

**BOROUGH OF CARROLL VALLEY
JOINT MEETING
OF
PLANNING COMMISSION and BOROUGH COUNCIL
Tuesday, September 7, 2021 – 7:00 P.M.
Borough Office**

A G E N D A

A. Approval of Meeting Minutes

- A. Minutes of the July 6, 2021 joint meeting

B. Open to the Public

C. New Business

D. Old Business

- A. Comprehensive Ordinance Review
 - o Chapter 27: Zoning
 - Table of Uses Review: Current vs Proposed
 - Solicitor's Review
 - Finalize Zoning Map

E. Adjournment

**Carroll Valley Zoning
Ordinance Table of Uses
Current Zoning**

Use	Zoning District							Standards
	WC	A	R1	R2	C1	C2	RC	
Accessory Structures for storage of recreational equipment and other materials for recreational use							ACC	
Accessory Uses not located on the same lot with the permitted principal use					SE			
Accessory Uses related solely to the recreational activities which they are intended to serve							ACC	
Agriculture and Horticulture	P							Section 311.2.A
Agriculture, Horticulture, Animal Husbandry		P						
Antique and/or Gift Shops						SE		
Any Other Uses as determined by the Zoning Hearing Board to be of the same character as the permitted uses					SE	SE		
Banks, Savings and Loan Associations					P			Section 921-924
Banks, Savings and Loan Associations						P		
Boat Houses as the principal use on lots extending to the middle of the lake				SE				Section 621-622
Bowling Alleys					P			Section 921-924
Business, Professional, and Governmental Offices and Office Buildings					P			Sections 921-924
Buildings Owned by the Borough or an Authority authorized by the Borough					P			Section 921-924
Business Training Institutes					P			Section 921-924
Car Washes					SE			

Churches and Similar Places of Worship		SE		SE				Sections 651-655
Churches and Similar Places of Worship			SE					Sections 661-665
Churches and Similar Places of Worship					P			
Civic Organizations		SE		SE				Sections 651-655
Civic Organizations			SE					Sections 661-665
Civic Organizations					P			
Cluster, Townhouse, and Multi-Family Dwelling Units			P	P				Sections 661-665
Commercial Parking Facilities					SE			
Communications Antennas mounted on an existing public utility transmission tower, building or other structure	P	P	P	P	P	P	P	Section 671.
Communications Equipment Buildings	P	P	P	P	P	P	P	Section ---
Communications Towers	SE				SE	SE		Sections 411 and 671
Communications Towers							P	Section 411
Customary Accessory Uses and Buildings when they are clearly incidental to the principal use	ACC							
Customary Accessory Uses and Buildings, provided they are clearly incidental to the principal use		ACC	ACC	ACC				
Customary Accessory Uses and Buildings, provided such are clearly incidental to the principal use					ACC	ACC		
Drive-In Restaurants					SE			
Dwelling Units					P	P	P	Sections 921-924
Forest Preserve							P	Sections 921-924
Forest, Scenic, and Wildlife Preserves	P							Section 311.2.A
Gasoline Service Stations					SE			
Group Homes, but not correctional institutions				SE				Section 651-655

Group Homes, but not correctional institutions			SE					Section 661-665
Group Homes, but not correctional institutions					P			
Guest House				CU				Sections 641-643
Home-Based Businesses			SE					Sections 402 and 661-665
Home-Based Businesses				SE				Section 402
Home-Based Occupation, No Impact			P	P				Section 111
Home-Based Occupation, Minor Impact			ACC	ACC				Sections 111 and 401
Home Occupations and Professions		ACC						Section 401
Intensive Agricultural Activities		SE						Section 422
Laboratories and Research Institutions					P			Section 921-924
Libraries and Museums		SE		SE				Sections 651-655
Libraries and Museums			SE					Sections 661-665
Libraries and Museums					P			
Light Manufacturing					SE			Sections 921-924
Lodges or Clubs for Climbing, Fishing, or Other Recreational Purposes		SE						Section 311.5
Mobilehome Parks			P	P				Sections 1001-1017
Off -Street Parking						ACC		Sections 801-802
Off-Street Parking Areas					ACC			Sections 801-812
Orchard Farming, Tree Plantations, Intensive Gardening on undeveloped lots			P	P				Sections 431-432
Other Licensed Business Establishments						P		
Other Planned Recreational and Open Space Facilities devoted to recreational purposes only							P	Sections 921-924

Outdoor Recreational Areas and Facilities, including parks (except amusement parks), playgrounds, picnic areas, golf courses or country clubs (except miniature golf courses), ski areas, and boating areas	SE							Section 311.5
Outdoor Recreational Areas and Facilities, including parks (except amusement parks), playgrounds, picnic areas, golf courses or country clubs (except miniature golf courses), ski areas, and boating areas		SE						
Police and Firehouses			P					
Private Garage or Parking Area	ACC							
Private Garage or Private Parking Area(s)		ACC	ACC	ACC				
Professional, Business, and Governmental Offices						P		
Public and Private Schools, including day care centers and nursery schools		SE		SE				Sections 651-655
Public and Private Schools, including day care centers and nursery schools			SE					Sections 661-665
Public and Private Schools, including day care centers and nursery schools					P			
Public or Private Outdoor Recreation Facilities							P	Sections 921-924
Public Parks and Playgrounds			P					
Public Parks, Buildings, and Facilities owned and operated by the Borough or an Authority authorized by the Borough				SE				
Public Structures			P					Section 332.2.B
Public Structures and Facilities owned and operated by the Borough or an Authority authorized by the Borough	P							Section 321.2.C
Public Structures owned and operated by the Borough or an Authority authorized by the Borough			P					
Public Structures owned or Operated by the Borough or an Authority authorized by the Borough		P						
Real Estate Offices						P		
Restaurants, but not offering fast food, counter, carry-out, or drive-in services						SE		
Restaurants, Cafes, Taverns, or Other Places serving food and beverages, except drive-ins					P			Section 921-924
Retail Stores or Shops for the conduct of any retail business					P			Sections 921-924

Roadside Stands for the sale of produce grown on the premises, provided that off-street parking areas are provided for the customers	SE							Sections 311.5
Roadside Stands for the sale of produce grown on the premises, provided that off-street parking spaces are provided for the customers		P						
Shopping Centers					P			Sections 931-936
Signs	ACC	ACC	ACC	ACC	ACC	ACC		Part 7
Single-Family Detached Dwellings			P	P				
Single-Family Dwellings	SE							Section 311.5
Single-Family Residences		P						
Theaters, Motion Picture Theaters, except drive-ins					P			Section 921-924
Two-Family Dwellings				SE				Section 333.5.B
Volunteer Fire and Ambulance Services		SE		SE				Sections 651-655
Volunteer Fire and Ambulance Services			SE					Sections 661-665
Volunteer Fire and Ambulance Services					P			
Wholesale Businesses					SE			

KEY: ACC – Permitted Accessory Use
P – Use Permitted By-Right
SE – Use Permitted by Special Exception
CU – Use Permitted by Conditional Use

Notes:

- Several uses are listed two or more times in the use table (for example, Volunteer Fire and Ambulance Services). This reflects instances where a specific use is subject to different standards depending on which zoning district the use is proposed.
- There are several instances where the same use is presented with slightly different text or terminology from one zoning district to another (for example, Customary Accessory Uses and Buildings). For completeness purposes, every unique text example is listed.

3. There are several instances where a use cross-references standards that are clearly not applicable or appropriate for that use (for example, Public and Private Schools in the R1 District). These cross-reference errors are accurately referenced in this use chart to ensure that the use chart fully represents how the Zoning Ordinance is written.

Use	A	R1	R2	R3	CC	C	Use Specific Standards
Agricultural Operation	P						
Animal Hospital	P						
Apartment Building					SE		1501.A
Apartments within a Mixed-Use Property					P		
Bars and Nightclubs					P	P	
Bed and Breakfast Operation	SE						1501.B
Business Office					P		
Car Wash						P	
Cemetery	P						
Child Care Facility			ACC	ACC	P/ACC	ACC	1501.C
Commercial Recreation, Indoor					P	P	
Commercial Recreation, Outdoor						P	
Community Center					P		
Conference Center					SE		1501.D
Conversion Housing				SE			1501.E
Detached Accessory Structures	ACC	ACC	ACC	ACC	ACC	ACC	
Distribution Center						SE	1501.F
Family Child Care (as a Home Occupation)	ACC	ACC	ACC	ACC	ACC		1501.G
Farm	P						
Farm Equipment Sales Facility	SE						1501.H
Farm Market/Agricultural Tourism	SE						1501.I
Farm-Related Business	SE						1501.J
Farm Stand	ACC						1501.K
Farm Worker Housing	ACC						1501.L
Financial Institution					P	P	
Financial Institution with drive through service						SE	1501.M
Forestry	P	P	P	P	P	P	
Funeral Home					P		
Golf Course					P		
Group Child Care		ACC	ACC	ACC			1501.C
Group Home			SE	SE			1501.N
Heavy Industrial Use						SE	1501.O
Home Occupations	ACC	ACC	ACC	ACC	ACC		1501.P
Homestay	ACC	ACC	ACC	ACC	ACC		1501.Q
Horticultural Activity	P						
Hotel					P	P	
Infill Housing				SE			1501.R
Kennel, Commercial	P						
Light Industrial Use						P	
Mixed-Use Property					P		1501.S
Mobilehome Park					SE		1501.T
Mobilehome, Manufactured Home, and Shed Sales						P	
Motel						P	

P= Permitted by-right as a principal use
 ACC= Permitted as an accessory to the principal use
 SE= Special Exception approval required

Carroll Valley Borough Table of Uses

September 5, 2019

Use	A	R1	R2	R3	CC	C	Use Specific Standards
No-Impact Home-Based Business	ACC	ACC	ACC	ACC	ACC		1501.U
Parking Garage					SE		1501.V
Place of Worship	P		P	P	P	P	
Produce Stand	ACC	ACC	ACC	ACC			1501.W
Professional Office					P		
Public Park, Recreation, and Resource Management Uses		P	P	P			
Recycling Facility						SE	1501.X
Rental Storage						SE	1501.Y
Resorts					SE		1501.Z
Restaurant					P		
Restaurant with drive-through service						SE	1501.AA
Restaurant with Outdoor Seating					P		1501.BB
Restaurant, excluding those with drive-through service						P	
Retail Store					P	P	
Retail Store with drive-through service						SE	1501.CC
Retail Store with Fuel Sales						SE	1501.DD
School			P	P			
Shopping Plaza						SE	1501.EE
Single Family Attached Dwelling					SE		1501.FF
Single-Family Detached Dwelling	P	P	P	P		P	
Single-Family Semi-Detached Dwelling					P		
Site-Specific Borough Facility		P	P	P	P	P	
Site-Specific Facilities for Units of Government other than the Borough						P	
Site-Specific Utility Facility		P	P	P	P	P	
Ski Slope					P		
Street Vendor					ACC		
Studio					P		
Theater					P		
Two Family Dwelling					P		
Use of the Same General Character	SE	SE	SE	SE	SE	SE	1501.GG
Vacation Rental	SE		SE	SE			1501.HH
Vehicle Sales						P	
Vehicle Service with Fuel Sales						SE	1501.II
Vehicle Service, excluding Fuel Sales						P	
Wireless Communication Facility - Co-location - Inside Public Right-of-Way	ACC	ACC	ACC	ACC	ACC	ACC	1501.JJ
Wireless Communication Facility - Co-location - Outside Public Right-of-Way	ACC	ACC	ACC	ACC	ACC	ACC	1501.KK
Wireless Communication Facility - Tower Based - Inside Public Right-of-Way	SE		SE	SE		SE	1501.LL
Wireless Communication Facility - Tower Based - Outside Public Right-of-Way	SE						1501.MM

P= Permitted by-right as a principal use

ACC= Permitted as an accessory to the principal use

SE= Special Exception approval required

From: Zachary Rice <zrice@salzmannhughes.com>
Sent: Friday, July 23, 2021 4:01 PM
To: Gayle R. Marthers <gayle@carrollvalley.org>
Cc: Emily Myers <EMyers@salzmannhughes.com>; David A. Hazlett <manager@carrollvalley.org>
Subject: RE: CVB Chapter 27 Draft

Hi Gayle,

I've had a chance to go through the Chapter 27 draft and will offer my comments and recommendations below.

- I am in favor of the way that short-term rentals are handled, especially by creating distinctions of different types of short-term rental operations.
- I note that there are references to “multi-family dwellings”, but the term is neither defined nor is it provided for as an allowed use in any district.
- I would recommend adding a definition for “Agricultural Operation”, using the definition provided for in the Pennsylvania Municipalities Planning Code (below), since “Agricultural Operation” is a permitted use in the Ag District.
 - “An enterprise that is actively engaged in the commercial production and preparation for market of crops, livestock and livestock products and in the production, harvesting and preparation for market or use of agricultural, agronomic, horticultural, silvicultural and aquacultural crops and commodities. The term includes an enterprise that implements changes in production practices and procedures or types of crops, livestock, livestock products or commodities produced consistent with practices and procedures that are normally engaged by farmers or are consistent with technological development within the agricultural industry.”
- I would also recommend adding a definition for “land development”, using the definition provided for in the MPC:
 - “Any of the following activities:
 - 1) The improvement of one lot or two or more contiguous lots, tracts or parcels of land for any purpose involving:
 - (i) a group of two or more residential or nonresidential buildings, whether proposed initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
 - (ii) the division or allocation of land or space, whether initially or cumulatively, between or among two or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.
 - (2) A subdivision of land.”
- With respect to the regulation of Solar Energy Production Facilities (Section 1501(NN)):
 - Subsection 14 – It may be prudent to require the developer enter into a Decommissioning Agreement (Sam and I have used such Agreements in other communities) that further protects the Borough from any adverse effects of the decommissioning of a solar project.
 - Subsection 14(c-d) – It may be beneficial to add that the financial security estimate, as well as the updates every 5 years, shall be performed by a Pennsylvania licensed Engineer.
 - In other communities, we have included the following language as well:

- “The design of the solar electric system shall conform to applicable industry standards, including those of the American National Standards Institute. The applicant for a building permit and land use permit shall submit certificates of design compliance obtained by the equipment manufacturers from Underwriters Laboratories (UL), IEEE, Solar Rating and Certification Corporation (SRCC), ETL, or other similar certifying organizations.”
 - “In calculating the maximum impervious surface coverage, portions of the solar electric facility may be considered pervious if the criteria within the Pennsylvania Department of Environmental Protection (“DEP”) FAQ Document entitled “Chapter 102 Permitting for Solar Panel Farms”, dated January 2, 2019, has been met.”
 - “Stormwater management for the solar electric facility shall be in accordance with the Straban Township Stormwater Management Ordinance and the Pennsylvania Department of Environmental Protection (“DEP”) FAQ Document entitled “Chapter 102 Permitting for Solar Panel Farms”, dated January 2, 2019, as applicable.”
- With respect to the regulation of Wind Energy Facilities (Section 1501(OO)):
 - – See Comments above regarding Solar Energy Production Facilities
- Section 1702/1704 regarding Sign regulation:
 - May want to consider exempting from the permitting process (and permitting in all districts) “personal expression signs”, with time, place, and manner regulations such as we previously discussed.
- It may be prudent to have a “uses not provided for” section, that says something to the effect of:

“Whenever, in any zoning district, a use is neither specifically permitted nor prohibited, and an application is made by a property owner or authorized agent to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Zoning Hearing Board to hear and decide such request as a special exception. The Board shall have the authority to permit the use or deny the use in accordance with the standards governing special exception applications.”

 - The benefit here is that you would protect against an applicant from making an exclusionary zoning argument where the use is not permitted anywhere in the Borough.

Those are my preliminary thoughts, comments, and recommendations. Please let me know if you have any follow-up questions or comments. I’d be happy to discuss by phone before the next Planning Commission meeting.

Have a great weekend.

Zach

Zachary M. Rice

79 St Paul Drive | Chambersburg, PA 17201
 Office: 717.263.2121 Ext. 1118
 Fax: 717.263.0663

MEMORANDUM



TO: BOROUGH COUNCIL; MAYOR
FROM: DAVID HAZLETT, BOROUGH MANAGER
SUBJECT: PROPOSED ZONING MAP
DATE: 7/29/2021
CC: GAYLE MARTHERS

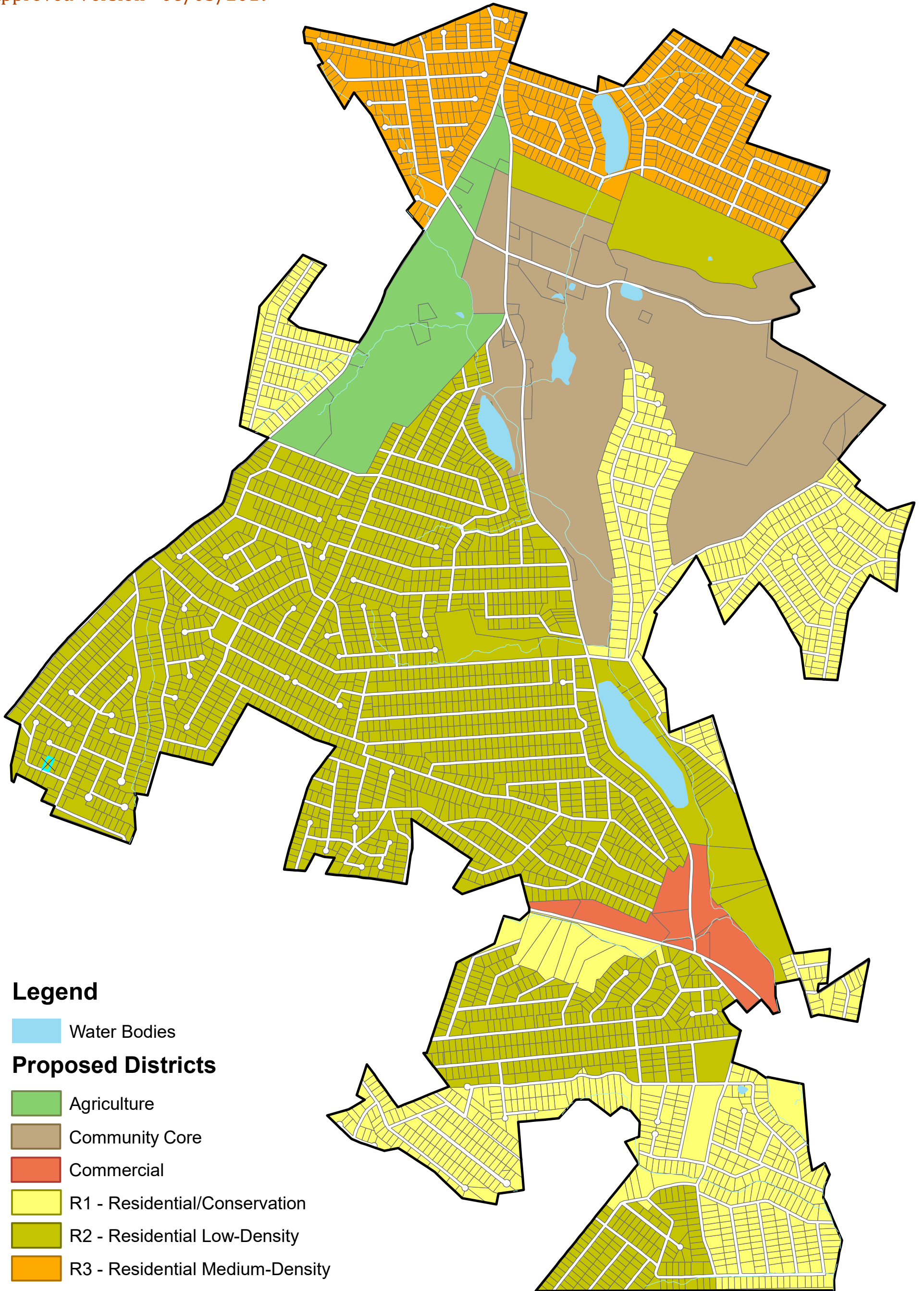
Everyone,

As requested, we have provided option F and option B for your consideration which highlights the changes discussed at the previous meeting.

Dave

Approved Version - 06/03/2019

Zoning District Option F



Legend

 Water Bodies

Proposed Districts

 Agriculture

 Community Core

 Commercial

 R1 - Residential/Conservation

 R2 - Residential Low-Density

 R3 - Residential Medium-Density

Data Source:
ACOPD, AC Tax Services, Aerial Photography Spring 2016

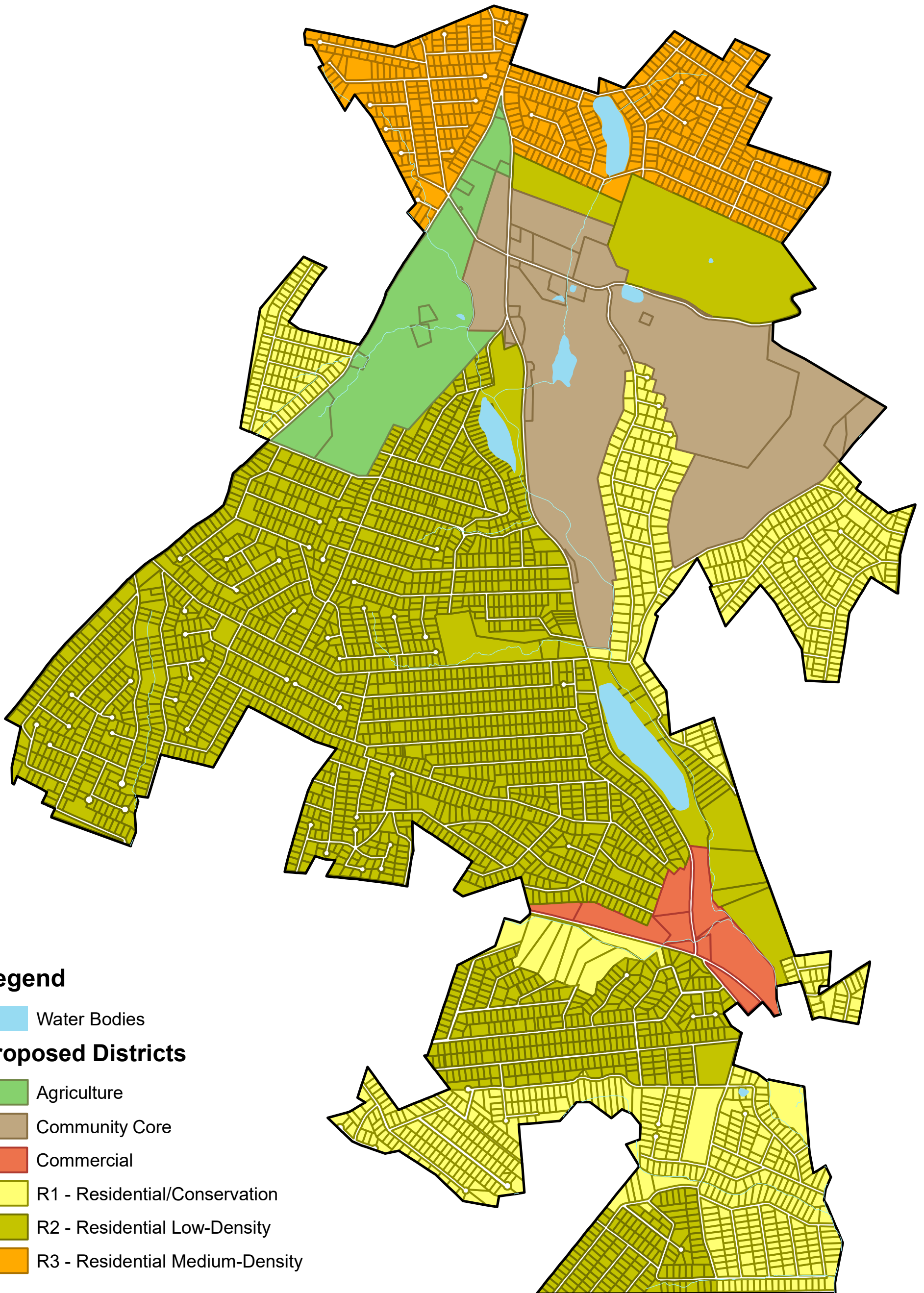
Prepared By:
ACOPD - HL | April 5, 2018

This map is for illustration purposes only. Adams County
Office of Planning & Development does not assume any
responsibility for the information presented on this map.

Proposed Zoning Districts



Feet
0 700 1,400 2,800




Legend

 Water Bodies

Proposed Districts

 Agriculture

 Community Core

 Commercial

 R1 - Residential/Conservation

 R2 - Residential Low-Density

 R3 - Residential Medium-Density

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Prepared By:
ACOPD - HL | April 5, 2018

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Proposed Zoning Districts



0 750 1,500 3,000
Feet