

TOWNSHIP OF CECIL

WASHINGTON COUNTY, PENNSYLVANIA

ORDINANCE NO. 3-2023

AN ORDINANCE OF THE TOWNSHIP OF CECIL, WASHINGTON COUNTY, PENNSYLVANIA, AMENDING THE FOLLOWING SECTIONS OF THE UNIFIED DEVELOPMENT ORDINANCE NO. 5-00, AS AMENDED: SECTION 403, “CONDITIONAL USES”; SECTION 404, “VARIANCES” AND “SPECIAL EXCEPTIONS” AND SECTION 405, “SITE PLAN REVIEW APPLICATIONS” TO EXTEND TIME LIMITATIONS.

WHEREAS, the Cecil Township Board of Supervisors (“**Board**”) has the power to protect the health, safety, and welfare of the people and property in Cecil Township (“**Township**”); and

WHEREAS, the Board finds that it is in the best interest of the residents and citizens of the Township to amend Sections 403, 404, and 405 of the Township of Cecil Unified Development Ordinance, Ordinance No. 5-00, as amended;

WHEREAS, the Township seeks to amend its Unified Development Ordinance as set forth herein; and

WHEREAS, the Amendment was reviewed by the Township Planning Commission at a public meeting held on July 20, 2023 after which the Township Planning Commission recommended adoption to the Board; and

WHEREAS, the Amendment was sent to the Washington County Planning Commission and, on August 8, 2023, the Washington County Planning Commission advised that it had no additional comments regarding this particular ordinance change; and

WHEREAS, minor amendments were made after that process to extend the limitations in sections 403 and 405 to section 404 so that the conditional use, special exception, and variance limitations are all similar; and

WHEREAS, the Board has given careful consideration to all public comments and has determined that adoption of the Amendment is beneficial to the health and welfare of the citizens of the Township.

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

SECTION 6.

Section 403 “Conditional Uses,” subsection H, “Time Limitation on Conditional Uses,” is hereby amended as follows:

From:

A conditional use granted by the Board of Supervisors automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use or no building permit to undertake the work described in the decision granting the conditional use has been submitted within twelve (12) months of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the Board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

To:

A conditional use granted by the Board of Supervisors automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use or no Building and/or Grading Permit to undertake the work described in the decision granting the conditional use has been submitted within two (2) years of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the Board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

SECTION 6a.

Section 404, subsection (A)(4), “Time Limitation on Variances” is hereby amended as follows:

From:

A variance granted by the Zoning Hearing Board automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use or no building permit to undertake the work described in the decision granting the variance has been submitted within twelve (12) months of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

To:

A variance granted by the Zoning Hearing Board automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use or no Building and/or Grading Permit to undertake the work described in the decision granting the variance has been submitted within two (2) years of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the Board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

SECTION 6b.

Section 404, subsection (B)(3), “Time Limitations on Special Exceptions” is hereby amended as follows:

From:

A special exception granted by the Zoning Hearing Board automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use

or no building permit to undertake the work described in the decision granting the variance has been submitted within twelve (12) months of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

To:

A special exception granted by the Zoning Hearing Board automatically expires without written notice to the applicant if no application for an Occupancy Permit to commence a use or no Building and/or Grading Permit to undertake the work described in the decision granting the special exception has been submitted within two (2) years of said decision, unless the Board extends the time period upon written request of the applicant received prior to its expiration or unless the Board specifically grants a longer period of time in its decision. The maximum extension permitted shall be one (1) 12-month extension.

SECTION 7. Section 405, "Site Plan Review Applications," subsection F, "Expiration of Approval," is hereby amended as follows:

From:

Unless an extension of time is granted by the Township, no final site plan approval shall be valid for a period longer than one (1) year unless a building permit is issued and construction is actually begun within that period and is thereafter diligently pursued to completion or unless an Occupancy Permit is issued and a use commenced within that period.

To:

Unless an extension of time is granted by the Township, no final site plan approval shall be valid for a period longer than five (5) years unless a building permit is issued, and construction is actually begun within that period and is thereafter diligently pursued to completion or unless an Occupancy Permit is issued and a use commenced within that period.

Full Force and Effect.

Except as specifically amended by this Ordinance, Ordinance No. 5-00, as amended, shall remain in full force and effect and shall not be deemed in conflict with any provisions of this Ordinance.

Repealer.

Any ordinance, chapter, section, subsection, paragraph, sentence, clause, phrase or portion of any ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.

Severability.

If any section, subsection, paragraph, sentence, clause, phrase or portion of this Ordinance is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such shall be deemed a separate, distinct, and independent provision and such holding shall not affect the validity of the remaining portion thereof.


Effective Date.

This Ordinance shall take effect five (5) days after the date of adoption by the Board of Supervisors of Cecil Township, set forth below.

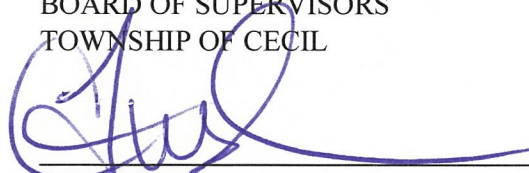
ORDAINED, ADOPTED AND ENACTED, by the Board of Supervisors of Cecil Township, Washington County, Pennsylvania the 5th day of September, 2023.

ATTEST

BOARD OF SUPERVISORS
TOWNSHIP OF CECIL



DONALD A GENINUSO



Cindy Fisher
*Chair of the Cecil Township
Board of Supervisors*