

**LONDONDERRY TOWNSHIP
DAUPHIN COUNTY, PENNSYLVANIA**

Ordinance 2020-03

AN ORDINANCE TO AMEND THE CODE OF ORDINANCES OF THE TOWNSHIP OF LONDONDERRY, CHAPTER 27, ZONING, TO EXPRESSLY ALLOW PUBLIC WATER PUMPING STATIONS, AND SEWER PUMPING STATIONS FOR PUBLIC SANITARY SEWER SYSTEMS, SERVING THE RESIDENTS AND BUSINESSES OF THE TOWNSHIP AS PERMITTED USES IN ALL DISTRICTS, AND TO PROVIDE VARIOUS SPECIAL RULES REGARDING SUCH USES, INCLUDING WITH RESPECT TO LOT SIZE, YARD, COVERAGE, LOT WIDTH, LIGHTING, SCREENING AND OTHER STANDARDS AND DIMENSIONAL REGULATIONS; TO AMEND PART 4 (RELATING TO ENFORCEMENT AND ADMINISTRATION) OF CHAPTER 27 TO ELIMINATE ANY REQUIREMENT THAT THE ZONING HEARING BOARD REFER SPECIAL EXCEPTION APPLICATIONS TO THE PLANNING COMMISSION FOR REPORT; TO PROVIDE FOR THE REPEAL OF PRIOR INCONSISTENT ORDINANCE PROVISIONS; TO PROVIDE FOR THE SEVERABILITY OF THE PROVISIONS THEREOF; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

WHEREAS, the Londonderry Township Board of Supervisors previously duly enacted the Zoning Ordinance of Londonderry Township, Dauphin County, Pennsylvania (hereinafter, the "Zoning Ordinance"), pursuant to its statutory authority under the Pennsylvania Municipalities Planning Code ("MPC"), Act 247 of 1968, as amended (53 P.S. § 10101 et seq.); which Zoning Ordinance was codified as Chapter 27 of the Code of Ordinances of Londonderry Township; and

WHEREAS, since its adoption, the Board of Supervisors has from time to time duly amended the Zoning Ordinance; and

WHEREAS, the Board of Supervisors has met the procedural requirements of the MPC and of the Township's ordinances for the adoption of the proposed ordinance, including notice, review and the holding of a public hearing; and

WHEREAS, the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania amends various Sections of Parts 3 (Definitions), 5 (A Agricultural District), 6 (R-1 Residential Districts [Single Family — Country]), 7 (R-2 Residential District [Multifamily — Suburban]), 8 (C-1 Commercial District [Neighborhood]), 9 (C-2 Commercial District [Shopping Center]), 10 (Planning Research District), 11 (I-1 Industrial District [Light]), 12 (I-2 Industrial District [Heavy]), 13 (MH-R Mobile Home — Residential District), and 16 (General Regulations) of the Zoning Ordinance to expressly allow water pumping stations, and sewer pumping stations for public sanitary sewer systems, serving the residents and businesses of the township as permitted uses in all districts, and to provide various special rules regarding such

uses, including with respect to lot size, yard, coverage, lot width, lighting, screening and other standards and dimensional regulations; and

WHEREAS, the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania amends Part 4 of the Zoning Ordinance to remove language in Section 414 (relating to Special Exceptions) requiring the Zoning Hearing Board to refer special exception applications to the Township Planning Commission for review in connection with the Zoning Hearing Board acting on the application, to move certain remaining language from Section 414 to Section 408, and to further revise Section 408 to add certain clarifying text; and

WHEREAS, the Board of Supervisors, after due consideration of the proposed Ordinance Amendment at a duly advertised public hearing, has determined that the health, safety, and general welfare of the residents of Londonderry Township will be served by the proposed Ordinance amendments.

NOW THEREFORE, it is hereby ordained by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, that Chapter 27, Zoning, of the Code of Ordinances of the Township of Londonderry (the "Zoning Ordinance") is amended as follows, with deletions in language being indicated by strikethrough and additions being indicated by underlining:

SECTION 1. Amendments to definition of "Public Utility Facilities." The definition of "Public Utility Facilities" in Part 3 (Definitions), Section 302 (Specific Terms), of the Zoning Ordinance is hereby amended to add to the end of the definition the following underlined sentence:

The term "Public Utility Facilities" shall also include Public Pumping Stations as defined in this Ordinance.

SECTION 2. Amendment to add new definition "Public Pumping Station." The following new definition of "Public Pumping Station" is hereby added, in alphabetical order, to Part 3 (Definitions), Section 302 (Specific Terms), of the Zoning Ordinance:

PUBLIC PUMPING STATION

A public water pumping station, or sewer pumping station for public sanitary sewer systems, serving the residents and businesses of the Township.

SECTION 3. Amendments to Part 5 of Zoning Ordinance. Part 5 (Agricultural District) of the Zoning Ordinance is hereby amended as follows:

(A) Section 502 (Permitted Uses) is hereby amended to add the following new permitted use category as new Subsection "(19)":

19. *Public Pumping Stations.*

(B) The introductory sentence of Section 504 (Area and Subdivision Regulations) preceding Subsections 1 through 10 is hereby amended to add the underlined text, and delete the text indicated by strikethrough as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, ~~the following shall apply unless a more-restrictive requirement is established in another section of this chapter in a particular situation:~~

(C) Section 505 (Width Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following lot width requirements shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(D) Section 506 (Yard Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following yard regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(E) Section 507 (Coverage Regulations) is hereby amended to designate the current provision as Subsection “(A)” with a heading entitled “General Rule” and add a new Subsection “(B)” with a heading entitled “Exception for Pumping Stations” with the following new underlined text:

A. General Rule.

*The lot area occupied by all buildings shall not exceed 20% of the lot area.
The lot area occupied by the total of all man-made surfaces that are impervious to runoff and all parking areas, buildings and driveways shall not exceed 30% of the lot area.*

B. Exception for Public Pumping Stations.

The requirements of this Section shall not apply to Public Pumping Stations.

SECTION 4. Amendments to Part 6 of Zoning Ordinance. Part 6 (R-1 Residential Districts [Single Family -- Country]) of the Zoning Ordinance is hereby amended as follows:

(A) Section 602 (Permitted Uses) is hereby amended to add the following new permitted use category as new Subsection “(13)”:

13. Public Pumping Stations.

(B) Section 604 (Area Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 and 2 as follows:

The following area regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(C) Section 605 (Width Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following width regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(D) Section 606 (Yard Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following yard regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(E) Section 607 (Coverage Regulations) is hereby amended to add the following underlined exception:

The coverage shall be no more than 30% of the lot area; provided, however, that such coverage requirements shall not apply to Public Pumping Stations.

SECTION 5. Amendments to Part 7 of Zoning Ordinance. Part 7 (R-2 Residential District (Multifamily — Suburban))] of the Zoning Ordinance is hereby amended as follows:

(A) Section 704 (Area Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following area regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(B) Section 705 (Width Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following width regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(C) Section 706 (Coverage Regulations) is hereby amended to add the following underlined text:

Except for Public Pumping Stations, and for dwelling units qualifying under § 704.2C, the coverage shall not be more than 30% of the lot area.

For dwelling units qualifying under § 704.2C, the coverage shall not be more than 40% of the lot area. For Public Pumping Stations, the requirements of this Section shall not apply.

- (D) The un-indented introductory sentence of Section 707 (Yard Regulations) before Subsections 1 through 5, is hereby amended to add the underlined text, and delete the text indicated by strikethrough as follows:

Except for Public Pumping Stations, e~~Each residential~~ lot shall have front, side, and rear yards of not less than the depth or width indicated below:

SECTION 6. Amendments to Part 8 of Zoning Ordinance. Part 8 (C-1 Commercial District [Neighborhood]) of the Zoning Ordinance is hereby amended as follows:

- (A) The un-indented introductory sentence of Section 805 (Yard Regulations), before Subsections A through D, is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except for Public Pumping Stations, e~~Each lot shall have a front, side, and rear yard of not less than those indicated:~~

- (B) Section 806 (Coverage Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following coverage regulations shall apply, except that the requirements of this Section shall not apply Public Pumping Stations:

- (C) Section 808 (Area Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, F the lot area shall be determined on the basis of yard requirements, coverage, parking, and buffer yard requirements contained in this Part and Chapter, but ~~in no case shall the lot shall not be less than 43,560 square feet (one acre).~~

- (D) Section 809 (Width Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply Public Pumping Stations, F the lot width at the front street line, which shall be measured at the right-of-way line and at the building setback line, shall be not less than 100 feet.

SECTION 7. Amendments to Part 9 of Zoning Ordinance. Part 9 (C-2 Commercial District [Shopping Center] of the Zoning Ordinance is hereby amended as follows:

(A) Subsection (L) of Section 902 (Permitted Use) is hereby amended to add the following underlined text:

L. Electric and telephone public utility transmission and distribution facilities including substations, Public Pumping Stations, and reservoirs.

(B) The un-indented introductory sentence of Section 905 (Yard Regulations) preceding Subsections 1 through 6 is hereby amended to add the following underlined text:

Except with respect to Public Pumping Stations for which the requirements of this Section shall not apply, and except as provided in § 912 for Conditional Uses with special yard requirements, the following yard regulations shall apply:

(C) Section 906 (Coverage Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

Provided that none of the coverage requirements of this Section apply to Public Pumping Stations, the following regulations shall apply:

(D) Section 908 (Area Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, ~~The~~ lot area shall be determined on the basis of yard requirements, coverage, parking, and buffer yard requirements contained in this chapter, however, in no case less than 43,560 square feet (one acre).

(E) Section 909 (Width Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply Public Pumping Stations, ~~F~~ the lot width at the front street line, which shall be measured at the right-of-way line and at the building setback line, shall be not less than 100 feet.

(F) Section 910 (General Regulations) is hereby amended to add the underlined text as follows:

All uses within this zone, with the exception of Public Pumping Stations, shall also comply with the general regulations in Part 16 of this chapter, if

applicable, except that the requirements for outdoor lighting as set forth in § 411, Subsection 4, of the Londonderry Township Subdivision and Land Development Ordinance [Chapter 22] shall apply to the development of a conditional use as provided in § 912 or a shopping center pursuant to the C-2 District requirements in lieu of the requirements for outdoor lighting in § 1602, Subsection 3A, B and C.

SECTION 8. Amendments to Part 10 of Zoning Ordinance. Part 10 (Planning Research District) of the Zoning Ordinance is hereby amended as follows:

(A) Section 1002 (Permitted Uses) is hereby amended to add the following new permitted use category as new Subsection “(13)”:

13. Public Pumping Stations.

(B) Section 1005 (Yard Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following yard regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(C) Section 1006 (Coverage Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following coverage regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(D) Section 1008 (Area Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, ~~the lot area shall be determined on the basis of yard requirements, coverage, parking, and buffer yard requirements contained in this Chapter, however, in no case less than 43,560 square feet (one-acre).~~

(E) Section 1009 (Width Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, ~~T~~he lot width at the front street line, which shall be measured at the right-of-way line, and at the building setback line, shall be not less than 100 feet.

(F) Section 1010 (General Regulations) is hereby amended to add the underlined text as follows:

All uses within this zone, with the exception of Public Pumping Stations, shall also comply with the general regulations in Part 16 of this Chapter if applicable.

SECTION 9. Amendments to Part 11 of Zoning Ordinance. Part 11 (I-1 Industrial District [Light]) of the Zoning Ordinance is hereby amended as follows:

(A) Section 1102 (Permitted Uses) is hereby amended to add the following new permitted use category as new Subsection “(13)”:

13. Public Pumping Stations.

(B) Section 1104 (Yard Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following yard regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(C) Section 1105 (Coverage Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following coverage regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(D) Section 1107 (Special Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 4 as follows:

The following special regulations shall apply, except that the requirements of Subsection (1) shall not apply to Public Pumping Stations:

(E) Section 1109 (Width Regulations) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Section shall not apply to Public Pumping Stations, ~~The lot width at the front street line, which shall be measured at the right-of-way line and at the building setback line, shall be not less than 100 feet.~~

(F) Section 1110 (General Regulations) is hereby amended to add the following underlined text:

All uses within this zone, with the exception of Public Pumping Stations, shall also comply with the general regulations in Part 16 of this Chapter if applicable.

SECTION 10. Amendments to Part 12 of Zoning Ordinance. Part 12 (I-2 Industrial District [Heavy]) of the Zoning Ordinance is hereby amended as follows:

(A) Section 1210 (General Regulations) is hereby amended to add the following underlined text:

All uses within this zone, with the exception of Public Pumping Stations, shall also comply with the general regulations in Part 16 of this Chapter if applicable.

SECTION 11. Amendments to Part 13 of Zoning Ordinance. Part 13 (MH-R Mobile Home — Residential District) of the Zoning Ordinance is hereby amended as follows:

(A) Section 1302 (Use Regulations) is hereby amended to add the following new permitted use category as new Subsection “(E)”:

E. Public Pumping Stations.

(B) The current un-indented introductory sentence of Subsection (2) of Section 1303 (Other Standards and Requirements) preceding Paragraphs (A) through (H) is hereby amended to add the underlined text, and delete the text indicated by strikethrough, as follows:

Except that the requirements of this Subsection (2) shall not apply to Public Pumping Stations, the following standards and requirements shall apply to all other permitted uses within the district:

SECTION 12. Amendments to Part 16 of Zoning Ordinance. Part 16 (General Regulations) of the Zoning Ordinance is hereby amended as follows:

(A) The first sentence of Paragraph (B) of Subsection 3 (“Outdoor Lighting”) of Section 1602 (“Use Regulations Supplemental in Multiple Districts”) is hereby amended to add the following underlined text:

Parking areas shall be lighted to an average of 0.5 footcandle, except that parking areas related Public Pumping Stations shall not be required to be lighted.

(B) The introductory paragraph of Subsection 5 (“Public Utility Facilities”) of Section 1602 (“Use Regulations Supplemental in Multiple Districts”) is hereby amended to add the following underlined text:

Public Utility Facilities. Public utility facilities shall be permitted in any district without regard to the use and area regulations; provided, however, that the buildings or structures erected for these utilities shall be subject to the following regulations, except that such regulations shall not apply specifically to buildings or structures related to Public Pumping Stations:

(C) Section 1608 (Area Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 3 as follows:

The following supplemental area regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

(D) Section 1609 (Yard Regulations) is hereby amended to add an un-indented new introductory sentence before Subsections 1 through 9 as follows:

The following supplemental yard regulations shall apply, except that the requirements of this Section shall not apply to Public Pumping Stations:

SECTION 13. Amendments to Part 4 of Zoning Ordinance. Part 4 (Enforcement and Administration) of the Zoning Ordinance is hereby amended as follows:

(A) Section 408 (Special Exceptions) of Part 4 of the Zoning Ordinance is hereby amended to read as follows, by inserting the underlined text:

Where the Board of Supervisors, in this Chapter, has stated special exceptions to be granted or denied by the Zoning Hearing Board pursuant to express standards and criteria, the Zoning Hearing Board shall hear and decide requests for such special exceptions in accordance with such standards and criteria. In granting a special exception, the Zoning Hearing Board may attach such reasonable conditions and safeguards, in addition to those expressed in this Chapter, as it may deem necessary to implement the purposes of this Chapter and the Pennsylvania Municipalities Planning Code, 53 P.S. § 10101 et seq. Applications for any special exception permitted by this chapter shall be made to the Zoning Hearing Board through the Zoning Officer.

(B) Section 414 (Special Exception) of Part 4 (Enforcement and Administration) of the Zoning Ordinance is hereby deleted in its entirety and replaced with the designation “[RESERVED].”

SECTION 14. Repealer.

All ordinances or parts of ordinances inconsistent herewith or in conflict with any of the specific terms enacted hereby, to the extent of said inconsistencies or conflicts, are hereby specifically repealed.

SECTION 15. Severability.

In the event any provisions, sections, sentences, clause, or part of this Ordinance Amendment shall be held to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such invalidity, illegality, or unconstitutionality shall not affect or impair the remaining provisions, sections, sentences, clauses, or parts of this Ordinance Amendment, it being the intent of the Board of Supervisors that the remainder of the Ordinance Amendment shall remain in full force and effect.


SECTION 16. Effective Date.

This Ordinance Amendment shall take effect and be in force five (5) days after its enactment by the Board of Supervisors of Londonderry Township as provided by law.

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DULY ORDAINED and ENACTED this ⁵⁵ 21 day of JULY, 2020, by the Board of Supervisors of Londonderry Township, Dauphin County, Pennsylvania, in lawful session duly assembled.

ATTEST:

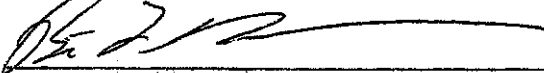


Steve Letavic, Secretary

**BOARD OF SUPERVISORS
LONDONDERRY TOWNSHIP**

By: 

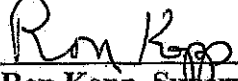
Michael Geyer, Chairman



Bart Shellenhamer, Vice Chairman



Mel Hershey, Supervisor



Ron Kopp, Supervisor



Anne Dale, Supervisor