

Introduction

The Cumberland Township Comprehensive Plan provides an overall guide and framework for the future development of the community. The Plan anticipates and accommodates a variety of opportunities for growth in the township, while at the same time striving to protect the area's natural features and historic and agricultural heritage. The Plan designates appropriate locations for all land uses expected to be in the township over the next ten to twenty years. The Plan also sets the stage for specific actions that are necessary by all the different kinds of decision-makers in the township, school district, county, and State, in order to implement the Plan's recommendations.

This Plan must be used as a primary reference for evaluating and influencing future change in Cumberland Township. The procedures and actions in this chapter are provided, among other things, as the instructions for use of this Plan by the Supervisors, Planning Commission, Zoning Hearing Board, and staff of the municipality.

Adoption of the Plan

The first and most basic step in the implementation of the Cumberland Township Comprehensive Plan is its official adoption by the Township Board of Supervisors. The Comprehensive Plan will then form the policy foundation for day-to-day decisions concerning development, as well as the framework for the zoning and subdivision ordinances that are the primary administrative tools for the control of growth and development in the municipality.

It is particularly important that the Plan be understood and endorsed by the officials of the township. Without such understanding and support, the Plan will not be useful nor will it be followed. Since, under Pennsylvania's Municipalities Planning Code (MPC), the right of approval for subdivision and land development is (with limited exceptions) exercised by municipalities, it follows that successful implementation of the Cumberland Township Comprehensive Plan relies to a very great extent on municipal follow-through on the ideas presented in the Plan. A prerequisite for Plan implementation is for the governing body, Planning Commission, Zoning Hearing Board, and municipal staff to advocate the recommendations in the Plan. If no one "signs on" to it, its recommendations can't be put into effect.

Amendments to Municipal Land Development Regulations

The Cumberland Township Comprehensive Plan's recommendations with

respect to land use, transportation, housing, community facilities, agriculture, historic and cultural resources, natural features, and other areas of concern also provide a basis for changes to the development regulations for the municipality. Zoning ordinance and subdivision and land development ordinance changes are among the most significant implementing tools for the Plan, translating its sometimes broad concepts into specific regulations with which to guide future development.

Zoning Changes

Zoning of land use is the single most important legal tool available to a municipality for management of growth and development. The Cumberland Township Zoning Ordinance should be updated and revised to reflect the goals, objectives, and policies of the Comprehensive Plan, and to effect its implementation. An updated *Zoning Ordinance* is the most efficient and effective device for ensuring that rezonings and subdivision and land development approvals are in conformance with the Comprehensive Plan. A number of revisions to the current zoning ordinance are recommended to contribute to the implementation of the Growth Management Plan. These are summarized below.

A most basic change to the Cumberland Township Zoning Ordinance would be new regulations that correspond to and implement the clear differentiation between designated "growth" and "low-growth" areas presented in the Land Use Plan. At present, for example, for lots lacking central water and sewer services, the maximum intensity of development in the "AR Agricultural District" is about 0.5 dwelling units per gross acre (minimum lot size of 80,000 square feet) versus 1.0 dwelling units per gross acre (minimum lot size of 40,000 square feet) in the "R Residential District." As Sections 2 and 3 of Chapter 2 of the Comprehensive Plan make plain, such relatively small distinctions are ineffective in establishing a pattern of development that is discernible from one district to the other. If there is to be a clear difference in the intensity of development between designated growth areas and low-growth areas, and the Cumberland Township Comprehensive Plan's Growth Management Plan makes it clear there should be, then there must be *corresponding zoning district development regulations* that will effectively fulfill the Growth Management Plan's intentions.

The content of such district regulations for low-growth areas can take a number of forms; these choices are outlined in Section 7 of Chapter 3. Regardless of which form of these zoning options is pursued, it is essential that it recognize and reinforce the distinctions, in terms of overall intensity of residential development permitted, between tracts of land in low-growth areas

versus tracts in designated growth areas, as shown on the Land Use Plan.

Another important recommendation is to change the emphasis of the requirements in the Cumberland Township Zoning Ordinance's residential zoning categories from minimum lot size requirements (for example, "minimum lot size 20,000 square feet") to overall density limits ("maximum density 2 dwelling units per acre"). The intention is to permit greater development flexibility, leading to:

- Increased preservation of sensitive environmental features;
- Logical and effective transitions between agricultural and non-agricultural uses;
- A permanent open space and recreational resource for new residential developments;
- A reduction in areas susceptible to stormwater flooding;
- Maintenance of stable groundwater levels;
- Maintenance of wildlife habitat;
- Amenity value for the community that can be a help in gaining high-quality development; and
- Enhancement of property values for bordering and neighboring dwellings.

The chief implementation tool for permitting this greater development flexibility is the availability of residential clustering development options in the Cumberland Township Zoning Ordinance for all *Low Density Residential* and most *Medium Density Residential* areas identified in the Land Use Plan (see Section 3 of Chapter 3). As well, depending on the type of zoning regulations selected for the low-growth portion of the township, clustering options can be a key ingredient toward preserving agricultural use while simultaneously ensuring a more equitable distribution of the financial benefits of land development to property owners in the designated low-growth portions of the township (see Section 7 of Chapter 3).

As a corollary to the above points concerning overall residential tract density limits, the Cumberland Township may wish to consider changes to the Zoning Ordinance that would embrace the concept of "developable" tract acreage, as opposed to gross acreage. Developable acreage may exclude floodplains and wetlands from consideration in determining base site area density calculations, and may also integrate consideration of a site's extent and type of steep slopes and woodlands in the calculation.

At present, the zoning ordinance of Cumberland Township contains only one

type of district for commercial uses. The Cumberland Township Comprehensive Plan's Growth Management Plan, in contrast, recommends a series of mixed-use areas, from *residential-office* to *mixed-use* to *village mixed-use*. The implication of this variety of recommended use areas is corresponding discrete zoning districts to support the kinds of activities and character inherent in each type of area. The Cumberland Township Zoning Ordinance should be amended to incorporate three or four new commercial and mixed-use districts.

In a similar vein, the current "I Industrial District" may need to be reconstituted as two districts, reflecting the Growth Management Plan's identification of some areas of the township for *business parks*, while others carry the designation *industrial*. New performance standards should be incorporated into any of the industrial and business park regulations within the Cumberland Township Zoning Ordinance to assure that township residents and workers are protected from environmental hazards.

Zoning Map Changes

The Land Use Plan (Figure 3.3.1) defines three growth areas for the township including:

- Central-west portion of the township, between the railroad paralleling US Route 30 (Chambersburg Road) and Route 116 (Fairfield Road), focused on the US Route 30 and Herr's Ridge Road corridors;
- Route 34 (Biglerville Road) corridor, between the railroad paralleling Route 34 and a line approximately 2000 feet east of and parallel to Route 34 and from the National Military Park to Herr's Ridge Road;
- Greenmount area of the township, from Barlow-Greenmount Road to Marsh Creek Road and between US Route 15 and a line approximately 1500 feet west of and parallel to Business Route 15 (Emmitsburg Road).

In addition, the Land Use Plan identifies other distinct land use areas, including:

- A mixed-use *township center* in the vicinity of the intersection of US Route 30 and Herr's Ridge Road in the central-west designated growth area, to accommodate a mix of uses;
- A mixed-use *secondary township center* in the Greenmount designated growth area, incorporating the existing Eisenhower Inn & Conference Center, the All-star Family Fun & Sports Complex, the Devonshire Village

multi-family housing, and the site of the former foundry, to accommodate a mix of uses;

- Areas of *medium and medium-low intensity residential development* in all three of the designated growth areas;
- Limited areas for *village mixed uses*, corresponding to some existing low-to-moderate-intensity residential and commercial areas on Routes 97 (Baltimore Pike), 134 (Taneytown Road), Business 15 (Emmitsburg Road), and 34 (Biglerville Road);
- A *designated rural & agricultural area* for most of the township outside of the Central-West, Route 34 Corridor, and Greenmount designated growth areas and village mixed use areas.
- *New business park* areas for office uses and clean, enclosed manufacturing, assembly, and warehousing facilities.

The zoning map for Cumberland Township should reflect these land use designations. Changes to the map, at the very least, would entail:

- Replacing the current zoning boundary line between the "AR" and "R" districts with one that reflects the boundary between *A* and *R* as shown on Figure 3.3.1;
- Replacing the current zoning map classification "C" with a combination of new residential and mixed-use designations, reflecting the occurrence of *A*, *R*, *MX*, and *VMX* areas on Figure 3.3.1;
- Creating areas zoned for business parks, reflecting the occurrence of the *BP* designation on Figure 3.3.1;

Subdivision Regulations

Subdivision regulations are second only to the zoning ordinance as a tool for managing growth, especially in influencing the quality of new developments. These regulations detail the standards of any required improvements accompanying construction. The Cumberland Township Comprehensive Plan makes several recommendations which affect street access and curb cuts, landscaping and open space, and other improvements. Adoption of these recommendations within the Cumberland Township Subdivision and Land Development Ordinance will implement better quality development. In addition, requiring Environmental Assessment Statements for major new land

Management Plan nor the zoning and subdivision ordinances can completely anticipate or absolutely control the future growth of the township. Future development will be determined by day-to-day decisions made by the Township Board of Supervisors, Planning Commission, Zoning Hearing Board, and municipal staff, largely in response to proposals made by private developers. In each situation where Cumberland Township must respond to a specific development proposal, the Comprehensive Plan should be used as a reference to guide the Township in the evaluation of the proposal.

The natural resource maps, part of the Comprehensive Plan, are one of the first sources to be referred to in considering any development proposal. The maps should be able to identify potential problem areas. In some cases, the developer will be required to supply more precise information on the natural determinants of development suitability. Technical expertise of Township, County, and State agency staff and consultants will be needed to determine whether any potential problems so identified can be overcome.

The Land Use Plan should be consulted early in the review of any development proposal. If the proposed use corresponds to that shown on the Land Use Plan, the major issues will concern design considerations, technical questions, and guarantees of performance on the part of the developer. If the proposed use differs from that shown on the Land Use Plan, the proposal will require the most careful kind of scrutiny. Despite the effort to make the Growth Management Plan as "comprehensive" as possible, it is conceivable that uses will be proposed in the township over the planning period that do not fit comfortably into one of the use categories outlined in the Land Use Plan. It is critical that, in this event, the municipality consider fully all of the planning implications of any such proposed uses.

There are a number of tools available, beyond the zoning and subdivision ordinances, for evaluating specific proposals and for controlling development. The ability of the Township to limit the extent and type of growth to areas defined by the Land Use Plan or by subsequent studies is reinforced through Township management of the central sewer system. Direction, extent, and type of growth may be effectively implemented through the combination of zoning and subdivision regulations and control of sanitary sewer service. Any extension of municipal sewer services should be conditioned on landowners' consent to the general land use and zoning guidelines recommended by the Comprehensive Plan.

Information Gathering, Processing, Storage and Retrieval

The Township's methods for processing, storing, and retrieving information

filed as part of applications for subdivision and land development approvals and rezonings should be computerized, coordinated, and systemized. Applications should be coded by number, with corresponding paper and computer-based files, including standardized forms for recording basic information such as the location and dimensions of the tract, the characteristics of the proposed development, and the application and review status. Submitted plans and other pertinent documents should be microfilmed and/or scanned and stored on computer files.

The Planning Commission should ensure that it submits annual reports to its governing body, summarizing development activities in the municipality. The compilation and publication of the following data would be useful in documenting the character and quantity of change in the community over time and would be extremely useful in the day-to-day administration of its planning and zoning activities. The items recommended for inclusion in the report are:

- Population estimates
- School population
- Employment estimates
- Development activity summary (new development & redevelopment)
 - Residential development
 - New housing units, by type
 - Acres of residential development
 - Acres of private and dedicated open space
 - New nonresidential construction
 - Acres of new development by land use
 - Gross floor area by use
 - Changes of zoning

Planning Commission Annual Reviews

The Planning Commission should, as an annual agenda item, formally review the annual long-range capital improvements program for the municipality to ensure that physical improvements that are being programmed are in accordance with the overall intent of the Comprehensive Plan. The review should also include consideration of items which are called for by the Comprehensive Plan. A formal review and recommendation concerning the long-range capital improvements program should be forwarded to the governing body prior to consideration of the adoption of the long-range capital

improvements program.

A second annual agenda item should be the Planning Commission Annual Plan, which should:

- Review the degree of accomplishment of the previous year's objectives;
- Summarize studies or projects finished or underway;
- Identify Comprehensive Plan recommendations that are planned to be addressed in the next year;
- Plan for future projects or studies, including issues that the Planning Commission intends to review or initiate and ordinances that require review.