum Coverage		
		Sewer	Water			Front	Side (each)	Rear		Building	Lot	
Multi-family	By Right	Public	Public	Variable	Refer to Section 704 for additional requirements							
Townhouses	By Right	Public	Public	Variable	Refer to Section 705 for additional requirements							
Apartment Bldgs	By Right	Public	Public	Variable	Refer to Section 705 for additional requirements							
Condominiums	By Right	Public	Public	Variable	Refer to Section 705 for additional requirements							
Category 1 Home Business	By Right	Optional	Optional	Variable	Refer to Section 715.1 for additional requirements							
Banks and Financial Inst.	By Right	Optional	Optional	10,000 sq. feet	80 feet	40 feet	20 feet	30 feet	35 feet	40%	60%	
Business and Professional Off	By Right	Optional	Optional	10,000 sq. feet	80 feet	40 feet	20 feet	30 feet	35 feet	40%	60%	
Convenience Store	By Right	Optional	Optional	20,000 sq. feet	100 feet	40 feet	30 feet	40 feet	35 feet	40%	60%	
Commercial Day Care Center	Conditional Use	Public	Public	20,000 sq. feet	100 feet	40 feet	30 feet	40 feet	35 feet	40%	60%	
Medical, Dentist, Vision, Counseling	By Right	Optional	Optional	20,000 sq. feet	100 feet	40 feet	30 feet	40 feet	35 feet	40%	60%	
Mini-Malls	Conditional Use	Optional	Optional	3 acres	Refer to Section 836 for additional requirements							
Municipal Uses	By Right	Optional	Optional	Variable	Refer to Section 838.1 for additional requirements							
Nursery or Landscape Center	Conditional Use	Optional	Optional	20,000 sq. feet	100 feet	40 feet	30 feet	40 feet	35 feet	40%	60%	

**MUGC Zoning District: Utility and Dimensional Requirements (Supplemental Matrix Chart 10)**

Use	Procedural Requirement	Utility Requirements		Minimum Net Lot Area	Minimum Lot Width	Minimum Yard Requirements			Maximum Coverage		
		Sewer	Water			Front	Side (each)	Rear	Height	Building	Lot
Personal Services Establishment	By Right	Optional	Optional	10,000 sq. feet	80 feet	40 feet	20 feet	30 feet	35 feet	40 %	60 %
Non-Commercial Recreation Use	Conditional Use	Optional	Optional	1 acre	Refer to Section 844.1 for additional requirements						
Commercial Recreation Use	Conditional Use	Optional	Optional	1 acre	150 feet	40 feet	40 feet	40 feet	35 feet	40 %	60 %
Restaurants	By Right	Optional	Optional	20,000 sq. feet	100 feet	40 feet	40 feet	40 feet	35 feet	40 %	60 %
Drive-Through Establishment	By Right	Optional	Optional	30,000 sq. feet	150 feet	40 feet	20 feet	30 feet	35 feet	40 %	60 %
Retail Business Uses	By Right	Optional	Optional	10,000 sq. feet	90 feet	40 feet	20 feet	30 feet	35 feet	40 %	60 %
Adaptive Reuse and Redevelopment	Conditional Use	Optional	Optional	Variable	Refer to Section 602 for additional requirements						
Mixed-Use Comm/Res.	Conditional Use	Optional	Optional	1 acre	Refer to Section 716 for additional requirements						
Home Day Care	By Right	Optional	Optional	Variable	Refer to Section 819.1 for additional requirements						
Club, Lodge or Social Quarters	Conditional Use	Optional	Optional	30,000 feet	150 Feet	40 feet	40 feet	40 feet	50 feet	40%	60%
Veterinary Hospital or Forestry	Conditional Use	Optional	Optional	30,000 sq. feet	150 feet	40 feet	40 feet	40 feet	35 feet	40 %	60 %
Warehousing and Freight	By Right	Optional	Optional	2 acres	200 feet	60 feet	50 feet	50 feet	50 feet	40%	60%
Wholesale and Distribution	By Right	Optional	Optional	2 acres	200 feet	60 feet	50 feet	50 feet	50 feet	40%	60%