



Cumberland County Review Report

Cumberland County Planning Department
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<i>Name of Amendment:</i>				
Mixed Use Building Requirements				
<i>Municipality:</i>	<i>Date Received:</i>	<i>Date Reviewed:</i>	<i>Reviewed By:</i>	<i>Checked By:</i>
Upper Allen Township	4/22/2021	05/13/2021	SH, KS	SW
<i>Type of Amendment:</i>			<i>Recommendation:</i>	
Zoning Text Amendment			See Comments Below	
<i>Explanation of Amendment:</i>				
Zoning Text Amendment to change the requirements for a building with both residential and non-residential components in the C-1 and C-2 Zoning Districts.				
<i>Consistent with Municipal Comprehensive Plan:</i>		<i>Consistent with County Comprehensive Plan:</i>		
Project is Consistent		Project is Consistent		
<i>Comments and Recommendations:</i>				
<ol style="list-style-type: none"> The Cumberland County Comprehensive Plan encourages higher density buildings that maximize the usage of infrastructure and decrease the amount of land used for development (Gown Page 25). The Comprehensive Plan further encourages mixed land uses to be located in close proximity or within the same building (Grow Page 26). The Upper Allen Township Comprehensive Plan encourages the development of planned activity centers where commercial retail users, offices and public and private services are integrated and developed in concert with residential development (Page 4-1). The proposed amendment appears consistent with the Intent of the C-1 Zoning District. However, the intent of the C-2 Zoning District is to provide highway oriented non-residential uses for local residents and highway travelers. Further, the intent of the C-2 District is to protect adjacent residential areas from non-residential development (Zoning 245-3.2). The proposed text amendment will permit high densities of multi-family residential units in mixed use buildings in a Zoning District intended for highway commercial growth. The Township may want to revise the intent of the C-2 Zone to include residential uses. The proposed text allows mixed use buildings in the C-2 district only if the parcel is located in the C-1 District. The proposed language is highly specific and not typically found in Zoning Ordinances. This provision will permit additional flexibility (density, permitted uses and building height) to a limited number of properties and could be considered spot zoning. The Township should consider allowing mixed use buildings, higher density and additional height for mixed use buildings in all appropriate zoning districts, not just the limited number of properties spanning the C-1 and C-2 zoning districts. The current building height limitation in the C-1 and C-2 District is 35 feet (Zoning 245-6.3.G and 245-6.4.F). This may be increased to 45 feet with increased setbacks as outlined in Zoning Section 245-16.6. The proposed text amendment will allow a building height of up to 60 feet if the building includes mixed uses and is located in the C-1 and C-2 Districts. As noted earlier, the additional height is a benefit to a limited number of properties that are in both the C-1 and 				

C-2 zoning district. The Township should consider allowing the additional height for all mixed use buildings in appropriate zoning districts.

6. The existing Zoning Ordinance permits multi-family dwellings with a maximum of 3 units per acre in the C-1 and PO Zoning Districts (Zoning 245-14.43.F). Multi-family dwellings are not currently permitted in the C-2 Zoning District. The proposed language will permit 8.5 units per acre for properties in both the C-2 Zoning District. As noted earlier, the additional density is a benefit to a limited number of properties that are in both the C-1 and C-2 zoning district while properties in just the C-1 cannot exceed 3 units per acre. The Township should consider allowing the additional density in all appropriate districts that allow for multi-family housing.
7. Adoption of this language may encourage small subdivisions or lot consolidations along zoning district boundaries to obtain additional height and density allowances. The Township should evaluate existing Section 245-3.6 and determine if additional minimum criteria such as minimum percentages or acreage in each district are needed to guide zoning provisions for properties in multiple zoning districts.
8. If the amendment is approved, Table VI-1 (Section 245-6.2) will require updating to reflect multi-family dwellings as a permitted use. This table currently indicates that multi-family dwellings are not permitted in the C-2 District.

"Section 505 (b) and 609 (g) of the Municipalities Planning Code requires that amendments to municipal ordinances be filed with the county planning agency. If this amendment is approved, please forward a final copy to the county planning office so we may update our records."