

CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA

ORDINANCE NO. 183 OF 2020

AN ORDINANCE AMENDING CHAPTER 27 OF THE CODE OF THE TOWNSHIP OF CUMBERLAND, BY AMENDING CERTAIN DEVELOPMENT STANDARDS OF PART 6, SECTION 603.

WHEREAS, the Zoning Ordinance of Cumberland Township of 2003, Chapter 27 of the Code of the Township of Cumberland (the "Zoning Ordinance") currently permits single-family detached residential dwellings within the Mixed-Use District (the "MX District") as a use by right, provided that the single-family detached residential dwelling is serviced by central water and sewer facilities, as the same are defined in the Zoning Ordinance; and

WHEREAS, the Board of Supervisors of the Township of Cumberland, Adams County, Pennsylvania (the "Board") desires to modify the central water and sewer facilities requirement set forth in Section 27-603 of the Zoning Ordinance so that existing lots may be improved with one (1) single-family dwelling unit without connection to central water or sewer facilities; and

WHEREAS, the Board desires to maintain the central water and sewer facilities requirement for all lots within the MX District, existing as of August 1, 2020 upon which more than one single family detached dwelling units are proposed and new lots containing one or more single-family detached dwelling; and

WHEREAS, any subdivision or land development plans in the MX zone for which more than one dwelling unit is intended shall continue to be required to connect to central water and sewer facilities; and

WHEREAS, the Board of Supervisors of the Township of Cumberland, Adams County, Pennsylvania deems it to be in the best interest and the general welfare of the citizens and residents of the Township to amend Chapter 27, Part 6, Section 603 of the Zoning Ordinance, to eliminate the central water and sewer facilities requirement with respect to existing lots within the MX District containing or proposed to contain not more than one single-family detached residential dwelling, while maintaining the requirement for all other lots and uses within the MX District.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Supervisors of Cumberland Township, Adams County, Pennsylvania, that the Zoning Ordinance of Cumberland Township of 2003, Chapter 27 of the Code of the Township of Cumberland, is hereby amended as follows:

SECTION 1. Chapter 27, Part 6, §27-603, entitled “*Development Standards – Mixed-Use Districts*” is hereby amended by replacing the row entitled “Central Water and Sewer Facilities Required” with the following row and sub-rows:

Standards	DISTRICTS				
	RO	VMX	MX	BP	TND
Central Water and Sewer Facilities Required	No	No	--	Yes	Yes
For lots existing as of August 1, 2020 to be improved with not more than one single-family detached residential dwelling	--	--	No	--	--
For lots existing as of August 1, 2020 to be improved with more than one single family detached residential dwelling and new lots containing one or more single-family detached dwelling.	--	--	Yes	--	--

SECTION 2. Repealer. All provisions of previous Ordinances of the Township of Cumberland which are contrary to this Ordinance are expressly repealed.

SECTION 3. Savings Clause. In all other respects, the Code of the Township of Cumberland shall remain as previously enacted and ordained.

SECTION 4. Severability. The provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid to unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of any remaining sections, subsections, sentences, clauses or part of this ordinance.

SECTION 5. Effective Date. This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED on this 23rd day of July, 2020.

ATTEST:

CUMBERLAND TOWNSHIP BOARD OF SUPERVISORS
CUMBERLAND TOWNSHIP,
ADAMS COUNTY, PENNSYLVANIA

Carol Merryman

Carol Merryman,
Township Secretary

By: David P. Wright
DAVID WAYBRIGHT,
Chairperson

