

ORDINANCE NO. 826-2021

AN ORDINANCE OF THE TOWNSHIP OF EAST PENNSBORO, CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING AND REVISING ORDINANCE NO. 737-2007, CHAPTER 27, ZONING ORDINANCE OF EAST PENNSBORO TOWNSHIP, PART 2 DEFINITIONS AND AMENDING AND ALLOWING AS PERMITTED USES FIRE STATIONS, FIRE COMPANY SOCIAL HALL, AND FIRE COMPANY WITHIN PART 7, AGRICULTURAL ZONING DISTRICT, PART 8 RESIDENTIAL SINGLE-FAMILY AGRICULTURAL ZONING DISTRICT, PART 9 SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, PART 10 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT, PART 11 MULTI-FAMILY RESIDENTIAL ZONING DISTRICT, PART 12 RESIDENTIAL HIGH-DENSITY ZONING DISTRICT, PART 13 PROFESSIONAL OFFICE ZONING DISTRICT, PART 14 OFFICE-APARTMENT ZONING DISTRICT, PART 15, COMMERCIAL LIMITED ZONING DISTRICT, PART 16, COMMERCIAL GENERAL ZONING DISTRICT, AND PART 18, INDUSTRIAL PARK ZONING DISTRICT AND IMPOSING SPECIAL USE REGULATIONS FOR FIRE STATIONS, FIRE COMPANY SOCIAL HALL, AND FIRE COMPANY WHEN PERMITTED USES AND REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT HEREWITH.

NOW THEREFORE, be it ORDAINED by the Board of Commissioners of the Township of East Pennsboro, Cumberland County, Pennsylvania, the following:

SECTION 1. Section 27-202 [Definitions] of Part 2 [Definitions] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Definitions, in alphabetical order, as follows:

§27-202. Definitions.

BUILDING.	Any Structure utilized or intended for supporting or sheltering any use or occupancy.
BUILDING, DETACHED.	A building which has no party wall and which is surrounded on all sides by areas open to the sky.
BUILDING, SEMI-DETACHED.	A building which has only one party wall and which is not attached to more than one building.
BUILDING, ATTACHED.	A building which has two or more party walls.
FIRE STATION.	A building which houses fire apparatus, personnel/staff living quarters, office space, ancillary rooms and other equipment for direct fire/rescue service operations of a fire company.
FIRE COMPANY.	An Organization of persons under agreement with East Pennsboro Township which provides direct fire/rescue services to the Township and is a component of the East Pennsboro Fire Department

FIRE COMPANY SOCIAL HALL.	A building used for a banquet/meeting hall on the same lot or an immediately adjacent lot, owned and maintained by the Fire Company for Fire Company income.
PERSONAL EVENTS, For Profit:	Events held by a 3 rd party for profit of that individual or organization.
PERSONAL EVENTS, Charitable.	Events held by non-profit foundations or organizations that are for the direct benefit of the community and society at large such as youth organizations or other recognized Pennsylvania State Charitable organizations.
PERSONAL EVENTS, Private Rental.	Events for which the facility is leased from the Fire Company to private individuals for the purpose of holding gatherings such as weddings, parties, trainings and meetings of other community organizations where a rental payment is made.
FIRE COMPANY EVENTS.	Events held by and for the direct fundraising to support fire company operations such as; Barbeque, Bingos, in facility Meals (breakfast's/ dinners), or other such events as determined by the Fire Company.
SHARED FIRE STATION FACILITY.	A building in which the fire company and municipal government enter into a Master Plan Agreement for the construction of a common facility with each portion of a building to house fire apparatus and direct supporting operations. Each portion of the building and land shall be owned and deeded to the corresponding parties. This Master Plan may entail abutted or attached buildings as allowed by the PA UCC, the IBC and as stated in the Zoning Code.
ZERO LOT LINE.	An interior lot line between upon which contiguous but independent structures are erected without building setback required from shared (common) lot line – including semi-detached buildings and attached buildings.

SECTION 2. -Section 27- 702 [Permitted Uses] of Part 7 [Agricultural District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-702. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 3. Section 27- 802 [Permitted Uses] of Part 8 [Residential Single-Family Agricultural District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-802. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 4. Section 27- 902 [Permitted Uses] of Part 9 [Single-Family District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-902. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 5. Section 27- 1002 [Permitted Uses] of Part 10 [Multi-Family District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1002. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 6. Section 27- 1102 [Permitted Uses] of Part 11 [Multi-Family Residential District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1102. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 7. Section 27- 1202 [Permitted Uses] of Part 12 [Residential High-Density District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1202. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 8. Section 27- 1302 [Permitted Uses] of Part 13 [Professional Office District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1302. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 9. Section 27- 1402 [Permitted Uses] of Part 14 [Office –Apartment District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1402. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 10. Section 27- 1502 [Permitted. Uses] of Part I [Commercial –Limited District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1502. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 11. Section 27- 1602 [Permitted Uses] of Part 16 [Commercial General District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1602. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 12. Section 27- 1702 [Permitted Uses] of Part 17 [Commercial Park Limited District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1702. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 13. Section 27- 1802 [Permitted Uses] of Part 18 [Industrial Park District] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional Permitted Uses, in alphabetical order, as follows:

§27-1902. Permitted Uses.

Fire Stations *, Fire Company Social Hall*, Fire Company*

SECTION 14. Section 27- 1902 [Special Use Regulations] of Part 19 [General & Special Regulations] of Chapter 27 [Zoning] of the Code of Ordinances of the Township of East Pennsboro is hereby amended to add and to include and incorporate the following additional special regulations, in alphabetical order, as follows:

§27- 1902.25. Special Use Regulations for Fire Stations, Fire Company Social Hall, Fire Company. When listed in a district as a permitted use, Fire Stations, Fire Company Social Hall, or Fire Company shall comply with the following:

- A. A minimum buffer of 15 ft. shall be required between a Fire Station and or Fire Company Social Hall and a Residential use or district.
- B. Height restrictions shall meet the current zoning district requirements.

- C. A maximum of 75% of the area of the lot shall be covered by buildings, structures, and impervious surfaces.
- D. Fire Stations and Fire Companies hours of operation are permitted to be 24 hours/day and 7 days/week.
- E. Fire Station, and Fire Company Social Hall may operate any additional uses permitted by the underlying district for the direct profit of the Fire Company.
 - (1) Does not include other properties owned, operated, under the control of or leased by the Fire Company.
- F. Non-conforming uses on the site may continue until the Non-conforming uses cease pursuant to provisions and requirements of Part 22 of the Zoning Ordinance (Non-Conforming Buildings and Uses) :
 - (1). Cell Tower (Northeast Fire & Rescue Facility @ 202 Third Street Only)
 - (2). Post Office (Northeast Fire & Rescue Facility @ 202 Third Street Only)
 - (3). A single Third Party leased kitchen rental for food preparations
 - (a) No food sales on premise
 - (b) Maximum of 3 employees
 - (c) Maximum of 1% of the provided off-street parking shall be used for storage of vehicles for any offsite business.
- G. Fire Company Social Hall may operate Personal Events.

Exception: *"For Profit Events"* shall not be permitted in the following zoning districts: R-1A, R-1, R-2, and R-3
- H. Fire Company Social Hall may operate Fire Company Events.
 - A. Limited to a maximum of 65 events per year.
- I. Fire Company Social Hall may operate Meetings for Municipal and Fire Company Use.
- J. Fire Company Social Hall may operate Election Polling Place.
- K. All events within residential zoning districts may only be conducted between the hours of 7:00 AM and 10:00 PM Monday through Friday, Saturday 7:00 AM and 11:00 PM, and Sunday 10:00 AM through 8:00 PM.

SECTION 15. SEVERABILITY.

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 16. REPEALER.


All Ordinances or parts of Ordinances which are inconsistent or less stringent herewith are hereby repealed.

SECTION 17. 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 18. This Ordinance shall take effect immediately upon its enactment.

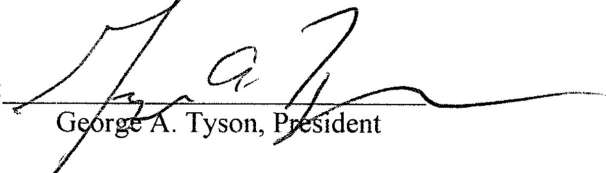
ENACTED AND ORDAINED this 7th day of April, 2021

ATTEST:



A. John Pietropaoli, Secretary

EAST PENNSBORO TOWNSHIP
BOARD OF COMMISSIONERS

By: 

George A. Tyson, President