

**The Springfield Township
Zoning Ordinance**

Adopted October 1, 2007

**Prepared by
Erie County Department of Planning
and
GCCA
Grove City, Pennsylvania**

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TABLE OF CONTENTS

	<u>Page Number</u>
Article 1 Purpose and Authority	1
Section 101 Title	1
Section 102 Authority	1
Section 103 Purpose	1
Section 104 Compliance	2
Section 105 Schedule of Fees	2
Section 106 Interpretation of Regulations	3
Section 107 Severability	3
Section 108 Repeal	3
Article 2 Community Development Objectives	4
Article 3 District Regulations	5
Section 301 Zoning Map	5
Section 302 Zoning Districts	5
Section 303 District Boundaries	6
Section 304 Permitted Uses, Conditional Uses and Special Exceptions	6
Section 305 Lot, Area, Yard and Height Regulations	11
Article 4 Conditional Uses, Special Exceptions and Other Conditions	13
Section 401 Conditional Uses, Special Exceptions and Other Conditions	13
Article 5 Supplementary Regulations	30
Section 501 Nonconforming Uses and Structures	30
Section 502 Existing Lots of Record	31
Section 503 Application of Yard Regulations	31
Section 504 Temporary Structures	32
Section 505 Height Limitations	32
Section 506 Performance Standards	32
Section 507 Off-Street Loading and Parking	33
Section 508 Signs	38
Section 509 Individual Mobile Homes	42
Section 510 Agriculture	43
Section 511 Floodplains	43
Section 512 Logging Operations and Underground Utility Installations	43
Section 513 Township-Owned Structures	44
Section 514 Sight Line (Visibility at Intersection)	44
Section 515 Lake Erie Bluff Recession and Setbacks	44

Article 6	Hearings of the Board of Township Supervisors	48
Section 601	Jurisdiction	48
Section 602	Conditional Uses	48
Section 603	Substantive Challenges, Curative Amendments	50
Section 604	Amendments	52
Section 605	Other Appeals	52
Article 7	Zoning Hearing Board	53
Section 701	Creation	53
Section 702	Appointment	53
Section 703	Removal of Members	53
Section 704	Organization of Board	53
Section 705	Expenditures for Services	54
Section 706	Legal Counsel	54
Section 707	Hearings	54
Section 708	Board's Function	57
Section 709	Parties Appellant Before Board	59
Section 710	Time Limitations; Persons Aggrieved	59
Section 711	Stay of Proceedings	59
Article 8	Administration, Enforcement and Appeals	60
Section 801	Zoning Officer	60
Section 802	Duties of the Zoning Officer	60
Section 803	Permits and Certificates	61
Section 804	Violations	62
Article 9	Amendments	64
Section 901	General	64
Section 902	Petitions	64
Section 903	Referral	64
Section 904	Action	64
Article 10	Planned Residential Development	66
Section 1001	Planned Residential Development	66
Section 1002	Enforcement	77
Article 11	Definitions	78
Section 1101	Interpretations	78
Section 1102	Specific Terms	78

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:

- Implement the Springfield Township Comprehensive Plan of 2003;
- Determine and regulate the uses of land and water courses;
- Regulate the density of population and intensity of use;
- Regulate the location and use of buildings, structures and land;
- Regulate the size, height, bulk, erection, construction, alteration, number of stories, size and placement of buildings and structures.
- Divide the Township into districts of size, shape and area, and to establish such Zoning Map, as may be deemed best suited to carry out the regulations;
- Establish procedures for the administration, enforcement, amendment and relief from hardships under certain circumstances; and
- Protection and preservation of natural and historic resources and prime agricultural land and activities.

Section 103 Purpose

These regulations are necessary in order to encourage beneficial growth in the Township while keeping the density of development consistent with existing community facilities and the 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;
- 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; and
- Avoid congestion in travel and transportation, and maintain and improve the carrying capacity and safety of major roads.

As well as other appropriate purposes as are set forth by Article VI of the Pennsylvania Municipalities Planning Code and this Ordinance.

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 shall, from time to time, establish, by resolution, a schedule of fees, charges and expenses for permits, appeals and all other matters pertaining to this Ordinance.

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.

A zoning certificate or 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.

Section 106 Interpretation of Regulations

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

Section 107 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 108 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. In particular, Ordinance No. 70-15 of 1970 as revised by Ordinance 1 of 1990 and its amendments are hereby repealed in their entirety.

ARTICLE 2

COMMUNITY DEVELOPMENT OBJECTIVES

The Community Development Objectives of this Ordinance are enumerated in detail by the Springfield Township Comprehensive Plan. These can be generalized as follows:

- Encourage the concentration of land uses in discernable clusters and limit both strip development and irregularly dispersed development patterns;
- Discourage the indiscriminate spread of commercial and industrial uses, particularly the encroachment of these uses upon existing or future residential areas;
- Discourage the adverse scattering of higher and medium-density residential development;
- Promote the revitalization of villages in East, West, and North Springfield; and
- Employ appropriate land use controls to guide future uses and densities of development in accordance with the accompanying plan elements.

ARTICLE 3 DISTRICT REGULATIONS

Section 301 Zoning Map

A map entitled "Zoning Map, Springfield Township, Pennsylvania" is hereby adopted as part of this Ordinance. The Zoning Map shall be kept on file available for examination at the Township Office. Copies of the Zoning Map, together with the Zoning Ordinance, shall be made available to the general public by the Township at a reasonable fee to be determined by resolution of the Board of Supervisors.

Section 302 Zoning Districts

The Township is divided into the districts stated in this Ordinance as shown by the district boundaries on the Zoning Map. The districts are:

302.10 Conservation/Recreation Districts: The A-1 Conservation and A-2 Recreation areas are rural, low-density agriculture, recreational and sectors of low-density development. Water and sewer services are not planned for these areas within the next decade.

302.11 A-1 Conservation – This is intended as a rural zoning district with limited uses.

302.12 A-2 Recreation – Similar to the A-1 District, this is a rural zoning district with a wide variety of uses, residential, recreational and businesses permitted.

302.20 R-Residential: This serves the Township as a suburban zoning district allowing a variety of uses. Though primarily residential in nature, a variety of commercial and business uses are permitted. Though Springfield Township does not project any widespread sewer and water facilities in the future, a small portion of this district near Girard Township may be served.

302.30 C-Commercial: This is the single commercial district intended to provide opportunities for retail and commercial development in Springfield Township. Some residential uses are also permitted.

302.40 Industrial: Springfield has two Industrial Districts. The I-1 is intended for light industry and the I-2 District for heavy industrial uses and activities that must be closely monitored.

Section 303 District Boundaries

District boundaries that are shown within the lines of streets, streams, and transportation right-of-ways shall be deemed to follow the centerlines. The vacation of streets shall not affect the location of such district boundaries. When the Zoning Officer cannot definitely determine the location of a district boundary by such center lines, by the scale or dimensions stated on the Zoning Map, or by the fact that it clearly coincides with a property line, he shall refuse action, and 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 Ordinance.

Section 304 Permitted Uses, Conditional Uses and Special Exceptions

Table 304 lists the permitted uses, special exceptions and conditional uses for each zoning district. Permitted uses are to be processed by the Zoning Officer in conformance with the criteria as set forth by this Ordinance *Please note, some permitted uses have additional conditions with the section number shown in parenthesis. Not all uses have additional conditions.* Conditional uses will be approved or denied by the Board of Supervisors with the advice of the Planning Commission in strict accordance with the criteria set forth in the ordinance (see also section 401) Special exceptions are to be approved or denied by the Zoning hearing Board in strict accordance with the criteria set forth in the ordinance (see also section 401). Uses in each category shall be defined according to the common meaning of the term or according to definitions as set forth in Article 6.

Table 304

304.10 A-1 Conservation District (Floodplain Area)

Permitted Uses

Accessory Uses and Structures
Agriculture
Drilled Mineral Extraction (401.1)
Essential Services
Hunting Preserves and Game Lands
No-Impact Home-Based Business
Parks and Playgrounds
Roadside Stands

Special Exceptions

Camps (401.2)
Golf Courses (401.3)
Home Occupations (401.6)
Outdoor Theaters and Outdoor Commercial (401.4)

Private Swimming Pools (401.7)
Single-Family Dwellings (401.5)
Utility Substations (401.9)

304.11 A-2 Recreation

Permitted Uses

Accessory Uses and Structures
Agriculture
Camps (401.2)
Churches
Drilled Mineral Extraction (401.1)
Educational and Religious Uses
Essential Services
Home Occupations
Hunting Preserves and Game Lands
No-Impact Home-Based Business
Parks and Playgrounds
Private Swimming Pools (401.7)
Single-Family Dwellings
Utility Substations (401.9)

Conditional Uses

All Permitted Commercial Uses in the C Commercial District
Convenience Stores and Gas Stations
Mobile Home Parks (401.8)
Other Business Uses
Roadside Stands
RV Parks and Campgrounds

Special Exceptions

Golf Courses (401.3)
Outdoor Theaters and Outdoor Commercial (401.4)

304.12 R Residential

Permitted Uses

Accessory Uses and Structures
Agriculture
Churches
Day Care, Family and Group (401.11)
Essential Services
Home Occupations (401.6)

Libraries
No-Impact Home-Based Business
Parks and Playgrounds
Private Swimming Pools (401.7)
Roadside Stands
Schools (401.10)
Single-Family Dwellings
Two Family Dwellings
Utility Substations (401.9)

Conditional Uses

Airports (401.20)
All Permitted Commercial Uses in the C Commercial District
Mobile Home Parks (401.8)
Multiple-Family Dwellings (401.33)
Other Business Uses
Planned Residential Development (401.34)
Surface Mineral Extraction (401.22)
Transitional Homes, Hospitals and Nursing Homes (401.18)
Ultralight Airports (401.21)

Special Exceptions

Animal Grooming Kennels and Veterinary Clinics (401.19)
Bed and Breakfast (401.15)
Camps (401.2)
Cemeteries (401.12)
Day Care Centers (401.10)
Drilled Mineral Extraction (401.1)
Fire Stations (401.39)
Funeral Homes (401.13)
Golf Courses (401.3)
Personal Care Homes (401.14)
Recreational Vehicle Parks (401.16)
Small Businesses (401.17)

304.13 C Commercial

Permitted Uses

Accessory Uses and Structures
Agriculture
Banks and Financial Institutions
Bed and Breakfast (401.15)
Churches

Copy and Print Shop
Eating and Drinking Establishments, excluding Drive-In, Drive-Through
Essential Services
Funeral Parlors (401.13)
Home Occupations
Hotels and Motels
Indoor Commercial Recreation
Mobile Home Sales
Monument Sales
No-Impact Home-Based Business
Offices
Parking
Personal Services
Private, Social and Fraternal Clubs
Private Swimming Pools (401.7)
Professional Services
Retail
Road Side Stands (401.26)
Single-Family Dwellings
Utility Substations (401.9)

Conditional Uses

Automotive Sales and Services (401.28)
Mobile Home Parks (401.8)
Multiple-Family Dwellings (401.33)
Other Business Uses

Special Exceptions

Animal Grooming Kennels and Veterinary Clinics (401.19)
Car Washes (401.23)
Convenience Stores and Gas Stations (401.27)
Drilled Mineral Extraction (401.1)
Drive-In and Drive-Through Restaurants (401.24)
Drive-In Theaters (401.4)
Fire Stations (401.39)
Self-Storage Facilities (401.25)

304.14 I-1 Light Industrial

Permitted Uses

Agriculture
All Nonresidential C-Commercial Permitted Uses, Conditional Uses, and
Special Exceptions
Automotive Sales and Service

Builders Yards, Home Centers, and Lumber Yards
Contractor Yards
Light Industrial (401.35)
Offices
Roadside Stands
Sawmills (401.29)
Warehouse and Truck Terminals (401.30)
Wholesale

Conditional Uses
Other Light Industrial

Special Exceptions
Automotive Salvage Yards (401.31)
Drilled Mineral Extraction (401.1)
Surface Mining Extraction (401.22)

304.15 I-2 Heavy Industrial

Permitted Uses
Automotive Sales and Services
Builders Yards, Home Centers, and Lumber Yards
Light Industrial (401.35)
Offices
Research and Testing Laboratories
Roadside Stands
Sawmills (401.29)
Warehouse and Truck Terminals (401.30)
Wholesale (401.30)

Conditional Uses
Animal Slaughtering and Related Uses
Asphalt Plants (401.36)
Bulk Storage of Chemical and Petroleum Products (401.30)
Concrete and/or Cement Block Plants (401.36)
Drilled Mineral Extraction (401.1)
Electrical Generation Plants (401.37)
Heavy Industry (401.32)
Sanitary Landfills (401.38)
Scrap and Auto Salvage Yards (401.31)
Surface Mining Extraction (401.22)

Section 305 Lot, Area, Yard and Height Regulations

These regulations are set forth by Table 305:

Table 305

Zoning District	Minimum Lot Area (2)	Minimum Lot Width (9)	Minimum Front Yard (3) (4) (5)	Minimum Side Yard (2 Required)			Minimum Rear Yard		Building Requirements (7) (8)		
				Main Building (6)	Accessory Building	Corner Lots- Minimum side yard abutting adjacent street	Main Building	Accessory Building	Maximum Height	Maximum Stories (1)	Maximum Coverage
A-1 Conservation	1 Acre	150 Feet	50 Feet	30 Feet	10 Feet	50 Feet	20 Feet	10 Feet	25 Feet	2	30%
A-2 Recreation	1 Acre	150 Feet	50 Feet	10 Feet	10 Feet	25 Feet	25 Feet	10 Feet	35 Feet	2	20%
With Public Water or Sewer	20,000 Sq. Ft.	100 Feet	50 Feet	10 Feet	10 Feet	25 Feet	25 Feet	10 Feet	35 Feet	2	20%
With Public Water and Sewer	15,000 Sq. Ft.	100 Feet	50 Feet	10 Feet	10 Feet	25 Feet	25 Feet	10 Feet	35 Feet	2	20%
R Residential	1 Acre	150 Feet	50 Feet	20 Feet	10 Feet	25 Feet	30 Feet	10 Feet	35 Feet	3	20%
With Public Water or Sewer	20,000 Sq. Ft.	100 Feet	50 Feet	20 Feet	10 Feet	25 Feet	30 Feet	10 Feet	35 Feet	3	20%
With Public Water and Sewer	15,000 Sq. Ft.	100 Feet	50 Feet	20 Feet	10 Feet	25 Feet	30 Feet	10 Feet	35 Feet	3	20%
C Commercial *	20,000 Sq. Ft.	100 Feet	25 Feet	20 Feet	10 Feet	20 Feet	10 Feet	10 Feet	40 Feet	3	60%
I-1 Light Industrial	1 Acre	100 Feet	50 Feet	20 Feet	10 Feet	25 Feet	30 Feet	10 Feet	30 Feet	2	60%
With Public Water and/or Sewer	20,000 Sq. Ft.	100 Feet	50 Feet	20 Feet	10 Feet	25 Feet	30 Feet	10 Feet	30 Feet	2	60%
I-2 Heavy Industrial	1 Acre	100 Feet	50 Feet	25 Feet	10 Feet	25 Feet	30 Feet	10 Feet	80 Feet	4	60%
With Public Water and/or Sewer	20,000 Sq. Ft.	100 Feet	50 Feet	25 Feet	10 Feet	25 Feet	30 Feet	10 Feet	80 Feet	4	60%

* Residential Uses within the C Commercial District shall conform with the requirements applicable in the R Residential District.

(1) Basements shall be considered as 1/2 story, cellars and attics are not included.

(2) The minimum lot area shall be increased by Two Thousand Five Hundred (2500) square feet for each family unit more than one.

(3) The Lake Erie Bluff setback regulations, as identified in §628, shall apply.

(4) Owners of parcels of land adjoining a neighboring zoning district shall utilize a front yard setback which is an average of the setback requirements of the two districts.

(5) Setbacks shall be determined from the edge of the right-of-way.

(6) Minimum shall be greater where required by sight-triangle.

(7) All single family dwellings shall have a minimum area of Nine Hundred (900) square feet.

(8) Only One (1) dwelling shall be permitted on each lot of record, except in mobile home parks.

(9) At building set back line—as amended October 1, 2007

ARTICLE 4

CONDITIONAL USES, SPECIAL EXCEPTIONS AND OTHER CONDITIONS

Section 401 Conditional Uses, Special Exceptions and Other Conditions

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 Supervisors after receiving the recommendation of the Springfield 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 Pennsylvania Municipalities Planning Code. Special Exceptions and Conditional Uses shall adhere to the express standards and criteria of this Ordinance.

Permitted Uses are to be processed by the Zoning Officer.

The criteria for Conditional Uses and Special Exceptions follow. 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 Board of 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.

Also included in Section 401 are other conditions. These entail additional criteria that permitted uses must meet before the Zoning Officer can issue a permit. The Zoning Officer must interpret these criteria in their literal terms and does not have the authority to modify or waive same, nor can the Zoning Officer impose any conditions in granting a permit.

401.1 Drilled Mineral Extraction: The following regulations are hereby set forth:

- A. The driller shall present to the Zoning Officer a copy of an approved gas or oil well permit from the Pennsylvania Department of Environmental Protection.
- B. The driller shall present a map clearly showing the location of the proposed well.

- C. The driller shall inform the Township, by letter, at least twenty-four (24) hours before the initiation of drilling activities.
- D. The driller shall annually file with the Township a report on the status of the well active or inactive.
- E. If the well is plugged, a copy of the needed permit or authorization from the Pennsylvania Department of Environmental Protection will be delivered to the Zoning Officer.
- F. The name of a twenty-four (24) hour emergency contact for the well operator will be filed with the Township.

401.2 Camps are subject to the following conditions:

- A. Minimum lot size, five (5) acres.
- B. Water supplies and sanitary sewage disposal must be approved by the Department of Environmental Protection and, if appropriate, the Springfield Township Sewage Enforcement Officer.
- C. There shall be a buffer of at least fifty (50) feet along the side and rear yards.

401.3 Golf Courses are subject to the following express standards and criteria:

- A. Golf courses shall have a minimum site of ten (10) acres.
- B. Clubhouses shall be located at least one hundred (100) feet from any property line adjoining a residential use or zoning classification and at least fifty (50) feet from all other property lines.
- C. Where eating and/or drinking facilities are provided, parking requirements for restaurants shall apply in addition to the parking requirements for the primary use.
- D. Operation shall be discontinued between the hours of 2:00 a.m. and 6:00 a.m.
- E. No outdoor speakers shall be permitted, if the property adjoins a residential use or district. The volume of all other permitted outdoor speakers shall be modulated and controlled so as to not create a nuisance for adjacent properties.

401.4 Outdoor Theaters and Outdoor Commercial Amusements are subject to

the following express standards and criteria:

- A. All property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least ten (10) feet in depth measured from the property line. Facilities which host paint ball games, contests, or exercises shall provide a fifty (50) foot buffer area.
- B. Fencing at least seven (7) feet in height shall be provided along all property lines adjoining residential uses or zoning classifications.
- C. No outdoor speakers shall be permitted, if the property adjoins a residential use or district. The volume of permitted in-vehicle speakers shall be modulated and controlled so as to not create a nuisance for adjacent properties.
- D. All lighting shall be shielded away from adjacent properties and streets.

401.5 Single-Family Dwellings: Single-family dwellings in the A-1 District shall comply with the Springfield Township Floodplain Ordinance.

401.6 Home Occupations are subject to the following express standards and criteria:

- A. There shall be no exterior evidence of the use other than the home occupation identification sign authorized by this Ordinance.
- B. A home occupation may be conducted in either a principal or an accessory structure.
- C. The use shall not require internal or external alterations or construction features which are not customary to a dwelling.
- D. There shall be no storage of materials or equipment outside an enclosed building.
- E. Adequate parking for the home occupation shall be provided on the lot.
- F. There shall be no more than one (1) employee who is not a resident of the premises.

401.7 Private Swimming Pools: Note, this provision is intended for private residential swimming pools and not intended for commercial or club type facilities. All private swimming pools shall be fenced for the protection of small children. The fence shall be four (4) feet minimum in height. Pools which have a rim four (4) feet or higher above adjacent ground and non-climbable sides shall be construed to be fenced. A self-latching gate shall be provided in the fence, or at the steps or ladder of a pool not requiring fencing (or the steps or ladder shall be readily removable). The gate shall have a lock or catch sufficient to prevent opening by small children.

401.8 Mobile Home Parks shall:

- A. Meet the requirements for mobile home or manufactured homes as set forth by the appendix of the Springfield Township Subdivision and Land Development Ordinance.
- B. Shall have a lot area of at least five (5) acres.
- C. Shall connect to DEP-approved sewer and water facilities.

401.9 Utility Substations shall be subject to the following express standards and criteria:

- A. No storage of movable equipment or material shall be permitted outside a building.
- B. Uses involving equipment which is not enclosed by a building shall be secured by a fence at least eight (8) feet in height with self-latching gate.
- C. Substations shall not be used for offices, garages, power generation, repair or large-scale storage.
- D. Substations may be allowed to use lots which are smaller than those required by this Ordinance (see also the Township Subdivision Ordinance).

401.10 Schools are subject to the following express standards and criteria:

- A. All side and rear property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least six (6) feet in depth measured from the property line.
- B. Facilities shall demonstrate that they have the needed license or appropriate accreditation to operate the proposed facility.

- C. All lights shall be shielded and reflected away from adjoining property.
- D. Ingress, egress and internal traffic circulation shall be designed to ensure safety and access by emergency vehicles.
- E. Adequate off-street parking and loading facilities shall be provided in accordance with the requirements of this Ordinance.

401.11 Day Care Facilities, All Types: The purpose of this section is to set forth standards for the three types of day care covered by this Ordinance (see Definition section also).

A. Family Day Care Homes

- 1. Such operations must obtain any permit/certificates required by the State.
- 2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).

B. Group Day Care Homes

- 1. Such operations must obtain any permits/certificates required by the State.
- 2. Hours of operation shall not begin before 6:00 a.m. nor extend beyond 8:00 p.m. (prevailing time).
- 3. Outdoor play areas shall be effectively screened from nearby residential uses through fencing or screening.
- 4. At least one (1) additional parking place shall be required.
- 5. The operator shall demonstrate how children shall be dropped off and picked up considering their safety and the safety of other pedestrian and vehicular traffic in the area.

C. Child Day Care Center

- 1. Any outdoor play area shall be effectively screened from abutting properties.
- 2. For all new construction, and where feasible for existing structures,

driveways shall be provided to deliver and pick up children off public streets. These facilities are intended for the safety of the children and the protection of the neighborhood. In any event, the developer shall demonstrate how pick up and delivery shall occur in a safe manner.

3. One (1) parking space for each employee shall be required (see also Section 507).
4. Such facilities must be licensed or registered (as appropriate) by the Pennsylvania Department of Public Welfare.

401.12 Cemeteries are subject to the following standards and criteria:

- A. A minimum site of five (5) acres shall be required.
- B. A drainage plan shall be submitted with the application for approval to show existing and proposed runoff characteristics.
- C. Ingress, egress and internal circulation shall be designed to ensure safety and minimize impact on local roads.
- D. All property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least ten (10) feet in depth measured from the side and rear property line.

401.13 Funeral Homes: Funeral homes shall meet the following criteria:

- A. A minimum of twenty (20) paved, on-lot parking spaces shall be provided, with an additional five (5) spaces for each additional viewing parlor after the first two (2).
- B. The driveway system shall be arranged so the hearse and funeral cortege formation will be made on the lot and not on a public street.

401.14 Personal Care Homes: The purpose of such homes is to provide residences for four (4) or more adults in a home-like setting. Consequently, it is essential to maintain an exterior appearance that is in harmony with surrounding residences. In addition, such uses shall meet the following conditions:

- A. Signs or exterior display indicating the name of the home or its use shall comply with this Ordinance.
- B. At least one (1) additional on-lot parking space shall be provided for each

two (2) guests, along with one (1) space per employee.

- C. No home shall admit more than eight (8) guests/clients at any one time.
- D. Evidence of the required State certifications and/or licenses shall be presented to the Zoning Officer.

401.15 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. All signs shall conform to this Ordinance.
- B. No more than five (5) guest rooms will be permitted.
- C. One (1) off-street parking space for each guest room shall be required. Parking shall be on-lot.
- D. The only meal served shall be breakfast and that shall be provided only to guests.
- E. The facility shall comply with State law regarding such facilities.

401.16 Recreational Vehicle Parks: Such uses shall:

- A. Have direct access on a public road.
- B. Comply with the Springfield Township Subdivision and Land Development Ordinance.

401.17 Small Businesses: Small businesses shall be a Special Exception and meet the following minimum requirements:

- A. Lot size shall be a minimum of two (2) acres for commercial uses and five (5) acres for industrial uses.
- B. The lot width shall be a minimum of three hundred (300) feet.
- C. Have no more than four (4) employees.
- D. Have no more than thirty percent (30%) building coverage.
- E. Meet all performance standards

- F. All required parking shall be on-lot.
- G. There shall at least be one hundred (100) feet from the commercial or industrial use and the side lot line and at least sixty (60) feet to the front lot line.

401.18 Transitional Homes, Hospitals and Nursing Homes are subject to the following express standards and criteria:

- A. The facility shall be licensed by the Commonwealth.
- B. The minimum site for a nursing home shall be two (2) acres; the minimum site for a hospital shall be five (5) acres.
- C. The site shall be serviced by public water and sewer.
- D. Water volume and pressure shall be adequate for fire protection.
- E. Ingress, egress and internal circulation shall be designed to ensure safety and access by emergency vehicles and to minimize impacts on local roads. The parking and circulation plan shall be submitted to the local police and fire company for comments regarding traffic safety and emergency access.
- F. Outdoor lighting shall be shielded away from adjacent properties.
- G. All property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least fifteen (15) feet in depth measured from the property line.

401.19 Animal Grooming, Kennels and Veterinary Clinics are subject to the following express standards and criteria:

- A. All such uses shall have lots of two (2) acres or more in size.
- B. All uses shall be located at least one hundred (100) feet from any property line adjoining residential uses or zoning classifications and at least fifty (50) feet from any other property line.
- C. Outdoor runs and similar facilities shall be constructed for easy cleaning, shall be adequately secured by a fence with a self-latching gate and shall be screened by a buffer area as defined by this Ordinance which is at least six (6) feet in depth.

401.20 Airports: All classes of airports, except ultralight, shall be allowed as a conditional use in the A District. However, the Township will need to adopt airport zoning regulations. The developer shall:

- A. Provide the Township with all the technical data required by the appropriate airport zoning regulations as set forth by the Bureau of Aviation, Pennsylvania Department of Transportation.
- B. Be responsible for all reasonable fees and costs incidental to preparation and adoption of airport zoning provisions as an amendment to this Ordinance.

401.21 Ultralight Airports: These facilities are intended for private use only. This use must comply with the following criteria:

- A. All such airports must be at least three hundred (300) feet from any property line and at least five hundred (500) feet from any dwelling.
- B. The operator shall present evidence that the facility complies with appropriate State regulations and has secured a license from the Pennsylvania Department of Transportation, Bureau of Aviation.

401.22 Surface Mining Extraction:

- A. All such operations must obtain a zoning permit.
- B. All required State permits shall be presented before the zoning permit can be issued.
- C. If access to the mining/pit operation is by Township road, then the developer is required to obtain written clearance from the Township relative to the movement of equipment and trucks over the road. Such clearance must be presented prior to the issuance of a zoning permit.
- D. Operations shall be limited to the hours of 5:00 a.m. to 9:00 p.m, prevailing time.

401.23 Car Washes are subject to the following express standards and criteria:

- A. All drainage water from car washing operations shall be contained on site, so as to not become a nuisance or hazard to adjoining properties, drainage ditches or roadways.
- B. All property lines adjoining residential use or zoning classification shall be screened by a buffer area as defined by this Ordinance which is at least ten (10) feet in depth measured from the property line.
- C. Driveway areas, wash stalls and waiting areas shall be covered with an impervious surface, and shall be maintained free of debris and obstructions.
- D. All outdoor lighting shall be located at least ten (10) feet from any street right-of-way and shall be shielded and reflected away from adjacent properties and public streets.

401.24 Drive-In/Through Restaurants: These uses are characterized by high volumes of use and late-night operations. Criteria for such uses are as follows:

- A. A site plan will be required.
- B. All property lines adjoining a residential use or classification shall have a buffer yard of ten (10) feet as measured from the property line.
- C. Entrance and exit driveways shall be clearly marked and conform to the requirements of Section 507 of this Ordinance.
- D. Parking spaces and stacking spaces shall conform to Section 507 of this Ordinance.
- E. The alignment of driveways for order and pickup purposes shall be so arranged or screened to avoid headlight glare on adjacent residential uses or districts.
- F. Auto/pedestrian circulation shall be designed to allow adequate sight distance between patron entrances/exits and drive-through lanes.

401.25 Self-Storage Units: These uses shall:

- A. Provide a buffer yard of at least ten (10) feet, measured from the property line, along all side and rear yards, which abut residential districts or uses.

- B. Lot areas shall be at least two (2) acres in size.
- C. Lighting shall be directly away from adjacent properties.

401.26 Roadside Stands: Roadside stands for the sale of agricultural products shall be:

- A. Erected at least thirty (30) feet back from the nearest edge of the roadway surface and shall comply with all side yard requirements with a maximum size of three hundred (300) square feet.
- B. Provided with parking spaces off the road right-of-way.
- C. Signs shall be limited to thirty-two (32) square feet in overall size, two (2) sign faces will be allowed).

401.27 Convenience Stores:

- A. Any fuel pumps shall be at least thirty (30) feet from the front lot line and thirty (30) feet from each side lot line.
- B. Any lot line abutting a residential use or district shall provide appropriate screening. Such screening shall be at least ten (10) feet wide.
- C. Canopy structures shielding gasoline pumps shall be no closer than twenty (20) feet from the front lot line or may follow the average setback of the structures adjoining on each side and twenty (20) feet from each side lot line.
- D. Any outdoor mechanical or refrigeration equipment shall be muffled to minimize noise.

401.28 Auto Sales and Service are subject to the following express standards and criteria:

- A. All repair and servicing shall be conducted within an enclosed building.
- B. All repair and servicing shops shall be located a minimum of three (300) feet from all residential dwellings other than those on the applicant's lot.
- C. Customer vehicles awaiting repairs shall be located inside a building or shall be screened by a hedge or opaque fence which is at least six (6) feet in height so they will not be visible from adjacent properties or streets.

- D. There shall be no storage of materials or equipment outside an enclosed building.
- E. Organic waste and/or rubbish shall be stored in covered containers. All discarded automobile parts shall be stored either inside a building or shall be screened from view behind an opaque fence or hedge which is at least six (6) feet in height until they are properly disposed of in accordance with Federal, State and Local laws.
- F. Adequate off-street parking shall be provided in accordance with Section 507.
- G. Outdoor auto sales areas shall have a dust-free surface.
- H. Lighting shall be contained on-site to the degree possible and directed away from nearby uses.
- I. Driveway permits shall be required.

401.29 Sawmills are subject to the following express standards and criteria:

- A. The use shall be subject to the Performance Standards of this Ordinance.
- B. All milling operations shall be located at least three hundred (300) feet from any existing dwelling on adjoining property and at least one hundred (100) feet from any property line.
- C. Routes to be used by hauling trucks shall be approved by the municipality. If bonding of the road is required by the municipality, proof of compliance is required.
- D. Milling operation shall be discontinued from 7:00 p.m. to 7:00 a.m.

401.30 Warehouse and Truck Terminals, Bulk Fuel Storage: These uses tend to be intense and can often involve issues of public safety. As such, they must meet the following conditions:

- A. All such uses must have a lot of at least two (2) acres in size. Any yard that faces a residential use or district must provide a screening area of at least ten (10) feet in addition to the required setbacks.
- B. All such uses must have direct access to a State road or highway, due to the traffic such uses engender.

- C. If the number of trucks to be accommodated in a daily basis exceed one hundred (100), the applicant will describe in detail what steps will be taken to insure traffic safety and provide evidence that proper sight distances for both truckers and passenger cars will be provided.
- D. For uses involving bulk fuels and or chemicals, a list of substances to be handled, piping plans and emergency phone numbers of company personnel for the Springfield Township Volunteer Fire Department will be required.
- E. Any needed permits shall be presented.

401.31 Junk Yards are subject to the following express standards and criteria:

- A. The minimum site size shall be five (5) acres.
- B. The premises shall be maintained so as to not constitute a nuisance or a menace to public health and safety.
- C. No garbage or other organic waste shall be stored on the premises.
- D. The manner of storage of junk shall facilitate access for fire fighting and shall prevent accumulation of stagnant water.
- E. Junk yards shall comply with the Performance Standards of Section 506.
- F. No junk shall be stored or accumulated within one thousand (1,000) feet of any dwelling and no closer than forty (40) feet to any property line or public street.
- G. The premises shall be enclosed by a metal chain-link fence supported on steel posts with self-latching gate not less than eight (8) feet in height.
- H. The fence shall be supplemented with screening material which creates a visual barrier that is less than fifty percent (50%) open.
- I. All property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least twenty (20) feet in depth measured from the property line. The required fence shall be located inside the buffer area and where a buffer area exists, supplemental screening, as required in Section H. above, of the fence shall not be required.

401.32 Heavy Manufacturing: Heavy manufacturing shall meet the following performance standards:

- A. All needed permits from Federal and State environmental agencies shall be identified and presented.
- B. Noise: The sound pressure level or any industry abutting upon a residential or commercial district shall not exceed the decibel limits in the octave bands designated in the following table.

Octave Frequency (Cycles per second)	Decibel Limits Along Residential District Boundaries	Decibel Limits for Commercial District Boundaries
0-75	72	79
75-150	67	74
150-300	59	66
300-600	52	59
600-1200	46	53
1200-2400	40	47
2400-4800	34	41
Over 4800	32	39

Sounds of short duration, as from forge hammers, punch presses, and metal shears, which cannot be measured accurately with the sound-level meter, shall be measured with the impact filter as manufactured by the General Radio Company or its equivalent in order to determine the peak value of the impact. For sounds so measured, the sound pressure level set forth in this table may be increased by six (6) decibels.

- C. Vibration: No vibration shall be generated which can be detected by a normal person at the District boundary.
- D. Glare: Lighting or such activities as welding shall be shielded from any residential use or district.

401.33 Multiple-Family Dwellings: Such uses shall have a minimum lot size of one (1) acre, plus twenty (20,000) thousand square feet of additional lot size for every family in excess of the first. In addition any such uses that are not connected to a DEP approved community sanitary sewer system shall provide an on-lot system approved by the Township's Sewage Enforcement Officer.

401.34 Planned Residential Development: These developments shall follow the

procedures and requirements of Article 10.

401.35 Light Industrial: These uses are intended for light assembly, precision machining, product assembly and similar activities. Such uses shall comply with the following criteria:

- A. Noise: The sound pressure level or any industry abutting upon a residential or commercial district shall not exceed the decibel limits in the octave bands designated in the following table.

<u>Octave Frequency (Cycles per second)</u>	<u>Decibel Limits District Boundaries</u>
0-75	72
75-150	67
150-300	59
300-600	52
600-1200	46
1200-2400	40
2400-4800	34
Over 4800	32

- B. Vibration: No vibration shall be generated which can be detected by a normal person at the property boundary.
- C. Glare: Lighting or such activities as welding shall be shielded from any residential use or district.

401.36 Cement Plants, Block Plants, Asphalt Plants: These are uses of great intensity and as such shall be subject to the following criteria:

- A. The lot size shall be at least five (5) acres in size.
- B. The front yard space shall be increased thirty (30) feet, side and rear yards fifteen (15) feet in addition to those already required.
- C. Active portions of the site shall be enclosed by a fence at least seven (7) feet high.
- D. There shall be no outside storage of inoperative vehicles, or refuse materials.
- E. Shall be located on a paved road with a cartway of at least twenty (20) feet.

401.37 Electrical General Plants: These plants are uses of potential intensity and also can cause interference to nearby electronic uses. They shall:

- A. Have a lot of at least ten (10) acres.
- B. Maintain an open space of at least two hundred (200) feet between any building and the perimeter of the lot.
- C. Have all needed permits relative to the generation plant itself and any permits required by the Department of Environmental Protection.
- D. Shall be located on a paved road with a cartway of at least twenty (20) feet.

401.38 Sanitary Landfills: Though highly regulated by the Pennsylvania Department of Environmental Protection, they are uses which are highly intensive, generate excessive traffic and can have an adverse reaction on nearby properties. They shall:

- A. Be located on a lot of at least forty (40) acres.
- B. Be located on a paved State-maintained road which is classified as a minor arterial or better.
- C. Shall maintain at least five hundred (500) feet of yard space between the use and any residential use or district.
- D. Present evidence that all needed permits from the State of Pennsylvania and the Federal Government have been secured.
- E. In the event that there will be more than fifty (50) trucks a day, visiting and leaving the site, a traffic impact study will be required.

401.39 Fire Stations:

- A. All side and rear property lines adjoining residential uses or zoning classifications shall be screened by a buffer area as defined by this Ordinance which is at least ten (10) feet in depth measured from the property line.
- B. All lights shall be shielded and reflected away from adjoining property.
- C. The entrance and exit for the facility shall be so designed as to allow adequate sight distances and generally ensure a safe entrance onto public roads.

- D. There shall be adequate space in front of the fire station so trucks and equipment may be backed into their parking bays without using public streets.

ARTICLE 5 SUPPLEMENTARY REGULATIONS

Section 501 Nonconforming Uses and Structures

Every structure, use or lot which does not conform to the regulations of the district in which it is located at this time of adoption of this Ordinance or amendment thereto, shall be considered “nonconforming.” 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 Zoning Hearing Board in accordance with the provisions of this Ordinance.

501.2 A nonconforming structure which has been partly or completely destroyed, other than by intent or design, may be rebuilt or repaired within one (1) year and continued. Nothing in this Ordinance shall be deemed to prevent the strengthening or restoring to a safe condition of any structure declared unsafe by any public official.

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 Zoning Hearing Board, be extended, enlarged or replaced. However, such structures must comply with the area, 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.

501.8 Nonconforming signs may be repaired or changed, provided that no structural alterations are made which increase the gross surface area of the sign. Nonconforming signs shall not be enlarged.

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 Where a structure exists on an adjacent lot and is within one hundred fifty (150) feet of either or both sidelines of the lot, 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, Section 503.5, and Section 503.7.

503.3 A wall or fence under seven (7) 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 may not be subject to the seven (7) foot high limitation. Fences may be permitted in front yard areas provided they are no higher than four (4) feet and do not infringe on the required free sight triangle at intersections or at driveways.

503.4 Swimming pools shall be permitted in side or rear yard areas, provided that the pool is located not less than ten (10) feet from lot line.

503.5 Small garden sheds, storage sheds and similar accessory structures may be permitted in rear yard areas, provided such structure does not lie closer than five (5) feet to side lot line or within ten (10) feet of the rear property line.

503.6 Attached Accessory Structures: 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.

503.7 Ramps for handicapped persons will be permitted and shall be so designed to minimize intrusions on the required front yard.

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. They shall be removed when construction is complete. Permits for temporary structures shall be issued for a one (1) year period. Temporary structures are subject to 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, telecommunication towers or antennas, conveyors, flag poles, agricultural barns, silos and similar farm structures, standpipes, elevated water tanks, derricks and similar structures.

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. 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 Air Pollution/Smoke: All air-borne emissions shall comply with the regulations of the Pennsylvania Department of Environmental Protection and the Environmental Protection Agency (US).

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

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

506.6 Vibration: No vibration shall be permitted which is discernible without instruments on any adjoining lot or property, except that the temporary vibration as a result of construction activity shall be permitted.

506.7 Noise: Noise which is determined to be objectionable because of volume or frequency shall be muffled or otherwise controlled, except fire sirens and related apparatus used solely for public purposes, which shall be exempt from this requirement. Objectionable noise levels shall be construed as being those in excess of 60 dB at the property line.

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		
Uses	Square Feet of Floor Area (Sq Ft)	Required Off-Street Loading Berths
Industrial		
Manufacturing, Warehouse and Storage	10,000 - 49,999	1
	50,000 - 89,999	2
	For each additional 40,000 or major fraction thereof	1 additional
Commercial		
Wholesale	20,000 - 49,999	1
	50,000 - 79,999	2
	For each additional 30,000 or major fraction thereof	1 additional
Retail	20,000 - 39,999	1
	40,000 - 59,000	2
	For each additional 20,000 or major fraction thereof	1 additional
Service Establishment	30,000 - 59,999	1
	60,000 - 89,000	2
	For each additional 30,000 or major fraction thereof	1 additional
Restaurants	40,000 - 79,999	1
	80,000 - 119,000	2
	For each additional 40,000 or major fraction thereof	1 additional
Office Building	40,000 - 99,999	1
	100,000 - 159,000	2
	For each additional 60,000 or major fraction thereof	1 additional
Hotel / Motel	20,000 - 99,999	1
	100,000 - 179,000	2
	For each additional 80,000 or major fraction thereof	1 additional
Undertakers and Funeral Parlors	5,000 - 9,999	1
	10,000 - 14,999	2
	For each additional 5,000 or major fraction thereof	1 additional
Institutional		
Schools	10,000 - 99,999	1
	100,000 - 189,000	2
	For each additional 90,000 or major fraction thereof	1 additional
Hospitals and Nursing Homes	50,000 - 99,999	1
	100,000 - 149,000	2
	For each additional 50,000 or major fraction thereof	1 additional
Public Buildings		

Auditoriums and Arenas	30,000 - 99,999	1
	100,000 - 169,999	2
	For each additional 70,000 or major fraction thereof	1 additional

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

507.1(a) Size and Access: Each off-street loading space shall be not less than fourteen (14) feet in uniform width and sixty (60) feet in length with fifteen (15) feet of vertical clearance. 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. Loading spaces shall not be located in the required front yard.

Loading spaces for vehicles over a two (2) ton capacity shall be located at least thirty (30) feet from any property line adjoining residential use or zoning classification. All loading spaces located along a property line adjoining residential use or zoning classification shall be screened by an opaque wall, fence or hedge at least six (6) feet in height.

507.2 Off-Street Parking:

507.2(a) Size and Access: For all uses, each parking 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. 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) 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 for the uses.

PARKING

<u>USE SPACES</u>	<u>REQUIRED PARKING</u>
1. Auto Sales and Service	1 for each 400 square feet GFA
2. Service Stations/Convenience Stores	1 for each 250 square feet GFA
3. Single- and Two-Family Dwellings	2.0 per dwelling unit
4. Multi-Family Dwelling	2.0 per dwelling unit*
5. Mobile Home Parks	2.0 per each mobile home 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 3 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,	1 space for each 60 square feet of public floor area
14. Roller Rinks	1 space for each 250 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 250 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 250 square feet GFA
23. Mobile Home and Monument Sales	1 per each 2,500 square feet of lot area
24. Restaurants, Clubs and Lodges	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 GFA for visitors
26. Commercial Recreation (not otherwise covered)	1 space for every 2 persons permitted in maximum occupancy
27. Boarding or Rooming Houses	1 for each rental room

*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(c) Location and Parking: Required parking spaces shall be located on the same lot with the principal use.

507.2(d) 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 four (4) feet between the front lot line and the parking lot. Such planting strip shall be suitably landscaped and maintained.

507.2(e) 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 of a residential use or district.

507.2(f) 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.

507.2(g) 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.

507.2(h) Stacking Requirements for Drive-In, Drive-Through Facilities: This section provides vehicle standards for drive-in, drive-through facilities. These may include such uses as banks, fast-food restaurants and car washes. The purpose of these standards is to provide minimal stacking capacity for various uses so vehicles will not use public streets while queuing in line for service. All references to stacking capacity relates to typical automobiles. A length of twenty (20) feet per auto will be used to accommodate one (1) vehicle and minimal head space. Minimum stacking lane width is nine (9) feet.

<u>Use</u>	<u>Stacking Capacity Per Drive-In Window</u>
Restaurant	8* per drive-in window
Bank	5 per drive-in window
Car Wash	4 per wash bay

*If there are separate order and pickup windows, four (4) for each shall be accepted.

For other uses, guidelines for the Institute of Traffic Engineers may be used or the written recommendations of a professional engineer.

Note: Stacking capacity is to be measured from the lot line to the service window and is not to include any area of the public right-of-way.

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 eight (8) 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. Permits for such signs will be issued for a six (6) month period and may be renewed if construction is not complete. Once construction is complete, the sign shall be removed.
 - 4. Development Signs: Signs identifying residential developments of no greater than twenty (20) square feet at one entrance to the development shall be allowed.
 - 5. 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 six (6) square feet.
 - 6. Signs for political candidates, parties, or purposes.

7. Signs advertising agricultural products, grown on-site, shall be permitted. They shall not exceed thirty-two (32) square feet and shall be removed at the end of the season.
- B. No signs shall be permitted within the legal right-of-way of any street, except those of a duly constituted governmental body, including traffic signs and similar regulatory notices. No signs are permitted on utility poles.
- C. Directional and information signs, not exceeding eight (8) square feet in area, per use, premises or establishment, and used for the direction and protection of the public, shall be permitted.
- D. The height of free-standing signs from ground level to the top of the sign shall not exceed fifteen (15) feet in all residential areas.
- E. In Residential and the “A” Districts, permitted signs will be allowed in the front yard, but must be at least ten (10) feet behind the front property line. In commercial districts, signs may be permitted up to the front yard line except where such signs would interfere with the required free sight triangle, or where they would interfere with pedestrian or traffic visibility. Signs shall not project over or onto any public right-of-way.
- F. Signs may be lighted with non-glaring lights, or may be illuminated by shielded floodlights.
- G. All signs, except temporary signs, shall be constructed of durable material and kept in good condition and repair.
- H. 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 In Residential Districts and the “A” Districts, the following signs shall be permitted:

- A. Home occupation, no-impact home-based business or nameplate sign displaying the name and address of the occupant or the profession or activity of the occupant of a dwelling unit, provided that not more than one (1) such sign shall be erected for each permitted use, and provided that the area of each such sign shall not exceed six (6) square feet and provided that each such sign shall be fixed flat on the main wall of such building or may be erected in the front yard, but not within ten (10) feet of a front line.

- B. Sign, bulletin board, announcement board or identification sign for schools or churches, other than dwellings on the same lot therewith for the purpose of displaying the name of the institution and its activities or services; provided that the area of any such sign shall not exceed forty (40) square feet and not more than one (1) such sign shall be erected on any one (1) street frontage.
- C. For multiple-unit dwelling complexes, one (1) sign, not to exceed six (6) square feet per building, shall be permitted identifying the name, address and telephone number of the owner or manager. In addition, one (1) sign which exclusively identifies the multiple-unit dwelling complex by its commonly known name, said sign not to exceed thirty-six (36) square feet, shall be permitted. Any such signs shall be no closer than ten (10) feet for the front lot line.

508.2 In the Commercial District, the following signs shall be permitted:

- A. Signs directing patrons, members or audience to temporary exhibits, shows or events, provided that such sign shall not exceed eight (8) square feet; shall be removed within one (1) week after the date of the exhibit, show or event; shall not be posted earlier than two (2) weeks before the date of the exhibit, show or event.
- B. Wall signs, provided that the total of such signs shall be limited to one hundred fifty (150) square feet. These signs may be illuminated or non-illuminated. Wall signs shall be allowed on all building frontages. Such signs shall not extend more than twelve (12) inches from the main wall of the building.
- C. Special temporary promotional devices, signs or displays, such as banners or pennants. Where such signs are outside of a building, they shall remain on display for a period not to exceed thirty (30) consecutive days.
- D. Pole Signs: May be illuminated or non-illuminated. The area per sign face shall not exceed fifty (50) square feet in surface area per face. No more than two (2) sign faces shall be permitted. There shall be at least ten (10) feet of clearance between ground level and the bottom of the sign face.
- E. Ground Signs: Shall not exceed twenty (20) square feet in size and may be illuminated or non-illuminated.
- F. Shopping Centers (Multi-tenant Identification Signs): One (1) directory-type sign shall be permitted for a shopping center which identifies the name of the

shopping center and the tenants of the facility. Such a sign shall not exceed sixty (60) square feet in overall size per sign face. In addition, some twelve (12) square feet for each tenant name may be used on the directory sign. Tenants will be allowed signs on, or in the shopping center in accordance with Section B above, Wall Signs.

- G. Multi-Tenant Building: Where more than one (1) tenant exists in a building, each tenant shall be allowed a sign. Such a sign shall not exceed sixty (60) square feet in overall size per sign face. In addition, some twelve (12) square feet for each tenant name may be used on the directory sign.

508.3 In the Industrial District, advertising signs, billboards, and business signs are permitted provided that such signs shall not exceed an aggregate area of sixteen hundred (1,600) square feet.

508.4 Seaway Trail, Billboards

- A. Along the corridor designated as the Seaway Trail, which includes West Lake Road (PA 5), and West Ridge Road (US 20), from its intersection with PA 5 to the Ohio line, no outdoor advertising device, as defined, may be erected by any owner, person responsible or other person:

1. Within six hundred sixty (660) feet of the nearest edge of the right-of-way; or
2. More than six hundred sixty (660) feet from the nearest edge of the right-of-way if the sign is visible from the main-traveled way and the purpose of the sign is that its message be read from the main-traveled way, except as follows:
 - a. The official signs and notices which are required or authorized by law and which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131 (relating to control of outdoor advertising);
 - b. Outdoor advertising devices advertising the sale or lease of the real property upon which they are located;
 - c. Outdoor advertising devices advertising activities conducted on the property on which they are located, including devices which display a message that may be changed at reasonable intervals by electronic process or remote control; and

- d. Directional signs, including, but not limited to, signs pertaining to natural wonders, scenic and historical attractions and other points of interest to the traveling public which conform to the national standards promulgated by the Secretary of Transportation of the United States pursuant to 23 U.S.C. § 131.
- B. All outdoor advertising devices constructed and existing on the effective date of this Ordinance, which would be prohibited under this Ordinance, shall be permitted except that if the device shall not be used for advertising for a period of one year or shall become dilapidated, the device shall be removed.
- C. If the Seaway Trail corridor is designed a Byway by the Commonwealth of Pennsylvania, Department of Transportation, the Township shall enforce the prohibitions set forth in this section of this Ordinance and shall not revise Sections 508.A, 508.B, or 508C. of this Zoning Ordinance without the prior written approval of the Department.

Section 509 Individual Mobile Homes

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

- A. The proposed lot shall meet all area and yard requirements of the district.
- B. All mobile homes, exclusive of those located in mobile home parks, shall be placed on a foundation of concrete masonry, stone masonry, concrete blocks or bricks. This foundation shall be constructed to a depth of no less than thirty (30) inches below the finish grade line of the mobile home site and shall be oriented to the structural frame of the mobile home in such a manner as to offer adequate support and bearing to the structure. Tie downs shall be installed to prevent wind damage. At a minimum, tie downs and anchors must comply with the manufacturer's standards.
- C. Each mobile home shall be skirted with an enclosure of compatible design and material. Such skirting shall provide adequate ventilation to inhibit formation of moisture and decay.
- D. Mobile homes shall only be used for single-family dwellings and may not be accessory buildings.

Section 510 Agriculture:

- A. Facilities for specialized animal raising and care of large animals (horses, cattle, sheep, swine, goats, etc.), including but not limited to such facilities as feed lots, runs, and pens shall not be constructed within five hundred (500) feet of neighboring residential buildings or three hundred (300) feet from property lines.
- B. The raising of large animals for personal use is permitted in accordance with the following:
 - 1. The minimum lot area is two (2) acres in size.
 - 2. One (1) animal allowed per acre on lots under ten (10) acres.
 - 3. The land area used by the animals is completely enclosed by fence located a minimum of five (5) feet from any lot line except if a line fence is mutually agreed upon by adjoining property owners.
 - 4. Stable facilities must be separate from dwellings and located no closer than fifty (50) feet from property line.
 - 5. Household pets are not included in this subsection, such as dogs, cats, hamsters, etc.
- C. Roadside stands for the sale of agricultural products shall be:
 - 1. Erected at least thirty (30) feet back from the nearest edge of the roadway surface and shall comply with all side yard requirements with a maximum size of three hundred (300) square feet.
 - 2. Provided with parking spaces off the road right-of-way.

Section 511 Floodplains: All uses of lands in designed floodplain areas are controlled by the terms and provisions of the Springfield Township Floodplain Ordinance No. 82-2.

Section 512 Logging Operations and Underground Utility Installations:

- A. For any logging operation utilizing Township roads, the operators shall be required to obtain a permit and post bond to the Township Supervisors sufficient to cover the cost of restoring or repairing any Township road damage incurred in their operations.
- B. A bond may be required by the Township Supervisors for the purpose of

installing underground utilities.

The Supervisors or the Zoning Officer must give final approval of satisfactory restoration before the bond is returned.

Section 513 Township-Owned Structures

Nothing in this Chapter shall prevent Springfield Township, or its agencies, from locating buildings, structures, services or other community facilities in any zoning district, when the installation of such facilities is deemed, by the Township Supervisors, to be in the best interest of the Township for the protection of public health or safety, or for the general welfare of the community.

Section 514 Sight Line (Visibility at Intersection)

No fence, wall, hedge, screen, sign or other structure or planting shall be higher than three (3) feet in any district within the triangle area (sight triangle) formed by the intersection of the centerline of each street. Sight triangle shall be formed by the connection of points on the intersecting road centerlines, such points being one hundred (100) feet for minor and one hundred twenty (120) feet for arterial roads from the intersection of the centerlines. Trees may be planted in this triangle area provided the lowest foliage is eight (8) feet or higher. In computing heights, the mean elevation of adjacent streets shall be the elevation from which heights are measured.

Section 515 Lake Erie Bluff Recession and Setbacks

In any designated bluff recession hazard area, no person shall construct, install or engage in substantial improvement to any structure or any utility facility, such as but not limited to water, sewage, electric, gas, oil or telephone facilities, in violation of the bluff setback requirements established by this Chapter. The Lake Erie bluff setback delineation shall be based upon the following requirements:

- A. Residential Structure. The land adjacent to the Lake Erie bluff line extending inland for a distance of one hundred (100) feet, measured horizontally. Residential structures are defined as a place providing the habitation for an individual or group of individuals. Structures in this category include but are not limited to single-family homes, duplexes and summer cottages as well as any secondary structure associated with the residential structure.
- B. Commercial Structure. The land adjacent to the Lake Erie bluff line extending inland for a distance of one hundred fifty (150) feet, measured horizontally. Commercial structures are defined as a place where commodities are exchanged, bought or sold. Structures in this category

include but are not limited to grocery stores, hardware stores, clothing shops and pharmacies as well as any secondary structure that is associated with the commercial structure.

- C. Light and Heavy Industrial Structures. The land adjacent to the Lake Erie bluff line extending inland for a distance of two hundred (200) feet, measured horizontally. Light and heavy industrial structures are defined as a place where materials are refined, produced or fabricated and stored prior to shipment to commercial establishments. Structures in this category include but are not limited to factories, power plants and warehouses as well as any secondary structure that is associated with the industrial structure. Hospitals, nursing homes, schools and other public service facilities—because of the dangers inherent in bluff recession—will, for purpose of setback requirements, be considered light and heavy industrial structures.

D. Substantial Improvement.

1. A repair, reconstruction or improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:
 - a. Before the improvement or repair is started, or
 - b. If the structure has been damaged and is being restored before the damage occurred, or
2. Repair, reconstruction or improvement of a structure occurring over a five (5) year period, the aggregate cost of which equals or exceeds fifty percent (50%) of the market value of the structure either:
 - a. Before the first improvement or repair is started, or
 - b. If the structure has been damaged and is being restored before the damage occurred.
3. Substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure. The term does not, however, include any project for improvement of a structure to comply with existing State or local health, sanitary or safety specifications which are solely necessary to assure safe living conditions or any alteration of a structure listed on the National Register of Historic Places or a

State inventory of historic places.

E. Variances. A request or a variance to the permit requirements of this Section may be granted only in the following cases:

1. When a parcel, established prior to a bluff recession hazard area designation, does not have adequate depth, considering the minimum bluff setback requirements, to provide for any reasonable use of the land. The variance may be granted only when each of the following criteria are met:
 - a. The structure and all associated structures and utility facilities shall be located on the property as far landward of the bluff line as allowed by other Township ordinances.
 - b. The structure shall be designed and constructed to be moveable in accordance with proper engineering standards and building moving restrictions applicable to the subject area prior to damage by bluff recession. Review and approval of the design shall be conducted by the Zoning Officer. All construction materials, including foundations, shall be removed or disposed of as part of the moving operation. Access to and from the structure site shall be of sufficient width and acceptable grade to allow for moving of the structure.
2. When the proposed structure or utility facilities require access to the body of water and there is no feasible alternative for obtaining such access. A variance may be granted only for the discharge and withdrawal lines (infrastructure) that provide lake water for operating purposes and only when each of the following criteria are met:
 - a. During the construction, the applicant or persons engaged in the actual placement of the infrastructure must utilize sound land use practices which will reduce disruption of the bluff edge and bluff face. These sound land use practices include but are not limited to methods to minimize: stormwater runoff, increased soil erosion, changes to local drainage patterns and changes to protective vegetative cover.
 - b. The infrastructure providing the utility facility or structure access to the lake will be designed and constructed so that it is adequate protection of the bluff. The construction of the infrastructure will occur in a manner that minimizes potential

adverse or long-term disruption of the bluff face and in accordance with the provisions of Title 25, Chapter 102, Erosion Control.

3. The words “Parcel established prior to a bluff recession hazard designation” shall be construed to refer only to that portion of a parcel within the designated Lake Erie Bluff Recession. The subdivision of a portion of a larger parcel partially within the designated Lake Erie Bluff Recession area, where the subdivided portion is, in its entirety, outside the Lake Erie Bluff Recession area as that term is used to indicate minimum distances in Sections A., B., and C. hereof, and no part of the subdivision includes any area within the said minimum distances, shall not disqualify the owner from a variance under Section 515.E.(1) of this Ordinance.

ARTICLE 6

HEARINGS OF THE BOARD OF TOWNSHIP SUPERVISORS

Section 601 Jurisdiction

Under Article IX of the Pennsylvania Municipalities Planning Code, the Board of Township Supervisors have jurisdiction over the following matters which pertain to this Ordinance.

- A. Conditional Uses
- B. Substantive questions of ordinance validity through the filing of a curative amendment
- C. Planned Residential Development
- D. Amendments to this Ordinance either to its text or to the Zoning Map
- E. Appeals from the certain actions of the Zoning Officer or Municipal Engineer relative to items specified in Section 909.1 of the Planning Code.

Section 602 Conditional Uses

Certain uses, as specified by this Ordinance, are conditional uses to be granted or denied by the Board of Supervisors. The Springfield Township Planning Commission is to advise the Board of Supervisors relative to conditional uses. In general, the Board is to be governed by the specific criteria set forth by this Ordinance, the general intent of the Ordinance, the welfare of the community and the recommendations of the Springfield Township Planning Commission in rendering its decision. The Board may attach reasonable conditions to its decision. Specific procedures for Board action follow:

- A. Where the Board, in the zoning ordinance, has stated conditional uses to be granted or denied by the Board pursuant to express standards and criteria, the Board shall hold hearings on and decide requests for such conditional uses in accordance with such standards and criteria. The hearing shall be conducted by the Board or the Board may appoint any member or an independent attorney as a hearing officer. The decision, or, where no decision is called for, the findings shall be made by the Board. However, the appellant or the applicant, as the case may be, in addition to the Township, may, prior to the decision of the hearing, waive decision or findings by the Board and accept the decision or findings of the Hearing Officer as final. In granting a conditional use, the Board may attach such reasonable conditions and safeguards, in addition to those expressed in the Ordinance, as it may

deem necessary to implement the purposes of this act in the Zoning Ordinance.

B.

1. The Board shall render a written decision or, when no decision is called for, make written findings on the conditional use application within forty-five (45) days after the last hearing before the Board. Where the application is contested or denied, each decision shall be accompanied by findings of fact or conclusions based thereon, together with any reasons thereof. Conclusions based on any provisions of the Planning Code or of any ordinance, 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.
2. Where the Board fails to render the decision within the period required by this subsection or fails to commence, conduct or complete the required hearing within sixty (60) days from the date of the applicant's request for a hearing or fails to complete the hearing no later than one hundred (100) days after the completion of the applicant's case in chief, unless extended for good cause upon application to the court of common pleas, 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 the decision within ten (10) days from the last day it could have met to render a decision in the same manner as required by the public notice requirements of this act. If the Board shall fail to provide such notice, the applicant may do so.
3. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction. 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 no later than the day following its date.

Section 603 Substantive Challenges, Curative Amendments

These issues shall be handled in accordance with Articles VI and IX of the Planning Code in general.

603.1 Procedure for Landowner Curative Amendments:

- A. 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 Township Supervisors with a written request that his challenge and proposed amendment be heard and decided as provided in Section 916.1 of the Planning Code. The Board shall commence a hearing thereon within sixty (60) days of the request as provided in Section 916.1. The curative amendment and challenge shall be referred to the Springfield Township Planning Commission and notice of the hearing thereon shall be given as provided in Section 610 and Section 916.1 of the Planning Code.
- B. The hearing shall be conducted in accordance with Section 908 of the Planning Code and all references therein to the Zoning Hearing Board shall, for purposes of this section be references to the Board provided, however, that the deemed approval provisions of Section 908 shall not apply and the provisions of Section 916.1 shall control. If the Township does not accept a landowner's curative amendment brought in accordance with this subsection and a court subsequently rules that the challenge has merit, the court's decision shall not result in a declaration of invalidity for the entire Zoning Ordinance and Map, but only for those provisions which specifically relate to the landowner's curative amendment and challenge.
- C. If the Board of Township Supervisors determines that the validity challenge has merit, it may accept a landowner's curative amendment, with or without revision, or may adopt an alternative amendment which will cure the challenged defects. The Board shall consider the curative amendments, plans and explanatory material submitted by the landowner and shall also consider:
 - 1. The impact of the proposal upon roads, sewer facilities, water supplies, schools and other public service facilities;
 - 2. If the proposal is for a residential use, the impact of the proposal upon regional housing needs and the effectiveness of the proposal in providing housing units of a type actually available to and affordable by classes of persons otherwise unlawfully excluded by the

challenged provisions of the Ordinance or Map;

3. The suitability of the site for the intensity of use proposed by the site's soils, slopes, woodlands, wetlands, floodplains, aquifers, natural resources and other natural features;
4. The impact of the proposed use on the site's soils, slopes, woodlands, wetland, floodplains, natural resources and natural features, the degree to which these are protected or destroyed, the tolerance of the resources to development and any adverse environmental impacts; and
5. The impacts of the proposal on the preservation of agriculture and other land uses which are essential to public health and welfare.

603.2 Procedure for Municipal Curative Amendments: If the Township determines that its Zoning Ordinance or any portion thereof is substantially invalid, it shall take the following actions:

- A. The Board of Supervisors shall declare by formal action, its Zoning Ordinance or portions thereof substantively invalid and propose to prepare a curative amendment to overcome such invalidity. Within thirty (30) days following such declaration and proposal, the Board shall:
 1. By resolution make specific findings setting forth the declared invalidity of the Zoning Ordinance which may include:
 - a. References to specific uses which are either not permitted or not permitted in sufficient quantity;
 - b. Reference to a class of use or uses which require revision; or
 - c. Reference to the entire Ordinance which requires revisions.
 2. Begin to prepare and consider a curative amendment to the Zoning Ordinance to correct the declared invalidity.
- B. Within one hundred eighty (180) days from the date of the declaration and proposal, the Township shall enact a curative amendment to validate, or reaffirm the validity of, its Zoning Ordinance pursuant to the provisions required by Section 609 in order to cure the declared invalidity of the Zoning Ordinance.

- C. Upon the initiation of the procedures, as set forth in clause (A), the Board of Supervisors shall not be required to entertain or consider any landowner's curative amendment filed under Section 609.1 of the Planning Code nor shall the Zoning Hearing Board be required to give a report requested under Section 909.1 or 916.1 of the Planning Code subsequent to the declaration and proposal based upon the grounds identical to or substantially similar to those specified in the resolution required by clause (A)(1). Upon completion of the procedures as set forth in clauses (A) and (B), no rights to a cure pursuant to the provisions of Sections 609.1 and 916.1 of the Planning Code shall, from the date of the declaration and proposal, accrue to any landowner on the basis of the substantive invalidity of the unamended zoning ordinance for which there has been a curative amendment pursuant to this section.
- D. If the Township utilizes the procedures as set forth in clauses (A) and (B), it may not again utilize said procedure for a thirty-six (36) month period following the date of the enactment of a curative amendment, or reaffirmation of the validity of this Zoning Ordinance, pursuant to clause (B); provided, however, if after the date of declaration and proposal there is a substantially new duty or obligation imposed upon the county by virtue of a change in statute or by virtue of a Pennsylvania Appellate Court decision, the Township may utilize the provisions of this section to prepare a curative amendment to its Ordinance to fulfill said duty or obligation.

Section 604 Amendments

Please refer to Article 9 of this Ordinance.

Section 605 Other Appeals

For the subject matter and processing of other appeals, the Township will be governed by Article IX of the Planning Code in general and Section 909.1 therein in particular.

ARTICLE 7

ZONING HEARING BOARD

Section 701 Creation

There is hereby created a Zoning Hearing Board, herein referred to as the "Board," consisting of five (5) residents of Springfield 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 702 Appointment

The terms of office of the Board shall be five (5) 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. The appointment, terms, rights and duties of the alternate shall be in accordance with Article IX of the Pennsylvania Municipalities Planning Code.

Section 703 Removal of Members

Any Board member may be removed for malfeasance, 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 704 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 members are disqualified to act in a particular matter or are absent and a quorum is not available, an alternate member shall be seated. The use and selection of alternates shall be consistent with Section 906 of the Planning Code. 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.

Section 705 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 706 Legal Counsel

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

Section 707 Hearings

The Board shall conduct hearings and make decisions in accordance with Article IX of the Planning Code and the following requirements.

- A. Notice of hearings shall be given to the public by public notice as set forth in the Planning Code 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. 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 first hearing shall be held within sixty (60) days from the date of receipt of the applicant's application, unless the applicant has agreed in writing to an extension of time. Each subsequent hearing shall be held within forty-five (45) days of the prior hearing unless otherwise agreed to by the applicant in writing or on the record. An applicant shall complete the presentation of his

case-in-chief within one hundred (100) days of the first hearing. Upon the request of the applicant, the Board or Hearing Officer shall assure that the applicant receives at least seven (7) hours of hearings within the one hundred (100) days, including the first hearing. Persons opposed to the application shall complete the presentation of their opposition to the application within one hundred (100) days of the first hearing held after the completion of the applicant's case-in-chief. An applicant may, upon request, be granted additional hearings to complete his case-in-chief provided the persons opposed to the application are granted an equal number of additional hearings. Persons opposed to the application may, upon the written consent or consent of the record by the applicant and Township, be granted additional hearings to complete their opposition to the application provided the applicant is granted an equal number of additional hearings for rebuttal.

- D. The hearings shall be conducted by the Board or the Board may appoint any member or an independent attorney 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. Except for challenges filed under 916.1 of the Planning Code, where the Board fails to render the decision within the period required by this Ordinance or the Planning Code, or fails to commence, conduct or complete the required hearing as required by Article IX of the Planning Code, 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 no 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 708 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 Municipal 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 stormwater 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 709 Parties Appellant Before Board

Appeals under Section 808 and proceedings to challenge the Ordinance under Section 708

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 708 may be filed with the Board by any landowner or any tenant with the permission of such landowner.

Section 710 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 711 Stay of Proceedings

Upon filing of any proceeding referred to in Section 708 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 8

ADMINISTRATION, ENFORCEMENT AND APPEALS

Section 801 Zoning Officer

Springfield Township 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 8 of this Ordinance. The Zoning Officer shall not hold any elective office in the Township.

Section 802 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 Springfield Township. In addition, the Zoning Officer's duties, obligations and responsibilities include the following:

802.1 Application for Zoning Permits: The Zoning Officer shall receive applications for Zoning Permits. A 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 ordinances. Applications conforming to such ordinances shall be approved, those not conforming to such ordinances shall be denied.

802.2 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 Zoning Permit has been requested. Such inspections may be before, during or after construction.

802.3 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.

802.4 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 803 Permits and Certificates:

803.1 Zoning Permits: An application for a Zoning Permit will show compliance with this and other appropriate 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.

803.2 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.

803.3 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 804 Violations

804.1 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.

804.2 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.

804.3 Jurisdiction: District justices shall have initial jurisdiction over proceedings

brought under Section 804.4.

804.4 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 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 9

AMENDMENTS

Section 901 General

The Board of Township 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 Springfield Township Planning Commission, or by a petition of a person or persons residing or owning property within the Township.

Section 902 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 Board of Supervisors.

Section 903 Referral

Any proposed amendment presented to the Board of Supervisors without written findings and recommendations from the Springfield Township Planning Commission and the Erie 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 904 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.

In addition to the requirement that notice be posted where the proposed amendment involves a Zoning Map change, notice of the public hearing shall be mailed by the Township at least thirty (30) days prior to the date of the hearing by first class mail to the addresses to which real estate tax bills are sent for all property located within the area being rezoned, as evidenced by tax records within the possession of the Township. Notice shall

include the location, date and time of the public hearing. A good faith effort and substantial compliance shall satisfy the requirements of this subsection.

ARTICLE 10 PLANNED RESIDENTIAL DEVELOPMENT

Section 1001 Planned Residential Development

Purpose: The purpose of the planned residential development regulations (PRD) is to encourage the flexibility in the design and development of land in order to promote its most appropriate use; to encourage grouping of housing and a mixture of housing types in alternative patterns and in a variety of ways; to facilitate the adequate and economical provision of streets and utilities; and to preserve the natural and scenic qualities of open areas.

1001.1 Minimum Development Size: No PRD may include less than thirty (30) acres of land.

1001.2 General Standards: The planned residential development must meet all of the following general standards:

- A. The planned residential development is consistent with the Comprehensive Plan and this Ordinance's Statement of Community Development Objectives.
- B. The planned residential development is an effective and unified treatment of the development possibilities on the project site, and the development plan makes appropriate provision for the preservation of unique physical, cultural and historic resources.
- C. The planned residential development shall be planned and developed to harmonize with any existing or proposed development in the area surrounding the project site.
- D. Performance bond(s) for all public improvements in the development must be posted as required in the Township of Springfield Subdivision Ordinance.
- E. The height for buildings in any PRD shall not exceed thirty-five (35) feet.

1001.3 Uses Permitted: Planned residential developments may include the mixture of single-family, two-family and multi-family residential uses in a single development.

1001.4 Calculations of Project Densities: The number of dwelling units which may be constructed within the planned residential development shall be determined by dividing the gross project area by the required lot area per dwelling unit which is required in the zoning district.

1001.5 Increase in Density: It is recognized that the expense of complying with the approval process contained in the planned residential development regulations may discourage developers from seeking approval of a planned residential development project. At the time the outline or preliminary development plan is filed, the applicant may apply for an increase in the densities permitted by the zone in which the planned residential development is to be constructed. If it gives its approval to the planned residential development, the Township Board of Supervisors may authorize the developer to increase permitted densities by an amount up to ten percent (10%).

Additional increase in density may be granted up to twenty-seven percent (27%) providing:

- A. If common open space is developed to more intense usable open space providing facilities for active outdoor recreation, such as playgrounds, playground equipment, picnic facilities, ball fields and equipment, or other similar improvements to the open space, an additional ten percent (10%) increase in density may be permitted.
- B. If item (a), above, is developed and unique indoor-outdoor buildings, to be used for recreation or other similar activities of the residents of the development, such as swimming pools, club houses, or other similar buildings are provided, then an additional seventeen percent (17%) increase in density may be permitted.

1001.6 Lot Size and Spacing of Buildings: The location of all structures shall be as shown on final plans. The proposed location and arrangement shall not be detrimental to existing or prospective adjacent dwellings or to the existing or prospective development of the neighborhood. There shall be no minimum lot size, no minimum or maximum percentage of lot coverage and no minimum lot width in the planned residential development. However, every single-family dwelling shall have access to a public street, court, walkway, or other area dedicated to public use. No dwelling and no addition to any dwellings shall be erected within a distance of less than the height of the highest adjacent building.

PRDs are encouraged to mix housing types and densities. Generally, the design shall focus multi-family units in the center of the PRD with two-family and one-family units along the periphery.

Vehicular access to dwellings by means of adequate service drives and/or emergency entrances shall be provided in all cases where dwellings do not front on a public street, or where the Township deems necessary for public safety. In

general, the Township will expect PRDs to have at least two points of access to the existing Township street system, if practical. Internal streets and sidewalks shall be constructed to Township standards.

1001.7 Perimeter Requirements: If the proposed PRD abuts single-family residences or an R District, a buffer area of forty (40) feet will be required, at least ten (10) feet of which will be in screen planting. If topographical or other barriers do not provide adequate privacy for existing uses adjacent to the planned residential development, the Planning Commission may require either or both of the following:

- A. Structures located on the perimeter of the planned residential development must be set back by a distance sufficient to protect the privacy and amenity of adjacent existing uses, in no case less than the height of the buildings.
- B. Structures located on the perimeter of the planned residential development must provide a twenty (20) foot permanent planted screen in a manner which is sufficient to protect the privacy and amenity of adjacent existing uses.

1001.8 Common Open Space Required: The development plan will contain areas to be allocated for common open space which satisfy the standards governing the usability and quality of common open space that is contained in this Ordinance.

No open area may be accepted as common open space under the provisions of this Ordinance unless it meets the following standards:

- A. A minimum of one-and-one-half (1½) acres of common open space shall be provided including usable and scenic green space for the first ten (10) acres plus one (1) acre for each additional five (5) acres or fraction thereof of gross project area.
- B. The location, shape, size, and character of the common open space must be suitable for the planned residential development.
- C. Common open space must be suitably improved for its intended use, but a portion (up to 70%) of common open space containing natural features worthy of preservation may be left unimproved. The building, structures, and improvements which are permitted in the common open space must be appropriate to the uses which are authorized for the common open space and must conserve and enhance the amenities of the common open space having regard to its topography and unimproved condition.
- D. The development schedule which is part of the development plan must coordinate the improvement of the common open space, the construction of

buildings, structures, and improvements in the common open space, and the construction of residential dwellings in the planned residential development.

- E. If the final development plan provides for buildings, structures, and improvements in the common open space of a value in excess of ten thousand (\$10,000) dollars, the developer must provide a bond in the estimated amount of the improvements assuring that the buildings, structures, and improvements will be completed. The Township Board of Supervisors shall release the bond or other assurance when the buildings, structures, or improvements have been completed according to the development plan.

1001.9 Conveyance and Maintenance of Common Space: All land shown on the final development plan as common open space must be conveyed under one of the following options:

- A. It may be conveyed to a public agency which will agree to maintain the common open space and any buildings, structures, or improvements which have been placed on it, in which case the general public must have use of the open space.
- B. It may be conveyed to trustees provided in an indenture establishing an association or similar organization for the maintenance of the planned residential development. The common open space must be conveyed to the trustees subject to covenants to be approved by the Township which restrict the common open space to the uses specified on the final development plan, and which provide for the maintenance of the common open space in a manner which assures its containing use for its intended purpose.
 - 1. No common open space may be put to any use not specified in the final development plan unless the final development plan has been amended to permit that use.
 - 2. If the common open space is not conveyed to a public agency, either one of the following methods of enforcement must be provided:
 - a. The legal right to develop the common open space for the uses not specified in the final development plan must be approved by the Township.
 - b. The restrictions governing the use, improvement, and maintenance of the common open space must be stated as conditions to the conveyance of the common open space, the fee title to the common open space to vest in a public agency

in the event of a substantial default in the stated conditions.

3. If the common open space is not conveyed to the Township, or a public agency approved by the Township, the covenants governing the use, improvement, and maintenance of the common open space shall then be enforceable by the Township, and the instrument of conveyance shall so provide.
4. It is the purpose and intent of these regulations that the Township shall have the authority and powers to require the adequate maintenance of common open space as set forth by Article VII of the Pennsylvania Municipalities Planning Code.

1002.1 Application for Tentative Approval of Planned Residential Development:

In order to provide an expeditious method for processing a development plan for a planned residential development under the provisions of this Ordinance, and to avoid the delay and uncertainty which would arise if it were necessary to secure approval, by a multiplicity of Township of procedures, of a plat of subdivision as well as approval of a change in the zoning regulations otherwise applicable to the property, it is hereby declared to be in the public interest that all procedures with a planned residential development and the continuing administration thereof shall utilize the following provisions:

- A. An application for tentative approval of the development plan for a planned residential development shall be filed by or on behalf of the landowner.
- B. The application for tentative approval shall be filed by the landowner in such form, upon the payment of such a reasonable fee as is specified by the Township. The application shall be filed with the Zoning Officer.
- C. All planning, zoning, and subdivision matters relating to the platting, use, and development of the planned residential development and subsequent modifications of the regulations relating thereto, to the extent such modification is vested in the Township, shall be determined and established by the Township Board of Supervisors with the advice of the Planning Commission.
- D. The provisions shall require only such information in the application as is reasonably necessary to disclose to the Township of Springfield:
 1. The location, size, and topography of the site and the nature of the landowner's interest in the land proposed to be developed;

2. the density of land use to be allocated to parts of the site to be developed;
 3. the location and size of the common open space and the form of organization proposed to own and maintain the common open space (if required);
 4. the use and the approximate height, bulk, and location of buildings and other structures;
 5. the proposals for water supply and the disposition of sanitary waste and storm water;
 6. the substance of covenants, grants of easements, or other restrictions proposed to be imposed upon the use of the land, buildings, and structures including proposed easements or grants for public utilities;
 7. the provisions for parking of vehicles and the location and, if appropriate, width of proposed streets and public ways;
 8. the required modifications in the municipal land use regulations otherwise applicable to the subject property;
 9. the feasibility of proposals for energy conservation and the effective utilization of renewable energy sources; and
 10. in the case of development plans which call for development over a period of years, a schedule showing the proposed times within which applications for final approval of all sections of the planned residential development are intended to be filed and this schedule must be updated annually, on the anniversary of its approval, until the development is completed and accepted.
- E. The application for tentative approval of a planned residential development shall include a written statement by the landowner setting forth the reasons why, in his opinion, a planned residential development would be in the public interest and would be consistent with the comprehensive plan for the development of the Township.
- F. The application for tentative approval shall be forwarded to the Township of Springfield Planning Commission for their review and comments. The Planning Commission shall have thirty-five (35) days, from the date of filing, to complete their review and make their recommendations to the Township

Board of Supervisors.

- G. All applications for tentative approval shall be forwarded to the Springfield County Department of Planning for their study and recommendations in accordance with Section 704 of the Planning Code.

1002.2 Public Hearings:

- A. Within sixty (60) days after the filing of an application for tentative approval of a planned residential development pursuant to this Ordinance, a public hearing pursuant to public notice of said application shall be held by the Township Board of Supervisors of Springfield in the manner prescribed in the Pennsylvania Municipalities Planning Code.
- B. The Township Board of Supervisors may continue the hearing from time to time, and where applicable, may refer the matter back to the Planning Commission for additional review, provided, however, that in any event, the public hearing or hearings shall be concluded within sixty (60) days after the date of the first public hearing.

1002.3 The Findings:

- A. The Township Board of Supervisors, within sixty (60) days following the conclusion of the public hearing provided for in this part, shall, by official written communication, to the landowner, either:
1. Grant tentative approval of the development plan as submitted;
 2. grant tentative approval subject to specified conditions not included in the development plan as submitted; or
 3. deny tentative approval to the development plan.

Failure to so act within said period shall be deemed to be a grant of tentative approval of the development plan as submitted. In the event, however, the tentative approval is granted subject to conditions, the landowner may, within thirty (30) days after receiving a copy of the official written communication of the Township notify such Township Board of Supervisors of his refusal to accept all said conditions, in which case, the Township shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within said period, notify the governing body of his refusal to accept all said conditions, tentative approval of the development plan, with all said conditions, shall stand as granted.

- B. The grant or denial of tentative approval by official written communication shall include not only conclusions but also findings of fact related to the specific proposal and set forth the reasons for the grant, with or without conditions, or for the denial, and said communication shall set forth with particularity in what respects the development plan would or would not be in the public interest, including, but not limited to, findings of fact and conclusions on the following:
1. In those respects in which the development plan is or is not consistent with the comprehensive plan for the development of the Township of Springfield;
 2. the extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property, including, but not limited to, density, bulk, and use, and the reason why such departures are or are not deemed to be in the public interest;
 3. the purpose, location, and amount of the common open space in the planned residential development, the reliability of the proposals for maintenance and conservation of the common open space, and the adequacy or inadequacy of the amount and purpose of the common open space as related to the proposed density and type of residential development;
 4. the physical design of the development plan and the manner in which said design does or does not make adequate provision for public services, provide adequate control over vehicular traffic, and further the amenities of light and air, recreation, and visual enjoyment.
 5. the relationship, beneficial or adverse, of the proposed planned residential development to the neighborhood in which it is proposed to be established; and
 6. in the case of a development plan which proposes development over a period of years, the sufficiency of the terms and conditions intended to protect the interests of the public and of the residents of the planned residential development in the integrity of the development plan.
- C. In the event a development plan is granted tentative approval, with or without conditions, the Township may set forth in the official written communication the time within which an application for final approval of the development plan shall be filed or, in the case of a development plan which provides for

development over a period of years, the periods of time within which applications for final approval of each part thereof shall be filed. Except upon the consent of the landowner, the time so established between grant of tentative approval and an application for final approval shall not be less than twelve (12) months and, in the case of developments over a period of years, the time between applications for final approval of each part of a plan shall be not less than twelve (12) months.

1001.4 Status of Plan After Tentative Approval:

- A. The official written communication provided for in this part shall be certified by the Township Secretary of the Township of Springfield and shall be filed in his office, and a certified copy shall be mailed to the landowner. Where tentative approval has been granted, it shall be deemed an amendment to the zoning map, effective upon final approval, and shall be noted on the zoning map.
- B. Tentative approval of a development plan shall not qualify a plat of the planned residential development for recording nor authorize development or the issuance of any building permits. A development plan which has been given tentative approval as submitted, or which has been given tentative approval with conditions which have been accepted by the landowner (and provided that the landowner has not defaulted nor violated any of the conditions of the tentative approval), shall not be modified or revoked nor otherwise impaired by action of the Township pending an application or applications for final approval, without the consent of the landowner, provided an application or applications for final approval is filed or, in the case of development over a period of years, provided applications are filed, within the period of time specified in the official written communication granting tentative approval.
- C. In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner shall elect to abandon said development plan and shall so notify the governing body in writing, or in the event the landowner shall fail to file application or applications for final approval within the required period of time or times, as the case may be, the tentative approval shall be deemed to be revoked and all that portion of the area included in the development plan for which final approval has not been given shall be subject to those local ordinances otherwise applicable thereto as they may be amended from time to time, and the same shall be noted on the zoning map and in the records of the Township Secretary of the Township of Springfield.

1001.5 Application for Final Approval:

- A. An application for final approval may be for all the land included in a development plan or, to the extent set forth in the tentative approval, for a section thereof. Said application shall be made to the Zoning Officer of the Township of Springfield within one (1) year of the official written communication granting tentative approval. The application shall include any drawings, specifications, covenants, easements, performance bond, and such other requirements as may be specified by this Ordinance, as well as any conditions set forth in the official written communication at the time of tentative approval. A public hearing on an application for final approval of the development plan, or the part thereof, submitted for final approval, shall not be required provided the development plan, or the part thereof submitted for final approval is in compliance with the development plan theretofore given tentative approval and with any specified conditions attached thereto. The submission shall be reviewed by the Zoning Officer and the Planning Commission for compliance prior to being forwarded to the Township Board of Supervisors. This review is to take place in thirty-five (35) days.
- B. In the event the application for final approval has been filed, together with all drawings, specifications, and other documents in support thereof, and as required by the Ordinance and the official written communication of tentative approval, by the Township shall, within forty-five (45) days of such filing, grant such development plan final approval.
- C. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Township may refuse to grant final approval and shall, within forty-five (45) days from the filing of the application for final approval, so advise the landowner in writing of said refusal, setting forth in said notice the reasons why one or more of said variations are not in the public interest. In the event of such refusal, the landowner may either:
 - 1. re-file the application for final approval without the variations objected, or
 - 2. file a written request with the approving body that it hold a public hearing on his application for final approval.

If the landowner wishes to take either such alternate action, he may do so at any time within which he shall be entitled to apply for final approval, or within thirty (30) additional days if the time for applying for final approval shall have already passed at the time when the landowner was advised that

the development plan was not in substantial compliance. In the event the landowner shall fail to take either of these alternative actions within said time, he shall be deemed to have abandoned the development plan. Any such public hearing shall be held pursuant to public notice within thirty (30) days after request for the hearing is made by the landowner, and the hearing shall be conducted in the manner prescribed in this part for public hearings on applications for tentative approval. Within thirty (30) days after the conclusion of the hearing, the Township Board of Supervisors shall by official written communication either grant final approval to the development plan or deny final approval. The grant or denial of final approval of the development plan shall, in cases arising under this section, be in the form and contain the findings required for an application for tentative approval set forth in this Ordinance.

- D. A development plan, or any part thereof, which has been given final approval, shall be so certified without delay by the Township and shall be filed of record forthwith in the Office of the Recorder of Deeds before any development shall take place in accordance therewith. Upon the filing of record of the development plan, the zoning and subdivision regulations otherwise applicable to the land included in such plan shall cease to apply thereto. Pending completion, in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code, of said planned residential development or of that part thereof, as the case may be, that has been finally approved, no modification of the provisions of said development plan, or part thereof, as finally approved, shall be made except with the consent of the landowner. Upon approval of a final plat, the developer shall record the plat in accordance with the provisions of Section 513(a) and post financial security in accordance with Section 509 of the Pennsylvania Municipalities Planning Code.
- E. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner shall abandon such plan or the section thereof that has been finally approved, and shall so notify the Township of Springfield in writing; or, in the event the landowner shall fail to commence and carry out the planned residential development in accordance with the time provisions stated in Section 508 of the Pennsylvania Municipalities Planning Code after final approval has been granted, no development or further development shall take place on the property included in the development plan until after the said property is reclassified by enactment of any amendment to the Township of Springfield Zoning Ordinance in the manner prescribed for such amendments.

Section 1002 Enforcement

All enforcement procedures under this section shall be consistent with Section 712.2 of the Pennsylvania Municipalities Planning Code

ARTICLE 11

DEFINITIONS

Section 1101 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. Certain words are defined in the Pennsylvania Municipalities Planning Code, and such definitions will be used for this Ordinance. Except as defined within this Ordinance or the Planning Code, all words and phrases shall have their normal meanings and usage.

Section 1102 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, but excluding animal kennels as defined by this Ordinance. Agriculture also includes the home sale of fruits, meats, vegetables and similar agricultural produce.

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

Automotive 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.

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 - a private residence which contains six (6) or fewer bedrooms used for providing overnight accommodations to the public and in which breakfast is the only meal served and is included in the charge for the room.

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.

Bluff - a high bank or bold headland with a broad precipitous cliff face overlooking a lake.

Bluff Line - the edge or crest of the elevated segment of the shoreline above the beach or beach terrace which is subjected to erosion caused by wave attack.

Bluff Recession - the loss of material along the bluff face caused by the direct or indirect action of one (1) or a combination of groundwater seepage, water currents, wind-generated waves or high water levels.

Bluff Recession Hazard Area - an area or zone where the rate of progressive bluff recession creates a substantial threat to the safety or stability of nearby existing or future structures or utility facilities.

Boarding House - see Rooming House.

Buffer Area - a landscaped area of a certain depth specified by the Ordinance which shall be planted and maintained in trees, grass, ground cover, shrubs, bushes or other natural landscaping material which within three (3) years of planting meets the standard of providing a compact, year-round visual screen at least six (6) feet in height; or an existing natural or constructed barrier which duplicates the effect of the required buffer area.

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 Setback 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 setback.

Building Height - 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.

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

Camp or 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.

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 such games as: pool, billiards, bowling, video games, miniature golf and similar pursuits.

Commission or Planning Commission - The Springfield Township Planning Commission.

Conditional Use - a use to be allowed or denied by the Board of Township Supervisors pursuant to the express standards and criteria set forth in this Ordinance and the recommendations of the Springfield Township Planning Commission. 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.

Convenience Store - an auto-related retail outlet of limited size that may sell motor fuel, merchandise, snack food and related items but not offering automotive repair or maintenance services.

County Planning Commission: The Erie County Planning Commission.

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 a family residence, 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 - the premises in which care is provided at one time for more than six (6) but fewer than sixteen (16) older school-age level children, or more than six (6) but fewer than thirteen (13) children of another age level who are unrelated to the operator. The term includes a facility located in a residence or another premises.
- 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 or Kennel - any facilities identified and licensed as a kennel by the laws or regulations of the Commonwealth of Pennsylvania.

Dustless Surface - a surface of asphalt paving, concrete, brick, cobblestone (or similar pavers), crushed limestone, gravel or similar stone material installed and compacted as needed. Dirt, clay and similar material will not be accepted as a dustless surface.

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. Dwellings include traditional "stick-built" structures as well as manufactured units such as mobile homes. 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 beverages and 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.

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. 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.

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.

Garage, Private - an enclosed area for the storage of one (1) or more motor vehicles and other personal property owned and used by the residents of the dwelling to which the garage is accessory in which no business, occupation or service is conducted for profit other than the rental of space for not more than two (2) cars.

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, 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.

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-patients and is duly licensed as such by the Commonwealth of Pennsylvania.

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.

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, Heavy - those manufacturing processes which do not meet the standards outlined for light manufacturing.

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/k/a Self-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.

Multiple-Family Dwelling - see Dwelling.

No-Impact Home-Based Business - a business or commercial activity administered or conducted as an accessory use which is clearly secondary to the use as a residential dwelling and which involves no customer, client or patient traffic, whether vehicular or pedestrian, pickup, delivery or removal functions to or from the premises, in excess of those normally associated with residential use. The business or commercial activity must satisfy the following requirements:

- a. The business activity shall be compatible with the residential use of the property and surrounding residential uses.
- b. The business shall employ no employees other than family members residing in the dwelling.
- c. There shall be no display or sale of retail goods and no stockpiling or inventory of a substantial nature.
- d. There shall be no outside appearance of a business use, including, but not limited to, parking, signs or lights.

- e. The business activity must not use any equipment or process which creates noise, vibration, glare, fumes, odors or electrical or electronic interference, including interference with radio or television reception, which is detectable in the neighborhood.
- f. The business activity may not generate any solid waste or sewage discharge, in volume or type, which is not normally associated with residential use in the neighborhood.
- g. The business activity shall be conducted only within the dwelling and may not occupy more than twenty-five percent (25%) of the habitable floor area.

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 to be used for parking a vehicle 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 ten (10) feet.

Personal Care Home - a premise in which food, shelter and personal assistance or supervision are provided for a period exceeding twenty-four (24) hours for four (4) or more adults who are not relatives of the operator, who do not require the services in or of a licensed long-term care facility, but who do require assistance or supervision in matters such as dressing, bathing, diet, financial management, evacuation of a residence in the event of an emergency or medication prescribed for self-administration.

Personal Services - any enterprise conducted for persons 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 or 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.

Roadside Stand - any structure used primarily for the display and sales of homegrown fresh vegetables, fruits or nuts.

Rooming House - a dwelling having three (3) or more sleeping rooms for rent to persons not related to its other occupants. The term "rooming house" includes the term "boarding house." A "boarding house" includes meals for its tenants.

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 seven (7) 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 seven (7) feet high, provided in such a way that it will block a line of sight.

Self-Storage Facilities (see Mini-Storage Facilities.)

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.

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.

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.

Added per Ordinance 1 - 2008

Section 516 Outside Storage:

No land shall be used as a garbage or storage dump or as a storage area for rubbish or miscellaneous refuse, household appliances, tires, vehicle parts, or more than 2 (two) unregistered, inoperable vehicles, except in conformity with Sections 401.31 and 401.38 of this Chapter.