

ORDINANCE 2020-4

AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE BOROUGH OF STEELTON, DAUPHIN COUNTY, PENNSYLVANIA BY AMENDING CHAPTER 120 (ENTITLED "ZONING"), ARTICLE X (ENTITLED "C-1, TOWN CENTER DISTRICT"), SECTION 120-44 (ENTITLED "DISTRICT PROVISIONS"), SUBSECTION B (ENTITLED "USES PERMITTED") BY REVISING THE SPECIFIC STANDARDS OF SUBSECTION (23) (ENTITLED "MIXED USE BUILDINGS").

WHEREAS, the Borough Council of the Borough of Steelton, Dauphin County, Pennsylvania, under the powers vested in it by the "Borough Code" of Pennsylvania and the authority and procedures of the "Pennsylvania Municipalities Planning Code," as amended, as well as other laws of the Commonwealth of Pennsylvania, do hereby enact and ordain the following amendment to Chapter 120 (Entitled "Zoning") of the Code of Ordinances of the Borough of Steelton, Dauphin County, Pennsylvania; and

WHEREAS, the Borough Council of the Borough of Steelton desires to amend Chapter 120 (Entitled "Zoning") of the Code of Ordinances of the Borough of Steelton, Dauphin County, Pennsylvania, by permitting "Mixed Use Buildings" by right and subject to certain specific standards in the C-1, Town Center District.

NOW, THEREFORE, be it enacted and ordained by the Borough Council of the Borough of Steelton, Dauphin County, Pennsylvania, and the same is hereby ordained and enacted as follows, to wit:

SECTION 1. The Code of Ordinances of the Borough of Steelton, Dauphin County, Pennsylvania, Chapter 120 (Entitled "Zoning"), Article X (Entitled "C-1, Town Center District"), Section 120-44 (Entitled "District Provisions", Subsection B (Entitled "Uses Permitted"), Subsection (23) (Entitled "Mixed Use Buildings") is hereby amended as indicated by the blackline and strikeout interlineations below, with strikeout indicating deletions of language and underlined interlineations indicating insertions of language to read as follows:

- (23) Mixed Use Buildings containing residential uses within a multi-story building. Residential uses ~~must be located on second or higher stories of a building~~ may be located on any floor of the building with nonresidential uses provided that:
- (a) The amount of first floor area devoted to nonresidential uses shall be no less than 33% of the total ground floor area of the building.
 - (b) Space for first floor nonresidential uses shall be provided along no less than 67% of the horizontal distance of the primary facade of the building frontage directly adjacent to and oriented toward Front Street.

- (ac) Such first floor business, uses, operations, or products shall not be objectionable due to odor, dust, smoke, noise, vibration, or other similar causes.
- (bd) There shall be no manufacturing, compounding, processing, or treatment of products other than that which is clearly incidental and essential to a retail store or business and when all such products are sold at retail on the premises.
- (e) Notwithstanding any other provision to the contrary, the minimum habitable floor area for a dwelling unit shall be 400 square feet, except that any dwelling unit designed for and occupied exclusively by one person shall comply with § 120-16.
- (ef) There is a separate entrance for all residential tenants. If located on Front Street, at least one residential entrance shall face Front Street (see Steelton Front (Main) Street and Second Street Design Guidelines for Facade and Street Scape Improvements, Resolution R-2006-53).
- (dg) Illuminated business signs shall not emit light into residential units.
- (eh) Designated on or off-site parking spaces are provided.
- (i) Notwithstanding any other provision to the contrary, the maximum permitted height shall be 55 feet.

SECTION 2. SEVERABILITY.

It is hereby declared to be the legislative intent of the Borough Council of the Borough of Steelton that, if a court of competent jurisdiction declares any provision of this Ordinance to be invalid or ineffective in whole or in part, the effect of such decision shall be limited to those provisions which are expressly stated in the decision to be invalid or ineffective, and all other provisions of this Ordinance shall continue to be separately and fully effective. The Borough Council of the Borough of Steelton hereby declares that it would have passed this Ordinance and any section or part thereof, other than any part declared invalid, if it had advanced knowledge that any part would be declared invalid.

SECTION 3. PROCEDURAL DEFECTS IN ENACTMENT.

Allegations that this Ordinance or any amendment thereof was enacted in a procedurally defective manner shall be appealed as provided pursuant to Pennsylvania law.

SECTION 4. REPEALER.

All ordinances or parts of ordinances which are inconsistent herewith are hereby repealed.

SECTION 5. This Ordinance shall become effective immediately upon its adoption.

ORDAINED AND ENACTED as an Ordinance this 7th day of December, 2020.

ATTEST:

**BOROUGH COUNCIL OF
THE BOROUGH OF STEELTON**


Secretary


President of Borough Council

(Seal)

APPROVED this 7th day of December, 2020.


Mayor