

ORDINANCE # 2 of 2001
ARTICLE 1
PURPOSE AND AUTHORITY

Section 101 Title

This Ordinance shall be known and may be cited as the **Springfield Township Zoning Ordinance**. The accompanying district map shall be known, and may be cited as, the **Springfield Township Zoning Map**.

Section 102 Authority

In accordance with the authority granted to Springfield Township through the Pennsylvania Municipalities Planning Code (Act 247, as reenacted and amended), this Ordinance and map are intended to:

Regulate the density of population;

Regulate the location and use of buildings, structures and land for residential, agricultural, commercial, industrial and other purposes;

Regulate the height, bulk, number of stories, size and placement of buildings and structures;

Divide the Township into districts of such size, shape and area, and to establish such zoning map, as may be deemed best suited to carry out the regulations; and

Establish procedures for the administration, enforcement, amendment, and relief from hardships under certain circumstances.

Section 103 Purpose

These regulations are deemed necessary in order to encourage beneficial growth in the Township while keeping the density of development consistent with existing Township facilities and the Township's ability to develop new facilities needed. These regulations are expected to:

Promote the public health, safety, morals and general welfare;

Conserve and stabilize property values through encouragement of the most appropriate uses of land in relation to adjacent properties, with consideration given to the physical characteristics of the property, and its value, as well;

Secure safety from fire, flood, panic and other dangers by providing for adequate open spaces for light, air and amenity, and by promoting emergency preparedness and operations;

Preserve forests, agricultural lands, and recreation areas in their natural state, or from conflict with urban development;

Protect floodplains and manage the release of stormwater to minimize downstream flooding;

Prevent the overcrowding or improper development of land, incompatible uses of land, and/or blighting conditions;

Facilitate the economic provision of safe, adequate and reliable transportation, water supply, sewage disposal, public schools, parks and other public requirements;

Avoid congestion in travel and transportation, and maintain and improve the carrying capacity and safety of major roads;

Reduce the cost of building roads and installing utilities, and the subsequent cost of township operations; and

Encourage similar controls upon development in adjacent municipalities where logical zoning district boundaries extend across municipal lines.

Section 104 Compliance

No structure shall be located, erected, demolished, constructed, moved, externally altered, converted or enlarged nor shall any structure or land use be used or designed to be used except in full compliance with this Ordinance and after the lawful issuance of all permits and certifications required by this Ordinance.

Section 105 Schedule of Fees

The Township Board of Supervisors shall, from time to time, establish, by resolution, a schedule of fees, charges and expenses and a collection procedure for building permits, appeals and other matters pertaining to this Ordinance. The schedule of fees may be posted in the Township Offices, and may be amended only by official action by the Township Board of Supervisors.

No permit, certificate, application or variance shall be issued, nor shall any action be taken on proceedings before the Zoning Hearing Board unless, or until, such costs, charges, fees or expenses have been paid in full.

A zoning certificate or building permit shall be required for all new construction, additions or alterations affecting exterior dimensions of existing structures; and, for any structural or interior changes required for a change of the structure's use, or for any change in use.

Any application for amendment, variance, special exception, conditional use, permit or any other application or certificate within the scope of this Ordinance, shall be accompanied by a fee, such fee to be established by resolution of the Township Board of Supervisors, who may, from time to time revise such fees in order to bear a reasonable relationship to the costs involved.

Section 106 Municipally Owned Property

This Ordinance shall not apply to property owned by Springfield Township in the exercise of its municipal functions. The Township will develop and control property in accordance with existing charters and codes, and will have no obligation to enforce the provisions of this Ordinance upon itself.

Section 107 Interpretation of Regulations

Whenever the provisions of this Ordinance are at variance with provisions in other parts of this Ordinance any other lawfully adopted rules, regulations or ordinances, the more restricted requirements shall govern.

Section 108 Severability

Should any section or provision of this Ordinance be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the Ordinance as a whole, nor the validity of any other section or provision of the Ordinance, other than the one so declared.

Section 109 Repeal

Any resolution or ordinance, or any part of any resolution or ordinance conflicting with the provisions of this Ordinance is hereby repealed to the extent of such conflict.

ARTICLE 2
COMMUNITY DEVELOPMENT OBJECTIVES

In addition to the general purposes listing in **Section 103**, the following specific community development objectives, created as a direct result of a community-wide visioning process in 1997, have been considered as a basis upon which the regulations and controls of this Ordinance are derived:

Section 201 Goal Statement

"By the year 2007, Springfield Township should be primarily a rural, small-town community; keep its natural/scenic qualities, its ability to farm, personal freedoms and other high qualities of life; and plan of a targeted and limited development area in which to provide for economic development opportunities, yielding higher-pay job opportunities and thriving local businesses, and not result in sprawl or undesirable impacts or costs for the community."

Section 202 Objectives

Residential

- A. Maintaining low density residential development
- B. Promote low density, single-family residential development
- C. Control location of multi-family residential development
- D. Provide housing for all economic levels
- E. Promote the preservation of historic residential structures

Agricultural

- A. Promote the preservation of active farmland
- B. Encourage participation of farm owners in the Agricultural Security Area program
- C. Provide farm owners the opportunity to develop property within certain guidelines
- D. Discourage the subdivision of farm tracts into small building lots, unless public open space is guaranteed
- E. Encourage farmers to participate in county and state programs that support and promote sound farming practices, such as surface water protection and erosion and sedimentation control

Economic Development

- A. Provide for commercial/industrial development in limited areas
- B. Identify areas with adequate infrastructure that can support commercial and/or industrial development
- C. Create site development controls to protect adjacent properties
- D. Provide adequate opportunities to expand the tax base
- E. Provide for a variety of commercial and industrial development opportunities

Infrastructure

- A. Ensure that existing facilities and services are maintained at a level that meets the needs of current residents and businesses
- B. Promote construction standards that address Township goals
- C. Require development applications to address the health, safety and general welfare needs of Township residents

Traffic/Circulation

- A. Create a safe, well-constructed road system within the township
- B. Promote an adequate, safe non-vehicular circulation system with the Township
- C. Encourage efficient land use patterns that minimize traffic congestion
- D. Encourage new development to provide for alternative modes of transportation
- E. Encourage identification and protection of rights of way for future public use

Historic Preservation

- A. Encourage preservation of cultural and historic sites
- B. Cooperate with other agencies, both public and private, in the promotion of preserving identified sites
- C. Encourage new development to be architecturally compatible with existing structures and sites

Recreation

- A. Encourage adequate recreational opportunities for Township residents
- B. Encourage new development to provide open space and/or recreation areas
- C. Encourage development of community-wide recreation program and facilities

Natural Resources Preservation

- A. Discourage development on, or in, identified environmentally sensitive areas
- B. Promote the preservation of identified environmentally sensitive areas and natural resources

Land Use

- A. Encourage development that enhances the rural character of the Township
- B. Promote open space requirements for new development
- C. Encourage a variety of housing opportunities in the Township
- D. Promote development arrangements that require less lineal footage of roads, sewers and water lines.

ARTICLE 3

DISTRICT DESCRIPTIONS

Section 301

- A. A map entitled the Springfield Township Zoning Map is hereby adopted as part of this chapter. The official Zoning Map shall be kept on file and available for examination at the Township offices.
- B. Annexed Areas. Any territory hereafter annexed by the Township of Springfield will be automatically zoned R-D Rural Development District until otherwise classified by the Township.
- C. District Boundaries. District boundaries that are shown between the lines of streets, streams and transportation rights-of-way shall be deemed to follow the centerline. The vacation of streets shall not affect the locations of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such centerlines, by the scale of dimensions stated on the Zoning Map or by the fact that it clearly coincides with a property line he shall refuse action. The Zoning Hearing Board, upon appeal, shall interpret the location of the district boundary with reference to the scale of the Zoning Map and the purpose set forth in all relevant provisions of this chapter.
- D. Zoning District Changes. All approved changes to zoning districts shall be promptly recorded on the Zoning Map by the Zoning Officer.
- E. Permitted Uses, Conditional Uses and Special Exceptions. The permitted uses, conditional uses and special exceptions for each district are shown in the following tables of this chapter and are considered principal uses unless clearly noted. Conditional uses may be granted or denied by the Board of Township Supervisors with the advice of the Planning Commission in accordance with the express standards and criteria of this chapter. In granting a conditional use, the Supervisors may attach reasonable conditions as they may deem necessary to implement the purposes of this chapter and safeguard the neighborhood. Special exceptions may be granted or denied by the Zoning Hearing Board in accordance with the express standards and criteria of this chapter. In granting a special exception, the Board may attach reasonable conditions and safeguards as it may deem necessary to implement the purpose of this chapter and protect the neighborhood. Uses in each category shall be according to the common meaning of the term or according to definitions set forth in Article 8.

Whenever in any district established under this chapter a use is not specifically permitted within any district and an application is made by a property owner to the Zoning Officer for such use, the Zoning Officer shall refer the application to the Zoning Hearing Board which shall have the authority to permit or deny the proposed use. The use may be permitted if it is similar to and compatible with permitted uses in the district and in no way is in conflict with the general purpose and intent of this chapter or any provision permitting the same; provided, that the same shall comply and follow all regulations for such use.

Section 302 RD Rural Development District

The Rural Development (RD) District is meant to provide for the continuation of agriculture as an important endeavor in the community. It is also meant to provide for residential opportunities in a rural setting and to foster small-scale businesses in a low-density setting, which will contribute to economic self-sufficiency and rural quality of life.

Rural Development District

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Agriculture	Mobile Home Parks (420)
Agriculture Services	Specialized Animal Raising and Care (421)
Home Occupations	Mineral Excavation (417)
Gas and Oil Drilling	Sawmills (412)
Bed and Breakfast	Repair/Service Businesses (408)
Churches	Schools (402)
Professional Offices	Cemeteries (418)
Veterinary Offices	Multiple-Family Dwellings (419)
Family/Group Day Care Homes	Communication Towers (403)
Single-Family Dwellings	Limited Retail Businesses (405)
Public Parks and Recreation	Personal Care Homes (409)
Private Clubs	Mini-Storage Facilities (413)
Golf Courses	Home or Farm-Based Manufacturing (422)
Essential Services	Eating/Drinking Places (408)
Landscaping/Nursery	Sanitary Landfills (414)
Accessory Uses and Structures	Billboards (508.2)
	Recreational Campgrounds (404)

**TABLE 302
RURAL DEVELOPMENT DISTRICT
LOT, YARD, AND HEIGHT STANDARDS**

	Single-Family Dwellings, Family Day Care Homes*	Multiple-Family Dwellings	All Other Uses
Minimum Lot Area	1.5 Acres	1.5 Acres for First Dwelling and 20,000 Square Feet Each Unit	2 Acres
Minimum Lot Width	150 Feet	150 Feet	
Minimum Front Yard	40 Feet	40 Feet	40 Feet
Minimum Side Yard	25 Feet	35 Feet	35 Feet
Minimum Rear Yard	50 Feet	50 Feet	50 Feet
Maximum Height	35 Feet	35 Feet	45 Feet
Maximum Coverage	15%	15%	20%

***These uses with public sewer may follow V-1 village lot standards.**

Section 303 C-1 Commercial District

The C-1 Commercial District is established to provide for businesses that require significant infrastructure and access to interstate interchanges.

C-1 DISTRICT

<u>Permitted Uses</u>	<u>Conditional Uses</u>
Automobile Sales and Service	Commercial Recreation (416)
Hotel/Motel	Sexually Oriented Businesses (423)
Restaurant	Junk Yards (415)
Drive-Through Restaurant	Correctional Facility/Halfway House (424)
Retail Businesses	Heavy Manufacturing (407)
Professional Offices	Communication Towers (403)
Carwash	Truck Terminals/Warehousing/ Distribution (406)
Mini-Storage Facility	Billboards (508.2)
Light Manufacturing	Sanitary Landfills (414)
Airport	
Public Utilities	
Essential Services	
Churches	
Landscaping/Nursery	
Agriculture	
Single-Family Dwellings	
Building Material/Supply Yards	
Equipment Sales and Service	
Shopping Centers	
Personal Services	
Theaters	
Business Services	
Accessory Uses and Structures	

**TABLE 303
C-1 DISTRICT
LOT, YARD, AND HEIGHT REQUIREMENTS**

	With Public Sewer	On-Lot Sewer
Minimum Lot Area	25,000 Square Feet	1 Acre
Minimum Lot Width	100 Feet	100 Feet
Minimum Front Yard	40 Feet	40 Feet
Minimum Side Yard	25 Feet	25 Feet
Minimum Rear Yard	35 Feet	35 Feet
Maximum Height	45 Feet	45 Feet
Maximum Coverage	25%	20%

Section 304 C-2 Commercial District

The C-2 Commercial District is established to provide for businesses which have lower infrastructure needs than the C-1, and also to provide for the protection of all interests in a mixed-use setting, and to plan for the long-term quality of development in the Township.

C-2 District

Permitted Uses

Conditional Uses

Single-Family Dwellings
 Automobile Sales and Service
 Landscaping/Nursery
 Equipment Sales and Service
 Mini-Storage Facility
 Agriculture
 Retail Businesses (Less than 20,000 Square Feet Gross Leasable Area)
 Professional Offices
 Personal Services
 Agricultural Services
 Home Occupations
 Nursing Homes
 Business Services
 Accessory Uses and Structures
 Car Wash
 Churches

Retail Businesses (Greater than 20,000 Square Feet Gross Leasable Area) (425)
 Multiple-Family Dwellings (419)
 Eating/Drinking Places (408)
 Shopping Centers (425)
 Hotel/Motel (426)
 Light Manufacturing (427)
 Theaters (425)

**TABLE 304
 C-2 DISTRICT
 LOT, YARD, AND HEIGHT REQUIREMENTS**

	All Uses
Minimum Lot Area	1 Acre
Minimum Lot Width	100 Feet
Minimum Front Yard	50 Feet
Minimum Side Yard	35 Feet
Minimum Rear Yard	35 Feet
Maximum Height	35 Feet
Maximum Coverage	20%

Section 305 V-Village District

The V-Village District is established to provide for the continuation of a quality mixed-use environment where both residential uses and compatible small-scale businesses can thrive.

V-Village District

Permitted Uses

Conditional Uses

Single-Family Dwellings
 Two-Family Dwellings
 Home Occupations
 Professional Offices
 Limited Retail Businesses
 Family Day Care Homes
 Group Day Care Homes
 Personal Services
 Bed and Breakfast
 Churches
 Essential Services
 Accessory Structures and Uses

Personal Care Homes (409)
 Eating and Drinking Places (408)
 Gasoline Service Stations/Convenience
 Stores/Service and Repair Businesses (408)
 Funeral Parlors (428)
 Day Care Centers (410)
 Retail Businesses (Over 5,000, No Greater
 than 20,000 Square Feet Gross Leasable
 Area) (425)

**TABLE 305
 V-DISTRICT
 LOT YARD AND HEIGHT REQUIREMENTS**

	With Either Public Water or Sewer	On-Lot Water and Sewer
Minimum Lot Area	25,000 Square Feet	1 Acre
Minimum Lot Width	75 Feet	100 Feet
Minimum Front Yard	25 Feet or Average of Adjacent Structures	40 Feet
Minimum Side Yard	15 Feet	25 Feet
Minimum Rear Yard	25 Feet	35 Feet
Maximum Height	35 Feet	45 Feet
Maximum Coverage	25%	20%

ARTICLE 4
CONDITIONAL USES AND SPECIAL EXCEPTIONS

Section 401 Conditional Uses and Special Exceptions

The criteria for Conditional Uses and Special Exceptions are listed below. The Board of Supervisors or the Zoning Hearing Board (as the case may be), in granting Conditional Uses and Special Exceptions, are charged with considering the effect that such proposed uses will have upon the immediate neighborhood. The preservation and integrity of existing development must be carefully weighed and given priority in each decision. In granting a Conditional Use or a Special Exception, the Supervisors or the Zoning Hearing Board (as the case may be) may attach reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as they may deem necessary to implement the purposes of the Pennsylvania Municipalities Planning Code and this Ordinance.

Applications for Conditional Uses and Special Exceptions shall be made to the Zoning Officer. Conditional Uses shall be granted or denied by the Board of Township Supervisors after the recommendation of the Township Planning Commission. Special Exceptions shall be granted or denied by the Zoning Hearing Board. Procedures for both shall follow those specified in this Ordinance and the Planning Code.

Table 401 summarizes standards for conditional uses. Additional standards are listed in subsequent sections. Times listed under Operating Restrictions represent the maximum hours the use may be conducted.

**TABLE 401
RURAL DEVELOPMENT DISTRICT**

Use	Min. Lot Size	Screening/ Buffers	Other Restrictions	Category
Mobile Home Park	5 Acres Total for Park	Type I	See 420	Conditional Use
Specialized Animal Raising and Care	4 Acres	Type I	See 421	Conditional Use
Mineral Excavation	50 Acres	Type I	7 a.m. - 7 p.m. See 417	Conditional Use
Sawmills	10 Acres	Type I	7 a.m. - 7 p.m. See 410	Conditional Use
Service/Repair Businesses	5 Acres	Type II	7 a.m. - 7 p.m. See 408	Conditional Use
Schools	5 Acres	Type I	See 402	Conditional Use
Cemeteries	5 Acres	None	See 418	Conditional Use
Multi-Family Dwellings	See Table 302	None	See 419	Conditional Use
Communication Towers	1 Acre	Type II	See 403	Conditional Use
Limited Retail Businesses	2 Acres	Type III	7 a.m. - 7 p.m. See 405	Conditional Use
Personal Care Homes	2 Acres	None	See 409	Conditional Use
Mini-Storage Facilities	5 Acres	Type III	7 a.m. - 7 p.m. See 413	Conditional Use
Home/Farm-Based Manufacturing	5 Acres	None	7 a.m. - 7 p.m. See 422	Conditional Use
Eating/Drinking Places	2 Acres	None	7 a.m. - 7 p.m. See 408 Max. Building Size 25,000 Sq. Ft.	Conditional Use
Recreational Campgrounds	40-Acre Property Min.	Type I	See 404	Conditional Use

C-1 COMMERCIAL DISTRICT

Use	Min. Lot Size	Screening/ Buffering	Operating Restrictions	Category
Commercial Recreation (all types)	2 Acres (Indoor) 6 Acres (Outdoor or Intensive)	See 416	See 416	Conditional Use
Sexually Oriented Businesses	2 Acres	None	See 423	Conditional Use
Junk Yards	10 Acres	Type II	7 a.m. - 7 p.m. See 415	Conditional Use
Correctional Facility/Halfway House		Type I	See 424	Conditional Use
Heavy Manufacturing	10 Acres	Type II	See 407 Maximum Building Size 200,000 Sq. Ft.	Conditional Use
Communication Towers	1 Acre	Type I	See 403	Conditional Use
Truck Terminals/ Warehousing	10 Acres	Type II	See 406	Conditional Use
Sanitary Landfills	15 Acres	Type III	See 414	Conditional Use

C-2 COMMERCIAL DISTRICT

Use	Min. Lot Size	Screening/ Buffers	Operating Restrictions	Category
Retail Businesses 20,000+ Sq. Ft. Shopping Centers and Theaters	2 Acres	Type III	7 a.m. - 9 p.m. Maximum Building Size 80,000 Sq. Ft. See 425	Conditional Use
Multiple-Family Dwellings	2 Acres	Type I	See 419 Maximum Building Size 12,000 Sq. Ft.	Conditional Use
Eating/Drinking Places	2 Acres	Type III	7 a.m. - 9 p.m. See 408 Maximum Building Size 25,000 Sq. Ft.	Conditional Use
Hotel/Motel	2 Acres	Type II or III	See 426	Conditional Use
Light Manufacturing	2 Acres	Type II	See 427	Conditional Use

V VILLAGE DISTRICT

Use	Min. Lot Size	Screening/ Buffers	Operating Restrictions	Category
Personal Care Homes	2 Acres	None	See 409	Conditional Use
Eating/Drinking Places	2 Acres	Type III	See 408 Maximum Building Size 12,000 Sq. Ft.	Conditional Use
Service/Repair Businesses	2 Acres	Type I	7 a.m. - 9 p.m. See 408 Maximum Building Size 8,000 Sq. Ft.	Conditional Use
Day Care Centers	2 Acres	Type I	See 410 Maximum Building 8,000 Sq. Ft.	Conditional Use
Retail Businesses 5,000-20,000 Sq. Ft.	5,000-10,000 Sq. Ft. - 2 Acres 10,000 - 5 Acres	Type I	7 a.m. - 9 p.m. See 405 Maximum Building Size 20,000 Sq. Ft.	Conditional Use
Funeral Parlor	1 Acre	None	See 428	Conditional Use

Section 402 Churches, Schools, Hospitals and Nursing Homes:

- A. Shall provide all parking and loading/unloading requirements as required by this Ordinance.
- B. Shall be located on a paved public street with a minimum cartway width of twenty-four (24) feet.
- C. The design and landscaping shall be compatible with and preserve the character of adjoining residential uses.
- D. All parking and recreation/play areas that abut residential uses shall provide screen planting.
- E. Any outdoor lighting shall be designed to prevent glare to adjoining properties.
- F. Such uses shall have, and present, all needed local, county, state or federal permits, or applications for needed permits. If needed permits are in the

application stages, the final approval for same shall be a condition prior to issuing a Certificate of Occupancy.

Section 403 Public Utilities/Communication Towers

- A. The applicant shall demonstrate that it is licensed by the Federal Communications Commission to operate a communications tower, if applicable, and communication antennas.
- B. The applicant shall demonstrate that the proposed communications tower and communications antennas proposed to be mounted thereon comply with all applicable standards established by the Federal Communications Commission governing human exposure to electromagnetic radiation.
- C. Communication towers shall comply with all applicable Federal Aviation Administration, Commonwealth Bureau of Aviation and applicable Airport Zoning Regulations. Towers must comply with the Springfield Township Subdivision and Land Development Ordinance as a subdivision for lease.
- D. Any applicant proposing construction of a new communications tower shall demonstrate that a good faith effort has been made to obtain permission to mount the communications antennas on an existing building, structure or communications tower. A good faith effort shall require that all owners of potentially suitable structures within a one-quarter (1/4) mile radius of the proposed communications tower site be contacted and that one (1) or more of the following reasons for not selecting such structure apply:
 - 1. The proposed antennas and related equipment would exceed the structural capacity of the existing structure and its reinforcement cannot be accomplished at a reasonable cost.
 - 2. The proposed antennas and related equipment would cause radio frequency interference with other existing equipment for that existing structure and the interference cannot be prevented at a reasonable cost.
 - 3. Such existing structures do not have adequate location, space, access or height to accommodate the proposed equipment or to allow it to perform its intended function.
 - 4. Addition of the proposed antennas and related equipment would result in electromagnetic radiation from such structure exceeding applicable standards established by the Federal Communications

Commission governing human exposure to electromagnetic radiation.

5. A commercially reasonable agreement could not be reached with the owners of the structure.

Access shall be provided to the communications tower and communications equipment building by means of a public street or easement to a public street. The easement shall be a minimum of twenty (20) feet in width and shall be improved to a width of at least ten (10) feet with a dust-free, all weather surface for its entire length.

A communications tower may be located on a lot occupied by other principal structures and may occupy a leased parcel within a lot meeting the minimum lot size requirements for the zoning district.

The applicant shall demonstrate that the proposed height of the communications tower is the minimum height necessary to perform its function.

Unless pre-empted by airport zoning, the maximum height of any communications tower shall be two hundred fifty (250) feet; provided, however, that such height may be increased to no more than three hundred (300) feet, provided the required setbacks from adjoining property lines (not lease lines) are increased by one (1) foot for each one (1) foot of height in excess of two hundred fifty (250) feet.

The foundation and base of any communications tower shall be set back from a property line (not lease line) with any residential use at least one hundred (100) feet and shall be set back from any other property line (not lease line) at least fifty (50) feet.

The base of a communications tower shall be landscaped so as to screen the foundation and base and communications equipment building from abutting properties.

The communications equipment building shall comply with the required yards and height requirements of applicable zoning district for an accessory structure.

The applicant shall submit certification from a Pennsylvania registered professional engineer that a proposed communications tower will be

designed and constructed in accordance with the current Structural Standards for Steel Antenna Towers and Antenna Supporting Structures, published by the Electrical Industrial Association/Telecommunications Industry Association.

The applicant shall submit a copy of its current Federal Communications Commission license; the name, address and emergency telephone number for the operator of the communications tower; and a Certificate of Insurance evidencing general liability coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence and property damage coverage in the minimum amount of one million dollars (\$1,000,000) per occurrence covering the communications tower and communications antennas.

All guy wires associated with guyed communication towers shall be clearly marked so as to be visible at all times and shall be located within a fenced enclosure.

The site of a communications tower shall be secured by a fence with a maximum height of eight (8) feet to limit accessibility by the general public.

No signs or lights shall be mounted on a communications tower, except as may be required by the Federal Communications Commission, Federal Aviation Administration or other governmental agency that has jurisdiction.

If a communications tower remains unused for a period of twelve (12) consecutive months, the owner or operator shall dismantle and remove the communications tower within six (6) months of the expiration of such twelve (12) month period.

One (1) off-street parking space shall be provided within the fenced area.

Section 404 Recreational Campgrounds

Such uses are commercial in nature, normally seasonal but do have a high impact potential. They are also regulated by the Springfield Township Subdivision and Land Development Ordinance and must comply with all provision of that Ordinance. Such uses shall:

- A. Provide evidence of compliance with Department of Environmental Protection Standards for water and sanitary sewer facilities.
- B. Provide evidence of approved solid waste removal.

Section 405 Limited Retail Business

The purpose of this use is to allow smaller retail operations in a rural or village environment. Such uses shall:

- A. Provide all parking as required by this Ordinance on lot.
- B. All compressors shall be so enclosed as to baffle their sound from surrounding uses.
- C. All dumpsters and or garbage/trash storage areas shall be enclosed.
- D. All signage shall be lit by indirect means.
- E. No building shall exceed five thousand (5,000) square feet GFA in the RD – Rural Development or twenty thousand (20,000) square feet in the V – Village District.

Section 406 Warehousing and Distribution, Truck Terminals

Such uses are permitted subject to the following requirements:

- A. Side and rear yards shall be increased by twenty (20) feet.
- B. All outdoor storage shall be in side yards (behind the front lot line) or in the rear yard.
- C. Access to roads and highways shall be clearly defined.
- D. All parking, loading and unloading facilities shall be clearly designed so motor vehicles will not be required to back into or from streets or roads when parking or leaving the premises.

Section 407 Heavy Manufacturing

Heavy manufacturing shall be located where the emission of objectionable gases, fumes, smoke or dust will not be objectionable to established permitted uses nearby or is controlled by the installation of special equipment. Outside storage yards abutting or immediately across a street from any residential or retail commercial use shall be screened. They shall meet all performance standards set forth in Section 506.

**Section 408 Eating/Drinking Places, Service Stations, Service and Repair
Businesses, Convenience Stores**

- A. Any fuel pumps shall be at least thirty (30) feet from any road right-of-way and at least thirty (30) feet from a side lot line.
- B. No vehicles will be parked or stored within setback lines, except on a short-term basis (less than twelve [12] hours).
- C. There shall be no outdoor storage of new or used parts, scrap parts, unlicensed vehicles, parts of vehicles, tires or vehicles which lack current Pennsylvania inspection stickers. The overnight parking of customer vehicles and the screened storage of approved trash containers shall be permitted.
- D. All lighting shall be indirect, or designed to prevent glare to neighboring properties.
- E. All compressors shall be enclosed to muffle their sound from surrounding uses.
- F. All underground storage tanks shall be in compliance with all Federal or State regulations. Any tanks remaining unused for a period of six (6) months shall be removed by the owner of record.

Section 409 Personal Care Homes

The purpose of such homes is to provide residences for individuals in a home-like setting. Consequently, it is essential to maintain an exterior appearance that is in harmony with surrounding residences. Personal care homes are facilities which offer food, shelter and personal assistance for a period of more than twenty-four (24) consecutive hours for four (4) or more adult residents who are not relatives of the operator and where the residents do not require hospitalization or nursing facility care. In addition, such uses shall meet the following conditions:

- A. There shall be no sign or exterior display beyond the name of the home or its use.
- B. At least one (1) additional on-lot parking space shall be provided for each two (2) guests.

- C. No home in the R-D or V District shall admit more than eight (8) guests/clients at any one time.
- D. Required local, county and/or state certifications shall be presented to the Board. Specially included are to be applicable permits from the Pennsylvania Departments of Welfare.

Section 410 Group Day Care Homes and Day Care Centers

Day Care Services for Children have three (3) separate types (see Article 7 for definitions), Family Day Care Homes, Group Day Care Homes and Day Care Centers. The latter use shall be allowed as a Conditional Use providing the following criteria are met:

- A. Any outdoor play area shall be effectively fenced from access to abutting properties or streets with a solid or opaque fence of at least four (4) feet in height.
- B. For all new construction, and where feasible for existing structures, circular driveways shall be provided to deliver and pick up children. These will be for the safety of the children and the protection of the neighborhood. In any event, there shall be an off-street area for loading/unloading children.
- C. One (1) parking space for each employee shall be required.
- D. The operator shall secure and keep current all permits from the Commonwealth or other licensing agencies.

Section 411 Bed and Breakfast

Such uses are intended to provide overnight or short-term accommodations for transient guests in a home-like atmosphere. They must meet the following regulations:

- A. No more than four (4) guest rooms will be permitted.
- B. One (1) off-street parking space for each guest room shall be required.

Section 412 Sawmills

Such uses shall:

- A. Sawmills shall be set at least fifty (50) feet from the setback line and at least seventy-five (75) feet from the side or rear setback lines.
- B. There shall be no storage of logs or lumber within twenty-five (25) feet of any setback line.

Section 413 Mini-Storage Facilities

These structures are also known as self-service storage facilities and consist of one or more larger buildings which are divided into small separate units. These units, often the size of a single garage, are then rented for storage, normally for personal goods. Such uses must adhere to the following regulations:

- A. There shall be no outdoor storage of any type, at any time.
- B. In addition to the required side and rear yards, an additional ten (10) foot buffer yard shall be required. This buffer yard is to be planted in evergreen trees to provide a visual buffer to surrounding properties.
- C. Each such facility shall be serviced by at least two (2) well-marked driveways of fifteen (15) feet in width.
- D. The entire complex shall be surrounded by a security fence at least six (6) feet but not greater than eight (8) feet in height. Said fence shall be no closer to any lot line than ten (10) feet.
- E. There shall be no rental of space for active uses, such as gatherings or music practice.

Section 414 Sanitary Landfills

Sanitary landfills shall be permitted only as a Conditional Use. Plans for sanitary landfills shall be approved and controlled by the Pennsylvania Department of Environmental Protection (PennDEP), the laws and regulations of the Commonwealth and appropriate laws and regulations of the United States of America. Operators of sanitary landfills shall file with the Board written proof that they have met all permit requirements of the state and/or federal government as they may apply to a specific development.

- A. Local requirements which must be met prior to permit approval by the Board include:

1. A buffer yard of two hundred fifty (250) feet from all public rights-of-way and four hundred (400) feet from all dwellings, schools, churches, hospitals and similar residential uses.
2. A barrier of natural forestry at a width of one hundred (100) feet or an eight (8) foot high cyclone type fence with panel weaving or similar solid fencing shall parallel all public rights-of-way and adjacent properties for purposes of preventing the passing of wind blown litter and preventing direct visibility of the working area from public rights-of-way and adjoining properties.
3. The barrier shall be at a minimum distance of seventy-five (75) feet from all operations, and the area between the work area and barrier shall consist of a natural cover of vegetation or forestry. This strip shall not be of barren soil.
4. The landfill shall have no more than two (2) access routes, unless the landfill property borders three (3) or more public rights-of-way. In such an event, approval by the Township Supervisors will be necessary to secure an additional access route.
5. A bond will be filed with the Township Supervisors, at an amount deemed necessary by the Board of Supervisors, to provide for protection of Township roads which may be used for access to this landfill.
6. The operator shall submit to the Board for approval a plan for the restoration of the landfill area which shall include anticipated future use of the restored land.
7. All such proposed uses shall be on a lot of no less than fifteen (15) acres.

Section 415 Junk Yards

Shall comply with the following requirements:

- A. All lots shall be at least two (2) acres in size.

- B. There shall be no storage of scrap, machinery or equipment of any kind in the setback areas.
- C. All yard spaces shall be increased ten (10) feet.
- D. The processing or storage of hazardous materials as the same are defined by the Department of Environmental Protection shall not be permitted.
- E. The facility will obtain an annual license as required by the Township.

Section 416 Commercial Recreation

These particular uses by their nature can generate noise or excessive activity adversely affecting neighboring properties. Standards shall be based upon the type of activities.

Indoor uses shall:

- A. Maintain a lot of at least two (2) Acres.
- B. Have no outdoor speakers, with the exception of emergency public address speakers.
- C. Present evidence of compliance with Labor and Industry (PA) building regulations.

Outdoor uses shall:

- A. Maintain a lot of at least six (6) Acres.
- B. Present a Plan for the use, time and duration of any Outdoor Speakers. Outdoor speakers may not be employed for musical performances. Outdoor speakers may not be employed for non-emergency use between the hours of 10:00 PM and 7:00 AM.
- C. Safety Fencing of at least four (4) feet in height shall be provided to enclose all spaces utilized for outdoor activities that abut a public road or street or commercial parking lot.
- D. All yards that abut a village or rural development district shall employ an opaque fence of at least eight (8) feet in height, in addition the area shall be planted with Type I screening unless an alternate landscape plan as

provided for under Section 513 is recommended to be approved by the Planning Commission and approved by the Board of Supervisors.

- E. All side yards shall be increased by ten (10) feet.
- F. Present evidence of compliance with Labor and Industry (PA) building regulations.
- G. Outdoor lighting shall be shielded to prevent glare to neighboring properties.

Intensive Uses shall:

- A. Maintain a lot of at least six (6) Acres.
- B. Increase all yard setbacks by fifty (50) feet.
- C. No intensive use shall directly abut a village or rural development district.
- D. Intensive Uses shall maintain Type III Screening on all yard areas.
- E. Hours of operation shall not commence before 8:00 AM, and continue past 10:00 P.M.
- F. Outdoor lighting shall be shielded to prevent glare to neighboring properties.
- G. Present evidence of compliance with Labor and Industry (PA) building regulations.

Section 417 Mineral Excavation

Mineral extraction and mining, including coal, sand, gravel, limestone, clay and similar open-pit surface mining as well as oil and gas drilling operations shall:

- A. Show compliance with all applicable State and/or Federal regulations. Specifically, all needed permits from the Pennsylvania Department of Environmental Protection shall be presented to the Township prior to issuing a Certificate of Occupancy. Said permits must be fully approved and valid.

- B. No surface mining operation shall be conducted within:

One hundred (100) feet of a property line.

One hundred fifty (150) feet of a neighboring residence.

One hundred fifty (150) feet of a water well on a neighboring property.

Section 418 Cemeteries

The purpose of cemeteries, under this Ordinance, is to provide a proper burial ground for persons. All uses and activities must be clearly and customarily incidental to this use. Prior to the establishment of a new facility or expansion of an existing cemetery, the owner shall:

- A. File a site plan to demonstrate the design and layout of the proposed cemetery or cemetery expansion and specifically illustrating: the proposed drainage plan, the internal circulation plan, and the location of accessory building(s).
- B. Connections to existing Township streets will be no closer than fifty (50) feet to a street intersection, fifteen (15) feet to a fire hydrant, thirty (30) feet to a driveway on the same side of the street and shall avoid streets or driveways opposite proposed means of ingress and egress.
- C. Shall demonstrate compliance with applicable state laws.
- D. All accessory uses must be clearly incidental and subordinate to the function of the cemetery.
- E. All new facilities shall have a size of at least five (5) acres.

Section 419 Multiple-Family Dwelling

Shall:

- A. Not exceed a density greater than five (5) units per acre without public sewer and eight (8) units per acre with public sewer.

- B. Provide evidence they have passed all applicable regulations for on-lot sewage disposal.

Section 420 Mobile Home Parks

The proposed park shall meet all applicable requirements of the Springfield Township Subdivision Regulations applied to mobile home parks. In addition, the park shall:

- A. Show evidence of compliance with Department of Environmental Protection regulations.
- B. Be screened from abutting residential uses (Type I).
- C. All mobile homes within the park must meet the following standards for tie-downs/anchoring. Three types of foundation will be acceptable:
 - 1. A foundation similar to that of traditional homes (footers below the frost line).
 - 2. Concrete block leveled and installed per the mobile home manufacturer's instructions.
 - 3. Cylinder jack piers bolted to the mobile home's I-beams and set into reinforced concrete pads.
- D. If either foundation (c)(2) or (c)(3) is employed, the unit shall have skirting continuously in that area between ground level and the mobile home. This skirting will be of a type and material suitable for such a purpose, and shall be maintained.

Section 421 Specialized Animal Raising and Care

While the Township recognizes the importance of these endeavors, their intensity makes them a Special Exception. Such facilities shall:

- A. Have a minimum space of two (2) acres.
- B. No pens or runs shall be closer than seventy-five (75) feet from neighboring lot lines.
- B. If containing runs for more than seventy-five (75) birds or mammals, provide evidence that waste products or manure will not create a malodorous nuisance.

- C. Provide evidence of meeting all applicable State codes and licenses.

Section 422 Home and Farm-Based Manufacturing

Shall be permitted as a Conditional Use, provided:

- A. Shall increase all side and rear yards by twenty-five (25) feet in those instances where they abut residential uses.
- B. Shall have no more than five (5) employees.

Section 423 Sexually Oriented Businesses

These businesses have potential negative impacts upon the community, including:

Sexually oriented businesses are frequently used for unlawful sexual activities, including prostitution and sexual liaisons of a casual nature.

The concern over sexually transmitted diseases is a legitimate health concern of the Township, which demands reasonable regulation of sexually oriented businesses in order to protect the health and well being of the citizens.

There is convincing documented evidence that sexually oriented businesses, because of their very nature, have a deleterious effect on both the existing businesses around them and the surrounding residential areas adjacent to them, causing increased crime and the downgrading of property values.

Sexually oriented businesses, due to their nature, have serious objectionable operational characteristics, particularly when they are located in close proximity to each other, thereby contributing to neighboring blight and downgrading the quality of life in the adjacent area.

Permitting and/or licensing is a legitimate and reasonable means of accountability to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators of sexually oriented businesses comply with reasonable regulations and to ensure that operators do not knowingly allow their establishments to be used as places of illegal sexual activity or solicitation. However, it is not the intent of this Ordinance to suppress any speech activities protected by the First Amendment, but to enact a content neutral ordinance, which addresses the secondary effects of sexually oriented businesses. Nor is it the intent of the Township to condone or legitimize the distribution of obscene material.

Sexually oriented businesses as defined herein shall be permitted in the C-1 Highway Commercial District as a Conditional Use, provided:

- A. The proposed sexually oriented business does not lie within one thousand five hundred (1,500) feet of:
 - 1. A church;
 - 2. A public or private pre-elementary, elementary, or secondary school;
 - 3. A public library;
 - 4. A child-care facility or nursery school;
 - 5. A public park adjacent to any resident district;
 - 6. A child-oriented business.
- B. The proposed sexually oriented business does not lie within five hundred (500) feet of another sexually oriented business.
- C. Compliance with all other applicable local codes and licenses is presented to the Township Supervisors.
- D. To avoid the isolation which causes adverse effects, the sexually oriented businesses shall be located in a shopping center with at least one (1) other non-sexually oriented business.

Section 424 Correctional Facility or Halfway House

- A. Shall present the Township Supervisors with a security plan which takes into account the safety of Township residents.
- B. Does not lie within one thousand five hundred (1,500) feet of:
 - 1. A church;
 - 2. A public or private pre-elementary, elementary, or secondary school;
 - 3. A public library;

4. A child-care facility or nursery school;
 5. A public park adjacent to any resident district;
 6. A child-oriented business.
- C. Does not abut a pre-existing single-family home.

Section 425 Retail Business

These are conditional uses in the C-2 District. These uses shall:

- A. Provide means of direct auto access to neighboring retail developments, eating and drinking places, or commercial recreation without entering an existing through-street. This access may be curb cuts to abutting parking areas or by a secondary access road. In some cases, pedestrian footpaths will be allowed.
- B. Shall add five (5) foot of buffer yard per two thousand (2,000) feet GFA to every side or rear yard over five thousand (5,000) square feet.
- C. All compressors shall be enclosed to baffle their sound from surrounding uses.
- D. Trash pick up of dumpsters shall be pre-arranged and timed to make the least possible noise impact on neighboring residential use.
- E. Meet the performance standards of Section 512 (C-2 – Commercial District) of this Ordinance.

Section 426 Hotel/Motel

- A. Shall not rent or lease rooms for any period less than twelve (12) hours.
- B. Shall meet all applicable standards of Section 425 of this Ordinance.

Section 427 Light Manufacturing

- A. Shall show through a description of activities that it can meet all performance standards of Section 506 of this Ordinance.

Section 428 Funeral Parlors

- A. Shall show evidence of safe disposal of all processing waste and fluids.

B. Shall present a plan to meet applicable parking restrictions in this Ordinance.

ARTICLE 5
SUPPLEMENTARY REGULATIONS

Section 501 Nonconforming Uses and Structures

The following provisions shall apply to all nonconforming uses and structures. It is the intention of Springfield Township that all legal nonconforming uses and structures shall be able to continue; however, all changes in such uses shall only be as allowed in this Article.

501.1 Any nonconforming use may be continued, or may be changed to a use of the same or a more restrictive classification, but may not be extended or expanded unless to a conforming use, except as permitted by the Board in accordance with the provisions of this Ordinance.

501.2 Any nonconforming building which has been damaged or destroyed by fire or any other means may be reconstructed and used as before, if intent to rebuild is expended within six (6) months of discontinuance of use and if the restored building covers no greater area and contains no greater cubic content. If approved by the Board, a reconstructed structure may exceed its original lot coverage and cubic content but must meet the minimum yard requirements of the district in which the structure is located, and in such cases it must meet the off-street parking and loading requirements of this Ordinance.

501.3 In the event that any nonconforming use voluntarily ceases, for whatever reasons, for a period of one (1) year, such nonconforming use shall not be resumed and any further use shall be in conformity with the provisions of this Ordinance.

501.4 The nonconforming use of a building may be extended throughout those parts thereof which were manifestly arranged or designed for such use at the time of adoption of this Ordinance. A nonconforming building or structure may, with the approval of the Board, be extended, enlarged or replaced if such expansion does not occupy an area greater than fifty (50%) percent more than the structure occupied prior to such expansion, enlargement or reconstruction. Furthermore, such structures must meet the minimum yard regulations and height restrictions of the district in which the structure is located, and must meet all off-street parking and loading requirements of this Ordinance.

501.5 Nothing contained herein shall require any change in the overall layout, plans, construction, size or designated use of any development, building, structure or part thereof for which official approval and required permits have been granted prior to the effective date of this Ordinance.

501.6 Once changed to a conforming use, no structure or land shall be permitted to revert to a nonconforming use.

501.7 Whenever the boundaries of a district shall be changed so as to transfer an area from one district to another of a different classification, this Article shall also apply to any uses which thereby become nonconforming.

Section 502 Existing Lots of Record

Any lot of record existing at the effective date of this Ordinance, and held in separate ownership different from the ownership of adjoining lots, may be used for the erection of a structure conforming to the use regulations of the district in which it is located even though its lot area and width are less than the minimum required by this Ordinance, however, such lot must comply with the yard, height and coverage standards of the zoning district wherein it is located. Where two (2) or more adjacent lots of record with less than the required area and width are held by one (1) owner, on or before the date of enactment of this Ordinance, the request for a permit shall be referred to the Zoning Hearing Board which may require replatting to fewer lots, which would comply with the minimum requirements of this Ordinance.

Section 503 Application of Yard Regulations

503.1 In the V-Village District, where a structure exists on an adjacent lot and is within one hundred fifty (150) feet of the proposed structure, and the existing structure has a front yard less than the minimum depth required, the minimum front yard shall be the average depth of the front yard of the existing structure on the adjacent lot and the minimum depth required for the district; where structures exist on both adjacent lots, the minimum depth of the front yard shall be the average depth of the front yards of the existing adjacent structures.

503.2 All structures, whether attached to the principal structure or not, and whether open or enclosed, including porches, carports, balconies or platforms above normal grade level, shall not project into any minimum front, side or rear yards except as noted in Section 503.3, Section 503.4, and Section 503.5.

503.3 A wall or fence under six (6) feet in height and paved terraces without walls, roofs or other enclosures may be erected within the limits of any yard. Retaining walls and fences required for screening under this Ordinance are not subject to the six (6) foot high limitation. Fences may be permitted in front yard areas provided they are no higher than four (4) feet and do not impinge on the required free sight triangle at intersections. Fences for safety purposes or containment of livestock and do not block public road or driveway lines of site are exempt from these provisions.

503.4 Swimming pools shall be permitted in yard areas, provided that the pool is located not less than ten (10) feet from lot line. All swimming pools shall be enclosed by a permanent fence at least four (4) feet in height. Above-ground pools may use a combination of sides and screen to reach the required height.

503.5 Small garden sheds, storage sheds and similar structures may be permitted in yard areas, provided such structure does not exceed one hundred forty-four (144) square feet and lies no closer than ten (10) feet to an abutting lot line.

503.6 Unattached Accessory Structures for Single-Family Residential Dwellings: A single-story accessory structure which is not attached to the principal structure on the lot by means of common wall or connecting permanent roof, may be erected within one of the side yards or within the rear yard in accordance with the following requirements:

- a. Front yard - forty (40) feet
- b. Side yard [interior lot] - fifteen (15) feet
- c. Side yard [lot abutting two (2) public streets] - same as for principal structure
- d. Rear yard – three (3) feet; if fronting on an alley - fifteen (15) feet rear
- e. Not closer to a principal structure than ten (10) feet.

However, any such accessory structure in excess of one hundred forty-four (144) square feet so erected shall submit to the Zoning Officer a plan for drains, gutters, sumps, or grading which will assure no runoff from the building will enter a neighboring property.

Attached Accessory Structures in R-Districts. When an accessory structure is attached to the principal building, it shall comply in all respects with the requirements of this Ordinance applicable to the principal building.

Section 504 Temporary Structures

Temporary structures in conjunction with construction work shall be permitted only during the period that the construction work is in progress. Permits for temporary structures shall be issued for a six (6) month period. Temporary structures are subject to all use and setback requirements.

Section 505 Height Limitations:

When the following conditions are met, height limits may be increased:

505.1 Structure height, in excess of the height permitted above the average ground level allowed in any district may be increased, provided all minimum front, side and rear yard depths are increased by one (1) foot for each additional foot of height; however, such increase shall be limited to no more than ten (10) additional feet.

505.2 The following structures are exempt from height regulations provided they do not constitute a hazard: church spires, chimneys, elevator bulk heads, smoke stacks, conveyors, flag poles, agricultural barns, silos and similar farm structures, standpipes, elevated water tanks, derricks and similar structures.

However, for the above structures, all yard and set-back requirements must be met; in addition, any structure with a height in excess of fifty (50) feet will be first referred to the Springfield Township Volunteer Fire Department for a review and comments relative to public safety considerations. Such comments shall be considered by the Board.

Section 506 Performance Standards

No use of land or structure in any district shall involve, or cause, any condition or material that may be dangerous, injurious, or noxious to any other property or person in the Township. Furthermore, every industrial or commercial use of land or structure in any district must observe the following performance requirements:

506.1 Fire Protection: Fire protection and fighting equipment acceptable to the Board of Fire Underwriters shall be readily available when any activity involving the handling or storage of flammable or explosive material is carried on.

506.2 Electric Disturbance: No activity shall cause electrical disturbances adversely affecting radio, television or other communication equipment in the neighboring area.

506.3 Noise: Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except for fire sirens and related apparatus used solely for public safety purposes.

506.4 Odors: In any district, no malodorous gas or matter shall be permitted which is discernible on any adjoining lot or property.

506.5 Air Pollution: No pollution of air by fly-ash, dust, vapors or other substances shall be permitted which is harmful to health, or to animals, vegetation or other property.

506.6 Glare: Lighting devices which produce objectionable direct or reflected glare on adjoining properties or thoroughfares shall not be permitted.

506.7 Erosion: No erosion by wind or water shall be permitted which carry objectionable substances onto neighboring properties.

506.8 Water Pollution: No permit shall be issued until all applicable wastewater, stormwater or erosion/sedimentation control permits have been obtained.

506.9 To further protect property from noxious and malodorous nuisances, and provide for protection, outdoor open burning of any paper, brush, refuse, or similar material is prohibited in the C-1 – Commercial District.

Section 507 Off-Street Loading and Parking

Off-street loading and parking space shall be provided in accordance with the specifications in this section in all districts, whenever any new use is established or an existing one is enlarged.

507.1 Off-Street Loading: Every use listed in the following table shall provide off-street loading berths in accordance with its size.

OFF-STREET LOADING SPACE REQUIREMENTS

<u>Use</u>	<u>First Berth</u>	<u>Second Berth</u>
Industrial:		
Manufacturing	5,000	50,000
Warehouse	10,000	50,000
Storage	10,000	50,000
Commercial:		
Wholesale	20,000	50,000
Retail	20,000	40,000
Service Establishment	30,000	60,000
Restaurants	40,000	80,000
Office Building	40,000	100,000
Hotel	10,000	100,000
Institutional:		
Schools	10,000	100,000
Hospitals	50,000	100,000
Nursing Homes	50,000	100,000
Public Buildings:		
Auditoriums	30,000	100,000
Arenas	30,000	100,000

Note: All figures are given in gross feet of floor area for each listed use.

507.1(a) Size and Access: Each off-street loading space shall be not less than ten (10) feet in uniform width and sixty-five (65) feet in length. It shall be so designed so the vehicles using loading spaces are not required to back onto a public street or alley. Such spaces shall abut a public street or alley or have an easement of access thereto.

507.2 Off-Street Parking:

507.2(a) Size and Access: Off-street parking spaces shall have an area determined by their use. In the case of multi-family dwellings, mobile home parks, industrial and manufacturing establishments, warehouses, wholesale, and truck terminals, each space shall be not less than one hundred forty-four (144) square feet, being at least eight (8) feet wide and

eighteen (18) feet long. For all other uses, each space shall have a uniform area of one hundred eighty (180) square feet, being at least ten (10) feet wide and eighteen (18) feet long. These uniform sizes shall be exclusive of access drives or aisles, and shall be in usable shape and condition. Except in the case of single-family dwellings, no parking area shall contain less than three (3) spaces. Parking areas shall be designed to provide sufficient turnaround area so that vehicles are not required to back onto public streets. Where an existing lot does not abut on a public or private street, alley or easement of access, there shall be provided an access drive leading to the parking or storage areas or loading spaces. Such access drive shall be consistent with requirements for private streets in the Springfield Township Subdivision and Land Development Ordinance. Access to off-street parking areas shall be limited to well-defined locations, and in no case shall there be unrestricted access along a street.

507.2(b) Off-Street Parking: Off-street parking lots in excess of twenty thousand (20,000) square feet shall meet the following standards for storm water management:

1. Minimum planting strips of ten (10) feet between the parking lot and all lot lines to be planted with one (1) hardwood or coniferous tree per each two (2) parking spaces or combination thereof. Trees which die shall be replaced annually. Eight percent (8%) of the total interior space shall be devoted to interior planting strips to be maintained in trees, shrubbery, annual plants or similar pervious dust- and mud-free material.

507.2(c) Number of Parking Spaces Required: The number of off-street parking spaces required is set forth below. Where the use of the premises is not specifically mentioned, requirements for similar uses shall apply. If no similar uses are mentioned, the parking requirements shall be one (1) space for each two (2) proposed patrons and/or occupants of that structure. Where more than one (1) use exists on a lot, parking regulations for each use must be met, unless it can be shown that peak times will differ.

PARKING

USE SPACES

REQUIRED PARKING

1. Auto Sales and Service	1 for each 200 square feet GFA
2. Service Stations	1 for each 200 square feet GFA
3. Single-Family Dwelling and Duplex	2.0 per dwelling unit
4. Multi-Family Dwelling	2.5 per dwelling unit*
5. Mobile Home Parks	2.0 per each space
6. Hotels and Motels	1 per guest room**
7. Funeral Home and Mortuaries	25 for the first parlor 10 for each additional parlor
8. Hospitals	1 per each bed**
9. Nursing Homes	1 per each 3 beds**
10. Churches	1 per each 4 seats
11. Schools	1 per each teacher and staff 1 for each 4 classrooms + 1 for each 4 high school students
12. Sports Arenas, Stadiums Theaters, Auditoriums, Assembly Halls	1 per each 3 seats
13. Community Buildings, Social Halls, Dance Halls, Clubs and Lodges	1 space for each 60 square feet of public floor area
14. Roller Rinks	1 space for each 200 square feet GFA
15. Bowling Alleys	5 per alley
16. Banks and Offices	1 for each 250 square feet GFA
17. Medical Office and Clinics	8 spaces per doctor
18. Dental Offices	5 spaces per doctor
19. Retail Stores	1 per each 200 square feet GFA
20. Fast Food/Drive-Thru Restaurants	1 per each 2 patron seats**
21. Furniture Stores	1 per each 400 square feet GFA
22. Food Supermarkets	1 per each 200 square feet GFA
23. Trailer and Monument Sales	1 per each 2,500 square feet of lot area
24. Restaurants, Taverns and Nightclubs	1 for each 2.5 patron seats
25. Industrial and Manufacturing Establishments, Warehouses, Wholesale and Truck Terminals	1 space per employee, on the largest shift, plus 1 spare for each 10,000 square feet for visitors
26. Commercial Recreation (not otherwise covered)	1 space for every 3 persons permitted in maximum occupancy

*Multi-family units devoted to the elderly shall only be required to provide .5 parking spaces per unit. Such uses must supply adequate proof they will be dedicated to elderly tenants and shall be required to follow normal parking standards if they revert to non-elderly use.

**Plus one (1) space per employee and staff on major shift.

Note: GFA means gross floor area.

507.2(d) Location and Parking: Required parking spaces shall be located on the same lot with the principal use. The Zoning Hearing Board may permit parking spaces to be located not more than two hundred (200) feet from the lot of the principal use, if located in the same zoning district as the principal use, and the Board finds that it is impractical to provide parking on the same lot with the principal use.

507.2(e) Screening and Landscaping: Off-street parking areas for more than five (5) vehicles, and off-street loading areas, shall be effectively screened on any side which adjoins a residential district (see definition of Screening) or use. In addition, there shall be a planting strip of at least five (5) feet between the front lot line and the parking lot. Such planting strip shall be suitably landscaped and maintained.

507.2(f) Minimum Distance and Setbacks: No off-street loading or parking area for more than five (5) vehicles shall be closer than ten (10) feet to any adjoining property line containing a dwelling, residential district, school, hospital, or similar institution.

507.2(g) Surfacing: With the exception of single-family and two-family dwellings, all parking and loading areas and access drives shall have a dust-free surface, graded with positive drainage to prevent the flow of surface water onto neighboring properties. Parking areas larger than ten thousand (10,000) square feet shall submit a plan, including drainage provisions, to the Township for approval. Lots shall be designed to provide for orderly and safe loading and parking.

507.2(h) Lighting: Any lighting used to illuminate off-street parking or loading areas shall be arranged so as to reflect the light away from the adjoining premises of any residential district or use and away from roads or highways.

Section 508 Signs

The following sign regulations shall be observed in all districts:

- A. The following signs shall be permitted in all districts, and no permit shall be required to erect such signs:

1. Temporary signs announcing a campaign, drive or event of a civic, philanthropic, educational or religious organization, provided such sign shall not exceed thirty-two (32) square feet in area and shall be removed immediately upon the completion of the campaign, drive or event.
 2. Signs offering the sale or rental of the premises upon which the sign is erected, provided that the area of any such sign shall not exceed six (6) square feet and not more than one (1) such sign shall be placed on the property unless such property fronts on more than one (1) street, in which case one (1) sign may be erected on each street frontage.
 3. Temporary signs of contractors, developers, architects, engineers, builders and artisans, erected and maintained on the premises where the work is being performed, provided that the area of such sign shall not exceed thirty-two (32) square feet, and provided that such sign shall be removed upon completion of the work.
 4. No trespassing signs, signs indicating the private nature of a road, driveway or premises, signs controlling fishing or hunting on the premises, provided that the area of such sign shall not exceed four (4) square feet.
 5. Signs advertising the sale of agricultural products. Such signs shall not exceed thirty-two (32) square feet in area, and shall be removed within thirty (30) days following the cessation of sales for the applicable products.
- B. No signs shall be permitted within street lines, except traffic signs and similar regulatory notices placed by a duly constituted governmental body.
- C. Directional and information signs, not exceeding two (2) square feet in area and used for the direction and protection of the public, shall be permitted in all districts.
- D. Construction and Maintenance: All signs shall be constructed in a workmanlike fashion using durable materials. Signs shall be designed and constructed to withstand wind forces and in accordance with appropriate mechanical or electrical standards. The owners of signs shall keep them in safe and good repair. Signs which become deteriorated or otherwise

present a public hazard shall be removed or repaired by the sign's owner. If the owner of a sign cannot be found or identified, the owner of the property whereon the sign is located shall be responsible for its repair or removal.

- E. No sign structure erected directly upon the ground within fifteen (15) feet of the front lot line shall have less than three (3) feet six (6) inches of clear space between such sign and the ground; however, necessary supports may extend through such open space.
- F. All signs, except temporary signs, shall be constructed of durable material and kept in good condition and repair.
- G. Nonconforming signs, once removed, shall be replaced only with conforming signs. Nonconforming signs may be repainted or repaired, providing such repainting or repairing does not exceed the dimensions of the existing sign.

508.1 Each use may have a combination of freestanding, roof, or wall signs meeting the standards of the following table. For the RD, V, and C-2 Districts, aggregates shall be calculated based upon per-lot basis. For the C-1 District, aggregates shall be based upon separate tenancy.

Zoning District	RD	V	C-1	C-2
Signage Area Permitted	Aggregate of 64 Square Feet 2 Signs per Property	Aggregate of 32 Square Feet 2 Signs per Property	Aggregate of 400 Square Feet	Aggregate of 96 Square Feet
Maximum Area per Sign	32 Square Feet	16 Square Feet	144 Square Feet	64 Square Feet
Maximum Height per Sign	12 Feet	7 Feet	35 Feet	12 Feet
Setback	10 Feet from R-O-W 20 Feet from Property Lines	10 Feet from R-O-W 20 Feet from Property Lines	10 feet from R-O-W 20 Feet from Property Lines	10 Feet from R-O-W 20 Feet from Property Lines
Illumination	External Only	External Use	Internal or External	External Only

508.2 Billboards - Billboards shall be permitted as a conditional use in the C-1 Highway Commercial and RD Rural Development Districts, provided:

- a. Such signs shall not be placed within one hundred fifty (150) feet of another on the same side of the road or one hundred (100) feet of another on the opposite side of a road.
- b. Such signs shall not be placed within two hundred fifty (250) feet of any residence, church, school or similar edifice.
- c. In the RD Rural Development District, such signs shall not be placed within two hundred fifty (250) feet of any road intersection, or at a curve or at any place where vehicular line-of-sight could be partially or completely obstructed.
- d. In the RD Rural Development District, such signs shall not exceed thirty-two (32) square feet when viewed from its widest silhouette. In the C-1 Highway Commercial District, such signs shall not exceed two hundred fifty (250) square feet when viewed from its widest silhouette.
- e. Show evidence of compliance with all applicable regulations of the Pennsylvania Department of Transportation.

Section 509 Flood Hazard Areas

The Township of Springfield has adopted an ordinance regulating development within floodplains. All development within designated areas is required to follow the regulations contained in said ordinance.

Section 510 Steep Slope Areas

Any development of slopes of more than twenty-five percent (25%) must be submitted on a plan prepared by a registered engineer or architect showing how the development will treat the slope problem. The Zoning Officer shall refer the plan to the Township Engineer or a consulting engineer for review and advice before issuing any permit.

Section 511 Individual Mobile Homes

Individual mobile homes shall be permitted on individual lots only if they meet the following conditions:

- A. The proposed lot shall meet all area and yard requirements of the district.
- B. Tiedowns shall be installed to prevent wind damage. At a minimum, there shall be at least four (4) tiedowns per side for units over fifty (50) feet in length and three (3) per side for units fifty (50) feet or less in length. Tiedowns shall consist of steel, weather- resistance straps fixed to the mobile homes, and fixed to anchors with tensioning heads. Each anchor must be able to withstand a pull of four thousand seven hundred twenty-five (4,725) pounds.

Section 512 C-2 District

Because the C-2 is established specifically to provide commercial development in a semi-rural, high-quality setting, the following development standards must be observed by all commercial or retail uses.

- A. All property lines which abut other districts or pre-existing residential uses shall maintain both of the following buffer yard types:
 - 1. A fifty- (50) foot wide buffer yard of vegetation sufficient to provide opaque screening during six (6) months of the year. This buffer yard shall maintain the existing natural vegetation unless insufficient for screening or of species generally recognized as inferior for shade, erosion control, or screening. If deemed so, the developer shall maintain a planting standard of eight (8) deciduous trees and sixteen (16) coniferous trees per each five thousand (5,000) square feet of buffer yard. This buffer yard shall be in addition to any other yard requirements listed in Table 307.1.
 - 2. A screening yard of spruce, planted to the following standards: An initial row of trees to follow a lineal centerline with additional rows planted at oblique angles on each side of the centerline row, sufficient to provide complete and constant opaque screening from the time of planting. This screen of plantings shall be situated at the interior edge of the natural vegetation buffer yard and may be included in calculations of required yard areas.
- B. Planting Standards: At the time of planting, all coniferous trees shall be a minimum of six (6) feet in height, as measured from the ground. Hardwood trees shall be a minimum of twelve (12) feet in height, as

measured from the ground. The zoning officer may inspect plantings as necessary. Trees which have died shall be replaced as needed.

- C. Lighting: Any lighting used to illuminate buildings, parking or loading areas shall be arranged to reflect the light away from the adjoining premises of any residential district or use.
- D. Parking areas may not encroach on front yard setback areas.
- E. All conditional use retail businesses of twenty thousand (20,000) square feet or greater, shopping centers and eating and drinking places within this district shall submit a plan for future traffic access. This plan shall include reserve areas for connecting parking lots to abutting properties, maintaining sufficient setback for future collector streets or other standard arterial access limitations. As a part of conditional use approval, the developer shall agree to permit the interconnection of future abutting parking lots to his property and make such necessary improvements.

Section 513 Screening

The following screening shall be employed where required by conditional use, special exception or any supplementary regulation of the Springfield Township Zoning Ordinance.

513.1 Type I Screening: To consist of a triple row of Norway spruces planted at oblique lines to one another so that a continuous screen is provided. All trees shall be a minimum of six (6) feet at the time of planting. Trees which die shall be replaced within six (6) months. As an alternative to the triple row of Norway spruces, the developer shall maintain a fifty- (50) foot wide buffer yard of natural vegetation sufficient for screening. This buffer area shall not be used for parking or other uses. This buffer yard should maintain natural vegetation unless such vegetation is considered insufficient for shade screening, stormwater management or erosion control. In such case, the planting standards shall be twenty-eight (28) conifer and eight (8) deciduous trees per each five thousand (5,000) lineal feet of yard area. Trees shall be a minimum of six (6) feet at planting and replaced within six (6) months of death.

513.2 Type II: A Type II screen shall consist of either:

- A. An opaque fence at least eight (8) feet in height.

B. A barrier fence at least ten (10) feet in height.

On the outside perimeter of the fence, a ten (10) foot plant strip shall be maintained at a planting standard of ten (10) coniferous or deciduous trees, per one hundred (100) lineal feet. Trees shall be a minimum of six (6) feet tall at planting and replaced within six (6) months of death.

513.3 Type III Screening: Type III screening shall consist of both Type I and Type II, for a total width of no less than sixty-five (65) feet.

Alternate Landscaping Plans: The Township Board may consider alternative forms of screening subsequent to review by the Planning Commission.

ARTICLE 6 OVERLAY DISTRICTS

In the development of this Ordinance, the Township Planning Commission, Board of Supervisors and residents have determined that additional regulations are necessary in certain areas to provide for the health, safety and general welfare of those living within the Township, as well as those who may be passing through the Township. Specifically, two overlay districts are hereby created: the **Airport Hazard Overlay District (AHOD)** and the **Wellhead Protection Overlay District (WPOD)**. Where overlay districts are created, the underlying zone will determine the permitted uses; the applicable overlay district regulations will establish additional standards and all development must conform to the requirements of both districts or the more restrictive of the two.

Section 60.1 Airport Hazard Overlay District (AHOD)

60.1.1 Purpose – It has been determined that obstructions and high densities of residential uses have the potential for endangering the lives and property of user of the Grove City Municipal Airport and the property or occupants of land in its vicinity; obstructions may affect existing and future instrument approach minimums of the Grove City Municipal Airport; and obstructions may reduce the size of areas available for the landing, takeoff and maneuvering of aircraft, thus tending to destroy or impair the utility of the Grove City Municipal Airport. Therefore, it is declared:

- A. That the creation or establishment of obstructions have the potential for being public nuisances and injuring the region served by the Grove City Municipal Airport;
- B. That the development of concentrated areas of housing in the immediate vicinity of the Grove City Municipal Airport poses potential threats to the safety of inhabitants;
- C. That it is necessary, in the interest of the public health, safety and general welfare, that the creation of obstructions and/or population concentrations that are a hazard to air navigation or human life, be prevented; and
- D. That the prevention of these obstructions be accomplished, to the extent legally possible, by the exercise of the police power, without compensation.

60.1.2 Special definitions – The following definitions shall apply in interpretation and application of airport safety control provisions:

- A. AIRCRAFT – Any contrivance, except an unpowered hang glider or parachute, used for manned ascent into, or flight through, the air.
- B. AIRPORT – Grove City Municipal Airport.
- C. AIRPORT ELEVATION – One thousand three hundred fifty-eight (1,358) feet above mean sea level.
- D. AIRPORT HAZARD – Any structure or object, natural or manmade, or use of land, determined to adversely impact the airspace required for flight, or aircraft in landing or taking off at an airport.
- E. APPROACH SURFACE – A surface longitudinally-centered on the extended runway centerline, extending outward and upward from the end of the primary surface and at the same slope as the approach surface zone, height limitation slope, as set forth in Section **60.1.3**. In plan, the perimeter of the approach surface coincides with the perimeter of the approach surface zone.
- F. APPROACH, TRANSITIONAL, HORIZONTAL AND CONICAL SURFACE ZONES – These zones are set forth in Section **60.1.3**.
- G. CONICAL SURFACE – A surface extending outward and upward from the periphery of the horizontal surface, at a slope of 20 to 1, for a horizontal distance of four thousand (4,000) feet.
- H. FAA – The Federal Aviation Administration of the United States Department of Transportation.
- I. HEIGHT – For the purposes of determining the height limits in all zones set forth in this Section, and shown on the maps incorporated herein, the datum shall be mean sea level elevation unless otherwise specified.
- J. HORIZONTAL SURFACE – A horizontal plane one hundred fifty (150) feet above the established airport elevation, the perimeter of which, in plan, coincides with the perimeter of the horizontal surface zone.
- K. LARGER THAN UTILITY RUNWAY – A runway that is constructed for and intended to be used by propeller driven aircraft of greater than twelve thousand five hundred (12,500) pounds maximum gross weight, and jet powered aircraft.

- L. NONPRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach procedure utilizing air navigation facilities with only horizontal guidance, or area-type navigation equipment, for which a straight-in non-precision instrument approach procedure has been approved or planned.
- M. OBSTRUCTION – Any structure, growth, or other object, including a mobile object, which exceeds a limiting height set forth in Section **60.1.3**.
- N. PRECISION INSTRUMENT RUNWAY – A runway having an existing instrument approach procedure utilizing an Instrument Landing System (ILS) or a Precision Approach Radar (PAR). It also means a runway for which a precision approach system is planned and is so indicated on an approved airport layout plan or any other planning document.
- O. PRIMARY SURFACE – A surface longitudinally centered on a runway. When the runway has a specially prepared hard surface, the primary surface extends two hundred (200) feet beyond each end of that runway. For military runways, or when the runway has no specially prepared hard surface, or planned hard surface, the primary surface ends at each end of that runway. The width of the primary surface is set forth in Section **60.1.3**. The elevation of any point on the primary surface is the same as the elevation of the nearest point on the runway centerline.
- P. RUNWAY – A defined area on an airport prepared for landing and takeoff of aircraft along its length.
- Q. TRANSITIONAL SURFACES – These surfaces extend outward at 90E (ninety degree) angles to the runway centerline and the runway centerline extended, at a slope of 7 to 1 (seven feet horizontally to each foot vertically) from the sides of the primary and approach surfaces to where they intersect the horizontal and conical surfaces. Transitional surfaces for those portions of the precision approach surfaces, which project through and beyond the limits of the conical surface, extend a distance of five thousand (5,000) feet, measured horizontally from the edge of the approach surface and at 90E angles to the extended runway centerline.
- R. UTILITY RUNWAY – A runway that is constructed for, and intended to be used by, propeller driven aircraft of twelve thousand five hundred (12,500) pounds maximum gross weight or less.

- S. **VISUAL RUNWAY** – A runway intended solely for the operation of aircraft using visual approach procedures.

60.1.3 Airport Surface Zones – In order to carry out the provisions of this Ordinance, there are hereby created and established certain zones that include all of the land lying beneath the approach surfaces, transitional surfaces, horizontal surfaces, and conical surfaces, as they apply to the Grove City Municipal Airport. These Airport Zones were prepared by the Pennsylvania Department of Transportation, Bureau of Aviation in 1989 and are shown as an overlay on the Official Zoning Map, both of which are kept on file in the Springfield Township municipal offices, which is made a part hereof. An area located in more than one of the following zones is considered to be only in the zone with the more restrictive height limitation. The various zones are hereby established and defined:

- A. Utility Runway Visual Approach Zone – The inner edge of this approach zone coincides with the width of the primary surface and is two hundred fifty (250) feet wide. The approach zone expands outward uniformly to a width of one thousand two hundred fifty (1,250) feet at a horizontal distance of five thousand (5,000) feet from the primary surface. It slopes twenty feet outward for each foot upward.
- B. Transitional Surface Zone – Slopes seven (7) feet outward for each foot upward, beginning at the sides of, and at the same elevation as, the primary surface and the approach surface, and extending to a height of one hundred fifty (150) feet above the airport elevation, which is one thousand three hundred fifty-eight (1,358) feet above mean sea level. In addition to the foregoing, there are established height limits sloping seven (7) feet outward for each foot upward beginning at the sides of, and at the same elevation as, the approach surface, and extending to where they intersect with the conical surface.
- C. Horizontal Surface Zone – Established at one hundred fifty (150) feet above the established airport elevation, or at a height of one thousand five hundred eight (1,508) feet above mean sea level.
- D. Conical Surface Zone – Slopes twenty (20) feet outward for each foot upward beginning at the periphery of the horizontal surface and at one hundred fifty (150) feet above the established airport elevation, and extending to a height of three hundred fifty (350) feet above the

established airport elevation, or at a height of one thousand seven hundred eight (1,708) feet above mean sea level.

- E. Excepted Height Limitations – Nothing in this Section or Ordinance shall be construed as prohibiting the construction or maintenance of any structure to a height of up to thirty-five (35) feet above the surface of the land.

60.1.4 Airport Hazard Overlay District Restrictions – All regulations and restrictions adopted under this Section shall be reasonable; none shall impose any requirement or restriction unless it is reasonably necessary to effectuate the purpose of this Section.

- A. **Permit Required** – No material change shall be made in the use of land and no structure shall be erected or otherwise established in:
 - 1. The transitional surface zone located within the interior perimeter of the horizontal surface zone; or
 - 2. The approach surface zone within the interior perimeter of the horizontal surface zone;

Unless a permit therefore shall have been issued by the Township.

- B. **Use Restrictions** – Notwithstanding any other provisions of this Ordinance or other Springfield Township Ordinances, no development shall be permitted that results in any of the following:
 - 1. Single family or two-family dwellings that exceed a density of two (2) dwelling units per acre;
 - 2. Multi-family dwellings or townhouses that exceed four (4) dwelling units per structure and a density in excess of two (2) dwelling units per acre;
 - 3. Planned residential developments, mobile home parks or similar residential concentrations;
 - 4. Nonresidential use which would:
 - Create electrical interference with navigation signals or radio communications between the airport and aircraft;

Make it difficult for pilots to distinguish between airport lights and others;

Produce glare in the eyes of pilots using the airport;

Impair visibility in the vicinity of the airport;

Create bird strike hazards; or otherwise endanger in any way, or interfere with the landing, takeoff or maneuvering of aircraft intending to use the airport.

60.1.5 Nonconformance – The regulations prescribed by this Section shall not be construed to require the removal, lowering or other change or alteration of any structure or tree not conforming to the regulations as of the effective date of this Ordinance, or otherwise interfere with the continuance of such nonconforming use. Nothing contained herein shall require any change in the construction, alteration or intended use of any structure, the construction or alteration of which was begun prior to the effective date of this Ordinance, and is diligently carried out.

60.1.6 Marking and Lighting – Notwithstanding the provision of Section **60.1.5**, the owner of any existing nonconforming structure or tree is hereby required to permit the installation, operation and maintenance thereon of such markers and lights as shall be deemed necessary by Township, State or Federal officials to indicate to the operators of aircraft in the vicinity of the airport, the presence of such airport and obstruction. Such markers and lights shall be installed, operated and maintained at the expense of the official body responsible for their placement.

60.1.7 Existing Uses – No permit shall be granted that would allow the establishment or creation of an obstruction, or permit a nonconforming use, structure or tree, to become a greater hazard to air navigation than it was on the effective date of this Ordinance or any amendments thereto, or than it is when the application for a permit is made.

60.1.8 Variances – Any request for a variance in accordance with Section **17.6.1** of this Ordinance shall be accompanied by a determination from the Federal Aviation Administration as to the effect of the proposal on the operation of air navigation facilities and the safe, efficient use of navigable airspace. Additionally, no application for a variance to the requirements of this Ordinance may be considered by the Zoning Hearing Board unless a copy of the application has been furnished to the appropriate Grove City Municipal Airport officials for review and comment. If the appropriate Airport official does not respond within fifteen (15) days after receipt, the Zoning Hearing Board may decide the case on its own.

Section 60.2 Wellhead Protection Overlay District (WPOD)

6.2.1 The purpose of the Wellhead Protection Overlay District is to safeguard the public health, safety and general welfare by providing for the regulation of land uses and the manufacture, use, storage, transport or disposal of hazardous and other substances which pose a threat to the quality and quantity of groundwater being extracted from the Buhl Community Water Company wells. The objective of this District as it applies to delineated wellhead protection areas are:

- A. To limit land uses and activities involving the generation, use, transport or storage of hazardous substances.
- B. To regulate other land uses and activities with the potential to pollute groundwater.
- C. To assure appropriate nutrient management practices.
- D. To establish siting standards to guide development onto the least environmentally sensitive portions of a property.
- E. To preserve vegetated buffer areas and establish setbacks for uses around streams, water bodies and springs.
- F. To provide for maximum lot coverage standards to minimize impervious surfaces and reduce stormwater runoff.
- G. To provide for stormwater management that maximizes groundwater recharge.
- H. To protect and enhance surface and groundwater quality from the impacts of development.
- I. To establish disturbance standards for wetlands, woodlands and steep slopes to minimize sedimentation of waters and to maximize water recharge.
- J. To alert landowners, potential buyers, appraisers, assessors and lessees of the legal restrictions inherent in certain land uses and activities in the Wellhead Protection Overlay District.

60.2.2 Special definitions – The following definitions shall apply in interpretation and application of wellhead protection provisions:

- A. **ABANDONMENT OF WELL –** An abandoned or unused well may be defined as one of the following:
 - 1. A well, other than a monitoring well, which has been out of service continuously for one (1) year or more, and does not meet the definition of a standby well.
 - 2. A monitoring well from which no measurement or sample has been taken for a period of three (3) years.
 - 3. A well which is in such a state of disrepair that it cannot be made operational for its intended purpose.
 - 4. A test hole or exploratory boring twenty-four (24) hours after construction and testing work has been completed.
 - 5. A cathodic protection well that is no longer functional for its original purpose.
 - 6. An inactive geothermal groundwater heat exchange system.

- B. **ALTERATION OF NATURAL FEATURES –** Any earth moving, clear-cutting, filling, mining, dredging, grading, paving, excavating or drilling activities which require a permit or approval from Federal, State or local officials.

- C. **BEST MANAGEMENT PRACTICES (BMPs) –** State of the art recommended practices for controlling stormwater runoff, or handling hazardous substances.

- D. **CLOSED DEPRESSION –** A distinctive bowl-shaped depression of varied sizes in the land surface, characterized by internal drainage and an unbroken ground surface.

- E. **COMMUNITY or PACKAGE SEWAGE DISPOSAL SYSTEM –** A private sewage disposal system releasing treated effluent either into the ground or a surface water source. A large-scale system is intended to serve

over 25 equivalent dwelling units (EDUs); a small system is intended to serve between 2 and 24 EDUs.

- F. **DETENTION POND** – A basin designed to retard stormwater runoff by temporarily storing the runoff and releasing it at a predetermined rate through a defined outlet.
- G. **FRACTURE TRACE** – Natural, linear-drainage, soil-tonal and topographic alignments, usually visible on aerial photographs, which are commonly the surface manifestations of corresponding zones of fracture concentration within underlying bedrock. Particularly in soluble rocks, (e.g., limestone) fracture zones cause increased bedrock porosity and permeability, resulting in rates of groundwater movement that are greater than the surrounding bedrock.
- H. **GHOST LAKES** – Transient surface water bodies formed in sinks and closed depressions after heavy precipitation, due to poor internal drainage. This poor drainage may be due to residual clay remaining after solution of limestone minerals.
- I. **IMPERMEABLE** – Impervious, impenetrable to moisture.
- J. **KARST** – A type of topography characterized by closed depressions and/or sinkholes, caves, rock pinnacles, fracture traces and underground drainage resulting from solution of limestone and dolomite bedrock.
- K. **REGULATED SUBSTANCE** – A product, by-product or combination of substances that, because of physical, chemical or infectious characteristics and the quantity or concentration of such substances, if not properly treated, stored, transported, used or disposed of or otherwise managed, would create a substantial present or potential threat to the public health through direct or indirect introduction into groundwater resources and the subsurface environment. Such hazardous substances include, but are not limited to, substances regulated under Federal or State environmental, pollution control, hazardous substances and drinking water laws and regulations.
- L. **RETENTION POND** – A basin designed to retard stormwater runoff by temporarily storing the runoff, which does not have a defined outlet structure, but which empties through a combination of evaporation, transpiration and infiltration.

- M. SINKHOLE – A closed, generally circular depression in the land surface of variable depth and width, characterized by a distinct breaking of the ground surface and formed by solution of carbonate bedrock and downward movement of soil into bedrock voids, or collapse of underlying caves.

- N. STORAGE TANK, ABOVE GROUND – A tank which contains hazardous or petroleum substances as regulated under the Storage Tank and Spill Prevention Act (STSPA), as amended, and which meets the following criteria: a stationary tank with two hundred-fifty (250) gallons or more of capacity with greater than ninety percent (90%) of its capacity above ground. Specific exceptions to this definition are included within the STSPA, and include, among others, on-premise heating fuel tanks, and farm or residential motor fuel tanks with a capacity of one thousand one hundred (1,100) gallons or less.

- O. STORAGE TANK, EXEMPTED – Any tank or container which contains hazardous or petroleum substances, either above or underground, which is otherwise unregulated by the STSPA to include exclusively, the following: on-premise heating fuel tanks; farm or residential motor fuel tanks with a capacity of one thousand one hundred (1,100) gallons or less; and tanks, drums or containers with a capacity of less than one hundred ten (110) gallons which contain hazardous substances.

- P. STORAGE TANK, UNDERGROUND – A tank which contains hazardous or petroleum substances as regulated under the STSPA and which meets the following criteria: a tank with one hundred ten (110) gallons or more of capacity with ten percent (10%) or greater of its capacity beneath the ground surface. Specific exceptions to this definition are included within the STSPA and include, among others, on-premise heating fuel tanks and farm or residential motor fuel tanks with a capacity of one thousand one hundred (1,100) gallons or less.

- Q. UNDERGROUND INJECTION WELL – A bored, drilled, driven or dug well for the emplacement of fluids into the ground (except geothermal exchange systems and drilling muds and similar materials use in well construction.)

- R. WELLHEAD PROTECTION AREA – Zones II and III adjacent to and surrounding the Buhl Community Water Community water wellfield, as delineated on maps set forth in the Wellhead Protection Study completed in 1998 by Moody and Associates.

60.2.3 General Provisions – The following provisions relate to all uses in the WPOD:

- A. No area within the WPOD shall hereafter be used without full compliance with the terms of this Section and all other applicable regulations.
- B. In those areas of the Township where the WPOD applies, the more restrictive standards shall supersede.
- C. The provisions hereof relating to the WPOD shall not repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where the provisions relating to the WPOD impose greater restrictions, such provisions shall prevail.
- D. All appeals from boundary determinations made by the Zoning Officer and/or Township Engineer shall be heard by the Zoning Hearing Board.
- E. In any dispute before the Zoning Hearing Board (ZHB), the Township and the ZHB shall have the right to consult with independent consultants for the purposes of testing, analysis, opinion and the like. All costs associated with such consultation shall be shared equally by all parties to the dispute.
- F. All lawfully existing land uses located within a Wellhead Protection Area at the time of enactment of this Ordinance shall be exempt from the requirements as set forth, except Section **60.2.6** and **60.2.8**. Nothing herein shall be deemed to exempt such existing land uses from compliance with any other statute, ordinance or rule of common law.

60.2.4 Designation of District Boundaries – The Wellhead Protection Overlay District consists of all lands located within wellhead protection area zones as described below.

- A. Zone II – is the area encompassing the portion of the aquifer through which water is diverted to a well. A minimum radius of two thousand six hundred forty (2,640) feet from the wellhead was established for Zone II.
- B. Zone III – is the area beyond Zone II that contributes surface water and groundwater to the main well and Zone II. Zone III boundaries were determined using annual average recharge rates, maximum rated yield capacity and topographic drainage divides.

Since the Buhl Water Company wellfield is located on both a ground and bedrock surface “topographic high,” surface water drainage is predominantly outward from inside the Zone II area, and no extensive areas or watersheds provide surface water drainage into Zone II.

60.2.5 Boundary Interpretation – Each application for land development or subdivision containing land within the WPOD shall:

- A. Show the Wellhead Protection Zone that falls within the lot or lots on the site plan.
- B. Where the property lies in more than one Zone, indicate the parts of the property which lie in each Zone. The restrictions applicable to each Zone shall be enforced for that area of the property.
- C. Present evidence of such boundary location when the location of a Zone boundary is challenged. This presentation **shall** include applicable geographic data with respect to the property, and any other pertinent documentation for consideration.

60.2.6 Regulated Land Uses – Any proposed land use which shall be located entirely, or partially within any WPOD, shall be permitted as a **conditional use** and regulated as follows:

Copies of all federal, state and county operational approvals, certificates, permits and applications; ongoing environmental reports and monitoring results relating to environmental, pollution control, hazardous substances and drinking water laws and regulations pertaining to the parcel of land shall be submitted to the Township, including those listed in the following table:

HAZARDOUS SUBSTANCES FORMS, PLANS AND REPORTS		
Form, Plan or Report	Authorizing Agency	Purposes
Environmental Hazard Survey Form	PA Department of Labor and Industry PA Worker & Community Right to Know Act	Describes the hazardous substances emitted, discharged or disposed of from the workplace
Hazardous Substance Survey Form	PA Department of Labor and Industry PA Worker & Community Right to Know Act	Provides a listing of all hazardous substances found in the workplace
Pollution Incident Prevention (PIP) Plan	PA DEP – Chapter 101	Emergency response plan for facilities which handle materials with potential for accidental pollution of the waters of the Commonwealth
Preparedness, Prevention and Contingency (PPC) Plan	EPA, Federal Resource Conservation and Recovery Act, as amended PA DEP – Chapter 260-270	Emergency response plan for facilities which generate, store, treat or dispose of hazardous wastes

SARA Title III Off-Site Plan	EPA Federal Superfund Amendments and Reauthorization Act	Identifies the transportation routes of extremely hazardous substances, a description of the workplace and a risk analysis of the operation to the surrounding community
SARA Title III Tier I & Tier II Reports	EPA Federal Superfund Amendments and Reauthorization Act	Tier I lists the amounts and locations within the workplace of extremely hazardous substances by type of hazard (e.g., fire, explosion, acute health hazard) Tier II provides a listing of each specific extremely hazardous substance in the workplace and each specific hazardous substance exceeding 10,000 pounds on-site at any one time
Spill Prevention Control and Countermeasure (SPCC) Plan	EPA Federal Clean Water Act 40 CFR 112	Emergency response plan for facilities which handle hazardous substances or petroleum products as defined in the Clean Water Act
Spill Prevention Response (SPR) Plan	PA DEP PA Storage Tank & Spill Prevention Act	Emergency response plan for facilities with an above-ground storage tank exceeding a volume of 21,000 gallons

Copies of all notices, orders, rules, decisions, recommendations, enforcement actions and similar documentation, as and when received by such owner of record of any such lot or tract of land, from any federal, state or county governmental authority in connection with the enforcement of environmental, pollution control, hazardous substance and drinking water laws and regulations shall be submitted to the Township, as applicable.

All land development projects shall comply with the following requirements:

A registered professional geologist shall conduct a site inspection of the property and shall prepare a map of the site which indicates all geologic formations which may impact the wellhead protection area.

The geologist shall prepare a report demonstrating compliance with all applicable requirements, including any recommended mitigating measures designed to ensure compliance.

Buildings, structures, impervious surfaces and utilities shall not be located within fifty (50) feet of any identified geologic feature which may impact the contamination of the groundwater, unless detailed geo-technical work shows that there will be no negative impact on the groundwater recharge or quality.

Stormwater retention facilities, French drains and other areas of concentrated infiltration of storm water shall be prohibited

Stormwater shall not be directed into a sinkhole or closed depression.

Setback Requirements – Proposed development shall meet the following requirements:

1. Where sufficient buildable land area exists on the portion of the property outside the WPOD to accommodate the proposed development, and where applicable setback limits permit, that area shall be utilized in its entirety before any land within the WPOD shall be used.
2. A minimum one hundred (100) foot development setback shall be maintained from the edge of all streams, water bodies, springs and sinkholes.
3. Within Zone II of the WPOD, a fifty- (50) foot agricultural filter strip from the edge of all streams, water bodies, springs and sinkholes shall be maintained within which no nutrients or pesticides shall be applied.

E. Lot Coverage – The percentage of a lot which may be covered by impermeable surfaces, including buildings, structures, sidewalks, parking lots and driveways shall be in accordance with the following table:

Underlying Zoning District	Maximum Impervious Lot Coverage
Agricultural	15 %
Low Density Residential	40 %
Village	50 %
Commercial/Industrial	60 %

F. Design Standards – All proposed development shall address the following design standards which are believed to provide the greatest degree of wellhead protection and present the lowest potential for impacting existing and future land use within the Township.:

1. Ground Cover and Landscaping – Vegetative cover shall be provided on all disturbed areas, excluding fallow agricultural fields, not covered by paving, stone or other solid material. The maintenance or use of native plant materials with lower water and nutrient requirements is encouraged;

2. Erosion and Sedimentation – ALL proposed development and existing land use activities which involve grading or excavation shall prepare an Erosion and Sedimentation Control Plan for review by the Mercer County Conservation District.
3. Stormwater Management – ALL proposed development and existing land use activities shall utilize innovative stormwater management techniques that incorporate Best Management Practices.
4. Sanitary Sewers – Sanitary sewers constructed within one hundred (100) feet of closed depressions, open sinkholes, seasonal high water table indicators, surface drainage, “ghost lakes,” lineaments, faults and fracture traces, shall be either of ductile iron or encased in concrete.
5. Wetlands – No development. land use activity or improvement which would entail encroachment into wetlands without the applicant providing evidence that the appropriate agencies have been contacted and the required permits have been obtained. Any replacement wetlands proposed to offset the filling of on-site wetlands shall be located within the same WPOD zone.
6. Woodlands – Existing wooded areas shall be protected to prevent unnecessary destruction. Healthy trees with a caliper of six (6) inches or more as measured four-and-a-half (4½) feet above existing grade, shall not be removed unless their location interferes with a planned improvement that cannot be relocated. At least seventy-five percent (75%) of the number of trees sized as above, as exist at the time of application, shall be maintained or replaced immediately after construction. Replacement trees shall be of a native species and have a minimum trunk caliper of two (2) inches at a height of six (6) inches above finished grade, and located within unbuildable sections of the site (e.g., floodplain, steep slope, setback areas). Plans shall be submitted showing existing trees and proposed construction which indicate conformance with this Section;
7. Steep Slopes – Proposed development in areas having slopes of sixteen percent (16%) or greater shall indicate the methods that will be used to protect water quality on and around the site from the adverse effects of the proposed use and shall provide a twenty-five (25) foot vegetative buffer consisting of native trees and other

brushy perennial vegetation either along the boundary of the property with the lowest elevation or at the foot of the sloped-portion of the property if it lies interior to the boundary.

8. Road Construction – New roads and the widening of existing roads shall minimize impervious land cover.

ARTICLE 7 DEFINITIONS

Section 701 Interpretation

For the purpose of this Ordinance, words used in the present tense shall include the future. The singular number shall include the plural and the plural shall include the singular. The masculine shall include the feminine and the neuter. The word "shall" is always mandatory. The word "building" includes "structure" and shall be construed as if followed by the words "or any part thereof." The phrase "used for" includes "arranged for," "person" includes an individual, corporation, partnership, incorporated association, or any other legal entity. The word "includes" or "including" shall not limit the term to the specified example, but is intended to extend its meaning to all other instances of like kind and character. Except as defined within this Ordinance, all words and phrases shall have their normal meanings and usage.

Section 702 Specific Terms

The following words and phrases shall have the meaning given in this section.

Accessory Building - a subordinate building, incidental to, and located on the same lot as, the principal building, and used for an accessory use.

Accessory Use - a use incidental to, and subordinate to and located on the same lot occupied by the principal use to which it relates.

Agriculture - any agricultural use, including farming, dairying, pasturage, agriculture, aquaculture, horticulture, floriculture, viticulture, horse keeping, animal and poultry husbandry, and forestry (including the harvesting of timber), but excluding specialized animal raising and care or dog kennels as defined by this Ordinance. Agriculture also includes the home sale of fruits, meats, vegetables and similar agricultural produce.

Agricultural Services - businesses selling goods or services to a substantially agricultural clientele, including: feed mills, seed sales, feed grinding services, and agricultural implement dealers.

Area - area of a lot or site shall be calculated from dimensions derived by horizontal projections of the site.

Basement - a floor level completely below grade or floor level in which more than two-thirds (2/3) of the perimeter walls are below grade. A wall shall be considered below grade where the dimension from the first floor line to the finished grade is five (5) feet or less, and the slope of the finished grade extending ten (10) feet from the building walls does not exceed thirty (30) degrees.

Bed and Breakfast - an owner-occupied residence offering, for pay, overnight or short-term lodging and breakfast for transient guests.

Billboard - a sign that identifies or communicates a commercial or non-commercial message related to an activity conducted, a service rendered, or a commodity sold at a location other than where the sign is located.

Building - a roofed structure, whether or not enclosed by walls, to be used for the shelter, enclosure or protection of persons, goods, materials or animals.

Building or Set-Back Line - imaginary line parallel to or concentric with the nearest road right-of-way line. No portion of a building foundation or wall may extend nearer the lot line than the required front yard depth.

Business Service - any business activity that renders service to other commercial or industrial enterprises.

Car Wash - an area of land and/or a structure with machine- or hand-operated facilities used principally for the cleaning, washing, polishing, or waxing of motor vehicles.

Cemetery - land used or intended to be used for the burial of the dead and dedicated for cemetery purposes, including columbariums, crematories, mausoleums, and mortuaries when operated in conjunction with and within the boundaries of such cemetery.

Church - a place of religious instruction or public worship.

Commercial Recreation - a facility which offers various indoor or outdoor recreational opportunities for its patrons including games, performances and opportunities for observation or participation in games or sports. Specific types of commercial recreation are based upon the activities offered. All Commercial Recreation shall be classified as Indoor, Outdoor, or Intensive.

Commercial Recreation, Indoor - a facility which offers various indoor recreational opportunities for its patrons including such games as: pool, billiards, bowling, video games, miniature golf and similar pursuits.

Commercial Recreation, Outdoor - a facility which offers outdoor recreational or spectator opportunities for its patrons including such games as: miniature golf, driving ranges, tennis, team sports such as soccer or baseball, camps and clinics for sport instruction and similar pursuits. This category does not include recreation fields accessory to schools, churches or community based non-profit organizations.

Commercial Recreation, Intensive - a facility which offers various outdoor recreational or spectator opportunities for its patrons including go-cart raceways, paintball, auto raceways, motor sports, outdoor concert performances, and similar pursuits. This category does not include annual or seasonal festivals held by non-profit community organizations, or businesses, which may include occasional accessory or incidental outdoor performances.

Conditional Use - a use to be allowed or denied by the Board of Supervisors pursuant to public notice and hearing and recommendations by the Springfield Township Planning Commission and pursuant to the express standards and criteria set forth in this Ordinance. In allowing a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, in addition to those expressed in this Ordinance, as it may deem necessary to implement the purposes of the Planning Code and of this Ordinance.

Construction - the construction, reconstruction, renovation, repair, extension, expansion, alteration or relocation of a building or structure, including the placement of mobile homes.

Coverage – the percentage of a lot covered by buildings or structures, measured as gross floor area divided into lot area.

Day Care Services for Children (Day Care) - provides out-of-home care for part of a 24-hour day to children under sixteen (16) years of age, excluding care provided by relatives and excluding day care furnished in places of worship during religious services. This Ordinance identifies three levels of Day Care Services for Children:

- (a) Family Day Care Homes - facilities in which child day care is provided at any one time to four (4), five (5), or six (6) children who are not relatives of the care giver.

- (b) Group Day Care Homes - facilities in which care is provided for more than six (6) but less than twelve (12) children, at any one time, where the child care areas are being used as a family residence. [Care of one (1) to twelve (12) children where the child care areas are not used as a family residence will be considered a Day Care Center.]
- (c) Day Care Centers - facilities in which care is provided for seven (7) or more children, at any one time, where the child care areas are not used as a family residence.

Childcare for less than four (4) children will not be considered as Day Care Services.

Dog Kennel - any facilities identified and licensed as a kennel by the laws or regulations of Pennsylvania.

Dwelling - a building arranged, intended, designed or used as the living quarters for one (1) or more families living independently of each other upon the premises. The term "dwelling" shall not be deemed to include "hotel," or "motel."

- (a) Single-family dwelling - a building containing only one (1) dwelling unit.
- (b) Two-family dwelling - a building containing two (2) dwelling units, collectively defined under this Ordinance as a duplex, regardless of configuration.
- (c) Multi-family dwelling - a building containing three (3) or more dwelling units, including apartment houses, townhouses, flats, and garden apartments.
- (d) Detached dwelling - a dwelling with yards on all four (4) sides.

Dwelling Unit - a building or portion thereof containing one (1) or more rooms for living purposes together with separate and exclusive cooking and sanitary facilities, accessible from the outdoors either directly or through an entrance hall shared with other dwelling units, and used or intended to be used by one (1) family.

Eating and Drinking Places - a business establishment whose principal business is the selling of unpackaged food to the customer in a ready-to-consume state.

Essential Services - the erection, construction, alteration or maintenance by public utilities or municipal or other governmental agencies of underground or overhead gas, electrical, steam or water transmission or distribution systems, including poles, wires, mains, drains, sewers, pipes conduit cables, fire alarm boxes, police call boxes, traffic signals, hydrants, and other similar equipment and accessories in connection therewith; reasonably necessary for the furnishing of adequate services by such public utilities or municipal or other governmental agencies or for the public health and safety or general welfare, but not including buildings.

Equipment Sales and Service – businesses involved in the sale, rental, or servicing of motor vehicles or machinery not necessarily intended for registration, licensing, and travel on highways, including those used for agriculture, forestry, and construction.

Family - an individual, or two (2) or more persons related by blood, marriage, adoption or foster child care, including domestic servants or gratuitous guests, thereof, or a group of not more than three (3) unrelated persons living together without supervision in a dwelling unit; or, any number of persons protected by the provisions of the Fair Housing Act (42 U.S.C. 3601 et. seq., as now or hereafter amended) living together in a group living arrangement with supervision, provided those persons do not have a criminal record. Family shall not include persons living together in a Group Home, Assisted Living Facility, or Nursing Home, as defined herein, or any other supervised group living arrangement for persons other than those protected by the Fair Housing Act or persons who constitute a direct threat to others or their physical property.

Floor Area - the sum of the gross area of the several floors of a building or buildings measured from the face of the exterior walls, or from the center line of the walls separating two (2) buildings.

Gasoline Service Station - an area of land, together with any structure thereon, used for the retail sale of motor fuel and lubricants and incidental services, such as lubrication and washing of motor vehicles, and the sale, installation or minor repairs of tires, batteries or other automobile accessories.

Golf Course - land for playing the sport of golf, consisting of a minimum of nine holes, but excluding miniature golf, par-three golf, pitch and putt, and similar golf-associated activities except as accessory uses on a golf course.

Gross Floor Area (GFA) - the total floor area for which the tenant pays rent and that is designed for the tenant's occupancy and exclusive use.

Halfway House – a transitional residential facility, licensed and operated by a government or social service agency, that provides a supervised environment to residents who require psychiatric, correctional or behavioral treatment between periods of institutional and independent living.

Height of Building - the vertical distance measured from the average level of finished grade along all the exterior walls of the building to the highest point of the roof and to the highest point on any structure which rises wholly or partly above the roof.

Home- and Farm-Based Manufacturing – a form of light manufacturing conducted as accessory to a home or farm by an owner resident.

Home Occupation - any use customarily carried on entirely within a dwelling, by the occupants thereof, which use is clearly incidental and subordinate to the use of the dwelling for dwelling purposes and does not change the residential character thereof. Examples include, but are not limited to: professional services, such as legal, financial, accounting or engineers, barber and beauty shops, studios of artists, writers and associations. (See Professional Office.)

Hospital - an institution providing health services primarily for human in-patient medical or surgical care for the sick or injured and including related facilities such as laboratories, out-patient departments, training facilities, central services facilities and staff offices that are an integral part of the facilities.

Junk - any discarded material or article, and shall include, but not be limited to, scrap metal, scrapped or abandoned motor vehicles, machinery, equipment, paper, glass, containers and structures. It shall not include, however, refuse or garbage kept in a proper container for the purpose of prompt disposal. For the purpose of this Ordinance, a proper container shall mean a solid plastic or metal container, with a sealable lid, specifically designed for the storage of waste matter.

Junk Yard - any place where any junk is stored, disposed of, or accumulated. This definition shall include recycling centers, recycling yards, and salvage businesses and the storage of four (4) vehicles lacking current inspection or registration for a period exceeding ten (10) days. However, it does not include municipal recycling centers where no materials are stored in an exterior environment.

Limited Retail Business – small-scale retail enterprises intended to benefit neighborhood residents or tourists. Limited retail businesses are distinguished from other retail businesses by smaller size [less than five thousand (5,000) square feet Gross Floor Area) and confining all commercial activities indoors.

Lot - a tract or parcel of land, regardless of size, held in single or joint ownership, which is occupied or capable of being occupied by buildings, structures, and accessory buildings, including such open spaces as are arranged, designed or required. The term "lot" shall also mean "parcel," "plot," "site," or similar term.

Lot, Corner - a lot at the point of intersection of and abutting on two (2) or more intersecting streets.

Lot, Line - any line dividing a lot from another lot or from an abutting street or other right-of-way.

Manufacturing, Light - the assembly, fabrication, manufacture, production, processing, storage and/or wholesale distribution of goods or products where no process involved will produce: noise, light, vibration, air pollution, fire hazard, or emissions, noxious or dangerous to neighboring properties within four hundred (400) feet, including production of the following goods: Home appliances; electrical instruments; office machines; precision instruments; electronic devices; time pieces; jewelry; optical goods; musical instruments; novelties; wood products; printed material; lithographic plates; type composition, machine tools; dies and gauges; ceramics; apparel; light weight nonferrous metal castings; light sheet metal products; plastic goods; pharmaceutical goods; food products (but not including animal slaughtering, curing nor rendering of fats).

Mini-Storage Facilities - a building consisting of individual, small, self-contained units that are leased or owned for the storage of business and household goods or contractors supplies.

Mobile Home - a transportable, single-family dwelling intended for permanent occupancy, contained in one (1) or more units designed to be joined into one (1) integral unit capable of again being separated for repeated towing, which arrives at a site, complete and ready for occupancy, except for minor and incidental unpacking and assembly operations, and constructed so that it may be used without a permanent foundation.

Mobile Home Lot - a parcel of land in a mobile home park, improved with the necessary utility connections and other appurtenances necessary for the erection thereon of a single mobile home.

Mobile Home Park - a parcel of land under single ownership which has been planned and improved for the placement of mobile homes for non-transient use, consisting of two (2) or more mobile home lots.

Motel - a building or group of detached or connected buildings designed or used primarily for providing sleeping accommodations for automobile travelers and having a parking space adjacent to a sleeping room. The definition includes hotels, motor lodges and similar uses.

Nonconforming Lot - a lot the area or dimension of which was lawful prior to the adoption or amendment of this Zoning Ordinance, but which fails to conform to the requirements of the zoning district in which it is located by reasons of such adoption or amendment.

Nonconforming Structure - a structure or part of a structure manifestly not designed to comply with the applicable use or extent of use provisions of this Ordinance or an amendment hereafter enacted, where such structure lawfully existed prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation. Such nonconforming structures include, but are not limited to, nonconforming signs.

Nonconforming Use - a use, whether of land or structure, which does not comply with the applicable use provisions of this Ordinance or amendment hereafter enacted, where such use was lawfully in existence prior to the enactment of this Ordinance or amendment or prior to the application of this Ordinance or amendment to its location by reason of annexation.

Nursing Home - a facility to give long-term skilled care to geriatric or handicapped patients and licensed as such a facility by the Commonwealth of Pennsylvania.

Parking Space - an open space with a dustless all-weather surface, or space in a private garage or other structure with an effective length of at least eighteen (18) feet and a uniform width of at least nine (9) feet for the storage of one (1) automobile and accessible from a public way.

Personal Care Home - a facility giving geriatric care in a home-like setting and licensed as such by the Commonwealth of Pennsylvania.

Personal Services - any enterprise conducted for man which primarily offers services to the general public, such as: shoe repair, valet services, watch repairing, barber shops, beauty parlors and related activities.

Planning Code - the Pennsylvania Municipalities Planning Code, Act 247 of 1968, as re-enacted and amended by Act No. 170 of 1988 and Acts 67 and 68 of 2000, and as further amended from time to time.

Professional Office - the office or studio of a physician, surgeon, dentist, lawyer, architect, artist, engineer, certified public accountant, real estate broker or salesman, insurance broker or agent, musician, teacher, or similar occupation.

Public Parks and Playgrounds - parks and playgrounds that are owned and operated by the Township of Springfield or by an authority created for such purposes by the Township of Springfield or any government agency.

Recreational Campground - an area or tract of land on which accommodations for temporary occupancy are located or may be placed, including cabins, tents, and recreational vehicles.

Repair/Service Business (see also Service Station) - a building designed and used for the storage, care, repair or refinishing of motor vehicles or engines including both minor and major mechanical overhauling, paint, and body work.

Rooming House - a dwelling having five (5) or more sleeping rooms for rent to persons not related to its other occupants. The term "rooming house" includes the term "boarding house."

Sanitary Landfill - a disposal site employing an engineering method of disposing of solid wastes in a manner that minimizes environmental hazards by spreading, compacting to the smallest volume, and applying cover material over all exposed waste at the end of each operating day.

Screen Planting - screen planting for this Ordinance shall mean an evergreen hedge at least six (6) feet high at time of planting, planted in such a way that it will block a line of sight. The screening may consist of either one (1), or multiple rows of bushes or trees and shall be at least four (4) feet wide. It shall be the

responsibility of the property owner to maintain a screen planting, replacing trees as needed. The zoning officer may require replacement of screening trees.

Screening - screening shall mean a fence, screen planting or wall at least six (6) feet high, provided in such a way that it will block a line of sight.

Service Station - buildings and premises where the primary use is the supply and dispensing at retail of motor fuels, lubricants, batteries, tires and motor vehicles.

Shopping Center – a commercial facility developed as a mixture of uses, including retail sales, theaters, personal services and eating and drinking places, but planned, constructed, managed or promoted as an integral whole.

Sign - any structure, building, wall, or other outdoor surface, or any device or part thereof, which displays or includes any letter, word, model, banner, flag, pennant, insignia, device, or other representations used for announcement, direction, advertisement or identification. The word "sign" includes the word "billboard," but does not include the flag, pennant, or insignia of any nation, state, city or other political unit, nor public traffic or directional signs, nor religious or devotional displays. (See also Billboard.)

The "area of a sign" shall be construed to include all lettering, wording, and accompanying designs and symbols, together with the background which is incidental to the display itself. Where the sign consists of individual letters or symbols attached to or painted on a surface, the area shall be considered the smallest rectangle which can be drawn to encompass all of the letters and symbols.

Sign, Business - a sign that directs attention to a business, profession or industry conducted on the premises or to products sold, manufactured or assembled upon the same premises upon which it is displayed.

Specialized Animal Raising and Care - for the purposes of this Ordinance, specialized animal raising and care shall include:

- (a) Feed lots or similar institutions where cattle, sheep, goats, or swine are maintained in close quarters for the purpose of fattening such livestock for final shipment to market.
- (b) Pens or structures for the raising and care of fur-bearing animals, game birds, or similar operations for profit.

(c) Licensed kennels.

Special Exception - a use permitted with special permission granted by the Zoning Hearing Board, to occupy or use land and/or a building for specific purposes in accordance with the criteria set forth in this Ordinance when such use is not permitted by right.

Story - that portion of a building located between the surface of any floor and the next floor above; if there is not more than one (1) floor the space between any floor and the ceiling next above it shall be considered a story.

Street - a public or private right-of-way, excluding driveways, intended for use as a means of vehicular and pedestrian circulation, which provides a means of access to abutting property. The word "street" includes thoroughfare, avenue, boulevard, court, drive, expressway, highway, lane, alley and road or similar terms.

Street Line - a line defining the right-of-way boundaries of a street.

Structure - any man-made object having an ascertainable stationary location on or in land or water, whether or not affixed to the land.

Triplex - see "Dwelling."

Truck Terminal - land and buildings used as a relay station for the transfer of a load from one vehicle to another or one party to another. The terminal cannot be used for permanent or long-term accessory storage for principal land uses at other locations. The terminal facility may include storage areas for trucks and buildings or areas for the repair of trucks associated with the terminal.

Veterinary Clinic - a facility used for the treatment of domestic animals for pay with health treatment provided by a licensed veterinarian.

Warehousing and Distribution - a use engaged in storage, wholesale, and distribution of manufactured product, supplies, and equipment, but excluding bulk storage of materials that are inflammable or explosive or that create hazardous or commonly recognized offensive conditions. For the purpose of this Ordinance, storage of explosive, inflammable, hazardous or community-recognized offensive conditions shall be considered heavy industry.

Yard - that portion of a lot which is unoccupied and open to the sky and extends from the lot line or right-of-way to the setback line.

Zoning Officer - the Zoning Officer of the Township of Springfield, or his/her authorized representative.

ARTICLE 8 ZONING HEARING BOARD

Section 801 Creation

There is hereby created a Zoning Hearing Board, herein referred to as the "Board," consisting of three (3) residents of the Township appointed by the Board of Supervisors pursuant to the Pennsylvania Municipalities Planning Code, as amended. Said Board shall perform all the duties, and exercise all powers prescribed by said Code and as herein further provided.

Section 802 Appointment

The terms of office of the Board shall be three (3) years and shall be so fixed that the term of office of one (1) member shall expire each year. The Board shall promptly notify the Board of Supervisors of any vacancies which occur. Appointments to fill vacancies shall be only for the unexpired portion of the term. Members of the Board shall hold no other office in the Township, nor be a member of the Planning Commission. The Board of Supervisors shall also appoint one (1) alternate member to the Board. The appointment, rights and duties of the alternate shall be in accordance with Article IX of the Pennsylvania Municipalities Planning Code.

Section 803 Removal of Members

Any Board member may be removed for misfeasance or nonfeasance in office, or for other just cause, by a majority vote of the Board of Supervisors, taken after the member has received fifteen (15) days advance notice of the intent to take such a vote. A hearing shall be held in connection with the vote if the member shall request it in writing.

Section 804 Organization of Board

The Board shall elect from its own membership its officers, who shall serve annual terms as such and may succeed themselves. For the conduct of any hearing or the taking of any action, a quorum shall be not less than the majority of all the members of the Board, but where two (2) members are disqualified to act in a particular matter, the alternate member shall be seated. The Board may appoint a hearing officer from its own membership to conduct any hearing on its behalf, and the parties may waive further action by the Board as provided in Section 908 of the Planning Code. The Board may make, alter and rescind rules and forms for its procedure, consistent with Township ordinances and laws of the Commonwealth. The Board shall keep full public records of its business and shall submit

a report of its activities to the Board of Supervisors as requested by the Board of Supervisors.

Section 805 Expenditures for Services

Within the limits of funds appropriated by the Board of Supervisors, the Board may employ or contract for secretaries, clerks, legal counsel, consultants and other technical and clerical services. Members of the Board may receive compensation for the performance of their duties, as may be fixed from time to time by the Board of Supervisors, but in no case shall it exceed the rate of compensation authorized to be paid to the members of the Board of Supervisors.

Section 806 Legal Counsel

Where legal counsel is desired, an attorney, other than the Township Solicitor, shall be used.

Section 807 Hearings

The Board shall conduct hearings and make decisions in accordance with the following requirements.

- A. Notice shall be given to the public by notice published once each week for two (2) successive weeks in a newspaper of general circulation in the Township. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall be not more than thirty (30) days or less than seven (7) days from the date of the hearing. Written notice shall be given to the applicant, the Zoning Officer, and to any person who has made timely request for the same. Written notices shall be prescribed by rules of the Board. In addition to the notice provided herein, written notice of said hearing shall be conspicuously posted on the affected tract of land at least one (1) week prior to the hearing.

- B. The Board of Supervisors may prescribe reasonable fees with respect to hearings before the Zoning Hearing Board. Fees for said hearings may include compensation for the secretary and members of the zoning hearing board, notice and advertising costs and necessary administrative overhead connected with the hearing. The costs, however, shall not include legal expenses of the Zoning Hearing Board, expenses for engineering, architectural or other technical consultants or expert witness costs.

- C. The hearing shall be held within sixty (60) days from the date of the applicant's request, unless the applicant has agreed in writing to an extension of time.
- D. The hearings shall be conducted by the Board or the Board may appoint any member as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board, but the parties may waive decision or findings by the Board and accept the decision or findings of the hearing officer as final.
- E. The parties to the hearing shall be the Township, any person affected by the application who has made timely appearance of record before the Board, and any other person including civic or community organizations permitted to appear by the Board. The Board shall have power to require that all persons who wish to be considered parties enter appearances in writing on forms provided by the Board for that purpose.
- F. The chairman or acting chairman of the Board or the hearing officer presiding shall have power to administer oaths and issue subpoenas to compel the attendance of witnesses and the production of relevant documents and papers, including witnesses and documents requested by the parties.
- G. The parties shall have the right to be represented by counsel and shall be afforded the opportunity to respond and present evidence and argument and cross-examine adverse witnesses on all relevant issues.
- H. Formal rules of evidence shall not apply, but irrelevant, immaterial, or unduly repetitious evidence may be excluded.
- I. The Board or the hearing officer, as the case may be, shall keep a stenographic record of the proceedings. The appearance fee for a stenographer shall be shared equally by the applicant and the Board. The cost of the original transcript shall be paid by the Board if the transcript is ordered by the Board or hearing officer or shall be paid by the person appealing from the decision of the Board if such appeal is made, and in either event the cost of additional copies shall be paid by the person requesting such copy or copies. In other cases the party requesting the original transcript shall bear the cost thereof.

- J. The Board or the hearing officer shall not communicate, directly or indirectly, with any party or his representatives in connection with any issue involved except upon notice and opportunity for all parties to participate, except that advice from the Board's Solicitor is exempt from this restriction; shall not take notice of any communication, reports, staff memoranda, or other materials unless the parties are afforded an opportunity to contest the material so noticed; and shall not inspect the site or its surroundings after the commencement of hearings with any party or his representative unless all parties are given an opportunity to be present.
- K. The Board or the hearing officer, as the case may be, shall render a written decision or, when no decision is called for, make written findings on the application within forty-five (45) days after the last hearing before the Board or hearing officer. Where application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based thereon together with the reasons therefore. Conclusions based on any provisions of this Ordinance or the Planning Code, or any rule or regulation shall contain a reference to the provision relied on and the reasons why the conclusion is deemed appropriate in the light of the facts found. If the hearing is conducted by a hearing officer, and there has been no stipulation that his decision or findings are final, the Board shall make his report and recommendations available to the parties within forty-five (45) days, and the parties shall be entitled to make written representations thereon to the Board prior to final decision or entry of findings, and the Board's decision shall be entered no later than thirty (30) days after the report of the hearing officer. Where the Board fails to render the decision within the period required by this Ordinance or the Planning Code, or fails to hold the required hearing within sixty (60) days from the date of the applicant's request for a hearing, the decision shall be deemed to have been rendered in favor of the applicant unless the applicant has agreed in writing or on the record to an extension of time. When a decision has been rendered in favor of the applicant because of the failure of the Board to meet or render a decision as herein above provided, the Board shall give public notice of said decision within ten (10) days in the same manner as provided in Subsection 607(1) of the Pennsylvania Municipalities Planning Code. Nothing in this subsection shall prejudice the right of any party to appeal the decision to a court of competent jurisdiction.
- L. A copy of the final decision or, where no decision is called for, of the findings shall be delivered to the applicant personally or mailed to him not later than the day following its date. To all other persons who have filed

their name and address with the Board nor later than the last day of the hearing, the Board shall provide by mail or otherwise, a brief notice of the decision or findings and a statement of the place at which the full decision or findings may be examined.

Section 808 Board's Functions:

The Board shall have exclusive jurisdiction for the following:

- A. Substantive challenges to the validity of any land use ordinance, except those brought before the governing body pursuant to Sections 609.1 and 916.1(a)(2) of the Planning Code.
- B. Challenges to the validity of a land use ordinance raising procedural questions or alleged defects in the process of enactment or adoption which challenges shall be raised by an appeal taken within thirty (30) days after the effective date of said ordinance. Where the ordinance appealed from is the initial zoning ordinance of the Township and a zoning hearing board has not been previously established, the appeal raising procedural questions shall be taken directly to court.
- C. Appeals from the determination of the Zoning Officer, including, but not limited to, the granting or denial of any permit, or failure to act on the application therefore, the issuance of any cease and desist order or the registration or refusal to register any nonconforming use, structure or lot.
- D. Appeals from a determination by the Township engineer or the Zoning Officer with reference to the administration of any floodplain or flood hazard ordinance or such provisions within a land use ordinance.
- E. Applications for variances from the terms of the zoning ordinance and flood hazard ordinance or such provisions within a land use ordinance, pursuant to Section 910.2 of the Planning Code and Section 808(H) of this Ordinance.
- F. Appeals from the Zoning Officer's determination under Section 916.2 of the Planning Code.
- G. Appeals from the determination of the Zoning Officer or municipal engineer in the administration of any land use ordinance or provision thereof with reference to sedimentation and erosion control and storm water

management insofar as the same relate to development not involving Article V or VII applications of the Planning Code.

H. Variances: The Board shall hear requests for variances where it is alleged that the provisions of this Ordinance inflict unnecessary hardship upon the applicant. The Board may by rule prescribe the form of application and may require preliminary application to the Zoning Officer. The Board may grant a variance provided that all of the following findings are made where relevant in a given case:

1. That there are unique physical circumstances or conditions, including irregularity, narrowness, or shallowness of lot size or shape, or exceptional topographical or other physical conditions peculiar to the particular property, and that the unnecessary hardship is due to such conditions, and not the circumstances or conditions generally created by the provisions of this Ordinance in the neighborhood or district in which the property is located;
2. That because of such physical circumstances or conditions, there is no possibility that the property can be developed in strict conformity with the provisions of this Ordinance and that the authorization of a variance is therefore necessary to enable the reasonable use of the property;
3. That such unnecessary hardship has not been created by the applicant;
4. That the variance, if authorized, will not alter the essential character of the neighborhood or district in which the property is located, nor substantially or permanently impair the appropriate use or development of adjacent property, nor be detrimental to the public welfare; and
5. That the variance, if authorized, will represent the minimum variance that will afford relief and will represent the least modification possible of the regulation in issue.

In granting any variance, the Board may attach such reasonable conditions and safeguards as it may deem necessary to implement the purpose of this Ordinance.

Section 809 Parties Appellant Before Board

Appeals under Section 808 and proceedings to challenge the Ordinance under Section 808 may be filed with the Board in writing by the landowner affected, any officer or agency of the Township, or any person aggrieved. Requests for a variance under Section 808 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

Section 810 Time Limitations; Persons Aggrieved

No person shall be allowed to file any proceeding with the Board later than thirty (30) days after an application for development, preliminary or final, has been approved by an appropriate Township officer, agency or body if such proceeding is designed to secure reversal or to limit the approval in any manner unless such person alleges and proves that he had no notice, knowledge, or reason to believe that such approval had been given. If such person has succeeded to his interest after such approval, he shall be bound by the knowledge of his predecessor in interest. See also Section 914.1 of the Planning Code.

Section 811 Stay of Proceedings

Upon filing of any proceeding referred to in Section 808 and during its pendency before the Board, all land development pursuant to any challenged ordinance, order or approval of the Zoning Officer or of any agency or body, and all official action there under shall be stayed unless the Zoning Officer or any other appropriate agency or body certifies to the Board facts indicating that such stay would cause imminent peril to life or property, in which case the development or official action shall not be stayed otherwise than by a restraining order, which may be granted by the Board or by the court having jurisdiction of zoning appeals on petition after notice to the Zoning Officer or other appropriate agency or body. See also Section 915.1 of the Planning Code.

ARTICLE 9
ADMINISTRATION, ENFORCEMENT AND APPEALS

Section 901 Zoning Officer

The Township of Springfield shall appoint the Zoning Officer who shall administer and enforce the provisions of this Ordinance, and shall do so in accordance with the provisions of this Ordinance and of the Pennsylvania Municipalities Planning Code. The Zoning Officer shall also have the duties as set forth by Article 9 of this Ordinance. The Zoning Officer shall not hold any elective office in the Township.

Section 902 Duties of the Zoning Officer

The Zoning Officer shall administer this Ordinance in accordance with its literal terms, and shall not have the power to permit any construction or any use or change of use, which does not conform to this Ordinance. The Officer shall be considered as qualified to perform his/her duties by meeting the qualifications established by the Township. In addition, the Zoning Officer's duties, obligations and responsibilities include the following:

902.1 Application for Building/Zoning Permits: The Zoning Officer shall receive applications for Building/Zoning Permits and/or Certificate of Occupancy. A Building/Zoning Permit is an application filed prior to the start of construction/development by a developer to describe the proposed activity in sufficient detail to determine whether or not it meets the requirements of this and other applicable Township ordinances. Applications conforming to such ordinances shall be approved, those not conforming to such ordinances shall be denied.

902.2 Inspections: The Zoning Officer or a duly appointed assistant may examine, or cause to be examined, all structures and/or land for which an application for a Building/Zoning Permit or a Zoning Certificate has been requested. Such inspections may be before, during and after construction and shall be made upon the termination of construction and prior to the issuance of a Certificate of Occupancy.

902.3 Permits, Applications, Appeals and Certificates: The Zoning Officer shall issue or deny such permits or certificates as required by this Ordinance where no other body is involved; shall receive all applications for Conditional Uses, Special Exceptions and Variances and forward same to the appropriate body. Where a

decision is made by another body, the Zoning Officer shall issue or deny the permit as ordered by the applicable Board.

902.4 Enforcement: The Zoning Officer is authorized to institute civil enforcement proceedings as a means of enforcing this Ordinance and to revoke or refuse permits as authorized.

Section 903 Permits and Certificates

903.1 Building/Zoning Permits: An application for a Building/Zoning Permit will be to show compliance with this and other appropriate Township ordinances. Applications shall contain information relative to the proposed construction and use in sufficient detail to inform the Zoning Officer of the scope and extent of the proposed development. The exact details required, including sketches, plat plans as well as the number of copies, time limits and fees for such applications shall be determined by the Township.

903.2 Certificate of Occupancy: A Certificate of Occupancy shall be required prior to the occupancy or use of any vacant land or prior to the occupancy or use of any structure hereafter constructed, reconstructed, moved, altered or enlarged. The purpose of the Certificate of Occupancy is to confirm that the development described in the Building/Zoning Permit Application has been completed in compliance with the application and this Ordinance. Certificates of Occupancy shall also be required for a change of use of a structure or land to a different use and changes to a nonconforming use or structure. Said applications shall be on forms as approved by the Township or the Board, as appropriate, and shall be accompanied by a fee as set by the Township. It is the intent of the Ordinance that all appeal processes should follow the Pennsylvania Municipalities Planning Code or other appropriate State law. The filing of Appeals, Special Exceptions and Variances shall be within such time limits as specified by the Pennsylvania Municipalities Planning Code. The filing of Conditional Uses shall follow procedures set forth by the Township Supervisors.

903.3 Zoning Certificate: The Zoning Certificate shall be issued upon request to confirm that the use of land or a building within the Township is in compliance with this Ordinance. The exact form of the Certificate and fees charged shall be determined by the Township.

903.4 Sign Permit: A sign permit shall be required prior to the erection or alteration of any sign, except those signs specifically exempted from this requirement in Section 508 of this Ordinance.

- a. Application for a sign permit shall be made in writing to the Zoning Officer, and shall contain all information necessary for such Officer to determine whether the proposed sign, or the proposed alterations, conform to all the requirements of this Ordinance.
- b. No sign permit shall be issued except in conformity with the regulations of this Ordinance, except after written order from the Zoning Hearing Board or the courts.
- c. All applications for sign permits shall be accompanied by plans or diagrams in duplicate and approximately to scale, showing the following:
 - (1) Dimensions of lot or building upon which the sign is proposed to be erected.
 - (2) Exact size, dimensions and location of the said sign on lot or building.
 - (3) Any other lawful information which may be required by the Zoning Officer.

Section 904 Violations

904.1 Enforcement Notice: When it appears to the Township and/or the Zoning Officer that a violation has occurred, the Zoning Officer shall send an enforcement notice. The enforcement notice shall be sent to the owner of record of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding the parcel, and to any other person requested in writing by the owner of record. The enforcement notice shall state the following:

- a. The name of the owner of record and any other person against whom the Township intends to take action.
- b. The location of the property in violation.
- c. The specific violation with a description of the requirements, which have not been met, citing in each instance the applicable provisions of the Ordinance.

- d. The date before which the steps for compliance must be commenced and the date before which the steps must be completed.
- e. That the recipient of the notice has the right to appeal to the Zoning Hearing Board within a prescribed period of time in accordance with procedures set forth in this Ordinance.
- f. That failure to comply with the notice within the time specified, unless extended by appeal to the Zoning Hearing Board, constitutes a violation, with possible sanctions clearly described.

904.2 Causes of Action: In case any building, structure, landscaping or land is, or is proposed to be, erected, constructed, reconstructed, altered, converted, maintained or used in violation of this Ordinance, and any amendment thereto or prior enabling laws, the Township, the Zoning Officer of the Township, or any aggrieved owner or tenant of real property who shows that his property or person will be substantially affected by the alleged violation, in addition to other remedies, may institute any appropriate action or proceeding to prevent, restrain, correct or abate such building, structure, landscaping or land, or to prevent, in or about such premises, any act, conduct, business or use constituting a violation. When any such action is instituted by a landowner or tenant, notice of that action shall be served upon the Township at least thirty (30) days prior to the time the action is begun by serving a copy of the complaint on the Board of Supervisors of Springfield Township. No such action may be maintained until such notice has been given.

904.3 Jurisdiction: District justices shall have initial jurisdiction over proceedings brought under Section 704.4.

904.4 Enforcement Remedies: Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this Zoning Ordinance and any amendment thereto any prior enabling laws shall, upon being found liable therefore in a civil enforcement proceeding commenced by the Township, pay a judgment of not more than five hundred (\$500) dollars plus all court costs, including reasonable attorney fees incurred by the Township as a result thereof. No judgment shall commence or be imposed, levied or payable until the date of the determination of a violation by the district justice. If the defendant neither pays nor timely appeals the judgment, the Township may enforce the judgment pursuant to the applicable rules of civil procedure. Each day that a violation continues shall constitute a separate violation, unless the district justice determining that there has been a violation further determines that there was a good-faith basis for the person, partnership or corporation violating this

Ordinance to have believed that there was no such violation, in which event there shall be deemed to have been only one such violation until the fifth day following the date of the determination of a violation continues shall constitute a separate violation by the district justice and thereafter each day that a violation continues shall constitute a separate violation. All judgments, costs and reasonable attorney fees collected for the violation of zoning ordinances shall be paid over to the Township. Nothing contained in this section shall be construed or interpreted to grant any person or entity other than the Township and its Zoning Officer the right to commence any action for enforcement pursuant to this section.

ARTICLE 10 AMENDMENTS

Section 1001 General

The Board of Supervisors may introduce and/or consider amendments to this Ordinance and to the Zoning Map, as proposed by a member of the Board of Supervisors, the Planning Commission, or by a petition of a person or persons residing or owning property within the Township.

Section 1002 Petitions

Petitions for amendments shall be filed with the Zoning Officer; and the petitioners, upon such filing, shall pay an advertising deposit and a filing fee, in accordance with a fee schedule affixed by the Township.

Section 1003 Referral

Any proposed amendment presented to the Board of Supervisors without written findings and recommendations from the Springfield Township Planning Commission and the Mercer County Planning Commission, shall be referred to these agencies for their review and recommendations prior to the public hearing by the Board of Supervisors. The Board shall not hold a public hearing upon such amendments until required reviews and recommendations are received or the expiration of thirty (30) days from the date that such proposed amendments were submitted to the Township and County Planning Commissions.

Section 1004 Action

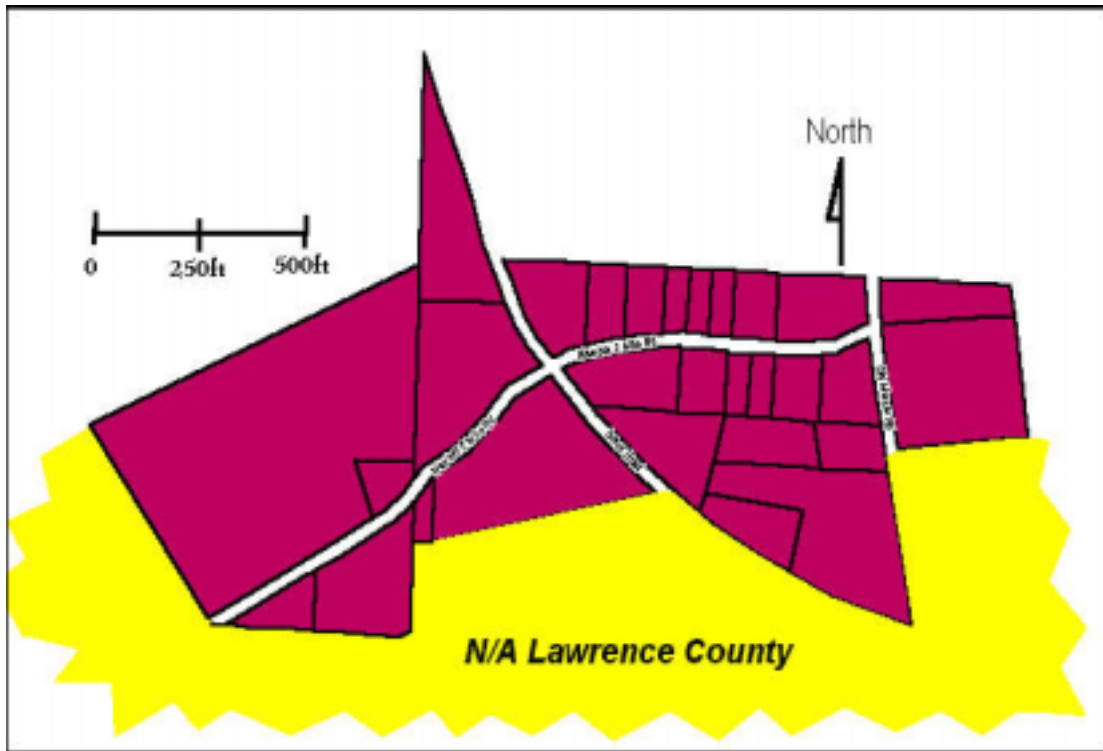
Before acting upon a proposed amendment, the Board of Supervisors shall, as required by law, hold a public hearing thereon. Public notice of such hearing is required and shall contain a brief summary of the proposed amendment and reference to the place where copies of the same be examined, shall be published in accordance with the provisions of the Pennsylvania Municipalities Planning Code. If the proposed amendment involves a change to the Zoning Map, notice of the public hearing shall be posted at the affected tract in accordance with Section 609 of the Planning Code at least one (1) week prior to the date of the hearing.

Section 1005 Curative Amendments

A landowner who desires to challenge on substantive grounds the validity of this Zoning Ordinance or Map or any provision thereof, which prohibits or restricts the use or development of land in which he has an interest, may submit a Curative Amendment to the Board of Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in Section 916.1 of the Pennsylvania Municipalities Planning Code (Act 247), as amended. The Board of Supervisors shall commence a hearing thereon within sixty (60) days. As with other proposed amendments, the Curative Amendment shall be referred to the Township of Springfield Township Planning Commission and the Butler County Planning Commission at least thirty (30) days before the hearing is conducted by the Board of Supervisors. Public notice shall be given in accordance with applicable provision of the Planning Code. The hearings shall be conducted in accordance with instructions as set forth by Section 916.1 of the Planning Code. The findings, actions and considerations of the Board of Supervisors shall be in accordance with Section 609.1 of the Planning Code.

The Township may institute a Municipal Curative Amendment in accordance with Section 609.2 of the Planning Code.

Ordained and enacted into an Ordinance this _____ day of _____,
A.D.



Rezoning of Number 2 Mine area to Village District

The Springfield Township Supervisors hereby amend the zoning map of the Springfield Township Zoning Ordinance # 2-2001. The amendment rezones the area known as Number 2 Mine from Rural Development Zone to Village Zone. The area is defined as all of the properties on the Mercer County Tax Parcel Map # 308, as well as parcels number 29-222-054, 29-222-056, and 29-222-057. A copy of the map is available at the Springfield Township Office.