

ORDINANCE NO. 2440

AN ORDINANCE AMENDING THE CODE OF THE BOROUGH OF CARLISLE, CHAPTER 255, ZONING, WITH RESPECT CONDITIONAL REDUCTION OF PARKING REQUIREMENTS AND PROVIDING A FEE APPLICABLE TO REDUCTION OF PARKING WHEN APPROVED BY BOROUGH COUNCIL.

IT IS HEREBY ENACTED AND ORDAINED by the Borough Council of the Borough of Carlisle, Cumberland County, Pennsylvania, as follows:

SECTION 1: Section 255-208 [Conditional reduction of parking requirements] of Article XXV [Off-Street Parking and Loading] of Chapter 255 [Zoning] of the Code of the Borough of Carlisle, is hereby amended to include the following new paragraph C as follows:

- C. The Borough Council by a decision at a public meeting may permit a reduction of the number of parking spaces to be initially developed as otherwise required by this article, provided that each of the following conditions are satisfied:
- (1) The applicant shall make a written request for a reduction in off-street parking to the Zoning Officer.
 - (2) After the written request is submitted to the Zoning Officer and prior to the applicant presenting the request for a reduction in off-street parking to Council, the applicant shall, at applicant's expense, confirm the identity of all property owners within a 200-foot radius of the lot lines of the property that is the subject of the off-street parking reduction request by use of the records at the Cumberland County Assessment Office, and provide written notice in a form provided by the Zoning Officer to all such property owners describing in detail the request being made, the justification for such request and encouraging the property owners and their tenants where applicable to provide written comments on the proposal to the Zoning Officer at the Borough municipal building address. The applicant's written notice shall be sent by first class mail, postage prepaid and copies of all notices sent to the property owners must be provided to the Zoning Officer within one day after the notices are mailed to the property owners.
 - (3) After the applicant has provided the Zoning Officer with copies of all letters sent to the property owners as required in Subsection (2) above, the Zoning Officer shall inform the applicant of the meeting date and time when the request will be considered by Borough Council. The meeting date at which Council would consider the application shall not occur less than 15 days after written notice required by Subsection (2).

- (4) The applicant shall demonstrate to Borough Council at the meeting that a reduction in off-street parking spaces is warranted based on the presentation to Council using data as specified in B(1), above;
- (5) Upon Borough Council making a decision as noted in C., above, permitting a reduction of the number of off-street parking spaces, the applicant shall pay a one-time fee to the Borough for each reduced off-street parking space in the amount as established in Chapter 120, which amount shall be subject to modification from time to time by resolution of Borough Council; and
- (6) Upon payment of the fee in full noted in (5), above, the Zoning Officer shall issue a zoning permit noting the approval issued by Borough Council, receipt of payment of the applicable fee, the property location and the number of reduced off-street parking spaces approved for the subject property.

SECTION 2: Section 120-24 [Zoning matters] of Article II [General Fee Schedule] of Chapter 120 [Fees] of the Code of the Borough of Carlisle, is hereby amended to include the following new paragraph G as follows:

- G. Fee for each reduced parking space approved by Borough Council in accordance with Section 255-208.C: \$8,973.60.

SECTION 3: In all other respects, Chapter 255 [Zoning] of the Code of the Borough of Carlisle shall remain as previously enacted and amended


SECTION 4: The provisions of this Ordinance shall be severable. If any of its provisions shall be held to be unconstitutional, illegal or otherwise invalid, that decision shall not affect the remaining provisions of this Ordinance or any other provision, section, article or chapter of the Code of the Borough of Carlisle.

SECTION 5: This Ordinance shall become effective upon enactment.

ENACTED AND ORDAINED this 11th day of July, 2024.

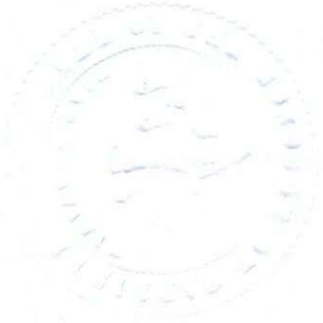
ATTEST:

BOROUGH OF CARLISLE


Patricia Blair, Borough
Secretary

By: 
Sean M. Shultz, Mayor

(Borough Seal)



CERTIFICATION AND ATTESTATION

I, the undersigned, being the duly appointed Secretary in and for the Borough of Carlisle, do hereby certify and attest that the attached Ordinance is a true and correct copy of an Ordinance of the Borough of Carlisle amending Chapter 255 of the Code of the Borough of Carlisle to provide for reduction in required parking spaces, which Ordinance is scheduled for consideration and enactment by Borough Council at a public meeting to take place on July 11, 2024.

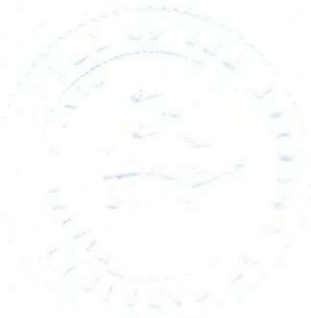
Date:

July 11, 2024



Patricia Blair, Borough Secretary
Borough of Carlisle

(Borough Seal)



NOTICE IS HEREBY GIVEN that the Borough Council of the Borough of Carlisle, Cumberland County, Pennsylvania, will hold a public hearing at 5:45 p.m. on July 11, 2024 in Town Hall, Borough Municipal Building, 53 West South Street, Carlisle, Pennsylvania, for purposes of receiving public comment on the Ordinance summarized below. Upon conclusion of the hearing, Council will consider and possibly vote upon enactment of the Ordinance at the hearing or as part of its regularly scheduled meeting commencing at 6:00 p.m. July 11, 2024.

Full Title: An Ordinance Amending The Code Of The Borough Of Carlisle, Chapter 255, Zoning, With Respect Conditional Reduction Of Parking Requirements And Providing A Fee Applicable To Reduction Of Parking When Approved By Borough Council. Ordinance Summary: Section 1 amends Chapter 255 (Zoning), Section 255-208 to include new paragraph C. Paragraph C provides for Council at a public meeting, to permit a reduction of the number of parking spaces otherwise required by the zoning ordinance upon 1. The applicant making a written request to the zoning officer; 2. The applicant confirming property owners within 200 feet of lot lines of the property subject to the request and providing written notice to the property owner on a form provided by the zoning officer describing the request, its justification and encouraging owners and tenants to provide written comments on the request to the zoning officer, and provide to the zoning officer copies of all notices given. 3. After copies of notices are provided to the zoning officer, the zoning officer shall inform the applicant of the date when Council will hear the request, which will be no less than 15 days after applicant's mailing of notices to property owners. 4. The applicant is required to demonstrate to Council that the reduction in parking spaces is warranted based on specified data to be presented to Council. 5. If Council permits the reduction in the number of parking spaces, the applicant shall pay a one-time fee as established in Chapter 120, which fee is subject to modification from time to time. 6. Upon payment of the fee, the zoning officer shall issue a zoning permit noting the approval, receipt of the applicable fee, property location and number of reduced spaces approved. Section 2 amends Chapter 120, Section 120-24 to include new paragraph G establishing a fee of \$8,973.60 for each reduced parking space. Section 3 provides for Chapter 255 to remain as previously enacted and amended. Section 4 provides for severability in the event of invalidity. Section 5 provides for the ordinance to be effective upon enactment.

The hearing and Council meeting on July 11, 2024 will be conducted in person and virtually using Zoom. If you would like to attend the hearing or meeting via Zoom, please email the Borough Secretary, Patricia Blair (pblair@carlislepa.org) for the Zoom sign-in registration information required to attend. All emails must be received by July 11, 2024 by 4:00 p.m. Persons requiring special accommodations should contact the Borough Secretary at 717-240-6920, 48 hours prior to the public meeting. Telecommunications device for the deaf (TTY) users may contact this number by using the Pennsylvania Relay System at 800-654-5894. The full text of the proposed Ordinance may be examined at no charge at the Office of the Carlisle Borough Manager, 53 West South Street, Carlisle, Pennsylvania, during regular business hours and copies of same may be obtained for a charge not greater than the cost thereof.

Patricia Blair, Secretary
Borough of Carlisle

Keith O. Brenneman, Esquire, Borough Solicitor
Law Office of Keith O. Brenneman, P. C.

*** Proof of Publication ***

State of Indiana
County of Lake

I, Robin Nelson, Principal Legal Notices Clerk, of The Sentinel of Cumberland County and State of Pennsylvania, being duly sworn, deposes and says that THE SENTINEL, a newspaper of general circulation in the Borough of Carlisle, County and State aforesaid, was established December 13th, 1881. Since which date THE SENTINEL has been regularly issued in said County, and that the printed notice or publication attached hereto is exactly the same as was printed and published in the regular editions and issues of THE SENTINEL on the following day(s):

CARLISLE BOROUGH

LEGALS

53 WEST SOUTH STREET

CARLISLE PA 17013

RECEIVED JUL 08 2024

ORDER NUMBER 70003

Affiant further deposes that he/she is not interested in the subject matter of the aforesaid notice or advertisement, and that all allegations in the foregoing statement as to time, place and character of publication are true.

[Handwritten Signature]

Sworn to and subscribed before me this 6/27/24

Christina Palma
Notary Public

My commission expires:



Section: Legal

Category: 0010 PUBLIC NOTICES

PUBLISHED ON: 06/20/2024, 06/27/2024

TOTAL AD COST: 395.24

FILED ON: 6/27/2024

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Patricia Blair, Secretary
Borough of Carlisle
Keith O. Brenneman, Esquire, Borough Solicitor
Law Office of Keith O. Brenneman, P. C.
6/20 6/27 70003

Budget Code: 01-400-60341
Approval:
Description: *sea*

*Public Hearing 7/11/24
fee in lieu of parking*

Customer Ad Proof

154-60002019

CARLISLE BOROUGH

Order Nbr 70003

Publication	The Sentinel
Contact	CARLISLE BOROUGH
Address 1	53 WEST SOUTH STREET
Address 2	
City St Zip	CARLISLE PA 17013
Phone	7172494422
Fax	
Section	Legal
SubSection	
Category	0010 PUBLIC NOTICES
Ad Key	70003-1
Keywords	Parking and Fee Ordinance
Notes	

PO Number		Rate	Legal
Order Price		Order Price	395.24
Amount Paid		Amount Paid	0.00
Amount Due		Amount Due	395.24
Start/End Dates		Start/End Dates	06/20/2024 - 06/27/2024
Insertions		Insertions	2
Size		Size	106
Salesperson(s)		Salesperson(s)	Legals 1
Taken By		Taken By	James Meadows - NWI

Ad Proof

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6/20 6/27 70003