

ORDINANCE NO. 810-2019

AN ORDINANCE OF THE TOWNSHIP OF EAST PENNSBORO, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING THE CODE OF ORDINANCES OF THE TOWNSHIP, CHAPTER 27 (ZONING), AS FOLLOWS: SECTION 27-302 AND ATTACHMENTS (ZONING MAP) BY ADDING AN OVERLAY ZONING DISTRICT FOR FIVE (5) PARCELS TOTALING 54.78 ACRES (MORE OR LESS) LOCATED ALONG VALLEY ROAD, COLLEGE HILL ROAD AND B STREET BEING TAX PARCEL NUMBERS 09-12-2933-072B, 09-12-2993-061, 09-12-2994-088, 09-12-2993-052, AND 09-12-2993-018, SAID OVERLAY ZONING DISTRICT TO BE CALLED THE COLLEGE OVERLAY DISTRICT (C-O); SECTION 27-202 TO ADD NEW DEFINITIONS; ADD SECTION 27-406 TO ESTABLISH THE TERMS OF THE COLLEGE OVERLAY DISTRICT; SECTION 27-1901 TO ADD BUFFERING AND SCREENING REQUIREMENTS FOR THE COLLEGE OVERLAY DISTRICT; SECTION 27-2102 TO ADD PARKING REQUIREMENTS FOR THE COLLEGE OVERLAY DISTRICT; AND SECTION 27-304 TO ADD SPECIFIC CRITERIA FOR CONDITINAL USES IN THE COLLEGE OVERLAY DISTRICT.

WHEREAS, the East Pennsboro Township Comprehensive Plan (“Comprehensive Plan”), at Chapter 4, identifies as a Township goal the ability to develop and support public and private mechanisms to provide educational services that adequately meet the needs of community members; and

WHEREAS, the Comprehensive Plan goes on to call for actions that would support the development of institutions of continuing and higher education through land use planning and zoning; and

WHEREAS, Central Penn College is an institution of continuing and higher education; and

WHEREAS, the existing underlying zoning designations for these parcels do not adequately reflect the current continuing and higher education uses undertaken there and do not adequately provide for the further development of continuing and higher education uses; and

WHEREAS, creating the proposed zoning overlay district for the subject parcels would be a step to support the provisions of continuing and higher education services in the Township; and

WHEREAS, a further step towards the support of continuing and higher education in the Township is creating the zoning regulations for such overlay district.

NOW, THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Commissioners of the Township of East Pennsboro, Cumberland County, 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), Section 27-302 and Attachment 5 (Zoning Map) are amended to provide the addition of an overlay zoning district with respect to those certain tracts of land along Valley Road, College Hill Road and B Street being tax parcel Nos. 09-12-2933-072B, 09-12-2993-061, 09-12-2994-088, 09-12-2993-052, and 09-12-2993-018, the said tracts being more fully described as follows:

Tax Parcel No. 09-12-2993-072B

ALL THAT CERTAIN tract of land situate in the Township of East Pennsboro, County of Cumberland and Commonwealth of Pennsylvania, being more particularly described as follows:

BEGINNING for the same at a chiseled cross cut now set marking the southeast intersection of “B” Street and Valley Road (SR 1004), as now widened and shown on the Final Minor Subdivision Plan, Lot Consolidation of Central Penn College, which is recorded among the land records of East Pennsboro Township, Cumberland County, Pennsylvania as instrument number 201623636, thence running and binding along said Valley Road as now widened, and as now surveyed by Century Engineering, Inc. with the courses referred to the Pennsylvania State Plane Coordinate System South(NAD83/2011) the following nineteen (19) courses and distances viz:

- 1.) 35.99 feet along a curve to the left having a radius of 1465.89 feet, said curve being subtended by a chord bearing of North 77 degrees, 16 minutes, 05 seconds East, a distance of 35.99 feet, to an iron bar and cap now set, thence;
- 2.) North 76 degrees, 33 minutes, 53 seconds East, a distance of 538.34 feet, to a point distant South 17 degrees, 35 minutes, 23 seconds East 1.23 feet from an iron bar now found marking the westernmost line of that parcel of land described in a deed dated August 10, 2005 conveyed by Virginia R. Gutshall to Michael C. Manning and Loretta R. Manning and recorded in the Land Records of East Pennsboro Township, Cumberland County, Pennsylvania, in Book S 30, Folio

444, thence leaving the south side of Valley Road and thence running reversely along the remainder of the fourth and all of the third and second lines of said parcel the following three courses and distances;

- 3.) South 17 degrees, 35 minutes, 23 seconds East, a distance of 233.40 feet, to a point being South 12 degrees, 44 minutes 43 seconds East, 0.74 feet from an iron bar now found, thence;
- 4.) North 79 degrees, 21 minutes, 37 seconds East, a distance of 264.73 feet to an iron bar and cap now set, and
- 5.) North 46 degrees, 20 minutes, 45 seconds West, a distance of 304.65 feet to a punch mark on brass disc affixed to the top of a concrete monument now set marking the south side of the aforesaid Valley Road (SR 1004), thence running along said road, as now widened;
- 6.) 35.11 feet along a curve to the left having a radius of 746.20 feet, said curve being subtended by a chord bearing of North 67 degrees, 36 minutes, 46 seconds East, a distance of 35.11 feet, to an iron bar and cap now set, thence;
- 7.) North 66 degrees, 15 minutes, 53 seconds East, a distance of 629.42 feet, to an iron bar and cap now set, thence;
- 8.) running non-tangentially 177.05 feet along a curve to the left having a radius of 5759.25 feet, said curve being subtended by a chord bearing of North 65 degrees, 23 minutes, 43 seconds East, a distance of 177.05 feet to an iron bar and cap now set, thence;
- 9.) North 64 degrees, 30 minutes, 53 seconds East, a distance of 56.44 feet to the easternmost side of Lot 10, Section "E" on the Revised Plan of Summerdale as recorded in the Office of the Recorder of Deeds in and for Cumberland County, Pennsylvania, in Plan Book 2, Page 109, thence running on the outlines of said Lot the following two courses and distances;
- 10.) South 25 degrees, 33 minutes, 01 seconds East, passing over an iron pin now found distant 0.87 feet, in all a total distance of 150.84 feet, to an iron bar now found, thence;

- 11.) South 64 degrees, 27 minutes, 03 seconds West, a distance of 35.68 feet, and crossing over an 18 foot wide alley as now closed, to an iron bar and cap now set on the first line of that parcel of land described in a deed dated February 13, 2002 conveyed by Boyer Homestead, L.P. et al to Central Penn, Inc. and recorded in the Land Records of East Pennsboro Township, Cumberland County, Pennsylvania, in Book 253, Folio 1561, thence running along the remainder of said line and along all of the second, the following two courses and distances viz;
- 12.) South 46 degrees, 15 minutes, 35 seconds East, a distance of 344.72 feet to an iron bar now found, and
- 13.) South 44 degrees, 39 minutes, 31 seconds West, a distance of 743.01 feet to a stone now found, thence running along the outlines of that parcel of land described in a deed dated October 24, 1986 conveyed by Fay L. Hildebrandt, Executrix to Central Pennsylvania Business School, Inc and recorded in the Land Records of East Pennsboro Township, Cumberland County, Pennsylvania, in Book G 32, Folio 657;
- 14.) South 46 degrees, 15 minutes, 51 seconds West, a distance of 395.63 feet to a stone now found on the northernmost side of College Hill Road, thence running along the north side of said road;
- 15.) North 70 degrees, 11 minutes, 22 seconds West, a distance of 789.09 feet to a point 0.33 feet southeast from an iron bar and cap now found on the extension of said line, thence;
- 16.) 244.01 feet along a curve to the left having a radius of 1480.00 feet, said curve being subtended by a chord bearing of North 74 degrees, 54 minutes, 45 seconds West, a distance of 243.73 feet to an iron bar and cap now found at the southeast fillet of said College Hill Road with the aforesaid "B" Street thence along said fillet;
- 17.) 26.16 feet along a curve to the right having a radius of 17.00 feet, said curve being subtended by a chord bearing of North 35 degrees, 32 minutes, 58 seconds West, a distance of 23.66 feet to a point on the westernmost side of said "B" Street and being North 32 degrees, 54 minutes, 34 seconds East 0.17 feet from an iron bar and cap now found, thence continuing along the easternmost side of the street;

- 18.) North 08 degrees, 32 minutes, 12 seconds East, a distance of 88.70 feet to an iron bar and cap now set, thence;
- 19.) North 08 degrees, 32 minutes, 12 seconds East, a distance of 75.73 feet, thence;
- 20.) running non-tangentially 145.31 feet along a curve to the left having a radius of 467.71 feet, said curve being subtended by a chord bearing of North 01 degrees, 27 minutes, 34 seconds East, a distance of 144.72 feet to the place of **BEGINNING**.

CONTAINING 1,059,485 Square Feet or 24.322 Acres of land, more or less.

BEING Tract D as shown on Sheet C-101 of the plan entitled "Preliminary/Final Lot Consolidation Plan of Central Penn College Lands" dated May 12, 2016, last revised June 3, 2016 and recorded in the Office of the Recorder of Deeds for Cumberland County, Pennsylvania, as Instrument No. 201623636.

Tax Parcel No. 09-12-2993-061

ALL THAT CERTAIN tract of land situate in the Township of East Pennsboro, County of Cumberland and Commonwealth of Pennsylvania, being more particularly described as follows:

BEGINNING for the same at a punch mark on brass disc affixed to the top of a concrete monument now set marking the southeast intersection of Raymond Road and Valley Road (SR 1004), as now widened and shown on the Final Minor Subdivision Plan, Lot Consolidation of Central Penn College, which is recorded among the land records of East Pennsboro Township, Cumberland County, Pennsylvania as instrument number 201623636, thence running and binding along said road as now widened, and as now surveyed by Century Engineering, Inc. with the courses referred to the Pennsylvania State Plane Coordinate System South (NAD83/2011) the following nineteen (19) courses and distances viz:

- 1.) North 67 degrees, 32 minutes, 53 seconds East, a distance of 128.10 feet to punch mark on brass disc affixed to the top of a concrete monument now set, thence;
- 2.) 173.76 feet along a curve to the left having a radius of 11489.38 feet, said curve being subtended by a chord bearing of North 67 degrees, 06 minutes, 53 seconds East, a distance of 173.76 feet to an iron bar and cap now set, thence;
- 3.) North 66 degrees, 40 minutes, 53 seconds East, a distance of 429.87 feet to an iron bar and cap now set, thence;
- 4.) 212.38 feet along a curve to the right having a radius of 686.21 feet, said curve being subtended by a chord bearing of North 75 degrees, 32 minutes, 53 seconds East, a distance of 211.54 feet to an iron bar and cap now set, thence;
- 5.) North 84 degrees, 24 minutes, 53 seconds East, a distance of 319.30 feet to the end of the fifth line of that parcel of land described in a deed dated August 10, 2005 conveyed by CRL Holdings, LP to Guiseppe Barone & Giovanni Baronne and recorded in the Land Records of East Pennsboro Township, Cumberland County, Pennsylvania in Liber 270 Folio 4399, thence leaving the south side of Valley Road and running reversely along the fifth and fourth lines of said deed the following two (2) courses & distances viz:
- 6.) South 05 degrees, 58 minutes, 58 seconds East, passing over an iron bar and cap now found distant 1.25 feet from the beginning, in total, a distance of 176.56 feet to an iron bar now found, thence;
- 7.) South 83 degrees, 10 minutes, 58 seconds East, a distance of 105.18 feet to an iron bar now found on the westernmost right of way line of "B" Street (50 feet wide), thence leaving said parcel and running and binding on the west side of said road;
- 8.) South 08 degrees, 32 minutes, 12 seconds West, a distance of 88.35 feet to an iron bar and cap now set, thence;

- 9.) 26.29 feet along a curve to the right having a radius of 17.00 feet, said curve being subtended by a chord bearing of South 52 degrees, 50 minutes, 34 seconds West, a distance of 23.75 feet to a point on the North Side of College Hill Road (60 feet wide), being distant South 82 degrees, 25 minutes, 06 seconds West, 0.13 feet from an iron bar and cap now found, thence running and binding along said road the two following courses & distances;
- 10.) 744.37 feet along a curve to the left having a radius of 1480.00 feet, said curve being subtended by a chord bearing of South 82 degrees, 44 minutes, 25 seconds West, a distance of 736.55 feet to a point distant North 68 degrees, 19 minutes, 55 seconds East, 0.70 feet from a PK nail now found and
- 11.) South 68 degrees, 19 minutes, 54 seconds West, a distance of 212.13 feet to a point distant North 36 degrees, 24 minutes, 31 seconds West, 0.07 feet from an iron bar now found, thence leaving the aforesaid road and running along the northeasternmost outline of Lot 350 as shown on the plat entitled "Plan of part of East Pennsboro Village" recorded among the Land records of Cumberland County, Pennsylvania in Plat Book 9 Folio 16, thence leaving the road and following the outline said Lot 350 the following three courses & distances;
- 12.) North 21 degrees, 40 minutes, 06 seconds West, a distance of 113.69 feet to a point being distant South 37 degrees, 40 minutes, 19 seconds East, 0.44 feet from an iron bar and cap now found, thence;
- 13.) South 67 degrees, 19 minutes, 24 seconds West, a distance of 70.01 feet to an iron bar and cap now set, and
- 14.) South 21 degrees, 40 minutes, 06 seconds East, a distance of 112.46 feet to a point on the north side of the aforesaid College Hill Road and being distant South 62 degrees, 25 minutes, 58 seconds West, 0.58 feet from an iron bar and cap now found, thence along the north side of said road;

- 15.) South 68 degrees, 19 minutes, 54 seconds West, a distance of 70.00 feet to an iron bar and cap now found, thence leaving said road and running on the easternmost side of Lot 352 as shown on the aforesaid plat and following the outlines of said Lot the following two courses and distances;
- 16.) North 21 degrees, 40 minutes, 06 seconds West, a distance of 111.23 feet to an iron bar and cap now set, and
- 17.) South 67 degrees, 19 minutes, 24 seconds West, a distance of 70.01 feet to an iron bar and cap now set, thence reversely along the third line of that parcel of land described in a deed dated August 26, 2014 and recorded among the Land records of Cumberland County, Pennsylvania as instrument number 2014198834;
- 18.) South 65 degrees, 40 minutes, 54 seconds West, a distance of 85.00 feet to a point being distant North 61 degrees, 41 minutes, 37 seconds East, 0.39 feet from an iron bar and cap now found and being on the westernmost side of the afore mentioned Raymond Road, thence running and binding on said road;
- 19.) North 24 degrees, 19 minutes, 06 seconds West, a distance of 110.82 feet to the place of

BEGINNING.

CONTAINING 280,639 Square Feet or 6.443 Acres of land, more or less.

BEING Tract A as shown on Sheet C-101 of the plan entitled "Preliminary/Final Lot Consolidation Plan of Central Penn College Lands" dated May 12, 2016, last revised June 3, 2016 and recorded in the Office of the Recorder of Deeds for Cumberland County, Pennsylvania, as Instrument No. 201623636.

Tax Parcel No. 09-12-2994-088

ALL THAT CERTAIN tract of land situate in the Township of East Pennsboro, County of Cumberland and Commonwealth of Pennsylvania, being more particularly described as follows:

BEGINNING for the same at a punch mark on brass disc affixed to the top of a concrete monument now set at the intersection of Seventh Street (unopened) and Valley Road (SR 1004), as now widened and shown on the Final Minor Subdivision Plan, Lot Consolidation of Central Penn College, which is recorded among the land records of East Pennsboro Township, Cumberland County, Pennsylvania as instrument number 201623636, thence running and binding along said road as now widened, and as now surveyed by Century Engineering, Inc. with the courses referred to the Pennsylvania State Plane Coordinate System South (NAD83/2011) the following eleven (11) courses and distances viz:

- 1.) 116.03 feet along a curve to the right having a radius of 5699.64 feet, said curve being subtended by a chord bearing of South 65 degrees, 41 minutes, 35 seconds West, a distance of 116.03 feet to an iron bar and cap now set, thence;
- 2.) South 66 degrees, 15 minutes, 53 seconds West, a distance of 486.51 feet, to a punch mark on brass disc affixed to the top of a concrete monument now set, thence leaving said road and running reversely along the third & second lines of that tract of land described in a Deed from Edward E. Holtzman and Karen B. Holtzman to Boyer Homestead, L.P. dated March 11, 2003 and recorded among the Land records of Cumberland County, Pennsylvania in Liber 256 folio 430 the following two (2) courses and distances;
- 3.) North 46 degrees, 20 minutes, 53 seconds West, a distance of 197.42 feet to a point South 52 degrees, 03 minutes, 38 seconds East, a distance of 0.19 feet from an iron pin found, and;
- 4.) South 64 degrees, 15 minutes, 07 seconds West, a distance of 200.00 feet to a point South 34 degrees, 32 minutes, 44 seconds East, a distance of 0.23 feet from an iron pin found, on the first

line of that parcel of land described in a Deed from Summerdale Church of the Christian and Missionary to The Most Reverend Joseph P. McFadden, Bishop of the Diocese of Harrisburg, Trustee dated November 22, 2011 and recorded among the Land records of Cumberland County, Pennsylvania as Deed No. 201134312 thence running with the remainder of said first line and all of the second line;

- 5.) North 46 degrees, 20 minutes, 53 seconds West, a distance of 196.51 to a point South 35 degrees, 42 minutes, 53 seconds East, a distance of 0.33 feet from an iron pin found feet, thence;
- 6.) North 89 degrees, 58 minutes, 02 seconds West, a distance of 230.21 feet, to a punch mark on brass disc affixed to the top of a concrete monument now set on the easternmost side of "A" Street, thence running along the east side of the same;
- 7.) North 45 degrees, 31 minutes, 01 seconds West, a distance of 689.72 feet, to a punch mark on brass disc affixed to the top of a concrete monument now set, thence leaving said "A" Street and running reversely along the fifth line of that tract of land described in a Deed from Boyer Homestead, L.P. to Boyer Homestead, L.P. dated November 25, 2014 and recorded among the Land records of Cumberland County, Pennsylvania as Deed No. 201429310;
- 8.) North 44 degrees, 18 minutes, 24 seconds East, a distance of 506.82 feet to a point being distant South 02 degrees, 34 minutes, 35 seconds East, a distance of 0.08' feet from an iron pin found, said point being on the third line of that tract of land described in a Deed from Boyer Homestead, L.P. to Boyer Homestead, L.P. dated November 25, 2014 and recorded among the Land records of Cumberland County, Pennsylvania as Deed No. 201429309 thence running on the remainder of the third and on all of the second lines of the same, the following two courses and distances;
- 9.) South 46 degrees, 15 minutes, 30 seconds East, a distance of 410.75 feet to a point South 30 degrees, 44 minutes, 50 seconds East, a distance of 0.09 feet from an iron pin found, and;

10.) North 44 degrees, 18 minutes, 24 seconds East, a distance of 388.33 feet to an iron pin found on the west side of the first mentioned Seventh Street, thence running along the west side of said road;

11.) South 46 degrees, 15 minutes, 30 seconds East, a distance of 1130.23 feet to the place of

BEGINNING.

CONTAINING 960,418 Square Feet or 22.048 Acres of land, more or less.

BEING Tract E as shown on Sheet C-101 of the plan entitled "Preliminary/Final Lot Consolidation Plan of Central Penn College Lands" dated May 12, 2016, last revised June 3, 2016 and recorded in the Office of the Recorder of Deeds for Cumberland County, Pennsylvania, as Instrument No. 201623636.

Tax Parcel No. 09-12-2993-052

ALL THAT CERTAIN tract of land situate in the Township of East Pennsboro, County of Cumberland and Commonwealth of Pennsylvania, being more particularly described as follows:

BEGINNING for the same at a crosscut now set in the concrete sidewalk said point marking the northeast intersection of "B" Street and Valley Road (SR 1004), as now widened and shown on the Final Minor Subdivision Plan, Lot Consolidation of Central Penn College, which is recorded among the land records of East Pennsboro Township, Cumberland County, Pennsylvania as instrument 201623636, thence running and binding along the east side of "B" Street as now surveyed by Century Engineering, Inc. with the courses referred to the Pennsylvania State Plane Coordinate System South (NAD83/2011) the following Five (5) courses and distances viz:

1.) North 44 degrees, 54 minutes, 42 seconds West, a distance of 142.04 feet to a punch mark on brass disc affixed to the top of a concrete monument now set at the southeast corner of said road and an alley 15 feet wide, thence leaving said road and running along the southern side of said 15 foot alley and along all of the third line of that parcel of land as described in a Deed from James F. Penny, Jr. and Commonwealth National Bank to Central Pennsylvania Business

School, Inc. dated July 1, 1986 and recorded among the Land records of Cumberland County, Pennsylvania in Liber A32 folio 58; and along all of the second line of that parcel of land as described in a Deed from George H. Baddoff, et al to Central Penn, Inc. dated February 20, 2004 and recorded among the Land records of Cumberland County, Pennsylvania in Liber 262 folio 638 and also along a part of the third line of that parcel of land as described in a Deed from Lisa A. Beaver and Stephen Beaver to Central Penn, Inc. dated February 20, 2004 and recorded among the Land records of Cumberland County, Pennsylvania in Liber 261 folio 3856;

- 2.) North 76 degrees, 54 minutes, 59 seconds East, passing over an iron pipe now found distant 320.61 feet from the beginning hereof and continuing for a total distance of 417.38 feet, to a punch mark on brass disc affixed to the top of a concrete monument now set at the intersection of the aforesaid third line and the westernmost side of "A" Street as now widened as shown on the aforesaid Final Minor Subdivision Plan, thence running along the west side of said street;
- 3.) South 45 degrees, 31 minutes, 01 seconds East, a distance of 141.21 feet, to a punch mark on brass disc affixed to the top of a concrete monument now set at the intersection of said street with the north side of the aforementioned Valley Road as now widened, thence running along the north side of said road the following two (2) courses and distances;
- 4.) South 76 degrees, 33 minutes, 53 seconds West, a distance of 363.48 feet, to an iron bar and cap now set, and;
- 5.) 54.74 feet along a curve to the right having a radius of 1402.39 feet, said curve being subtended by a chord bearing of South 77 degrees, 40 minutes, 58 seconds West, a distance of 54.73 feet to the place of **BEGINNING**.

CONTAINING 50,369 Square Feet or 1.156 Acres of land, more or less.

BEING Tract C as shown on Sheet C-101 of the plan entitled "Preliminary/Final Lot Consolidation Plan of Central Penn College Lands" dated May 12, 2016, last revised June 3, 2016 and recorded in the Office of the Recorder of Deeds for Cumberland County, Pennsylvania, as Instrument No. 201623636.

Tax Parcel No. 09-12-2993-018

ALL THAT CERTAIN tract of land situate in the Township of East Pennsboro, County of Cumberland and Commonwealth of Pennsylvania, being more particularly described as follows:

BEGINNING for the same at a punch mark on brass disc affixed to the top of a concrete monument now set marking the northwest intersection of "B" Street and Valley Road (SR 1004), as now widened and shown on the Final Minor Subdivision Plan, Lot Consolidation of Central Penn College, which is recorded among the land records of East Pennsboro Township, Cumberland County, Pennsylvania as instrument number 201623636, thence running and binding along said Valley Road as now widened, and as now surveyed by Century Engineering, Inc. with the courses referred to the Pennsylvania State Plane Coordinate System South (NAD83/2011) the following Five (5) courses and distances viz:

- 1.) 76.39 feet along a curve to the right having a radius of 1402.39 feet, said curve being subtended by a chord bearing of South 82 degrees, 51 minutes, 15 seconds West, a distance of 76.38 feet to a punch mark on brass disc affixed to the top of a concrete monument now set, thence;
- 2.) South 84 degrees, 24 minutes, 53 seconds West, a distance of 275.87 feet to a punch mark on brass disc affixed to the top of a concrete monument now set, thence leaving said road and running on the outlines of Tract No. 1 and Tract No. 2 of that parcel of land described in a Deed from James F. Penny, Jr. and Commonwealth National Bank to Central Pennsylvania Business School, Inc. dated July 1, 1986 and recorded among the Land records of Cumberland County, Pennsylvania in Liber A32 folio 58, the following two (2) courses and distances;
- 3.) North 04 degrees, 54 minutes, 42 seconds West, a distance of 117.34 feet to a plug now found, and
- 4.) North 85 degrees, 05 minutes, 18 seconds East, a distance of 258.93 feet to a punch mark on brass disc affixed to the top of a concrete monument now set on the westernmost side of the aforesaid "B" Street, thence continuing along the west side of said road;

5.) South 44 degrees, 54 minutes, 42 seconds East, a distance of 145.05 feet to the place of
BEGINNING.

CONTAINING 35,361 Square Feet or 0.812 Acres of land, more or less.

BEING Tract B as shown on Sheet C-101 of the plan entitled "Preliminary/Final Lot Consolidation Plan of Central Penn College Lands" dated May 12, 2016, last revised June 3, 2016 and recorded in the Office of the Recorder of Deeds for Cumberland County, Pennsylvania, as Instrument No. 201623636.

SECTION 2: The Code of Ordinances of the Township of East Pennsboro, Chapter 27 ("Zoning"), Part 2 ("Definitions"), Section 27-202 ("Definitions") is hereby amended by adding the following terms and definitions in alphabetical order of the existing terms and definitions:

§27-202 Definitions.

College Dwellings – Apartments, dormitories and other multi-resident dwellings reserved for occupancy exclusively by students, employees, faculty and staff of the college, and their immediate family, as well as College Special Event, College Conference Center and academic or athletic program or camp attendees, upon the campus where such dwellings are located.

College – Unless otherwise specifically defined elsewhere in this Chapter, the term "college" shall mean a private or public for profit or not-for-profit post-secondary educational institution offering advanced certificates in workforce training, associates' degrees, bachelor's degrees or post-bachelor degree programs.

College Bookstore – A store without fuel sales that is operated by or with the supervision of a college that sells consumer products geared primarily towards students, alumnae, faculty and employees of the college.

College Special Events – Events sponsored by the college and held on the college campus for any purpose

reasonably related to the educational, social, spiritual, athletic or other needs of the students, faculty or staff of the college.

College Conference Centers – Uses of college buildings and spaces for events including seminars, meetings, luncheons, banquets, conventions and similar gatherings of on-campus or off-campus groups.

College Food Service Facilities - Cafeterias, food courts, coffee shops, restaurants, concession stands and similar food service operations operated by or with the supervision of a college geared primarily towards students, alumnae, faculty and employees of the college.

SECTION 3: The Code of Ordinances of the Township of East Pennsboro, Chapter 27, Part 3 (“Designation of Districts”), Section 27-301 (“Districts”) is hereby amended by adding the following zoning overlay district: College Overlay District (C-O).

SECTION 4: The Code of Ordinances of the Township of East Pennsboro, Chapter 27, Part 4 (“Overlay Districts”) is hereby amended by adding the following:

§27-406. College Overlay District (C-O).

1. *Purpose.* The College Overlay District is established to recognize the areas owned by a college as well as other uses that support or coexist with the college, now or in the future. This District will provide areas in which educational, residential and commercial uses can be commingled in a mutually supportive manner, designed in such a way so as to promote a connected, walkable and bikeable community.
2. *Applicability.* This Section shall apply to the following locations:
 - A. The area described generally as being along Valley Road and College Hill Road, from Raymond Road to Park Street. The specific areas and parcels included in the College Overlay District are designated on the Zoning Map.
 - B. Where there happens to be a conflict between the provisions or requirements of this overlay district and those of any underlying district the provisions of this district shall apply.
 - C. Where there happens to be a conflict between the provisions or requirements of this overlay district and any other overlay district the more restrictive provisions shall apply.

3. *Permitted Uses.* In the College Overlay District, a building may be erected or used, and a lot may be used or occupied for any of the following uses, subject to the conditions set forth in Subsection 4 below:

- A. Single-family detached dwellings.
- B. Single-family semi-detached dwellings.
- C. Single-family attached dwellings.
- D. College Dwellings.
- E. College Bookstores.
- F. College Food Service Facilities.
- G. College Special Events.
- H. Offices for educators and college staff.
- I. College conference centers.
- J. Libraries and museums.
- K. Infirmaries, health suites and counseling centers.
- L. Banks, credit unions, brokerages, financial services offices and electronic banking kiosks
(as an accessory use).
- M. Instructional facilities.
- N. Parks, quads, open spaces and passive recreation areas.
- O. Athletic fields and courts (without event lighting).
- P. Theaters and assembly halls seating no more than 750 attendees.
- Q. Pedestrian walkways, overpasses and underpasses.
- R. Day-care centers operated as part of an educational program of studies.
- S. Churches or similar places of worship.
- T. Municipal facilities and services.
- U. Public utility services.

- V. Public and private off-street parking lots and garages.
 - W. Accessory college uses, buildings and improvements customarily incidental to the above uses.
4. *Conditions.* Permitted uses in the College Overlay District are subject to the following conditions:
- A. All uses must be on land owned fee simple by the college.
 - B. All non-residential uses must primarily be designed to serve the students, alumni, faculty and employees of the college.
 - C. Athletic and recreational facilities may be open to and used by the public, so long as such use is subordinate to the use of the same by the college.
 - D. College Dwellings:
 - i. Must be occupied only by students, faculty or employees of the College, or by College Special Event, College Conference Center or academic or athletic program or camp attendees.
 - ii. May be occupied by immediate family members of permitted occupants.
 - iii. May not be occupied as fraternity or sorority houses.
 - iv. Must be supervised by on-campus residential advisors who reside on campus.
 - v. Must have a minimum of eighty (80) square feet of habitable area for each occupant and a total minimum total 700 square feet per dwelling.
 - vi. College Dwellings may be occupied by students of other schools if such occupancy is contracted for by and between the College and such other school or schools.
 - E. No use shall, by design, physical layout, service or packaging procedures, encourage or permit the receiving of goods or services by individuals while remaining in their motor vehicles.

5. *Conditional Uses.* The following conditional uses and no other may be allowed by the Township Board of Commissioners after recommendation by the Planning Commission, pursuant to the express standards and criteria set forth in Part 23 and Part 24 of this Chapter:
 - A. Field houses.
 - B. Athletic fields and courts with event lighting.
 - C. Theaters and assembly halls with a capacity in excess of 750 attendees.
6. *Building Height.* No building shall be erected to a height in excess of four stories or 60 feet; provided, however, that this height may be increased 1 foot for each additional foot that each and every setback exceeds the minimum requirement, up to a maximum height of 75 feet.
7. *Minimum Setbacks.*
 - A. Front – 10 feet.
 - B. Side – 8 feet.
 - C. Rear – 25 feet.
8. *Lot Area and Width Requirements.* The minimum lot area permitted shall not be less than one acre, and the minimum lot width shall not be less than 100 feet measured at the building setback line.
9. *Lot Coverage.* No more than 75% of the lot shall be covered with buildings, structures and other impervious surfaces.
10. *Supplemental Regulations.*
 - A. All uses shall be connected to public sewer and public water.
 - B. Residences may be located in the same building as other uses.
 - C. All screening and buffering shall comply with §27-1901.2 of this Chapter.
 - D. Off-street parking shall be in accordance with the provisions contained in Part 21 of this Chapter. Parking may be located off-site so long as the parking is located upon land owned or leased by the college.

E. Sign regulations shall conform to Part 20 of this Chapter.

F. More than one principal use shall be permitted on a lot.

SECTION 5: The Code of Ordinances of the Township of East Pennsboro, Chapter 27, Part 19 (“General and Special Regulations”), Section 27-1901.2.A(2)(a) (“General Regulations; Buffers and Screening; Land Use and District Buffers”) is hereby amended to add the following:

§27-1901. General Regulations.

2. *Buffers and Screening.*

A. *Buffers.*

(2) *Land Use and District Buffers.*

(a) Buffer area and screening in accordance with subsection .1.B and Table 27-19-1 shall be provided as follows:

5) A buffer of 50 feet along the exterior perimeter of the College Overlay District abutting any agricultural or residential uses or zoning districts; provided, however, that no buffer is required along the street the frontages of College Hill Road, Valley Street and B Street between College Hill Road and Valley Street. Screening shall be provided in the buffer.

SECTION 6: The Code of Ordinances of the Township of East Pennsboro, Chapter 27, Part 21 (“Off-Street Parking, Loading and Unloading”), Section 27-2102.G. (“General Regulations; Location of Parking Lots and Spaces) is hereby amended to add the following:

§27-2102. General Regulations.

G. Location of Parking Lots and Parking Spaces.

(3) Parking lots and spaces for uses in the College Overlay Zone shall be readily accessible to the buildings or uses served. Such parking spaces may be owned or leased by the college and shall be located in the College Overlay Zone and conform to the following requirements:

(a) Required parking lots and spaces that are located in excess of 300 feet of the building or use that they serve shall comply with the following conditions:

1. Pedestrian pathways shall be established with appropriate directional signage that directs pedestrians to and from parking areas and the buildings or uses that they serve.
2. Pedestrian pathways and parking areas shall not be arranged in such a manner as to unreasonably impact neighboring residential uses outside the College Overlay Zone.
3. Safety lighting shall be provided along pedestrian pathways and upon parking areas as appropriate.

SECTION 7: The Code of Ordinances of the Township of East Pennsboro, Chapter 27, Part 23 (Conditional Uses), Section 27-2304 (“Specific Criteria) is hereby amended to add the following:

§27-2304. Specific Criteria.

V. *Field Houses.* Field house uses may be established upon approval by the Board of Commissioners. All applicants shall provide evidence of compliance with the express standards and criteria set forth in Part 23 and Part 24 of this Chapter.

W. *Athletic fields and courts with event lighting.* Athletic fields with spectator facilities may be established upon approval by the Board of Commissioners. All applicants shall provide evidence of compliance with the express standards and criteria set forth in Part 23 and Part 24 of this Chapter.

X. *Theaters and assembly halls seating in excess of 750 attendees.* Theaters and assembly halls seating in excess of 750 attendees may be established upon approval by the Board of Commissioners. All applicants shall provide evidence of compliance with the express standards and criteria set forth in Part 23 and Part 24 of this Chapter.

SECTION 8. If any section or provision of this Ordinance is declared by any Court of competent jurisdiction to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the constitutionality, legality or validity of this Ordinance as a whole, nor the constitutionality, legality or validity of any other section or provision of this Ordinance other than the one so declared to be unconstitutional, illegal or invalid.

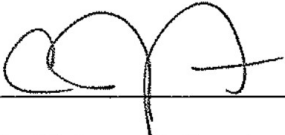
SECTION 9. All ordinances or parts of ordinances or tables inconsistent herewith are hereby repealed.

SECTION 10. In all other respects, Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro shall remain as heretofore enacted, ordained and amended, which said Chapter, as amended, is hereby re-enacted in its entirety herein.

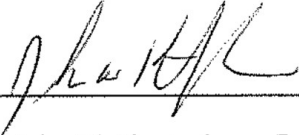
SECTION 11. This Ordinance shall become effective in accordance with applicable law.
ENACTED AND ORDAINED this 2nd day of October, 2019

**BOARD OF COMMISSIONERS
EAST PENNSBORO TOWNSHIP**

Attest:



A. John Pietropaoli, Secretary

By: 

John W. Kuntzelman, President