

DECEMBER 3, 2008
WAYNESBORO, PA 17268
BOROUGH COUNCIL WORKSHOP

Council President Craig Newcomer called the Workshop Meeting to order at 9:00 a.m. in the second floor Borough Council Chambers.

The following were in attendance:

Borough Council Members

Craig Newcomer
C. Harold Mumma
Benjamin Greenawalt
Ronnie Martin
Charles McCammon

Borough Staff

Lloyd Hamberger, II, Borough Manager
Melissa Dively, Borough Solicitor
Kevin Grubbs, Head of Borough Engineering Services
Dan Sheffler, Borough Zoning/Code Officer

Councilman Craig Newcomer stated that the purpose for this morning's workshop was to review the proposed Off-Street Parking Ordinance and to take comments and suggestions from those in attendance. He also stated that the only changes to the ordinance from its original form to this point are some of the verbiage and other than that, it is pretty much the same.

Solicitor Melissa Dively stated that this is one of the ordinances for review and she had submitted an alternative to Council to look at. The alternative ordinance is from Shippensburg, which they use only on their Main Street where they do not require parking for any commercial use in the downtown district.

Lloyd Hamberger, Borough Manager, stated that what you received in your packets were two ordinances. One being what's called the Monn modified version and the alternative is the Shippensburg ordinance.

Solicitor Melissa Dively stated that between the two ordinances provided, the Monn modified does not address commercial conversions.

Councilman Ronnie Martin asked if the alternative addresses in regards to new buildings or does this stand for all uses whether existing or non-existing.

Solicitor Melissa Dively replied that the ordinance reads in the section called Off-Street Parking in the Town Center not part of a planned Town Center Development and the Downtown Business District the existing and the future retail professional or commercial business uses located within the Town Center and Downtown Business District are exempt from off-street parking requirements. So, it would address the scope of your commercial uses and I took that language of retail, professional, commercial business uses directly from Section 70, which precedes this section on Town Center that is basically your parking provisions that addresses off-street parking in all your districts and it breaks it down to residential uses, governmental, public and private then a section called retail, commercial business and professional services. So, it's lifted from the previous

provision in Section 70. I was recognizing that language to be something Council had agreed upon to identify your commercial businesses.

Lloyd Hamberger suggested taking the Monn modified version and going through it page by page and then Melissa can explain what the provisions are and if Council has any questions they can ask them at that time.

Melissa Dively stated that in the Monn modified version she addressed the language in Section 70 even though there is nothing wrong with this section I refer to it as your main parking ordinance for all districts. Except it just doesn't have the Downtown Business District included in it since it just came into being a few years ago. There are no changes in Section 70 except the inclusion of the words for the off-street parking schedule for all districts except Town Center and the Downtown Business District. This came about since the ordinance was never amended to include the provision for parking in the Downtown Business District as an exemption, such as Town Center had the exemption in the original Section 71. The one issue Mr. Monn did not cover was the conversion from commercial to a residential use, even though it is highly unlikely to happen it still should be included. There is residential converted to commercial that is covered by the ordinance under Subsection iii, conversion of a residential space to non-residential. What she is suggested is a conversion from commercial to residential that can be put in Subsection II for buildings constructed after September 1, 2008 and for conversions at anytime from commercial to residential uses and that is the only language that was modified. That provision was added to accept Mr. Monn's proposal for how parking will be handled for those situations.

Councilman Ronnie Martin asked that with the Shippensburg ordinance you're saying the same thing but you're also addressing new construction as being treated equally?

Melissa Dively replied that it covers everything existing and future retail, professional and commercial business uses located in either Town Center or the Downtown Business District are exempt from the off-street parking requirements.

Lloyd Hamberger asked about the section that determines the number of parking spaces by the Planning Commission or the Zoning Hearing Board changing the words "shall" to "may"?

Melissa Dively stated that what we talked about was to use "may" or come up with another method of calculation similar to how it is done in Section 70 for all other districts.

Lloyd Hamberger then gave an example that the Dollar Store would be required to have 300 parking spaces if you use the word "shall" and this would give the ordinance more flexibility.

More discussion followed concerning different scenarios that could happen and how the parking requirements may affect the potential for new businesses if not changed.

Councilman Ronnie Martin stated that the Shippensburg ordinance appears to be a lot cleaner and easier to understand.

Melissa Dively stated that the only issue she would have with the Shippensburg ordinance is that everything that is not exempted goes back to Section 70.

Additional discussion continued on which ordinance would work better in the downtown area for off-street parking and not hamper new business. There was a lot of dislike from many business owners towards the Shippensburg ordinance.

Bruce Dreisbach, Main Street Manager, stated that the grant money obtained by Senator Terry Punt goes back to Harrisburg this year for the unspent portion. That's why it is imperative to implement the Monn modified

ordinance quickly and changes could be made later on after we see how it is working. The Monn ordinance is a much better fit for what we are trying to accomplish and it stays with the Downtown Master Plan.

Councilman Craig Newcomer reiterated that the purpose of this ordinance is to allow more businesses in the downtown area and not turn away new businesses, which is what's happening since they can't meet the parking requirements.

Borough Council reviewed the revisions that Melissa Dively pointed out for the Monn modified ordinance. Councilman Ronnie Martin stated that if the revisions are made to the Monn modified version he would then support the ordinance.

Melissa Dively stated that once the revisions have been made that the Franklin County Planning Commission and the local Planning Agency will have to review the revised ordinance.

Councilman Harold Mumma stated that he has heard a lot of talk about having an ordinance that will protect the downtown area to keep its historical look intact. If you want to help make a difference then why don't the Main Street Group set down and come up with some ideas to bring back to Council for consideration.

With no further discussion, the Workshop was adjourned at 10:24 a.m.

Respectfully Submitted,

Kevin D. Grubbs
Head of Borough Engineering Services