

**CUMBERLAND TOWNSHIP
ADAMS COUNTY, PENNSYLVANIA**

ORDINANCE NO. 2024-196

AN ORDINANCE OF CUMBERLAND TOWNSHIP, ADAMS COUNTY, PENNSYLVANIA, AMENDING THE CODE OF THE TOWNSHIP OF CUMBERLAND (THE “CODE”) TO ESTABLISH CERTAIN EXEMPTIONS TO THE LAND DEVELOPMENT PLAN SUBMISSION REQUIREMENT AND TO AMEND THE DEFINITION OF “LAND DEVELOPMENT” IN THE CUMBERLAND TOWNSHIP SUBDIVISION AND LAND DEVELOPMENT ORDINANCE (CHAPTER 22) AND OTHER CHAPTERS OF THE CODE.

WHEREAS, Section 501 of the Pennsylvania Municipalities Planning Code (the “MPC”), 53 P.S. § 10501, authorizes the Township of Cumberland (the “Township”) to regulate subdivisions and land development within the Township by enacting a subdivision and land development ordinance; and

WHEREAS, the Township has enacted a subdivision and land development ordinance (“SALDO”) which is found at Chapter 22 of the Code of the Township of Cumberland (the “Code”); and

WHEREAS, the Township desires to amend the SALDO to eliminate the land development plan submission requirement for an addition of 1,000 square feet or less of impervious surface to an existing non-residential structure; and

WHEREAS, the Township desires to amend the SALDO to eliminate the land development plan submission requirement for an agricultural improvement of 10,000 square feet or less of impervious surface; and

WHEREAS, the Board of Supervisors deems it be in the best interest and the general welfare of the citizens and residents of the Township to amend the definition of “Land Development” in the SALDO and other chapters of the Code.

NOW THEREFORE, BE IT ENACTED AND ORDAINED, by the Board of Supervisors of Cumberland Township, Adams County, Pennsylvania, and it is enacted and ordained as follows:

SECTION 1. Chapter 22 of the Code, entitled “Subdivision and Land Development,” Part 2 thereof, entitled “Definitions,” Section 22-203 thereof, entitled “Definitions,” is hereby amended by adding the following underlined language to the definition of “Land Development”:

LAND DEVELOPMENT

Any of the following activities:

- A. The improvement of one lot or two or more contiguous lots, tracts, or parcels of land for any purpose involving:
 - (1) 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.
 - (2) 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.
 - (3) “Land Development” shall not include an agricultural improvement of 10,000 square feet or less of impervious surface.
 - (4) “Land Development” shall not include an addition of 1,000 square feet or less of impervious surface to an existing non-residential structure.

- B. A subdivision of land.

SECTION 2. Chapter 22 of the Code, entitled “Subdivision and Land Development,” Part 3 thereof, entitled “Application Procedures and Plat Requirements,” is hereby amended by adding a new section, §22-311 entitled “Exemptions” as follows:

§22-311 Exemptions.

- 1. A property owner or developer of any regulated activity that meets the following exemption criteria is exempt from the formal land development plan submission requirements of this chapter as specified herein. However, the property owner or developer shall be subject to all other requirements of this chapter other than the formal plan submission requirements.
 - A. Any addition of 1,000 square feet or less of impervious surface to an existing non-residential structure is exempt from the land development plan submission requirement. However, a site grading plan and stormwater management plan meeting the requirements of this Code shall be submitted.
 - B. An agricultural improvement of 10,000 square feet or less of impervious surface is exempt from the land development plan submission requirement. However, a site

grading plan and stormwater management plan meeting the requirements of this Code shall be submitted.

SECTION 3. Chapter 20 of the Code, entitled “Stormwater Management,” Part 2 thereof, entitled “Definitions,” Section 20-201 thereof, entitled “Definitions,” is hereby amended by replacing the definition of “Land Development” in its entirety with the following language:

LAND DEVELOPMENT

As defined by § 22-203 of the Cumberland Township Subdivision and Land Development Ordinance.

SECTION 4. Chapter 27 of the Code, entitled “Zoning,” Part 2 thereof, entitled “Definitions,” Section 27-201 thereof, entitled “Words and Terms Defined,” is hereby amended by replacing the definition of “Land Development” in its entirety with the following language:

LAND DEVELOPMENT

As defined by § 22-203 of the Cumberland Township Subdivision and Land Development Ordinance.

SECTION 5. Repealer. All ordinances, or parts thereof, of the Township of Cumberland inconsistent with the provisions of this Ordinance are hereby repealed.

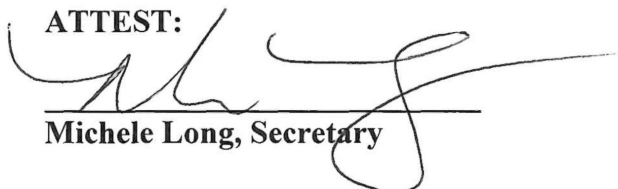
SECTION 6. Savings Clause. In all other respects, the ordinances of the Township of Cumberland shall remain as previously enacted and ordained.

SECTION 7. Severability. The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is declared by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

SECTION 8. Effective Date. This Ordinance shall take effect in five (5) days.

ENACTED AND ORDAINED on this 30th day of April, 2024.

ATTEST:



Michele Long, Secretary

**Cumberland Township Board of
Supervisors Adams County, Pennsylvania**



Shaun Piel, Chairperson