

SOUTH MIDDLETON TOWNSHIP
CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 2018-06

AN ORDINANCE AMENDING THE
SOUTH MIDDLETON TOWNSHIP ZONING ORDINANCE
TO REVISE THE MAXIMUM SQUARE FOOTAGE OF SPECIFIC USES IN THE VILLAGE
ZONING DISTRICT TO CORRECT SECTION NUMBER(S) AS DESCRIBED HEREIN.

WHEREAS, the Board of Supervisors of South Middleton Township has adopted a Zoning Ordinance under the enabling authority of the Pennsylvania Municipalities Planning Code, 53 P.S. §§ 10101, *et seq.* (MPC); and

NOW THEREFORE, IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors in and for the Township of South Middleton, as follows:

SECTION 1. PURPOSE

The purpose of this Ordinance is to amend the Zoning Ordinance.

SECTION 2. ENABLING AUTHORITY

This Ordinance is enacted pursuant to the enabling authority of the Pennsylvania Municipalities Planning Code, Article 6, Section 603 (Ordinance Provisions) and Section 609 (Enactment of Zoning Ordinance Amendments).

SECTION 3. ARTICLE III

- a. Section 1001 Conditional Uses subject to Article XX shall be renumbered as Section 1002.
- b. Section 1002(4)(g) shall be amended to read as follows:

1002(4)(g) Maximum Gross Floor Area (single or multiple buildings on an individual lot)

(1) Retail Uses...5,000 square feet.

(2) All other commercial uses as permitted by Section 1002(4) ...20,000 square feet.

- c. Section 1002 (5) Mixed Use Development (Section 1002(5)) – Defined as any group of permitted uses in Section 1001 above and/or conditional uses in this Section, totaling not more than 20,000 square feet of gross floor area, planned and designed as a common entity with commercial and/or residential units planned and designed

to be located either in single or multiple buildings pursuant to the provisions of Section 1612 and subject to Sections 1002(4) (a) – (h).

SECTION 4. SEVERABILITY

The provisions of this Ordinance shall be severable, and if any of its provisions shall be held to be unconstitutional, illegal or invalid, such unconstitutionality, illegality or invalidity shall not affect the validity of any remaining provision of this Ordinance. It is hereby declared to be the legislative intent that this Ordinance would have been adopted and enacted as if such unconstitutional, illegal or invalid provision had not been included therein.

SECTION 5. REPEALER

Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 6. EFFECTIVE DATE

This Ordinance shall become effective five (5) days from the date of enactment.

DULY ENACTED AND ORDAINED INTO LAW this 13th day of December, 2018.

**BOARD OF SUPERVISORS
SOUTH MIDDLETON TOWNSHIP**

Attest:

Sandra A. Quickel
SANDRA A. QUICKEL, Secretary

Bryana A. Gembusia
BRYANA A. GEMBUSIA, Chairman

Thomas E. Foley
THOMAS E. FOLEY, Vice Chairman

Walter G. Reighard
WALTER G. REIGHARD

Ronald P. Hamilton
RONALD P. HAMILTON

R. Duff Manweiler
R. DUFF MANWEILER

12/13/18
Date