

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)