



PLANNING DEPARTMENT
Cumberland County

Cumberland County Review Report

Cumberland County Planning Department
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Recommendation: *Approval With Comments*

<i>Name of Amendment:</i>				
New Zoning Ordinance and Map				
<i>Municipality:</i>	<i>Date Received:</i>	<i>Date Reviewed:</i>	<i>Reviewed By:</i>	<i>Checked By:</i>
New Cumberland Borough	2/27/2023	3/16/2023	SH, KS	Planning Commission
<i>Type of Amendment:</i>				
New Zoning Ordinance				

Explanation of Amendment:

New Cumberland Borough submitted a draft zoning ordinance and zoning map for review and recommendation. The new zoning ordinance and map will replace the existing zoning ordinance that was adopted in July 2010.

The proposed zoning ordinance is generally consistent with the Cumberland County Comprehensive Plan and the New Cumberland Borough Comprehensive Plan.

Administrative Comments and Recommendations:

1. Page 59 table 1 and page 60, table 2. The asterisk on these tables references a note regarding the front yard setback. The asterisk should be moved to the front setback requirement.
2. Page 84, section 403.C.3. This section should be reviewed. It appears that the sentence is split by a period. The second half of the sentence is in the next subsection.
3. Page 164, article VIII (signage). The formatting and numbering should be reviewed for this article. Spacing, numbering, etc. should be verified. The layout should be consistent with the other articles.
4. Page 162, section 714. The formatting and numbering should be reviewed. The layout of this section should be identical to the other articles.
5. Page 209, section 904.D. The borough should review the numbering in this section.
6. page 134, section 601.D.1.A. The term height is misspelled.
7. page 212, section 904.P. The lettering is out of sequence and should be reviewed.
8. Page 120, section 547, page 121, section 549 reference the lighting requirements found in the SALDO. The lighting requirement in SALDO section 610 only regulates street lighting. These sections should reference section 603.J of the zoning ordinance.

9. The airport overlay zones are shown on the zoning map and included in the legend. For clarity, these zones should be labeled on the boundaries shown on the map.
10. Numerous sections in the draft zoning ordinance limit access to arterial, collector and other street classifications. It appears that roadway classifications are not included in the comprehensive plan or the SLDO. Which streets are considered arterial and collector? CCPD recommends a review of the entire ordinance as street classifications are frequently mentioned. The borough should consider establishing roadway classifications in the zoning ordinance.
11. The borough should consider update of its subdivision and land development ordinance which is referenced in the zoning ordinance.

Technical Comments and Recommendations:

12. Page 4-5, section 202. The definition of 'access drive' should be reviewed. The width requirements in the definition reference the UCC and the borough SALDO and provide a minimum width requirement of 22 feet. The subdivision and land development ordinance (SLDO) includes the following requirements in section 502.12.C (see below).

SLDO section 502.12.C (access roads, drives and driveways):

- For single family residential subdivisions, driveways shall be no less than 10 feet in width and no greater than 20 feet in width at the curb line.

13. Page 8, section 202. The definition of "billboard" should be moved to the definitions for signs on page 42. In addition, the definition of billboard should be compared to the definition of 'off-premises sign'
14. Page 12, section 202. The definition of clear sight triangle in the zoning ordinance is different from the definition in the subdivision ordinance. Consider using the same definition in both ordinances.
15. Page 28, section 202. The borough should consider the definitions of heavy manufacturing facility and light manufacturing facility. Some of the differences are not well-defined. For example:
 - Processes which produce discernible or perceptible amounts of smoke, noise, glare, dust, or odor. How will the requirement be determined and enforced?
 - Processes involved with light manufacturing shall not produce noises, vibration, air pollution, fire hazards, or noxious emissions discernible from neighboring lots. How will the borough enforce the phrase 'discernible from neighboring lots?'
16. Page 36, section 202. The definition of 'recreation facility', 'recreation, indoor' and 'recreation, outdoor' should be reviewed. All these definitions include similar activities (swimming pools, ice rinks, etc.).
17. Page 38, section 202. The definition of 'restaurant, take-out only' includes the phrase, "see ghost kitchen". A take-out restaurant is permitted by right in the MU district and a ghost kitchen is permitted by conditional use in the MU district. The uses appear to have minimal differences and may not need to be listed as separate uses that are permitted in different manners.
18. Page 43, section 202. The definition of an off premise sign includes billboard, yet billboard is separately defined on page 8. The definition of billboard indicates that it is greater than 100 square feet. Does this mean that an off premise sign is less than 100 square feet? The definitions should be clarified.
19. Page 49, section 202. The definition of "surface area of a sign" should be moved to page 42 with the other sign regulation definitions.
20. Page 62, section 310-table 4. The minimum lot width requirement of 50 feet in the Institutional zoning district should be compared to the 15-foot minimum side yard setbacks. Narrow lots may prove to be challenging under this requirement.

21. Page 63, section 311-table 5. The borough should consider increasing the proposed 6,000 square foot minimum lot size for the Industrial/Commercial zoning district.
22. Page 63, section 311-table 5. The maximum impervious coverage requirement of 80% in the Industrial/Commercial zoning district seems high. The borough should consider requiring additional landscaped areas in proposed development.
23. Page 67, section 312 table 6. The borough should verify that an 'office, business and professional' will be a conditional use in the institutional district. These do not appear to meet the purpose of the district.
24. Page 75, section 316.P. Section 316.P (swimming pools) includes the phrase 'see section 610'. One of these sections should include all requirements for a swimming pool. The other section should be removed.
25. Page 85, section 404. This section provides a bonus increase of 0.5 floor area ratio. Floor area ratio is not defined nor referenced elsewhere in the zoning ordinance. The borough should determine if this regulation should be retained or removed. If it is retained the term should be defined.
26. Page 116, section 540. The SLDO also regulates mobile home parks. The preferred regulations should be consolidated into one ordinance.
27. Page 138, section 604.D This section does not apply to nonresidential zoning districts (MU, I and IC) except for residential properties located in the nonresidential districts. How will this requirement apply to lots with mixed uses?
28. Page 138, section 604.E. This section applies to 'residential districts and properties zoned as residential'. How does the requirement apply in the MU district? The ordinance should list each district rather than categorize into residential.
29. Page 148, section 619.A.2. This section indicates that a corner lot shall have one side and one rear setback. The image of a corner lot provided on page 55, section 202 (definitions), shows a corner lot having 2 front yards and 2 side yards. The preferred regulation of corner lots should be determined and consistently listed in both places.

"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."