

ORDINANCE NO. 807-2019

AN ORDINANCE OF THE TOWNSHIP OF EAST PENNSBORO, CUMBERLAND COUNTY, COMMONWEALTH OF PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP OF EAST PENNSBORO, CHAPTER 27 (ZONING), PART 13 (PRO PROFESSIONAL OFFICE DISTRICT), SECTION 27-1302.1 (PERMITTED USES) TO ADD A NEW PERMITTED USE.

WHEREAS, the 2018 East Pennsboro Township Comprehensive Plan (the "Township's Plan") sets forth a vision of embracing opportunities of growth and positive change and continuing to enhance and improve the quality of life and local economy so that the Township remains desirable to its residents, business owners, and visitors while continuing to be a leader in the region;

WHEREAS, the Township's Plan suggests readjusting development regulations (e.g., zoning), including permissible land uses, with a focus on right-sizing, re-purposing (e.g., reusing) and revitalizing as per the new economy and the Township's exceptional qualities, so as to increase the diversity of commercial opportunities in the Township;

WHEREAS, the Township's Plan includes the current Township Zoning Map (part of the "Zoning Ordinance") as the future land use plan map that classifies one area of the Township as the PRO Professional Office District ("PRO District") and limited to a peninsula surrounded by the Conodoguinet Creek on three (3) sides, with the majority of the fourth (4th) side adjoining land designated as the Office-Apartment District (the "O-A District");

WHEREAS, the purpose of the PRO District is intended to provide a suitable environment for certain types of compatible businesses, primarily professional businesses and offices, so as to promote the public health, convenience and general welfare by encouraging the most appropriate and compatible uses of land and conserving and stabilizing property values;

WHEREAS, the PRO District contemplates and permits, and is currently developed with, a compatible mixture of professional health and wellness-oriented businesses, services and offices;

WHEREAS, the Zoning Ordinance defines personal services as businesses primarily engaged in providing services generally to individuals, by persons who may or may not be licensed by the Commonwealth of Pennsylvania to practice healing arts, barbers, beauticians, and manicurists, massage therapy, physical therapy, personal training;

WHEREAS, the Pennsylvania State Board of Cosmetology licenses professional cosmologists, estheticians, nail technicians and natural hair braiders that provide certain professional health and wellness-oriented services to individuals;

WHEREAS, all of the Township's other commercial business districts, including the O-A District adjoining the PRO District, expressly permit personal services along with a mixture of professional health and wellness-oriented businesses, services and offices, while the PRO District is the only commercial business district in the Township within which personal services are not expressly permitted;

WHEREAS, the Zoning Ordinance is intended to implement the Township's Plan and the Township's overall goal of ensuring consistent and coordinated management of growth and existing development in order to accomplish the certain community wide objectives, specifically including: (i) focusing various forms of nonresidential growth and development in the most appropriate areas in order to minimize land use conflicts and protect property values and investments; and (ii) encouraging commercial development to help maintain the vitality of the local economy;

WHEREAS, the adopted Cumberland County Comprehensive Plan (the "County's Plan") designates the majority of the land comprising the entirety of the PRO Land in the Township as being located within the Commercial Character future land use classification and specifically contemplates a mix of retail and commercial service businesses and offices serving a regional market; and

WHEREAS, the Board of Commissioners of the Township of East Pennsboro, Cumberland County, Pennsylvania, believes that it is in the best interest of the Township as a whole to further implement the Township's Plan and the County's Plan by revising the Code of Ordinances of the Township of East Pennsboro, Chapter 27 (Zoning), to permit personal services as a compatible use by right in the PRO District.

THEREFORE, BE IT ENACTED AND ORDAINED by the Board of Commissioners of the Township of East Pennsboro, Cumberland County, Commonwealth of Pennsylvania, and it is hereby enacted and ordained by authority of the same as follows:

SECTION 1: The Code of Ordinances of the Township of East Pennsboro, Chapter 27 (Zoning), Part 13 (PRO Professional Office District), Section 27-1302.1 (Permitted Uses) shall be and is hereby amended to include the following new use as Subsection S:

S. Personal services, as defined in § 27-202 of this chapter.

SECTION 2: All other ordinances and parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3: The provisions of this Ordinance are severable and if any of its sections, clauses or sentences shall be held illegal, invalid or unconstitutional, such provision shall not affect or impair any other remaining sections, clauses or sentences of the same.

SECTION 4: This Ordinance shall take effect and be in force immediately upon enactment.

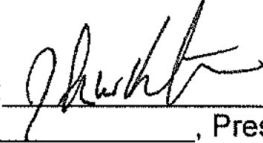
ENACTED AND ORDAINED, into an Ordinance this 1st day of May,
2019 by the Board of Commissioners of the Township of East Pennsboro, Cumberland
County, Commonwealth of Pennsylvania.

ATTEST:



(Assistant) Secretary

TOWNSHIP OF EAST PENNSBORO

By: 

_____, President
Board of Commissioners