



Cumberland County Review Report

Cumberland County Planning Department
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<i>Name of Amendment:</i>				
Casino and Gambling Facilities				
<i>Municipality:</i>	<i>Date Received:</i>	<i>Date Reviewed:</i>	<i>Reviewed By:</i>	<i>Checked By:</i>
Shippensburg Township	2/4/2020	2/25/2020	SH	KS
<i>Type of Amendment:</i>			<i>Recommendation:</i>	
Zoning Text Amendment			Disapproval	
<i>Explanation of Amendment:</i>				
The proposed amendment will change the location requirements for Casino and Gambling Facilities which are permitted in the Industrial (I) and Commercial General (C2) Districts. Setbacks from R1 and MU Zones and setbacks from sensitive land uses are reduced from 1000 ft. to 500 ft. In addition, setback measurement requirements are changing from parcel lines to exterior walls.				
<i>Consistent with Municipal Comprehensive Plan:</i>		<i>Consistent with County Comprehensive Plan:</i>		
Project is not Consistent		Project is not Consistent		
<i>Comments and Recommendations:</i>				
<ol style="list-style-type: none"> The Cumberland County Comprehensive Plan encourages the promotion of the county as a business and tourist destination (Grow Page 5). The language is consistent with this strategy. In addition, the Cumberland County Comprehensive Plan recommends screening and buffering to mitigate intense development impacts (Grow Page 25). The proposed language is not consistent with this strategy. The proposed language should include specific screening and setback requirements from property lines for a casino / gambling facility. These requirements should protect all sensitive land uses, residential development and residential zones. The Shippensburg Borough / Shippensburg Township Comprehensive plan encourages the identification of appropriate areas for economic development while requiring appropriate landscaping and buffering that respects nearby neighborhoods (Page 5-13). The proposed text amendment should be amended to requiring screening and setbacks from property lines to protect residential areas and the sensitive features that are listed. The Township should consider adding the R-2 Zone to proposed section 357.A.2. What is the rationale for the existing 1,000' setback requirement and the proposed 500' location requirement (as measured from building walls)? These figures appear to be arbitrary. Also, what is the rationale for measuring from the exterior walls of existing buildings rather than property lines? The Cumberland County GIS Department has analyzed the land available for development after the 500' buffer is applied to property lines. After the buffer is applied, there is 150 acres of land available in the Industrial District and 333 acres of land available in the C-2 District. The 500' buffer from property lines will not prohibit a casino / gambling facility. The proposed location requirements will provide 500 feet of building separation. This separation distance requirement may be satisfied by using area on other properties. In 				

addition, lighting, sound and traffic may still impact adjoining properties. The Township should remove the 500' location requirement (measured from exterior walls) and consider requiring a similar setback distance measured from property lines and a Type 3 Screening (as described in Zoning 303) when the casino / gambling facility abuts the following:

- All zones that permit residential uses (R1, R2, MU)
- Existing residential lots
- Uses listed in proposed section 357.A.3.

The following comments provide justification for these recommendations:

- A. We recommend that screening be required in conjunction with setback requirements. Current zoning ordinance language requires screening between a non-residential or mixed use zone with a non-residential use adjoining land within a residential or mixed use zoning district. Some of the uses permitted in the commercial and industrial zones should also be separated from a casino / gambling facility by screening.
- For example, a house of worship is a permitted use in the C-1, C-2 and I Zones. This use requires a 500' setback in the proposed language without requiring screening. Other uses permitted in the C-1, C-2 and I Zones include commercial day care, house of worship, municipal facilities (such as a community center or park), schools, and commercial recreation or entertainment.
- B. The proposed location requirement (500' measured from exterior walls) may restrict or discourage adjoining property owners from future expansion. For example, if a school is located adjacent to an existing casino, an expansion of the school may be less desirable or not meet the zoning requirements. We recommend that the required setbacks be measured from property lines to avoid this situation. The Township Solicitor and Zoning Officer may want to consider enforcement and interpretation of this scenario prior to adoption.
- C. The proposed language will require a location distance of 500 feet (measured from exterior walls) from specified uses and zones. The setback distance should be required from the subject property and not include other properties. As proposed, it appears possible for a casino / gambling facility to use 50 feet of its property and 450 feet of an adjoining property to meet the location requirement. This may limit the uses and lower the value of the adjoining property.
- D. Several of the specified sensitive uses listed in proposed section 357.A.3 will include outside activities that are not associated with the principal building (exterior wall). The proposed location requirement does not consider outdoor activities including amusement parks, outdoor camping, child care play areas, outdoor parks, playgrounds and school recess / athletic areas.

"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."