

CUMBERLAND TOWNSHIP
ADAMS COUNTY

ORDINANCE NO. 2017-168

AN ORDINANCE OF THE TOWNSHIP OF CUMBERLAND, ADAMS COUNTY, PENNSYLVANIA, AMENDING VARIOUS SECTIONS OF THE CUMBERLAND TOWNSHIP ZONING ORDINANCE, CHAPTER 27, BY ADDING "PLANNED UNIT DEVELOPMENTS- SINGLE FAMILY DETACHED" AS PERMITTED USES IN THE RESIDENTIAL DISTRICT AND ESTABLISHING RELATED STANDARDS

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 update and amend various sections of Chapter 27 of the Code of the Township of Cumberland, entitled "Zoning."

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

SECTION 1. Chapter 27, Part 2, §27-201, entitled "Words and Terms Defined" is hereby amended by removing the definition for "Planned use development" and adding a definition for "Planned Unit Development - Single Family Attached", which shall read as follows:

Planned Unit Development- Single Family Attached - an area containing a minimum of twenty-five (25) contiguous acres to be planned, developed, operated, and maintained as a single development, or in phases, and containing one or more residential clusters of single-family attached townhouse dwellings (in rows of no more than six units), and common open space owned and maintained by a homeowners association or similar organization approved by the Cumberland Township Board of Supervisors.

SECTION 2. Chapter 27, Part 2, §27-201, entitled "Words and Terms Defined" is hereby amended by adding a definition for "Planned Unit Development - Single Family Detached", which shall read as follows:

Planned Unit Development- Single Family Detached - an area containing a minimum of twenty-five (25) contiguous acres to be planned, developed, operated, and maintained as a single development, or in phases, and containing one or more residential clusters of single family detached dwellings with common open space, and streets on which the planned unit development single family detached dwelling front owned, operated, and maintained by a homeowners association or similar organization approved by the Cumberland Township Board of Supervisors. A Planned Unit Development - Single

Family Detached development may include a mix of Planned Unit Development - Single Family Detached uses and traditional single family detached dwellings and associated lots, provided that the mixed single family detached uses are included in a single preliminary development plan for the mixed single family detached uses.

SECTION 3. Chapter 27, Part 5, §27-502, entitled 'Permitted Uses' is hereby amended by adding "Planned Unit Development - Single-Family Detached (PUD-SFD)" as a permitted use in the "R" District and "R Cluster" Districts under Use Classification.

SECTION 4. Chapter 27, Part 16, is hereby amended by adding a new section, *Section §27-1605, to be entitled "Planned Unit Development -Single-Family Detached Dwellings"*, which section shall contain the following:

§27-1605. Planned Unit Development - Single-Family Detached Dwellings (PUD-SFD).

All Planned Unit Development - Single Family Detached Dwellings shall be subject to the following standards:

- A. Minimum contiguous tract size shall be 25 acres.
- B. Non-residential uses are not permitted. A Planned Unit Development - Single Family Detached development may include a mix of Planned Unit Development - Single Family Detached uses and traditional single family detached dwellings, provided that the mixed single family detached uses are included in a single preliminary development plan for the mixed single family detached uses. Any traditional single family detached dwellings and associated lots must meet the development standards for the Residential District and Residential Cluster District, as applicable.
- C. Maximum Tract Density (units per developable acre) shall not exceed what is permitted in Section 27-503 for the Residential district.
- D. Planned Unit Development - Single-family detached dwellings shall be developed on a fee-simple lot. Ownership of the unit shall not be in common with other unit owners.
- E. Homeowners Association. All common areas and any improvements thereon (including streets on which the planned unit development single family detached dwelling front) shall be owned, operated, and maintained by a common homeowners association. All unit owners shall have an automatic, non-severable interest in the homeowners association and pay mandatory dues and assessments. There shall be one Home Owners Association for the entire PUD-SFD development.
- F. Minimum Lot Area - There is no specified minimum lot area for Planned Unit Development - Single-family detached dwellings, and the lot area shall be the footprint of the unit, plus any private decks or patios.
- G. Maximum Building Coverage and maximum impervious coverage for the entire Planned Unit Development - Single Family Detached shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable. In the event that the PUD-SFD is developed in phases under an approved PUD-SFD preliminary plan, the maximum building coverage and maximum impervious coverage shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable,

for the phase being developed. In the event that the PUD-SFD includes a mix of traditional single family detached dwellings and associated lots, each traditional single family detached dwelling and associated lot must individually meet the maximum building coverage and maximum impervious coverage requirement of Section 27-503.2 for the Residential District and Residential Cluster District, as applicable, and the traditional single family detached dwellings and associated lots shall not be included in the maximum building coverage and maximum impervious coverage for the Planned Unit Development - Single Family Detached Dwelling areas.

- H. Central Water and Sewer Facilities are required.
- I. Maximum Height - Principal Structures (which shall include the units, single family detached dwellings, and improvements in the common areas) (feet) shall not exceed what is permitted in Section 27-503 for the Residential district.
- J. Maximum Height - Accessory Structures (feet) shall not exceed what is permitted in Section 27-503 for the Residential district.
- K. Minimum tract width at right-of-way line for the entire PUD-SFD development shall be 50'.
- L. Minimum setback from streets, units, single family detached dwellings, and improvements in the common areas (feet) shall not exceed what is permitted Section 27-503.2 for the Residential District and Residential Cluster District, as applicable.
- M. Minimum principal structure setback from tract perimeter (feet) shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable.
- N. Minimum accessory structure setbacks form tract perimeter (feet) shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable.
- O. Minimum surface parking areas, driveways interiors roadways setback from the PUD- SFD tract perimeter (feet) shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable.
- P. Minimum principal building spacing (feet) shall not exceed what is permitted in Section 27-503.2 for the Residential District and Residential Cluster District, as applicable.

SECTION 5. Repealer. All provisions of previous Ordinances of the Township of Cumberland which are contrary to this Ordinance are expressly repealed.

SECTION 6. Savings Clause. In all other respects, the Code 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, and if any section, subsection, sentence, clause or part thereof is, for any reason, held to be invalid or 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 8. Effective Date. This Ordinance shall take effect in accordance with law.

ENACTED AND ORDAINED on this 24th day of January 2017.

ATTEST:

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

Carol Merryman

Carol Merryman,
Township Secretary

By: Barbara H Underwood

Barbara H. Underwood,
Chairperson

(SEAL)

