

SPRING TOWNSHIP



ZONING ORDINANCE

ORDINANCE NO. 2018-02

ADOPTED: JUNE 26, 2018

EFFECTIVE: JULY 2, 2018

AS AMENDED TO: JUNE 28, 2022

TABLE OF CONTENTS

Article I: Purpose

Section 101	Title
Section 102	Purpose
Section 103	Community Objectives

Article II: Interpretation and Validity

Section 201	Compliance with Ordinance
Section 202	Interpretation
Section 203	Severability
Section 204	Repealer
Section 205	Municipal Liability in Floodplain

Article III: Definitions

Section 301	Definitions
-------------	-------------

Article IV: Zones and Their Regulation

Section 401	Zones and Boundaries
Section 402	Use Regulations
Section 403	Rural Residential (RR)
Section 404	Residential, Medium Density (R-1)
Section 405	Village Center (VC)
Section 406	Highway Commercial (HC)
Section 407	Industrial (I)
Section 408	Conservation (C)
Section 409	Agriculture Conservation (AC)

Article V: General Provisions

Section 501	Accessory Uses and Structures
Section 502	Parking
Section 503	Loading
Section 504	Access Driveways
Section 505	Drainage and Grading
Section 506	Signs
Section 507	Billboards
Section 508	Landscape Buffer Requirements
Section 509	Setback Modifications
Section 510	General Height Modifications

Article VI: Nonconformities and Status of Plans

Section 601	Nonconformities
Section 602	Status of Subdivision or Land Development Plan
Section 603	Buildings Under Construction
Section 604	Division of Built-On Lots
Section 605	Lots of Record

Article VII: Zoning Hearing Board

Section 701	Compliance with MPC
Section 702	Members
Section 703	Organization
Section 704	Functions
Section 705	Public Hearings
Section 706	Variances

Article VIII: Conditional Uses and Supplemental Regulations

Section 801	Conditional Use Standards
Section 802	Specific Standards
Section 803	Addiction Treatment Facility
Section 804	Adult Commercial
Section 805	Agricultural Business, Farm-Related Business & Farm Occupation
Section 806	Animal Husbandry
Section 807	Animal Kennel & Veterinary Hospital
Section 808	Auto Related
Section 809	Bed and Breakfast
Section 810	Body Piercing Establishment
Section 811	Cemetery
Section 812	Cluster Development
Section 813	Communication or Cell Tower
Section 814	Conversion Apartment
Section 815	Correctional Facility
Section 816	Daycare Center and Private School
Section 817	Family Daycare Home
Section 818	Farmette
Section 819	Group Daycare Home
Section 820	Group Home
Section 821	Halfway House
Section 822	Home Commercial
Section 823	Home Occupation
Section 824	Mobile Home
Section 825	Motor Sports Park/Racetrack
Section 826	Multi-Family
Section 827	Nonconformity Modification
Section 828	Outdoor Recreation

Section 829	Sawmill
Section 830	Shopping Center
Section 831	Small Backyard Animals
Section 832	Truck Stop
Section 833	Truck Terminal
Section 834	Solar Farms
Section 835	Solar Collectors Not Associated with Solar Farms

Article IX: Planned Residential Development

Section 901	Purpose
Section 902	Permitted Zones and Uses
Section 903	Applicability of Comprehensive Plan
Section 904	Powers of the County
Section 905	Determining Site Capacity
Section 906	Density Regulations
Section 907	Open Space
Section 908	Approval Sequence
Section 909	Improvements Standards
Section 910	Environmental Standards
Section 911	Water Supply
Section 912	Staging of Development
Section 913	Enforcement and Modification of Plan
Section 914	Application for Tentative Approval
Section 915	Public Hearings
Section 916	The Findings
Section 917	Status of Plan After Tentative Approval
Section 918	Application for Final Approval
Section 919	As-Built Drawings
Section 920	Jurisdiction

Article X: Performance Standards for Nuisance Elements

Section 1001	Applicability
Section 1002	Performance Standards Procedures
Section 1003	Nuisance Elements
Section 1004	Nuisance Standards

Article XI: Administration and Enforcement

Section 1101	Zoning Officer
Section 1102	Zoning Permits
Section 1103	Certificate of Uses
Section 1104	Planning Commission
Section 1105	Violations

Article XII: Effective Date

ARTICLE I

SECTION 101 SHORT TITLE

This ordinance shall be known and cited as the "Spring Township Zoning Ordinance."

SECTION 102 PURPOSE

The provisions of this zoning ordinance are adopted for the following purposes:

- A. To accomplish the purposes enumerated in Section 604 of the PA Municipalities Planning Code including promotion, protection and facilitation of the public health, safety and general welfare.
- B. To assure a safe, reliable and adequate water supply.
- C. To prevent the overcrowding of land, blight, danger, travel congestion, loss of health, life or property from fire, flood, panic or other dangers.
- D. To preserve farmland and agricultural activities based upon present use.
- E. To provide for residential housing of various types and in appropriate locations.
- F. To accommodate and guide overall community growth.

SECTION 103 COMMUNITY OBJECTIVES

This ordinance is enacted to implement the Spring Township Comprehensive Plan of 2008 and to meet the following specific objectives:

- A. To create a reasonable balance between development and open space conservation while protecting agriculture and environmentally sensitive areas and providing an attractive setting for new home development.
- B. To preserve the natural and scenic qualities of the rural landscape, recognizing their role in securing a satisfying quality of life.
- C. To concentrate residential growth within areas served by community sewer and water, or as an extension to such developments.
- D. To encourage "smart growth" practices that will promote high quality residential neighborhoods.
- E. To recognize that agriculture is the township's primary industry and that it should be encouraged and protected from excessive or inappropriate development.
- F. To shield production farmland from non-agricultural development by use of buffer yards.
- G. To utilize land use ordinances to preserve agriculture.
- H. To protect groundwater and surface water from land use that would jeopardize the future local water supply.

- I. To enhance water resources by effective "low impact" storm management, using best management practices in all new development.
- J. To improve efficiency and safety of local roads by considering land use and transportation as related issues.
- K. To consolidate access points and driveways to the greatest extent possible.
- L. To improve the appearance and function of the Route 522 corridor through improved landscaping, setback, buffer yards and consolidated access.
- M. To increase the density of commercial development along Route 522 with extended zones.

ARTICLE II

SECTION 201 COMPLIANCE WITH ORDINANCE

- A. No land, building, structure or premises shall be used, and no building or part thereof or other accessory structures shall be located, erected, reconstructed, extended, enlarged, converted, altered or moved except in conformity with the regulations specified for the zoning district in which it is located.
- B. The provisions of this ordinance shall be adhered to by all persons unless said provision is superseded by federal and/or state law.

SECTION 202 INTERPRETATION

- A. In interpreting and applying the provisions of this ordinance, all persons shall be held to the minimum requirements for the promotion of the health, safety and general welfare of the township residents.
- B. This ordinance has been formulated to reflect and implement the guidelines of the Spring Township Comprehensive Plan of 2008.
- C. This ordinance does not intend to impede, abrogate or annul any ordinance, rule, regulation, or permit previously adopted or issued and not in conflict with this ordinance, or which shall be adopted or issued, pursuant to law relating to the use of buildings or premises, and likewise not in conflict with this ordinance. It is also not intended to impede, abrogate or annul any easements, covenants, or other agreements between parties not in conflict with this ordinance.

SECTION 203 SEVERABILITY

If any article, section, paragraph, sentence, or phrase of this ordinance is for any reason held to be invalid to a court of competent jurisdiction, such decision or decisions shall not affect the validity of the remaining portions of the ordinance.

SECTION 204 REPEALER

The Board of Supervisors of Spring Township may repeal any parts or portions of this ordinance, provided there is a proper notification for public review and comment as defined under "public notice" in Section 301.

SECTION 205 MUNICIPAL LIABILITY IN FLOODPLAIN

This ordinance does not imply that areas outside the One-Hundred (100) Year Floodplain or those land uses permitted within such areas will be free from flooding or flood damage. This ordinance shall not create liability on the part of the township or employees for any flood damages that result from reliance on this ordinance or any administrative decision lawfully made thereunder.

Article III

SECTION 301 DEFINITIONS

For the purpose of this ordinance, certain terms and words shall be interpreted as follows:

- A. Words in the present tense imply also the future tense.
- B. The singular includes the plural.
- C. The male gender includes the female gender.
- D. The word "person" includes an individual, partnership, or corporation.
- E. The terms "shall" or "must" are always mandatory.

Accessory Building

A building subordinate to (attached or detached) from the main building on the same lot and used for purposes customarily incidental to the main building.

Accessory Use

A use located on the same lot with a principal use, incidental and subordinate to the principal use.

Addiction Treatment Facility

A facility for the residential treatment of persons suffering from some sort of addiction, such as to drugs, alcohol, sex, and the like.

Adult Commercial

Facilities offering entertainment or products of a sexual nature such as adult bookstores, adult cabarets, adult theaters, adult massage parlors and other activities from which minors are excluded.

Agricultural Business

A commercial business providing goods and/or services customarily used by the agricultural community, including but not limited to the sale of goods such as farm implements, animal feed, tack supplies, and agricultural buildings, and services such as veterinary services, equipment repair, agricultural structure erection, manure management, and the like."

Alterations

Any change or rearrangement in the construction or use, or an enlargement of a building, whether horizontally or vertically, or the moving from one location or position to another.

Animal Equivalent Unit (AEU)

One thousand (1,000) pounds live weight of livestock or poultry animals, regardless of the actual number of individual animals comprising the unit.

Animal Husbandry

The raising and keeping of livestock and poultry with the intent of producing capital gain or profit or the intent of selling any livestock or poultry products. The keeping of livestock or poultry as farm pets or for domestic purposes pursuant to the regulations of this Ordinance shall not be construed as animal husbandry.

Applicant

The person or entity who submits an application to the Township for a permit.

Automobile Related Terms

A. Body Shop: A building or portion of a building, on a lot that is used for the repair and/or painting of bodies, chassis, wheels, fenders, bumpers and/or accessories of automobiles and other vehicles of conveyance.

B. Car Wash: A building on a lot designed for the washing and polishing of vehicles.

C. Gas Station: A building on a lot, or part of building, that is used primarily for the retail sale of gasoline, oil, other fuel and which may include facilities used for routine servicing of vehicles.

D. Vehicle Sales: A building or a lot designed and used primarily for the display or sale of new and used cars and mobile homes, where mechanical repairs may be conducted as an accessory use incidental to the primary use.

Basement

A story of a structure which has its floor at least three (3) feet below average ground level surrounding the structure and which is not used for business or dwelling purposes. A basement shall not be considered in determining the required number of stories.

Bed and Breakfast

A single family detached dwelling where 1-6 rooms are rented to overnight guests on a daily basis. Meals may be offered to registered guests only.

Billboard

A sign located along the roadway for the purpose of advertising products or services usually not sold on the premises, sometimes paired and double-sided. These signs generally range in size from 60 s.f. to 200 s.f. and are usually erected and maintained by professional advertising firms.

Board

The body granted jurisdiction hereunder to render a final decision, and being, as appropriate, the Zoning Hearing Board or Board of Supervisors of Spring Township, Snyder County, Pennsylvania.

Body-Piercing Establishment

An establishment where the perforation of human tissue other than an ear for a non-medical purpose is performed whether or not it is in exchange for compensation or any form of consideration.

Buffer Yard

An area at the side property line(s), consisting of existing natural vegetation or created by the planting of trees and/or shrubs for the purpose of separating one land use from another. Unlike screening, a buffer yard provides intermittent visual obstruction and may have an informal, natural appearance. (See Screening definition for a different but related concept).

Buildings and Related Terms

A. Building: Any structure on a lot having a roof supported by columns or walls and intended for the shelter, housing enclosure and storage of persons, animals or property.

B. Building Area: The total area on a horizontal plane at the main grade level of the principal building.

C. **Building Coverage**: That portion of a lot covered by any and all buildings including accessory buildings.

D. **Building Envelope**: An area of a lot enclosed by the front, rear, and side yard setback lines.

E. **Building Height**: The height of a building measured from the mean level of the ground surrounding the building to a point midway between the highest and lowest points of the roof; provided that chimneys, spires, towers, elevator penthouses, tanks and similar projections shall not be included in calculating the height.

Campground

A parcel of land upon which two or more campsites are located, intended and maintained for transient uses in recreational vehicles or tents.

Cluster Development: See Development and Related Terms

Commercial

A business owned, operated and supported by private individuals or a corporation, on a for-profit basis.

Commission, Planning

The Planning Commission of Spring Township, Snyder County, Pennsylvania.

Common Open Space

A parcel or parcels of land or an area of water or a combination of land and water within a development site designed and intended for the use or enjoyment of residents of a development, not including streets, parking, and public facilities. Common open space shall be substantially free of structures.

Communication Tower

A tall structure that contains an antennae for cellular phones or other communications.

Community Sewage System

A sewage facility, whether publically or privately owned, for the collection of sewage from two or more lots, or two or more equivalent dwelling units and the treatment or disposal, or both, of the sewage on one or more of the lots or at another site.

Comprehensive Plan

The current Spring Township Comprehensive Plan, consisting of maps, charts and textual matter; officially recommended by the Planning Commission and adopted by the Board of Supervisors.

Concentrated Animal Operation (CAO)

An animal operation with eight or more animal equivalent units (AEU's) where the animal density exceeds two AEU's per acre of land suitable and available for manure application. 25 Pa. Code Section 83.201.

Concentrated Animal Feeding Operation (CAFO)

A CAFO is a CAO with greater than 300 AEU's, any agricultural operation with greater than 1,000 AEU's, or any agricultural operation defined as a large CAFO under 40 CFR Section 122.23. 25 Pa. Code Section 92.1.

Conditional Use

A use permitted by the Board of Supervisors in accordance with specific standards following recommendation from the Planning Commission and a public hearing.

Conversion Apartment

A multi-unit dwelling constructed by converting an existing building into apartments for more than one (1) family without substantially altering the exterior of the building.

Correctional Facility

A facility or institution designed to provide living accommodations for persons who are incarcerated.

County

Snyder County, Pennsylvania.

Daycare Center

A private facility enrolling twelve (12) or more children between the ages of 2 and 6 years of age and where tuition, fees, or other compensation is charged and which is licensed and approved to operate as a child day care center by the Pennsylvania Department of Public Welfare. (See also Group Home and Family Daycare Home.)

Deck

A platform with railing but without a roof projection out from the main wall of a dwelling and intended to be used as an area for seating, dining or recreation outdoors.

Decision

A final adjudication of the Zoning Hearing Board or Board of Supervisors.

Density and Related Terms

A. Density: A measure of the intensity of the use of a land parcel. It shall be expressed in housing units per acre, which is calculated by dividing the number of housing units by the net buildable site area. Also defined as the number of dwelling units per developable area.

B. Low: Areas in which the density is equal to or less than one (1) dwelling unit per forty thousand (40,000) square feet of lot area.

C. Medium: Areas in which the density is between ten thousand (10,000) and forty thousand (40,000) square feet lot area per dwelling unit.

D. High: Areas in which the density is equal to or greater than one (1) dwelling unit per ten thousand (10,000) square feet of lot area.

Determination

A final action by an officer, body or agency charged with the administration of this ordinance or application hereunder, except: (1) the Board of Supervisors; or (2) the Zoning Hearing Board.

Developer

A person, partnership, association, corporation or any responsible agent thereof that undertakes to create a subdivision of land or land development.

Development and Related Terms

A. Development: The entire area encompassed by a land development or subdivision.

B. Cluster Development: A group of single-family dwellings located in a subdivision having relatively smaller lot sizes than allowed in conventional development and common open space.

C. Planned Residential Development: An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, for which the development plan does not correspond in lot size, bulk or type of dwelling, density, lot coverage and required open space to the regulations established in any one residential zone. Such development may include Traditional Neighborhood Development.

District or Zone

A portion of Spring Township, as shown on the zoning map, containing a class of uses or structures and to which regulations described in the Zoning Ordinance text apply.

Dwelling and Related Terms

A. Dwelling: Any building or portion thereof designed for or used for residential purposes.

B. Dwelling Unit: One (1) or more rooms arranged for the use of one (1) family or household, with cooking, living, sanitary and sleeping facilities.

C. Duplex: A freestanding building containing two (2) dwelling units for two (2) families, arranged either side-by-side or over-under.

D. Mobile Home: A single-family, transportable, factory-built home used as a year-round dwelling and built prior to enactment of the HUD Code on June 15, 1976 (See HUD Code).

E. Multi-family: A building used or designed as a residence for three (3) or more independent units.

F. Single Detached: A freestanding building having only one (1) dwelling unit, including a mobile home, meeting the minimum habitable floor area requirement.

G. Townhouse: A multi-family dwelling. Each dwelling unit (except the end units) contains walls on two sides in common with the walls of adjoining dwelling units, constructed as party or lot line walls.

EDNA

Environmental designation for noise abatement.

Electronic Message Boards and Related Terms

A. Electronic message board: (also known as electronic changeable copy signs) - A sign or portion thereof that displays electronic, non-pictorial, text information in which each alphanumeric character or symbol is defined by a small number of matrix elements using different combinations of light emitting diodes (LED's), fiber optics, light bulbs or other illumination devices within the display area. Electronic changeable copy signs include computer programmable, microprocessor controlled electronic displays. For the purposes of this ordinance, electronic changeable copy signs do not include time and temperature signs, official signs, or video display signs.

B. Time and temperature sign: Any sign which displays exclusively current time and temperature information.

C. Video display sign: A sign that changes its message or background in a manner or method of display characterized by motion or pictorial imagery, which may or may not include text and depicts action or a special effect to imitate movement, the presentation of pictorials or graphics displayed in a progression of frames which give the illusion of motion, including but not limited to the illusion of moving objects, moving patterns or bands of light, or expanding or contracting shapes, not including electronic changeable copy signs. Video display signs include images or messages with these characteristics projected onto buildings or other objects.

Family or Household

Either (a) one (1) person occupying a dwelling unit and maintaining a household, or (b) two (2) or more persons related by blood or marriage, occupying a dwelling unit, living together and maintaining a household. In both instances, the household shall include not more than two (2) unrelated individuals, except for those families involved in foster care.

Family Day Care Home

A family residence where care is provided for up to six (6) non-resident young children by an occupant of the home and which is registered by the Pennsylvania Department of Public Welfare. Such facility may be permitted by the township as a home occupation.

Farm Occupation

An accessory use to the primary agricultural use of a property in which residents engage in a secondary agricultural occupation conducted on the farm.

Farm-Related Business

Business activities and/or services directed at meeting the needs of those engaged in local farming, such as providing materials and services needed to farm. Such activities are specifically sized to primarily serve local users.

Farmette

A parcel of primarily open space purchased by a person or family for the enjoyment of the rural countryside and who may raise field crops or animals for pleasure or incidental income.

Flood and Related Terms

A. Flood: A temporary inundation of normally dry land areas.

B. Floodplain Area: A relatively flat or low land area which is subject to partial or complete inundation from an adjoining or nearby stream, river or watercourse; and/or any area subject to the unusual and rapid accumulation of surface waters from any source; and/or the identified floodplain area.

C. Floodplain Development: Within the floodplain: any man-made change to improved or unimproved real estate, including but not limited to the construction, reconstruction, renovation, repair, expansion, or alteration of buildings or other structures; the placement of manufactured homes; streets and other paving; utilities; filling, grading and excavation; mining; dredging; drilling operations; storage of equipment; and the subdivision of land.

D. Floodway: The designated area of a floodplain required to carry and discharge flood waters of a given magnitude. For the purposes of this Ordinance, the floodway shall be capable of accommodating a flood of the one hundred (100) year magnitude.

E. Identified Floodplain Area: The floodplain area specifically identified in the Township Floodplain Ordinance, No. 2007- 01, as being inundated by the one hundred (100) year flood.

Floor Area

As applied to a building or building part, the sum of the horizontal areas and its accessory buildings on the same lot, excluding basement floor areas not devoted to residential use. For determining parking and loading requirements, floor area shall mean the floor area intended to be used by tenants or for service to the public not including areas used for non-public purposes such as storage.

Floor Area, Habitable

The sum of the horizontal areas of all rooms used for habitation such as living room, dining room, kitchen or bedroom.

Forestry

The management of forests and timberlands when practiced in accordance with accepted silvicultural principles, through developing, cultivating, harvesting, transporting and selling trees for commercial purposes, which does not involve any land development.

Garage, Private

An accessory building for the storage of vehicles and/or other items, accessory and incidental to the primary use of the premises.

Grade, Finished

The completed surfaces of lawns, walks and roads brought to grades as shown on official plans.

Gross Floor Area

The building floor area used for the applicable activity.

Group Daycare Home

A daycare facility located in a family residence, registered and licensed by the Department of Public Welfare, accommodating a maximum of 12 children with two caregivers present at all times.

Group Home

A residential facility for developmentally disadvantaged or mentally ill individuals not related by blood, marriage, adoption or guardianship, living together in a dwelling unit as a single housekeeping unit and licensed by the state.

Halfway House

A dwelling for transitional institutionalized supervision of individuals who have violated the law and who are sent to a half-way house upon release from, or in lieu of being sent to, a penal institution.

Hearing

An administrative proceeding conducted by the Zoning Hearing Board or the Board of Supervisors pursuant to Article IX of the Municipalities Planning Code.

Home Commercial

A business conducted on a residential lot in conjunction with a residential dwelling unit as a secondary use to the principal residential use and with direct involvement by a family resident. Nothing that is listed as a conditional use shall be classified as Home Commercial.

Home Occupation or "No-impact Home-based Business"

A business, trade or profession carried on within a dwelling unit and conducted by a member of the family residing in the dwelling and clearly incidental and secondary to the residential use of the dwelling, the character of which is unchanged by the home occupation.

HUD Code

Manufactured Home Construction and Safety Standards enacted by the U.S. Department of Housing and Urban Development in 1976. A uniform construction code which classifies mobile homes as manufactured homes. The HUD Code preempts state and local building regulations

Impervious Surface

A surface that has been covered with material or compacted so that it is resistant to infiltration by water, including but not limited to paved streets, compacted stone and sidewalks, graveled areas for vehicles and paved blocks.

Industrial Park

A tract of land laid out in accordance with an overall plan for a group of industries with separate building sites.

Industrial Use

Manufacturing, assembly, fabrication and warehousing of any product.

Junk

Junk shall include all scrap metals and alloys and bones, rags, cloth, rubber, rope, tinfoil, bottles, machinery, tools, appliances, fixtures, utensils, lumber, boxes, crates, pipe or pipe fittings, vehicles, tires and all other manufactured goods that are worn, deteriorated or obsolete which makes them unusable in their existing condition and therefore subject to being dismantled. This definition is to be construed as including two (2) or more abandoned or junked vehicles as defined in Ordinance #2008-04.

Junk Yard

Any lot, land or structure or part thereof, used commercially for the collection, storage, or sale of junk or discarded material, or for the collecting, dismantling, storage and salvaging of machinery or vehicles not in running condition or for the sale of parts thereof.

Kennel

Any premises or portions thereof on which more than four (4) dogs, cats, or other household domestic animals over four (4) months of age are maintained, boarded, bred, or cared for in return for remuneration, or are kept for the purpose of sale.

Land Development

Any of the following activities:

A. The improvement of one or two or more contiguous lots, tracts or parcels of land for any purpose involving:

1. A group of two (2) or more residential or nonresidential buildings, whether purported initially or cumulatively, or a single nonresidential building on a lot or lots regardless of the number of occupants or tenure; or
2. The division or allocation of land or space, whether initially or cumulatively between or among two (2) or more existing or prospective occupants by means of, or for the purpose of streets, common areas, leaseholds, condominiums, building groups or other features.

B. A subdivision of land.

Landfill

An area of land and the structures and improvements to the land where solid waste is disposed on or in the land and which has a permit from the state of Pennsylvania to operate as a landfill.

Landowner

The legal or beneficial owner or owners of land including the holder of an option or contract to purchase (whether or not such option or contract is subject to any condition), a lessee if he is authorized under the lease to exercise the rights of the landowner, or other person having a proprietary interest in land.

Loading Space and Loading Area

A space, accessible from a street or way, in a building or on a lot, for the temporary use of a vehicle, while loading or unloading people, merchandise or materials.

Lot and Related Terms

A. Lot: A designated parcel, tract or area of land established by a plat or otherwise as permitted by law and to be used, developed or built upon as a unit.

B. Lot Area: The total area within the lot lines, excluding any area within a street or private road right-of-way, but including the area of any easement.

C. Lot, Corner: A lot at the junction of and abutting on two (2) or more intersecting streets or at the point of abrupt change of a single street, where the interior angle is less than one hundred thirty-five (135) degrees and the radius of the street line is less than one hundred (100) feet.

D. Building, Coverage: The percentage of the lot area covered by the area of all buildings and structures as viewed from the site plan and/or roof line, and shall include all appurtenances, such as decks, balconies, stairs, stoops, etc. and all areas impervious or resistant to infiltration by water.

E. Lot, Depth: The mean horizontal distance between the front and rear lot line. Measurements shall be from the street or highway right-of-way line to the opposite rear line.

F. Lot, Interior: A lot other than a corner lot or through lot.

G. Lot Line: A property boundary line of any lot held in single and separate ownership.

H. Lot Line, Front: The line separating the lot from the street or alley if it abuts no street.

I. Lot of Record: Any lot which individually, or a part of a subdivision, has been recorded in the Office of the Recorder of Deeds in Snyder County, Pennsylvania.

J. Lot, Through: An interior lot having frontage on two (2) parallel or approximately parallel streets or roads.

K. Lot, Width: The distance between straight lines connecting front and rear lot lines at each side of the lot, measured across the rear of the required front yard, provided the width between side lot lines at their foremost points (where they intersect with the street line) shall not be less than eighty (80) per cent of the required lot width except in the case of lots on the turning circle of cul-de-sacs, where the eighty (80) percent requirement shall not apply.

L. Rear Lot Line: Any lot line which is parallel to or within forty-five (45) degrees of being parallel to a street line, except for a lot line that is in itself a street line. In the case of a corner lot, the front wall of the house will determine the rear lot line. In the case of a lot having no street frontage or a lot of an odd shape, only the one (1) lot line furthest from any street shall be considered the "rear lot line."

M. Side Lot Line: Any lot line which is not a street line or a rear lot line.

N. Street Line: A line defining the edge of a street right-of-way and separating the street from the abutting property or lots. Commonly known as the "street right-of-way line."

Low Impact Development

Layout of development that allows portions of the site to remain undisturbed, particularly with mature trees and woodland preserved. This type of development is encouraged, particularly in achieving sound storm water management.

Minor

An individual under 18 years of age, as defined in the PA Child Labor Act.

Mixed Use Village

Development that contains a variety of residential uses and a variety of commercial and institutional uses in small traditional style buildings.

Mobile Home

A transportable, single family dwelling intended for permanent occupancy, contained in one unit, or in two or more units designed to be joined into one 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 for placement of a single mobile home.

Mobile Home Park

A parcel or contiguous parcels of land which has been so designated and improved that it contains three or more mobile home lots for the placement of mobile homes.

Motor Sports Park/Racetrack

A permanent or non-permanent off-road facility or building for commercial or non-commercial motor sports activities. These activities may include training events, participation and/or competition of any motorized vehicles, including but not limited to motor-cycles, dirt bikes, ATV's, trucks, cars, go-karts, sprint cars, and snow-mobiles.

Multi-family: See Dwelling Types

No-impact Home-based Business: See Home Occupation

Non-conforming 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 reason of such adoption or amendment.

Non-conforming Structure

A sign or a structure or part of a structure manifestly not designed to comply with the applicable use provisions in this ordinance or amendments heretofore or hereafter enacted, where such structure lawfully existed prior to the enactment of this ordinance or amendments or prior to the application of this ordinance or amendments to its location by reason of annexation.

Non-conforming Use

A use, whether of land or of structure, which does not comply with the applicable use provisions of this ordinance or amendments enacted hereto, where use was lawfully in existence prior to enactment of this ordinance or amendments or prior to the application of this ordinance or amendments to its location by reason of annexation.

Nuisance

Any use considered to be inconsistent with the public comfort, convenience, health, safety and the general welfare.

Nursing or Convalescent Home

A building designed or licensed for the full-time care of human beings, which includes housing or lodging, meals and nursing.

Open Space

Land that is unoccupied by any building or structure that is used primarily for resources protection, agriculture or recreation.

Outdoor Recreation

A use of open land for leisure time activities, such as a beach, swimming pool, tennis courts, golf courses, hunting preserves and the like.

Overlay District

The overlay district, or zone, represents extra provisions that are superimposed on specific areas of the township. See the Appendix.

Parking Space

The space with unobstructed access within a building, or on a lot or parking lot, designed for the parking of one (1) automobile.

Pennsylvania Municipalities Planning Code (MPC)

Act of 1968, P.L. 805, No. 247, as reenacted and amended.

Personal Service

Any enterprise conducted for gain, which primarily offers services to the general public, such as shoe repair, valet service, watch repairing, barber shops, beauty parlors, and related activities.

Planned Residential Development (PRD)

An area of land, controlled by a landowner, to be developed as a single entity for a number of dwelling units, or combination of residential and non-residential uses, the development plan for which does not correspond in lot size, bulk, type or dwelling, or use, density, or intensity, lot coverage and required open space to the regulations established in any one district created, from time to time, under the provisions of the Municipalities Planning Code.

Plat

The map or plan of a subdivision or land development, whether preliminary or final.

Premises

Any lot, parcel, or tract of land and any building constructed thereon.

Private

Something owned, operated, and supported by private individuals or a corporation, rather than by a government, and not available for public use.

Professional Offices

Offices and related spaces used for professional services such as provided by doctors, dentists, lawyers, architects, engineers, realtors, insurance agents, and counselors.

Public

Owned, operated, or controlled by a government agency (federal, state or local) including a corporation created by law for the performance of certain specialized governmental functions.

Public Notice

Notice published once each week for two (2) successive weeks in a newspaper of general circulation in the municipality. Such notice shall state the time and place of the hearing and the particular nature of the matter to be considered at the hearing. The first publication shall not be more than thirty (30) days or less than seven (7) days from the date of the hearing.

Public Utilities

Essential services supplied by corporations, municipal departments or authorities under regulation of state, federal or local government; such services may include gas, electricity, steam, fuel, water and sewage transmission, distribution or collection systems whether underground, on the surface, or overhead.

Racetrack: See Motor Sports/Racetracks**Report**

Any letter, review, memorandum, compilation or similar writing made by any body, board, officer or consultant other than a solicitor to any other body, board, officer or consultant for the purposes of assisting the recipient of such report in the rendering of any decision or determination.

Roadside Stand

A permanent or temporary structure located along a roadway (but off the road right-of-way) from which farm, nursery, greenhouse or other products grown, raised, or created primarily on the premises are offered for sale to the general public.

Sawmill

A commercial operation where timber is sawed into boards. This does not include a portable sawmill operating temporarily as an accessory to a timber harvest on the same parcel.

Screening

The method by which a view of one site is hidden from an adjacent side or from a public road. Screening involves an opaque material such as fencing, walls, or evergreen hedge. (See Buffer Yard for a related but different concept).

Self-Storage Facility

A building or group of buildings that contain individual, compartmentalized, controlled access storage units for purposes of dead storage service to the general public.

Semi-Public

Something owned, operated and supported by private individuals or a corporation, on a non-profit basis for the use or benefit of the general public or for some part of the general public.

Setback (Building Setback Line)

The line within a property defining the required minimum distance between any structure and the center of the road, and the line defining rear and side yards where required.

Shopping Center, Mall or Plaza

A group of stores planned and designed to function as a unit for the lot(s) on which it is located with off-street parking provided as an integral part of the unit.

Sign

Any surface, fabric, device or structure (including billboards or poster panels) bearing lettered, pictorial or sculptured matter designed for visual communication and used for the purpose of bringing the subject thereof to the attention of the public.

Small backyard animals

Animals whose average adult weight is less than ten (10) pounds, such as chickens and rabbits, raised in the rear yard as an accessory use to a residence in the VC, R-1, and HC districts.

Solar Collector

A device, structure or part of a device or structure (i.e., array, pane, etc.) installed for the purpose of transforming solar energy into thermal, mechanical, chemical or electric energy.

Solar Collector Not Associated with a Solar Farm

A solar collector for residential or business consumption that occurs on-site and is not considered a solar farm.

Solar Energy

Radiant energy received from the sun that is collected in the form of heat or light by a solar collector.

Solar Farm

A use of land where a series of solar collectors are placed in an area for the purpose of converting solar energy into electrical power for interconnection with the power grid primarily for off-site energy consumption. The term includes any associated cabling, devices, equipment, and structures located on site that are associated with the operation of a solar farm. The use of solar collectors for residential or business consumption that occurs on-site is not considered a solar farm.

Stacking

The line of vehicles with drivers waiting for service at such locations as gas stations or truck stops.

Story

The portion of a building included between the surface of any floor and the floor above it. If there is no floor above it, the story then is considered as the space between the floor and the ceiling above it. A partial story under a gable, hip, or gambrel roof, the wall plates of which are on at least two (2) opposite exterior walls and are not more than four (4) feet above the floor of such story shall be called a half-story. A basement shall be counted as a story if its floor is less than three (3) feet below the average level of the finished ground surface adjoining the exterior walls of such story, or it is used for business or dwelling purposes.

Street

Includes street, avenue, boulevard, road, highway, freeway, parkway, lane, alley, viaduct and any other ways used or intended to be used by vehicular traffic or pedestrians whether public or private.

Street Grade

The officially established grade of the street upon which a lot fronts or in its absence the established grade of other streets upon which the lot abuts, at the midway of the frontage of the lot thereon. If there is no officially established grade, the existing grade of the street at such midpoint shall be taken as the street grade.

Structural Alteration

Any change in the structural members of a building, such as walls, columns, beams and girders.

Structure

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

Subdivision

The division or re-division of a lot, tract, or parcel of land by any means into two or more lots, tracts, parcels, or other divisions of land including change in existing lot lines for the purpose, whether immediate or future, of lease, partition by the court for distribution to heirs or devisees, transfer of ownership or building or lot development; provided, however, that the division by lease of land for agricultural purposes into parcels of more than ten (10) acres, not involving any new street or easement of access or a residential dwelling, shall be exempted.

Supervisors

The Board of Supervisors of Spring Township, Snyder County, Pennsylvania.

Swimming Pool, Private

A private swimming pool, but not including farm ponds or lakes, as regulated in this ordinance shall be any pool, be it permanently installed or temporarily erected upon the ground or a platform, and not located within an enclosed building. Swimming pools shall be considered structures and shall be subject to all the regulations and setback rules that apply to any structure in the township. Small inflatable pools or structures that contain water no more than 1 - 1/2 feet deep at any point shall not be regulated.

Tattoo, Tattooed, Tattooing

Any method of placing permanent designs, letters, scrolls, figures, symbols or any other marks upon or under the skin with ink or any other substance, by the aid of needles or any other instruments designed to touch or puncture the skin, resulting in either the coloration of the skin, or the production of scars or scarring, other than by branding.

Tattoo Parlor

An establishment where persons are tattooed for consideration other than by a licensed medical practitioner or cosmetologist or any place where tattooing is regularly conducted whether or not it is in exchange for compensation.

Terrace

A raised level or a platform of earth, supported on one or more faces by a wall, a bank of turf, or the like, or a series of raised levels or platforms arranged one above the other on a slope.

Trailer: See Mobile Home**Traditional Neighborhood Development (TND)**

A new development resembling pre-World War II communities featuring clustering of buildings with a mix of housing, small scale commercial uses and recreation--all within walking distance.

Truck Stop

A complex of buildings and structures that provide services to truckers, including fuel sales, truck accessory sales, overnight accommodations, chapels and restaurants.

Truck Terminal

Land and buildings used by trucks, semi-trailers, tractor trailers and/or other trucks for assembling, storing or relaying freight. Terminal may include facilities for repair and short-term storage.

Variance

Permission or approval granted by the Zoning Hearing Board, constituting a modification of, or deviation from the exact requirements of this ordinance.

Yard and Related Terms

A. Yard: The space between the lot line and building line.

B. Front Yard: A yard extending the full width of the front of a lot between the front lot line and the front building line.

C. Rear Yard: A yard extending the full width of the lot in the area between the rear lot line and the rear building line.

D. Side Yard: A yard extending the full length of the lot in the area between a side lot line and a side building line.

Zoning Map

The map or maps containing the zoning districts of Spring Township, Snyder County, Pennsylvania, together with all amendments subsequently adopted.

Zoning Permit

The written authorization issued by the Township for the use of land, building or other structure.

ARTICLE IV

DISTRICT REGULATIONS**SECTION 401 ZONES AND BOUNDARIES****401.1 Establishment of Districts**

Spring Township is divided into the following zoning districts:

- RR Rural Residential
- R-1 Residential, Medium Density
- VC Village Center
- HC Highway Commercial
- I Industrial
- C Conservation
- AC Agricultural Conservation

401.2 Zoning Map

Zone boundaries shall be shown upon the map entitled "Zoning Map of Spring Township," which is a part of and attached to this ordinance.

401.3 Boundaries of Zones

Where uncertainty exists as to the boundaries of any zone, the following rules shall apply:

A. Boundaries that approximately follow municipality limits shall be construed as following municipality limits.

- B. Boundaries that approximately follow platted lot lines shall be construed as following such lot lines.
- C. Boundaries that approximately follow the center lines of streets, highways or alleys shall be construed to follow such center lines.
- D. Boundaries that approximately follow the center lines of streams, rivers or other bodies of water shall be construed to follow such center lines.
- E. Boundaries that follow railroad lines shall be construed to be midway between the main tracks.
- F. Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map or in circumstances not covered by Subsection A. through E., interpretation of the district boundaries shall be determined by the Zoning Hearing Board.

SECTION 402 USE REGULATIONS

402.1 Uses Permitted

The uses permitted in the zones established by this ordinance and the extent of these uses are as set forth in this Article IV. The uses listed as permitted and conditional uses in each zone are the only uses permitted in that zone. Unless otherwise noted, the use and bulk regulations are the requirements for each use.

402.2 Uses Not Provided For

Any use not specifically allowed elsewhere in this ordinance shall be allowed by conditional use in the zone or zones where similar uses are permitted or allowed by conditional use, provided that it meets the requirements for a conditional use and does not constitute a public nuisance and is approved by the Board of Supervisors. (See Conditional Uses and Specific Standards, Article VIII, Section 801).

402.3 Uses With Nuisance Effect

Uses which by reason of noise, odor, dust, appearance, or other objectionable factor create a nuisance, hazard, or other substantial adverse effect upon surrounding property shall not be permitted. See Article X of this ordinance.

SECTION 403 RURAL RESIDENTIAL ZONE (RR)

403.1 Purpose

The purpose of this zone is to promote a continuation of the rural character of the area, while allowing residential uses and small-scale nonresidential uses. This zone provides the opportunity for single family living in a rural setting. These areas are not likely to be served by public sewer or water facilities. Nevertheless, clustering of homes is encouraged in order to retain rural open space. Farming areas are also found within this zone.

403.2 Permitted Uses

- A. Farm structures, pastureland, vegetable patch and the growing of field crops, trees, nursery and horticultural stock.
- B. Single-family detached dwelling.

- C. Home occupation, subject to Section 823.
- D. Public and/or non-profit park.
- E. Group home, subject to Section 820.
- F. Planned Residential Development, subject to Article IX.
- G. Daycare, subject to Section 816, 817, and 819.
- H. Church.
- I. Forestry.
- J. Greenhouse and/or nursery.
- K. Roadside stand.
- L. Accessory structures customarily incidental to all above-permitted uses.

403.3 Conditional Uses

The following uses shall be permitted as conditional uses when approved by the Board of Supervisors.

- A. Agricultural business, farm-related business and farm occupation, subject to Section 805.
- B. Animal husbandry, subject to Section 806.
- C. Home commercial, subject to Section 822.
- D. Animal hospital, kennel, subject to Section 807.
- E. Cemetery, subject to Section 811.
- F. Cluster Development, subject to Section 812.
- G. Conversion apartment, subject to Section 814.
- H. Bed and breakfast, subject to Section 809.
- I. Farmette, subject to Section 818.
- J. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835

403.4 Density

The maximum number of units shall be two (2) per acre if served by community sewage and one (1) per acre with on-lot sewage.

403.5 Lot Area and Width

Lot area and lot width not less than the following dimensions at the required front setback shall be provided for each principal use hereafter established in this zone.

- A. With community sewage system: Minimum lot area: 25,000 sq. feet.
Minimum lot width at front: 125 feet.
- B. With individual on-lot sewage disposal: Minimum lot area: one (1) acre (43,560 sq. feet).
Minimum lot width at front: 150 feet.

403.6 Setbacks

Each lot or tract shall provide front, side and rear setbacks not less than the following:

- A. Front setback-- All structures: fifty (50) feet from the centerline of the road.
Corner lots shall be construed to have two (2) front yards.
- B. Side setback--Principal structures: thirty (30) feet.
Accessory structures: fifteen (15) feet.
- C. Rear setback--Principal structures: thirty (30) feet.
Accessory structures: fifteen (15) feet.

403.7 Building Height

A maximum height of thirty-five (35) feet, or two and one half (2-1/2) stories, except for churches and farm structures, which are unrestricted. No dwelling shall be less than one (1) story in height, except for buildings which are designed to be energy efficient, such as geothermal or subterranean.

403.8 Building Coverage

The maximum coverage for all buildings including accessory buildings is twenty (20) percent.

403.9 Impervious Surface Coverage

Not more than twenty-five (25) percent of the lot area, including building area coverage, may be covered with an impervious surface. Appropriate stormwater management practices shall be followed based on Section 4.04 of the Township's Subdivision and Land Development Ordinance.

403.10 Required Utilities

A. If municipal sewer or water service is within 150 feet of the parcel, the principal use on each lot will be required to connect to such service.

B. If a plan is submitted that proposes a development of four (4) or more lots, a feasibility study/cost analysis shall be required at the time of plan submission to examine the availability of public or community sewer and water in the interest of public safety.

403.11 Signs

Signs shall comply with Section 506 of this ordinance.

SECTION 404 MEDIUM DENSITY RESIDENTIAL ZONE (R-1)

404.1 Purpose

The township wishes to promote preservation of open space by establishing areas for more intensive residential development where municipal sewer and water are available. Activities not compatible with residential neighborhoods are to be discouraged.

404.2 Permitted Uses

The following principal uses are permitted in the R-1 zone.

- A. Single-family detached dwelling.
- B. Duplex.
- C. Home occupation, subject to Section 823 of this ordinance.
- D. Group home, subject to Section 820.
- E. Daycare, subject to Section 816, 817, and 819.
- F. Church.
- G. Forestry.
- H. Small back yard animals, subject to Section 831.
- I. Greenhouse for personal use.
- J. Roadside stand.
- K. Accessory structure customarily incidental to the above permitted uses.

404.3 Conditional Uses

The following uses shall be permitted as conditional uses when approved by the Board of Supervisors.

- A. Multi-family dwelling, subject to Section 826.
- B. Cluster Development, subject to Section 812.
- C. Conversion apartment, subject to Section 814.
- D. Planned Residential Development, subject to Article IX of this ordinance.
- E. Mobile home park, subject to Section 6.05 of Spring Township's Subdivision and Land Development Ordinance.
- F. Bed and breakfast, subject to Section 809.
- G. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835

404.4 Density

The maximum number of units shall be five (5) per acre if served by community sewage system and three (3) per acre with on-lot sewage.

404.5 Lot Area and Width

Lot area and lot width not less than the following dimensions at the required front setback.

- A. With community sewage system: Minimum lot area: Six thousand (6,000) square feet.
Minimum lot width: Sixty (60) feet.
- B. With individual on-lot sewage disposal: Minimum lot area: one (1) acre (43,560 sq. feet).
Minimum lot width at front: 150 feet.

404.6 Setbacks

Each lot or tract shall provide front, side and rear setbacks not less than the following:

- A. Front setback--All structures: Fifty (50) feet from the centerline of the road. Corner lots shall be construed to have two (2) front yards.
- B. Side setback--Ten (10) feet.
- C. Rear setback--Ten (10) feet.

404.7 Building Height

The height limit for a principal building shall not exceed thirty-five (35) feet or two and one-half (2-1/2) stories, except for churches, which are unrestricted. No dwelling shall be less than one story in height except for those which are designed to be energy efficient, such as geothermal or subterranean. The maximum height for an accessory building shall be twenty-two (22) feet.

404.8 Building Coverage

Buildings including accessory buildings may cover not more than forty (40) percent of the lot area.

404.9 Impervious Surface Coverage

Not more than fifty (50) percent of the lot area including building area coverage may be covered with an impervious surface. Appropriate stormwater management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

404.10 Required Utilities

A. If municipal sewer or water service is within 150 feet of the parcel, the principal use on each lot will be required to connect to such service.

B. If a plan is submitted that proposes a development of three (3) or more lots, a feasibility study/cost analysis shall be required at the time of plan submission to examine the availability of public sewer and water in the interest of public safety.

404.11 Signs

Signs shall comply with Section 506 of this ordinance.

SECTION 405 VILLAGE CENTER (VC)

405.1 Purpose

A. The intent of this zone is to minimize urban sprawl by encouraging compact development. This zone adapts the traditional community scale prior to the 1940's such as: 1) Mixed uses, 2) Easy access to neighborhood retail and recreation by pedestrians, 3) Connecting sidewalks and bikeways, and 4) Visually identifiable village edges.

B. This zone provides for a mixture of commercial and residential uses in older existing villages such as Beaver Springs. Not intended for large-scale commercial development, this zone would apply to in-fill development where compatible traditional scale is appropriate. Generally, any commercial use that encourages patrons to remain in their car would be incompatible with the Village Zone.

C. These zoning provisions may also be applied pending conditional use approval for any new village if proposed in another zone.

405.2 Permitted Uses

- A. Single-family detached dwelling.
- B. Home occupation, subject to Section 823.
- C. Group home, subject to Section 820.
- D. Retail sale, rental of goods and retail sale of personal services.
- E. Restaurant.
- F. Public open space.
- G. Church.
- H. Post office.
- I. Bank.
- J. Community center.
- K. Building that contains a combination of residential and commercial uses otherwise permitted in the District.
- L. Forestry.
- M. Duplex.
- N. Small back yard animals, subject to Section 831.
- O. Greenhouse for personal use.
- P. Roadside stand.
- Q. Accessory structure customarily incidental to the above permitted uses.

405.3 Conditional Uses

The following principal uses shall be permitted as conditional uses when approved by the Board of Supervisors.

- A. Bed and breakfast, subject to Section 809.
- B. Cluster Development, subject to Section 812.
- C. Conversion apartment, subject to Section 814.
- D. Daycare, subject to Sections 816, 817, and 819 as applicable.
- E. Mobile home lot, subject to Section 824.
- F. Planned Residential Development, subject to Article IX of this ordinance.
- G. Multi-Family, subject to Section 826.
- H. Shopping center, subject to Section 830.
- I. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835

405.4 Density

The maximum number of dwelling units shall be five (5) per acre if served by community sewage system.

405.5 Lot Area and Width

Lot area and lot width not less than the following dimensions at the required front setback shall be provided for each principal use hereafter established in this zone.

- A. Minimum lot area: Six thousand (6,000) square feet.
- B. Minimum lot width: Fifty (50) feet.

405.6 Setbacks

Each lot or tract shall provide minimum front, side, and rear setbacks as follows:

- A. Front setback: Thirty-five (35) feet from the centerline of the road. For in-fill development in Beaver Springs, the average setback of adjacent buildings may be used as the setback for new buildings.
- B. Side setback: Ten (10) feet. One sideyard may have a zero setback, but the combined side yards shall not be less than twenty (20) feet. If the zero setback is selected, there shall be at least five (5) feet between the property line and the adjoining house or outbuilding. Additionally, all storm water drains from structures closer than 10 feet from a property line shall be diverted away from the property line.
- C. Rear setback: Ten (10) feet.
- D. Corner lots are considered to have two front yards.

405.7 Building Height

The height limit shall be thirty-five (35) feet, except for churches, which are unrestricted. The maximum height for an accessory building shall be twenty-two (22) feet. No dwelling shall be less than one (1) story in height, except for buildings which are designated to be energy efficient, such as geothermal or subterranean.

405.8 Building Coverage

Buildings may cover not more than forty (40) percent of the lot.

405.9 Impervious Surface

Not more than fifty (50) percent of the lot area including building area coverage may be covered with an impervious surface. Appropriate stormwater management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

405.10 Required Utilities

- A. If municipal sewer or water service is within 150 feet of the parcel, the principal use on each lot will be required to connect to such service.
- B. If a plan is submitted that proposes a development of three (3) or more lots, a feasibility study/cost analysis shall be required at the time of plan submission to examine the availability of public and/or community sewer and water in the interest of public safety.

405.11 Signs

Signs shall conform to Section 506 of this ordinance.

405.12 Pedestrian Circulation

For all new village development, sidewalks and/or dedicated footpath easements shall be provided to enable safe pedestrian circulation throughout the Village Center Zone.

405.13 Parking

The parking standards of Section 502 shall apply to development in the VC Zone, in addition to the following requirements:

- A. Parking lots located at the side or front of buildings shall be screened from the sidewalk by low walls, fences or hedges.
- B. Parking lots adjacent to each other shall have vehicular connections via an alley or internally.
- C. Required parking spaces may be reduced by twenty (20) percent as a conditional use if the developer can document to the satisfaction of the Planning Commission and Supervisors that half of gross sales volume will originate from pedestrian or transit traffic rather than vehicle traffic.

SECTION 406 HIGHWAY COMMERCIAL DISTRICT (HC)

406.1 Purpose

The purpose of this district is to provide reasonable standards for the development of commercial uses along major arterial highways. Buffer yards are required in accordance with Section 414 of the Township's Subdivision and Land Development Ordinance, particularly where adjacent to agricultural land.

406.2 Permitted Uses

The following principal uses are permitted as of right in the HC District:

- A. Single-family dwelling.
- B. Duplex.
- C. Public building and facility.
- D. Laundromat and dry-cleaning establishment.

- E. Retail sales, rental of goods.
- F. Professional office.
- G. Restaurant.
- H. Financial institution.
- I. Church, club, lodge, meeting hall.
- J. Convenience store.
- K. Personal service establishment.
- L. Vehicle sales.
- M. Home occupation.
- N. Hospital and health-care distribution center.
- O. Forestry.
- P. Small backyard animals, subject to Section 831.
- Q. Greenhouse and/or nursery.
- R. Roadside stand.
- S. Accessory structure customarily incidental to all above-permitted uses.

406.3 Conditional Uses

The following principal uses shall be permitted as conditional uses when approved by the Board of Supervisors, according to criteria established in Articles VI, VIII, and IX of this ordinance.

- A. Auto related, subject to Section 808.
- B. Multi-family, subject to Section 826.
- C. Shopping center, subject to Section 829.
- D. Office center.
- E. Heavy storage service (e.g., warehouse, building material yard).
- F. Mobile home sales.
- G. Recreational establishment.
- H. Motel.
- I. Storage facility.
- J. Body piercing, subject to Section 810.
- K. Tattoo parlor, subject to Section 832.
- L. Communication or cell tower, subject to Section 813.
- M. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835

406.4 Lot Area and Width

Lot area and lot width not less than the following dimensions shall be provided for each dwelling unit and/or principal use hereafter established in this district.

- A. Minimum Lot Area--Ten thousand (10,000) square feet.
- B. Minimum Lot Width--One hundred (100) feet.

406.5 Setbacks

Each lot shall provide front, side and rear setbacks not less than the following:

- A. Front Setback--Fifty (50) feet from the highway centerline.
- B. Each Side Setback--Ten (10) feet.
- C. Rear Setback--Ten (10) feet.

D. Corner lots are considered to have two front yards.

406.6 Building Height

The height limit for a main building shall not exceed forty (40) feet, except for churches, which are unrestricted. The maximum height for an accessory building shall be twenty-two (22) feet. No dwelling shall be less than one story in height, except for buildings which are designed to be energy efficient, such as geothermal or subterranean.

406.7 Building Coverage

Not more than sixty (60) percent of the lot area shall be devoted to buildings.

406.8 Impervious Surface Coverage

Not more than seventy-five (75) percent of the lot area including building area coverage may be covered with an impervious surface. Appropriate stormwater management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

406.9 Required Utilities

A. If municipal sewer or water service is within 150 feet of the parcel, the principal use on each lot will be required to connect to such service unless it is determined otherwise by a governing body.

B. If a plan is submitted that proposes a development of three (3) or more lots, a feasibility study/cost analysis shall be required at the time of plan submission to examine the availability of public and/or community sewer and water in the interest of public safety.

406.10 Signs

Signs shall comply with Section 506 of this ordinance.

406.11 Performance Standards

All uses in the Highway Commercial District are subject to the Performance Standards in Article X.

SECTION 407 INDUSTRIAL DISTRICT (I)

407.1 Purpose and Performance Standards

The purpose of this district is to provide reasonable standards for industrial uses, to protect adjacent uses, and to minimize air, land, and water pollution and noise, glare, heat, vibration, and fire and safety hazards in accordance with Article X of this ordinance.

407.2 Permitted Uses

The following principal uses are permitted as of right in the I district.

- A. Farm structures, pastureland, vegetable patch and the growing of field crops, trees, nursery and horticultural stock.
- B. Public building and facility.
- C. Parking lot, parking garage.
- D. Enclosed, large processing equipment; i.e., with over five thousand (5,000) square feet of ground floor area (e.g., laundry, large appliance or equipment repair shop).
- E. Heavy storage service, i.e., warehousing and building materials yard.
- F. General manufacturing.

- G. Caretaker or watchman dwelling.
- H. Single-family or duplex.
- I. Home occupation, subject to Section 823 of this ordinance.
- J. Forestry.
- K. Roadside stand.
- L. Church.
- M. Accessory structure customarily incidental to the above permitted uses.

407.3 Conditional Uses

The following principal uses shall be permitted as conditional uses when approved by the Board of Supervisors, according to criteria established in Articles VI, VIII, and X of this ordinance.

- A. Agricultural business, farm-related business, and farm occupation, subject to Section 805.
- B. Animal husbandry, subject to Section 806.
- C. Farmette, subject to Section 818.
- D. Truckstop and truck terminal, subject to Sections 832 and 833.
- E. Bulk feed storage.
- F. Manufacture of trailers, recreation vehicles and modular homes.
- G. Welding shop.
- H. Industrial park.
- I. Auto related, subject to Section 808.
- J. Motor sports/racetracks, subject to Section 825.
- K. Adult commercial, subject to Ordinance 2014-2.
- L. Sawmill, subject to Section 829.
- M. Communication or cell tower, subject to Section 813.
- N. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835
- O. Solar Farm subject to Section 834

407.4 Lot Area and Width

Lot area and lot width not less than the following dimensions shall be provided for each dwelling unit and/or principal use hereafter established in this district.

- A. Minimum Lot Area--Three (3) acres.
- B. Minimum Lot Width--Three hundred (300) feet at front setback.

407.5 Building Setbacks

Each lot shall provide front, side and rear setbacks not less than the following:

- A. Front Setback--
 - State Road: One hundred fifty (150) feet from centerline of roadway.
 - Township Road: One hundred (100) feet from centerline of roadway.
 - Private Road: Eighty (80) feet from centerline of roadway.
- B. Each Side Setback--Twenty-five (25) feet.
- C. Rear Setback--Thirty (30) feet.
- D. Corner lots shall be considered to have two front yards.

407.6 Building Height

The height limit for any building shall not exceed forty (40) feet, or three (3) stories, except for churches and farm structures, which are unrestricted. No dwelling shall be less than one (1) story in height, except for buildings which are designed to be energy efficient, such as geothermal or subterranean.

407.7 Building Coverage

Buildings may not cover more than seventy-five (75) percent of the lot.

407.8 Impervious Surface Coverage

Not more than seventy-five (75) percent of the lot area including building area coverage may be covered with impervious surface. Appropriate Stormwater Management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

407.9 Required Utilities

A. If public sewer or water service is within 150 feet of the parcel, the principal use on each lot will be required to connect to such service.

B. If a plan is submitted that proposes a development of three (3) or more lots, a feasibility study/cost analysis shall be required at the time of plan submission to examine the availability of public and/or community sewer and water in the interest of public safety.

407.10 Signs

Signs shall comply with Section 506 of this ordinance.

SECTION 408 CONSERVATION ZONE (C)

408.1 Purpose

The purpose of the Conservation Zone is to preserve the rural quality of the township, conserve agricultural/farmland, and provide open space.

408.2 Permitted Uses

The following are permitted:

- A. Farm structures, pastureland, vegetable patch and the growing of field crops, trees, nursery and horticultural stock.
- B. Forestry.
- C. Wildlife preserve.
- D. Fish farming.
- E. Greenhouse and/or nursery.
- F. Single-family detached dwellings.
- G. Home occupation, subject to Section 823.
- H. Supplemental computer work station in the home otherwise coupling with the requirements of Section 823.
- I. Roadside stand for selling primarily self-produced farm products.
- J. Churches.
- K. Public utility building.

L. Accessory structures customarily incidental to the above permitted uses.

408.3 Conditional Uses

The following principal uses shall be permitted as conditional uses when approved by the Board of Supervisors, according to the criteria established in Articles VI, VIII, and IX of this ordinance:

- A. Agricultural business, farm-related business and farm occupation, subject to Section 805.
- B. Animal husbandry, subject to Section 806.
- C. Farmette, subject to Section 818.
- D. Daycare Center and Private Schools, subject to Section 816.
- E. Family Daycare Home, subject to Section 817.
- F. Group Home, subject to Section 820.
- G. Group Daycare Home, subject to Section 819.
- H. Home Commercial, subject to Section 822.
- I. Kennels, subject to Section 807.
- J. Sawmill, subject to Section 829.
- K. Communication or cell tower, subject to Section 813.
- L. Solar Collector Not Associated with a Solar Farm subject to Section 835
- M. Solar Farm subject to Section 834

408.4 Lot Area and Width

Lot area and lot width not less than the following dimensions shall be provided for each dwelling unit and/or principal use hereafter established in this district.

- A. Minimum lot area: one (1) acre (43,560 sq. feet)
- B. Minimum lot width at front: 150 feet.
- C. Proposed lots not falling in the above range shall be considered a Conditional Use.
- D. For multiple lots, developers are encouraged to utilize provisions for a Planned Residential Development (See Article IX).

408.5 Setbacks

Each lot shall provide front, side and rear setbacks not less than the following:

- A. Front Setback--All structures: fifty (50) feet from the centerline of roadway.
Corner lots shall be construed to have two (2) front yards.
- B. Side Setback--Principal structures: thirty (30) feet.
Accessory Structures: fifteen (15) feet.
- C. Rear Setbacks: Principal structures: thirty (30) feet.
Accessory Structures--fifteen (15) feet.

408.6 Building Height

Maximum height of thirty-five (35) feet, or two and one-half stories, except for farm buildings and churches, for which there shall be no height limitation.

408.7 Impervious Surface Coverage

Not more than fifteen (15) percent of the lot area may be covered with impervious surface. Appropriate Stormwater Management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

408.8 Signs

Signs shall comply with Section 506 of this ordinance.

SECTION 409 AGRICULTURE CONSERVATION ZONE (AC)

409.1 Purpose

The purpose of this zone is to encourage the preservation of farming as a primary land use in the township. The majority of land and properties in this zone presently support primarily agricultural activities. Non-farmer owners in this zone typically lease their land to support other farming operations.

409.2 Agricultural Nuisance Disclaimer

Owners, residents and other occupants in the AC Zone may be subjected to inconvenience and discomfort arising from agricultural operations. These may include noise, odors, dust, the operation of machinery, and the storage and disposal of manure. Residents should be prepared to accept such inconveniences and discomfort and are hereby put on official notice that "The Right to Farm Law" may bar them from obtaining a legal judgment against agricultural operations.

409.3 Permitted Uses

The following are PERMITTED BY RIGHT in the AC Zone, provided that the use, type, dimensional, and all other applicable requirements of this ordinance are satisfied.

- A. Agriculture business, farm-related business and farm occupation, subject to Section 805.
- B. Farm structures, pastureland, vegetable patch and the growing of field crops, trees, nursery and horticultural stock.
- C. Animal kennels/hospitals, subject to Section 807.
- D. Farmette, subject to Section 818.
- E. Game preserve, wildlife sanctuary.
- F. Fish farming.
- G. Home occupation, subject to Section 823.
- H. Single-family detached dwelling, subject to Section 409.5.
- I. Greenhouse and/or nursery.
- J. Roadside stand for selling primarily self-produced farm products.
- K. Church.
- L. Camp or seasonal dwelling.
- M. Dwelling, accessory apartment.
- N. Dwelling, two-family.
- O. Forestry activities.
- P. Accessory structures customarily incidental to the above permitted uses.

409.4 Conditional Uses

The following uses are permitted as conditional uses when approved by the Board of Supervisors.

- A. Animal husbandry, subject to Section 806.
- B. Addiction treatment facility, subject to Section 803.
- C. Bed and breakfast, subject to Section 809.
- D. Cemetery, subject to Section 811.
- E. Communications or cell tower, subject to Section 813.

- F. Correctional facility, subject to Section 815.
- G. Daycare, subject to Sections 816, 817, and 819.
- H. Halfway house, subject to Section 821.
- I. Home commercial, subject to Section 822.
- J. Junkyards, subject to Township Ordinance, No. 2012-01.
- K. Landfills.
- L. Outdoor recreation, subject to Section 828.
- M. Group home, subject to Section 820.
- N. Sawmill, subject to Section 829.
- O. Solar Collector Not Associated with a Solar Farm with a Solar Farm subject to Section 835
- P. Solar Farm subject to Section 834

409.5 Residential Development in Agriculture Conservation (AC)

In the AC Zone, residential dwellings should be located so as to minimize interference with agricultural production.

Lot area and lot width not less than the following dimensions at the required front setback shall be provided for each principal use hereafter established in this zone.

A. Lot Area and Width for Residential

1. With individual on-lot sewage disposal
 - a. Minimum lot area: one (1) acre (43,560 sq. feet)
 - b. Minimum lot width at front: 150 feet.
 - c. Maximum Lot Area: 2.5 acres
 - i. Proposed lots not falling in the above range shall be considered a Conditional Use.
 - ii. For multiple lots, developers are encouraged to utilize provisions for a Planned Residential Development (See Article IX).
2. With community sewage system
 - a. Minimum lot area: 25,000 sq. feet.
 - b. Minimum lot width at front: 125 feet.

409.6 Minimum Setbacks

A. Non-Residential

1. There shall be a fifty (50) feet building setback from all property lines.
2. For animal-related agriculture, see setbacks in Sections 806 and 818 of this ordinance.

B. Residential and Public Recreation

1. Front Setback -- All structures: fifty (50) feet from the centerline of the road.
Corner lots shall be construed to have two (2) front yards.
2. Side Setbacks -- Principal structures: thirty (30) feet.
Accessory structures: fifteen (15) feet.
3. Rear Setbacks -- Principal structures: thirty (30) feet.
Accessory structures: fifteen (15) feet.

409.7 Building Height

There are no height limitations for farm buildings and churches. All other buildings shall have a maximum height of thirty-five (35) feet.

409.8 Impervious Surface

- A. For residential buildings, the maximum lot area for driveways, parking and sidewalks, including the building, is twenty-five (25) percent and no paved frontage area shall exceed twenty-five (25) feet in width.
- B. Animal husbandry, see Section 806.
- C. For all other uses, the maximum impervious surface is twenty-five (25) percent.
- D. All driveways shall be in accordance with Section 504 of this ordinance.

409.9 Required Utilities

Refer to proper authorities.

409.10 Signs

Signs shall comply with Section 506.

ARTICLE V

GENERAL PROVISIONS

SECTION 501 ACCESSORY USES AND STRUCTURES

501.1 Attached Structures

A permanent, roofed accessory structure, attached to the principal building, is considered a part of the principal building.

SECTION 502 PARKING

502.1 Size of Parking Space

Each parking space must have an area of not less than one hundred eighty (180) square feet, exclusive of passageways and driveways appurtenant to the space and giving access to it.

502.2 Spaces Required

Off-street parking spaces must be provided for each building (whether new or enlarged) in accordance with the following schedule:

<u>Type of Use</u>	<u>Minimum of Two Parking Spaces for Each</u>
---------------------------	--

Residential Dwelling	Dwelling unit
Mobile Home Parks	Mobile home lot

<u>Type of Use</u>	<u>Minimum of One Parking Space for Each</u>
---------------------------	---

Bed and Breakfast, Hotel, Motel	Bedroom
Office Building	Three hundred (300) square feet of gross floor area
Retail Store or Shop	One hundred (100) square feet of gross floor area
Eating Establishments	Four (4) seats
Gas Station/Vehicle Repair	Four hundred (400) square feet of gross floor area
Other Commercial Buildings	Two hundred (200) square feet of gross floor area
Church, Auditorium	Four (4) seats*
Industrial and Commercial	In addition to the above requirements, the following shall apply: One and two tenths (1 and 2/10) employees on major shift, but no less than one (1) space for each five thousand (5,000) square feet of gross floor area.
Clubs, Lodges, Funeral Homes	One hundred (100) square feet of gross floor area.

*Where individual seats are not otherwise delineated, a seating space of 18 inches shall equal one seat.

502.3 Location

The parking area must be on the same premises as the structure for which it is required. In the event any owner or occupant of a lot cannot comply with the requirements of off-street parking and loading/unloading spaces on the same premises as the structures for which it is required, the Board of Supervisors may, as a conditional use, allow the parking to be on adjoining or near-by premises owned or occupied by the owner or occupant of the structure, taking into consideration the nature of the use of the structure and the proximity of the proposed parking and/or loading/unloading spaces to the structure.

502.4 Controlled

The parking area must be under control of the owner or operator of the use to which the parking area is appurtenant.

502.5 Layout

Parking areas must be arranged so there will be no need for motorists to back out over public streets (except for individual residential use).

502.6 Parking Area Adjacent to Street

A. The access point shall be designed so that a continuous parking lot with an open-sided apron does not exist adjacent to the street. Rather, a strip of at least fifteen (15) feet depth shall be constructed along the street line.

B. Access points shall be consolidated at one (1) location and shall comply with Section 420, Chapter 441 of the PA State Highway Law, which contains the guidelines for driveways and related spaces.

C. More than one access point shall require a conditional use if proposed on a township road.

D. Where a parking lot is located in a front or side yard, a strip of at least fifteen (15) feet depth shall be constructed along the lot's street frontage. However, where the parking lot is a corner lot, contents shall not impede the line of sight at the intersection or the access to the parking lot. The contents of these strips may be comprised of the following:

1. Grass.
2. Mixed shrubs or hedge of two to three feet in height.
3. Flowers.
4. Stones.
5. Ground cover plants.

502.7 Paving

For commercial uses, driveways and parking areas shall be constructed with concrete, bituminous or stabilized porous material. See Sections 4.045 and 4.046 of the township's Subdivision and Land Development Ordinance for related considerations for minimizing the amount of impervious surface.

502.8 Handicapped Parking

All off-street parking areas shall provide parking space(s) for vehicles transporting physically disabled persons, according to Pennsylvania law.

502.9 Lighting

Parking lots shall be illuminated as is necessary to protect the public safety. In all cases such illumination shall be diverted and designed to prevent glare or excessive brightness which may become a nuisance to adjacent residential uses or hazardous to the motoring public.

SECTION 503 LOADING SPACE

503.1 Applicability

In addition to required parking space, off-street areas for vehicle loading and unloading shall be provided for any commercial use with gross floor area of 6,000 square feet or more and any public assembly of 20,000 square feet or more.

503.2 Spaces Required

Off-street loading spaces must be provided in accordance with the following schedule:

<u>Type of Use</u>	<u>Number of Loading Spaces</u>
Manufacturing, Retail, Industry, Hospitals	One (1) space for a gross floor area of six thousand (6,000) to twenty-five thousand (25,000) square feet and one (1) additional space for each ten thousand (10,000) square feet of gross floor area in excess of twenty-five thousand (25,000) square feet.
Offices, Hotels, Theaters, or other Public Assembly	One (1) space for a gross floor area of from twenty thousand (20,000) to one hundred thousand (100,000) square feet and one (1) additional space for each forty thousand (40,000) square feet of gross floor area in excess of one hundred thousand (100,000) square feet.

503.3 Spaces, Size and Location

- A. The size of each loading space shall be not less than sixty (60) feet long and twelve (12) feet wide.
- B. A loading area must be at least twenty (20) feet from all property lines.
- C. The loading area must be arranged so that there will be no need for motorists to back over public right-of-way.
- D. Loading and unloading activities may not occur on the highway or on the highway right-of-way.

SECTION 504 ACCESS DRIVEWAYS

Access to all land development shall be in accordance with the township's Subdivision and Land Development Ordinance and Driveway Ordinance.

SECTION 505 DRAINAGE AND GRADING

All land development shall be in accordance with Section 4.04 of Spring Township's Subdivision and Land Development Ordinance.

SECTION 506 SIGNS

506.1 Sign Type, Location and Size

- A. Size shall refer to the area on one side of the sign, including any border framing or decorative attachments. Sizes shall be limited as follows:

<u>B. Type of Sign (Permitted in VC & R-1 zones only)</u>	<u>Maximum Size</u>
Home Occupation/Home Commercial (where permitted)	Six (6) sq. ft.
Directional	Six (6) sq. ft.
Trespassing	Two (2) sq. ft.
Temporary or Seasonal	Six (6) sq. ft.

For Sale, For Rent	Six (6) sq. ft.
Identification and Information of Churches, Schools, and other Non-Profit Institutions	Twenty-four (24) sq. ft.
Apartment Development, Subdivision	Thirty-two (32) sq. ft.
Shopping Center	Sixty (60) sq. ft.
Business	Twenty-four (24) sq. ft.

C. Type of Sign (Permitted in RR, AC, C, HC & I zones only) Maximum Size

Home Occupation/Home Commercial (where permitted)	Thirty-two (32) sq. ft.
Directional	Twelve (12) sq. ft.
Trespassing	Two (2) sq. ft.
Temporary or Seasonal	Twenty-four (24) sq. ft.
For Sale, For Rent	Twenty-four (24) sq. ft.
Identification and Information of Churches, Schools, and other Non-Profit Institutions	Thirty-two (32) sq. ft.
Apartment Development, Subdivision	Thirty-two (32) sq. ft.
Industrial Park, Shopping Plaza	One-hundred-eighty (180) sq. ft.
Business	Thirty-two (32) sq. ft.

D... Maximum Sign Area Per Lot

1. A lot upon which a building(s) is situated regardless of the number of occupants therein shall be entitled to a maximum sign area of one-and-a-half (1-1/2) square feet for each lineal foot of building face parallel or substantially parallel to a street, or a total of eighty (80) square feet, whichever is greater.

- a. Where a lot fronts on more than one street (i.e., a corner lot) the sign area allowed for the smaller building face shall be allowed for each frontage.
- b. In unique situations where no building face is parallel or substantially parallel to a street, the building face with the lesser of an angle to the street shall be used for determination of maximum sign area.

2. A lot without a building situated thereon shall be entitled to a maximum sign area of forty (40) square feet.

3. An individual store or storefront within a Shopping Center, Shopping Plaza, or Mall shall be entitled to a maximum sign area of one-and-a-half (1 1/2) square feet for each lineal foot of store frontage parallel or substantially parallel to a street or parking area, or a total of forty (40) square feet, whichever is greater. Where such a store or storefront fronts on more than one street or parking area, the sign area allowed for the smaller store or storefront face shall be allowed for each frontage.

D. Electronic message boards and video display boards are allowed only by special use permits issued by Spring Township. Specifications and limitations for such signs are listed below.

1. Electronic message boards are allowed only by conditional use permits issued by Spring Township Supervisors.
2. Conversion of an existing sign to an electronic message board or to add changeable copy elements to it is allowed only if the modified sign will conform with all standards in this section and with all other applicable standards related to the location, height, size and other characteristics of the sign. Such conversion or addition shall require a conditional use permit.
3. All nonresidential uses in commercial and industrial zones are eligible for consideration by the supervisors.
4. For property located in the village center, residential and agricultural zones, the following are eligible for consideration by the supervisors: community education facilities, cultural centers, recreation centers, and religious institutions.
5. No electronic message boards may be located in conservation zones.
6. The sign must be located on the site of the use identified or advertised by the sign.
7. Only one electronic message board will be permitted per lot.
8. In the event that a single business exists on multiple lots or in the case of a business park or retail center, only one electronic message board will be permitted overall.
9. Electronic message boards shall be spaced a minimum of 500 feet from any other electronic message board and shall be set back at least 250 feet from an existing residence. The minimum street setback shall be 15 feet in all zones except for the Village Center zone.
10. All portions of the message must use an amber color.
11. All portions of the message must have a minimum duration of eight seconds and must be a static display. Time and temperature signs must have a minimum display duration of two seconds that is static during each individual message.
12. There shall be no effects of movement, flashing, scintillation, or similar effects in the individual images.
13. Changes of images shall be substantially instantaneous as seen by the human eye and shall not use fading, rolling, window shading, dissolving, or similar effects as part of the change.
14. The text of the sign must be limited to ten words to allow passing motorists to read the entire copy with minimal distraction.
15. Audio or any form of pyrotechnics is prohibited in association with electronic message boards.
16. Hours of use: Time, temperature, public safety and other imaging - 6:01 a.m. to 10:00 p.m. Time, temperature, and public safety - 10:01 p.m. - 6:00 a.m.

17. Electronic message boards shall be equipped with light sensing devices or timers that automatically dim the intensity of the light emitted from the face during low-light periods, such as dusk and dawn.
18. Electronic message board shall freeze on black (i.e. no image) in the case of a malfunction.
19. Electronic message boards shall not exceed 30% of the total sign area, or 20 square feet, whichever is less.
20. The maximum height of the sign shall be eight (8) feet. The overall size of the sign must conform to the size limitations in this Section 506.

506.2 Signs Prohibited in All Districts

- A. Noise producing signs or video display signs
- B. Flashing or intermittent lights or signals
- C. Roof signs.
- D. Signs on homes advertising or announcing a business except for a business conducted within the home in question.

506.3 Setbacks of Signs

- A. Attached Signs: No portion of an attached sign may extend beyond the building setback line, except in the VC zone where appropriate.
- B. Free-standing Signs: Free-standing signs may not be located within a street right-of-way.

506.4 Projection of Signs

No sign shall project:

- A. Over a public sidewalk, except in the VC zone where the clearance shall be not less than nine (9) feet above the sidewalk.
- B. Over a public highway or street, unless such sign is necessary for traffic control purposes and meets current PA DOT specifications.
- C. More than twenty-two (22) feet above the ground, except for an attached sign which may not project above the roof of a building.

506.5 Illumination of Signs

Illuminated signs are permitted only if the lighting is directed away from an adjacent residence and does not obstruct or distract the vision of motorists.

506.6 Temporary Signs

- A. Temporary signs shall be removed no later than three (3) days following the advertised event.
- B. A temporary sign for non-profit events, political campaigns, and other community events may be erected for a period not exceeding forty-five (45) days.

506.7 Sign Maintenance

Signs must be constructed of durable materials, maintained in good condition, and not allowed to become dilapidated.

506.8 Termination of Enterprise

Upon termination or abandonment of the enterprise, all signs pertaining to the enterprise must be removed within 30 days.

SECTION 507 BILLBOARDS

Billboards shall be allowed only in the H-C Zone in accordance with the following standards and regulations.

- A. No individual billboard face shall exceed 300 square feet.
- B. No billboard shall be erected upon the roof of any building.
- C. Billboards shall be set back fifty feet (50') from the street right-of-way.
- D. V-shaped billboard structures supported by a single structure shall be permitted provided that the angle formed by the two sides of the advertising sign structure does not exceed thirty (30) degrees.
- E. Billboards may not be closer than 1,000 feet from another billboard measured radially.
- F. Billboards shall not exceed thirty feet (30') in height. The height shall be measured from the grade of the immediately adjoining street, road, highway or alley to which the sign is oriented to the highest part of the sign. Each face of a two-faced sign shall be of the same height.
- G. Lighting of Billboards:
 - 1. No billboard shall be permitted which is not effectively shielded so as to prevent beams or rays of light being directed at any portion of the traveled way of any highway, or which is of such intensity or brilliance as to cause glare or to impair the vision of the driver of any vehicle or which interferes with any driver's operation of a motor vehicle.
 - 2. No billboard shall be so illuminated that it interferes with the effectiveness of or obscures an official traffic sign, device, or signal.
 - 3. Billboards which contain, include, or are illuminated by any flashing, intermittent, or moving light or lights are prohibited.
 - 4. All other applicable provisions of Section 506 shall apply.
- H. Billboards shall be permitted only if the provisions of the Outdoor Advertising Control Act of 1971, Act 160, 36 P.S. 2718.101 et seq., have been met.
- I. Before any billboards are erected, the appropriate State and/or Federal permits that are required for the erection of a billboard shall be obtained and copies of the same shall be filed at the Zoning Office of Spring Township prior to such erection.

SECTION 508 LANDSCAPE BUFFER REQUIREMENTS

All subdivision and land development shall provide landscaping and buffering in accordance with Section 4.14 of the Township's Subdivision and Land Development Ordinance.

SECTION 509 SETBACK MODIFICATIONS

- A. Front Setback of Buildings on Built-up Streets: Where at least two (2) adjacent buildings within one hundred (100) feet of a property are set back a lesser distance than required by this ordinance, the average of these lesser distances becomes the required minimum front setback for the property.
- B. Setback on Corner Lots: In the case of corner lots, two (2) front yard setbacks shall be provided.
- C. Accessory Appurtenant Structures: Setback regulations do not apply to the following:
 - 1. School bus shelters, eaves, chimneys, cornices, steps, canopies, and similar extensions but not including porches or patios whether covered or not.
 - 2. Articles of ornamentation or decoration.
 - 3. Fences, retaining walls, unless in the case of a corner lot where clear sight requirements shall be maintained.
 - 4. Open fire escapes.

SECTION 510 HEIGHT MODIFICATIONS

The height regulations do not apply to the following projections, provided that the height of any such projections shall not be greater than twice the height of the building to which it is attached.

- A. Projections: Projections such as chimneys, standpipes, or flagpoles.
- B. Ornaments: Parapet walls or cornices used solely for ornamental purposes, if not in excess of five (5) feet in height.
- C. Building Projections: Projections on buildings, such as clock towers, cupolas, water tanks, and other mechanical appurtenances, if such structures, at any level, do not cover more than twenty-five (25) percent of the roof on which they are located.

ARTICLE VI

NONCONFORMITIES AND STATUS OF PLAN

SECTION 601 NONCONFORMITIES

601.1 Continuance

A. Except as otherwise provided in this section, the lawful use of land or any building existing at the date of the adoption of this Ordinance or amendment thereto may be continued, although such use of land or building does not conform to the use regulations specified by this Ordinance or amendment thereto for the zone in which such land or building is located.

B. Except as otherwise provided in this Section, any dimensional nonconformities existing at the date of the adoption of this Ordinance or amendment thereto may be continued.

601.2 Expansion or Alteration

A. Upon application for a Conditional Use and in accordance with the provisions of Section 801, the Township may approve the expansion or alteration of a use of land or building which is not in conformance with the provisions of this Ordinance.

B. A nonconformity may be altered or expanded only if such alteration or expansion is in conformance with the provisions of this Ordinance. The Township may authorize additions or improvements to dimensional nonconformities by Conditional Use, provided that such additions or improvements meet the requirement of Section 801.

601.3 Replacement

A. Upon application for a Conditional Use, the Township may approve the replacement of one nonconforming use provided however, that the proposed nonconforming use will have no more adverse effect upon adjacent property than the existing nonconforming use as provided in Section 801.

B. Upon application for a Conditional Use, the Township may approve the replacement of one dimensional nonconformity by another dimensional nonconformity provided that such replacement does not create new dimensional nonconformities or further increase existing dimensional nonconformities, as provided in Section 801.

601.4 Restoration

A. If any nonconforming structure is damaged or destroyed by reason of windstorm, fire, explosion or other act of God, terrorist, or public enemy, such structure must be repaired or replaced within one (1) year of destruction date.

B. Nothing in this Ordinance shall prevent the strengthening or restoring to a safe condition any wall, floor or roof which has been declared unsafe.

601.5 Abandonment

A nonconforming use shall be adjudged as abandoned when there occurs a cessation of any such use or activity by an apparent act or failure to act on the part of the tenant or owner to reinstate such use within a period of one year from the date of cessation or discontinuance. Such use shall not thereafter be reinstated and the structure shall not be re-occupied except in conformance with this Ordinance.

601.6 Reversion

No nonconformity shall, if once changed to conform to the regulations of this Ordinance, be changed back again to a nonconformity. This section shall not preclude a property owner from applying for, or securing, a variance or special exception pursuant to the requirements of this Ordinance.

601.7 District Changes

Whenever the boundaries of a district shall be changed as to transfer an area from one district to another district of a different classification, the foregoing provisions shall also apply to any nonconforming use or dimensional nonconformities existing therein or created thereby.

601.8 Identification and Registration

A. The owner of the premises occupied by a lawful nonconforming use existing on the effective date of this Ordinance shall secure a certificate of nonconformance which shall be for the purpose of insuring to this owner the right to continue the nonconforming use.

B. An application for a certificate of nonconformance shall be made to the Zoning Officer by the owner of any property which, at the time of the effective date of this Ordinance, does not conform to the provisions of this Ordinance. Such application shall be made within ninety (90) days after the effective date of this Ordinance, and the certificate of nonconformance shall set forth in detail all of the nonconforming conditions of said property and shall include a sketch of the land and improvements covered by the certificate of nonconformance. This sketch may be either on the back of the certificate of nonconformance or may be a map or sketch attached to the certificate of nonconformance. If desirable or required, photographs may also be made a part of the record.

C. All forms for applications and certificates on nonconformance shall be supplied by the Zoning Officer upon request.

D. Failure of an owner to secure a certificate of nonconformance by timely application shall create a presumption that the nonconformity did not exist on the effective date of this Ordinance.

SECTION 602 STATUS OF SUBDIVISION OR LAND DEVELOPMENT PLAN

From the time an application plan, whether preliminary or final, is duly filed and while such application is pending approval or disapproval, no enactment or amendment of the zoning ordinance shall affect the decision on such application adversely to the applicant, and the applicant shall be entitled to a decision in accordance with the provisions of the zoning ordinance as it stood at the time the application was duly filed. Also, when a preliminary application has been duly approved, the applicant shall be entitled to final approval in accordance with the terms of the approved preliminary application as hereinafter provided. However, if an application is properly and finally denied, any subsequent application shall be subject to the intervening change in the zoning ordinance.

Changes in the zoning ordinance may affect subdivision or land development plans more than five years after approval has been granted provided the development is not substantially complete, estimated at seventy-five (75) percent. See the Pennsylvania Municipalities Planning Code, Section 508(4) for complete details.

SECTION 603 BUILDINGS UNDER CONSTRUCTION

If the construction is completed within one (1) year after the effective date, a building, the foundation of which was completed before the effective date, may be constructed without being bound by the requirements of this ordinance. In addition, a building, the foundation of which was completed before an amendment, may be constructed if the construction is completed within one (1) year after the amendment.

SECTION 604 DIVISION OF BUILT-ON LOTS

No lot may be formed from part of the lot occupied by building unless each newly-created lot will meet all of the applicable provisions of this ordinance.

SECTION 605 LOTS OF RECORD

On a lot held in single and separate ownership on the effective date of this ordinance or any amendment thereto, which lot does not fulfill the regulations for the minimum lot area and/or lot width for the district in which it is located, a building may be erected, altered and used and the lot may be used for a conforming use, providing setbacks established on the lot are at least equal to the average setbacks of existing adjacent properties.

ARTICLE VII

ZONING HEARING BOARD (ZHB)

Section 701 COMPLIANCE WITH PENNSYLVANIA MPC

The Zoning Hearing Board shall be appointed, organized, and operated in accordance with Article IX of the Pennsylvania MPC.

Section 702 MEMBERSHIP

A. Appointment. There shall be a Zoning Hearing Board (ZHB) consisting of three (3) members and three (3) alternates who shall be appointed by resolution of the Board of Supervisors. Both member and alternate terms shall be three (3) years. Alternate members will serve when a regular member is absent or disqualified. Membership shall be in compliance with Subsections 903.a and

903.b of the Pennsylvania Municipalities Planning Code (MPC). Any alternate may participate in any proceeding or discussion of the board but shall not be entitled to vote as a member of the board unless necessary to constitute a quorum, and only after being designated as a voting alternate by the board chairman. An alternate designated a voting alternate shall continue to serve as a voting alternate in all subsequent hearings on the matter. Both members and alternates shall hold no other elected or appointed office in the municipality, including service as a member of the planning commission or as a zoning officer, nor shall any member or alternate be an employee of the municipality.

B. Vacancies. When any vacancies occur, the ZHB shall notify the Board of Supervisors, which shall appoint a member for the unexpired portion of the term.

C. 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 governing body, taken after the member has received fifteen (15) days' advance notice of the intent to take such a vote. A public hearing shall be held in connection with the vote if the member shall request it in writing.

SECTION 703 ORGANIZATION

A. Officers. The elected officers of the ZHB shall be a Chairman, Vice-Chairman, and Secretary. The elected officers shall be selected at the annual meeting by a majority vote by the ZHB. Their terms shall begin immediately following the annual meeting and shall expire at the next annual meeting. The alternate member may not serve as an officer.

B. Zoning Officer. The Zoning Officer shall be present at all meetings for the purpose of providing technical assistance, as needed.

C. Records. The board shall keep full public records of its business, which records shall be the property of the municipality, and shall submit a report of its activities to the governing body as requested by the governing body.

SECTION 704 FUNCTIONS OF THE BOARD

The following matters pertain to the jurisdiction of the ZHB to hear and decide:

A. Substantive challenges to the validity of any land use ordinances.

B. Appeals from the determination of the zoning officer, including the granting or denial of any permit.

C. Appeals from a determination by the municipal engineer or zoning officer with respect to the administration and provisions of the flood plain ordinance.

D. Applications for variances.

E. Appeals from the determination of the zoning officer regarding transfers of development rights or performance density provisions of the zoning ordinance.

F. Appeals from the zoning officer's determination for a preliminary opinion.

G. Appeals from the determination of the zoning officer or municipal engineer regarding stormwater management for building on a single lot.

SECTION 705 PUBLIC HEARINGS

705.1 Scheduling and Notice of Hearings

A. Upon receiving an appeal or application, the Board shall fix a time and place for a public hearing and shall give the required notice of the hearing.

B. The hearing shall commence within sixty (60) days of receipt of the applicant's application.

C. Each subsequent hearing shall be held within 45 days of the prior hearing, unless otherwise agreed to by the applicant. Any party aggrieved by the schedule or progress of the hearings may apply to the court of common pleas for judicial relief. The hearing shall be completed no later than 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.

D. Notice of the hearing, which shall state the time and place of the hearing, the name of the owner of the property in question, the parcel location and existing use, and the purpose of the hearing, shall be given:

1. To the public, by advertising one (1) time per week for two (2) successive weeks in a newspaper of general circulation in the Township, the first notice being published no more than thirty (30) days from the hearing date, and the second being not less than seven (7) days from the hearing date.

2. To the applicant, the Zoning Officer, the Planning Commission, such other persons as the Township Supervisors may designate, and any person who make a timely request for the notice. This notice shall be mailed, or delivered in person, at least fifteen (15) days prior to the hearing date.

3. By posting in a conspicuous manner on the property/properties in question a written notice at least seven (7) days prior to the hearing.

E. The Township Supervisors may by resolution establish reasonable fees, based on cost, to be paid by the applicant and by persons requesting any notice not required by this Ordinance.

705.2 Conduct of Hearings

A. The Board shall conduct the hearings, or the Board may appoint any member or an independent attorney as a Hearing Officer. If the Board conducts a Hearing or takes any action, a quorum shall be not less than a majority of the members. The decision, or where no decision is called for, the finding, shall be made by the Board. However, the appellant or applicant, as the case may be, in addition of 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.

B. Formal rules of evidence shall not apply, but irrelevant, immaterial or unduly repetitious evidence may be excluded.

C. 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.

D. The Board or the Hearing Officer shall not communicate, directly or indirectly, with any party in connection with any issue involved except upon notice and opportunity for all parties to participate, shall not take notice of any communication, reports, staff memoranda, or other materials, except advice from their solicitor, unless the parties are afforded an opportunity to contest the material so

noticed, and shall not inspect the site or its surroundings with any party unless all parties are given an opportunity to be present.

705.3 Parties to the Hearing

Parties to the hearings 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 who, at the discretion of the Board, may be permitted to appear as a party. The Board shall have parties enter appearances in writing or on forms provided by the Board for that purpose.

705.4 Statements

Statements are to be made in the following order or as the Chairman may direct, and the applicant or appellant must be given opportunity for rebuttal.

- A. Zoning Officer and other officials.
- B. Applicant or appellant.
- C. Any private citizen.

705.5 Witnesses

The Chairman or the Hearing Officer 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.

705.6 Records

The Board or the Hearing Officer shall keep a stenographic record of the proceedings. The applicant and the Board shall share the appearance fee for a stenographer equally. 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.

705.7 Decision Procedure

- A. The Board or Hearing Officer 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. Where the application is contested or denied, each decision shall be accompanied by findings of fact and conclusions based on the findings, together with the reasons for the decision. Conclusions based on any provisions of the Pennsylvania Municipalities 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 light of the facts found.
- B. If a Hearing Officer conducts the hearing, and there has been no stipulation that his decision or findings are final, the Board shall make this report and recommendations available to the parties within forty-five (45) days, and the parties shall be entitled to submit a written response to the Board prior to final decision or entry of findings. The Board's decision shall be entered no later than thirty (30) days after the report of the Hearing Officer.

C. Where the Board fails to render the decision within the period required by this subsection, or fails to commence or complete the requested hearing as provided in Section 704.1, the decision shall be deemed to have been rendered in favor of the applicant, unless the applicant has agreed in writing to an extension of time. When a decision has been rendered in this manner, the Township shall give public notice of this decision within ten (10) days in the same manner as provided above. If the Board fails to provide such notice, the applicant may do so.

D. Nothing in this subsection shall prejudice the right of any party opposing the application to appeal the decision to a court of competent jurisdiction.

705.8 Notice of Decision

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. 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, brief notice of the decision or finding and a statement of the place at which the full decision or findings may be examined. The Zoning Officer shall retain the decision or findings as part of the public records of the Board.

705.9 Conditions Imposed

Whenever the Board imposes a condition or conditions with respect to the granting of an application or appeal, these conditions must be stated in the order of the Board and in the permit issued pursuant to the order by the Zoning Officer. This permit remains valid only as long as the conditions upon which it was granted or the conditions imposed by this Ordinance are adhered to.

SECTION 706 VARIANCES

706.1 Filing of Variance

An application may be made to the ZHB for a variance where it is alleged that the provisions of the Zoning Ordinance inflict unnecessary hardship upon the applicant. The application must be on a form provided by the Zoning Officer. It must be filed with the ZHB Chairman and copies given to the Zoning Officer and Township Planning Commission and the Township Supervisors. The applicant must provide all the information requested on the form, together with any other information and data that may be required whether such information is called for by the official form or not.

706.2 Referral to Planning Commission and Supervisors

All applications for variances shall be referred to the Township Planning Commission and Township Supervisors for reports. The Planning Commission and Supervisors may make a recommendation to the ZHB regarding the requested variance.

ARTICLE VIII

CONDITIONAL USES AND SPECIFIC STANDARDS

SECTION 801 CONDITIONAL USE STANDARDS

A conditional use may be granted when the Board of Supervisors follows a public hearing and finding from a preponderance of evidence that:

A. The proposed use, including its nature, intensity, scale and location, is consistent with the appropriate development of the zone.

B. The use has proper access to streets and will not create traffic congestion or cause industrial or commercial traffic to use residential streets.

- C. The use has adequate water supply, sewage disposal, storm drainage and fire and police protection.
- D. The value of adjacent land and buildings will not be impaired by proposed use.
- E. The specific standards set forth for each particular conditional use have been met.
- F. The applicant shall have the burden of proof with evidence and persuasion on all questions of fact.
- G. In granting a conditional use, the Board of Supervisors may attach such reasonable conditions and safeguards, as it may deem necessary to implement the purposes of this ordinance.

SECTION 802 SPECIFIC STANDARDS

- A. In addition to the general standards above, specific standards for particular uses set forth in this article must be met before the Board of Supervisors grants approval.
- B. Included in this article are special requirements for some uses permitted as of right. These requirements must be met before the Zoning Officer may issue a permit.
- C. Planned Residential Development (PRD) shall require conditional use approval. See Article IX for procedures.

SECTION 803 ADDICTION TREATMENT FACILITY

Subject to the applicable district except as is herein modified and provided:

- A. In order to provide an adequate buffer area for adjoining private properties, sites to house more than seven (7) residents shall contain a minimum of five (5) acres.
- B. If the site is to house more than seven (7) residents, the building and all secure areas shall not be less than two hundred (200) feet from any property line and the right-of-way line of any abutting public road, and five hundred (500) feet from any existing:
 - 1. Residence.
 - 2. Commercial enterprise catering primarily to persons under the age of eighteen (18) years.
 - 3. Public or semi-public recreation facility.
 - 4. Public park or public recreation facility.
 - 5. Health facility.
 - 6. Public or private school.
 - 7. Church or synagogue.
- C. An addiction treatment facility must be licensed where required by an appropriate government agency(ies), and shall be in compliance with all applicable rules and regulations of the licensing body(ies). A copy of any required license must be delivered to the township prior to initiating the use, and continually maintained as required.
- D. A common cooking and eating area must be provided for residents. No cooking or dining facilities shall be provided in individual resident rooms.
- E. Necessary permits for water supply and sanitary waste disposal must be obtained.
- F. A minimum of one (1) off-street parking space shall be provided for every two (2) residents of the addiction treatment facility, plus one space for each employee on the busiest shift.
- G. Each application for permit shall be accompanied by a statement describing the following:

1. The type and number of residents to be housed.
2. The specific services to be offered to residents.
3. The staff to be employed to perform the services.
4. The form of security normally required with care of the type to be offered.
5. The specific measures to be taken in the construction, development and operation of the facility so as to provide adequate security.
6. How unauthorized entry and/or exit will be restricted.
7. How the facility will be physically isolated, as by fencing, screening, and the like, from adjoining properties.
8. The measures to be taken to ensure that lighting and noise are controlled, particularly with respect to loudspeakers or other amplification devices, and floodlights.

H. Any addiction treatment facility which is also a "methadone treatment facility" as defined by Section 521(d) of the Pennsylvania Municipalities Planning Code, shall, in addition to all other requirements of this Ordinance, comply with the requirements of Section 621 of the Pennsylvania Municipalities Code.

I. Any permission granted for an addiction treatment facility shall be bound to the type and number of addicts listed on the application. Any change in the type or number of offenders being housed shall require a new application.

SECTION 804 ADULT COMMERCIAL

Subject to the applicable district and is herein modified and provided:

All adult commercial facilities must be in compliance with Spring Township Ordinance No. 2014-2 and any and all state and federal laws, statutes, rules and regulations, in addition to the conditions listed below:

- A. Any building used for adult commercial shall be windowless or have an opaque covering on all windows or doors where materials, merchandise, or film are displayed so that they shall not be visible from outside the building.
- B. No sign may give a visual representation of the type of materials, merchandise or film offered therein.
- C. No materials, merchandise, or film offered for sale, rent, lease, loan or for view shall be exhibited or displayed outside a building.
- D. All business transactions on the premises shall be conducted within the building.
- E. All adult commercial facilities shall incorporate buffering along property boundaries in accordance with Spring Township Subdivision and Land Development Ordinance.
- F. Each entrance to the premises shall be posted with a notice specifying that persons under age 21 are not permitted and warning all persons that they may be offended upon entry.
- G. No adult-oriented business shall be allowed to convert to another type of adult business without approval of the Board of Supervisors.

SECTION 805 AGRICULTURE BUSINESS, FARM-RELATED BUSINESS AND FARM OCCUPATION

Subject to the requirements of that district in which located except as herein modified and provided:

- A. For the purposes of this section, agricultural business may involve any one of a wide range of uses, so long as it remains compatible with the active farm use.
- B. Farm occupations involving machinery likely to create noise, cause fumes or noxious odors shall use any practical means to minimize this type of activity.
- C. Outdoor storage areas shall be screened from adjoining roads and properties and preferably be located behind the building containing the farm occupation.
- D. Signs shall comply with Section 506 of this ordinance.

SECTION 806 ANIMAL HUSBANDRY

Subject to the requirements of the zone where located except as herein modified.

A. Minimum Areas and Dimensions: (These apply to all animal husbandry operations which are not farmettes, CAO's or CAFO's. Regulations for CAO's and CAFO's are set by state and federal laws).

- 1. Minimum lot area: Ten (10) acres
- 2. Minimum lot width: Two hundred (200) feet
- 3. Minimum setbacks from any lot line for all agriculture-related buildings.
 - Front: Fifty (50) feet
 - Side: Fifty (50) feet
 - Rear: (50) feet

B. Water Resources: Animal access to streams should be limited to stabilized crossings. For unfenced streams, contact the County Conservation District for applicable programs.

C. Impervious Surface Coverage

Not more than twenty (20) percent of the lot area including building area coverage may be covered with an impervious surface. Appropriate stormwater management practices shall be followed based on Section 4.04 of the township's Subdivision and Land Development Ordinance.

D. Zoning Permit: Supplemental Documentation

- 1. Existing vegetation, waterways, springs and wetlands.
- 2. Proposed animal-related structures and their orientation.
- 3. Direction of prevailing winds.
- 4. Distance to adjacent lot lines.

E. Applicants for new or expanding CAO's and CAFO's shall prepare an Odor Management Plan. The supervisors shall consider the applicant's ability to reduce or abate odors and the continuing ability of the applicant to do so. Unless the methods employ the best possible techniques and materials that can be practicably applied to the proposed use according to the guidelines in Act 38, the application will be denied. The location for animal housing and manure storage facilities for new or expanding CAO's or CAFO's shall be in accordance with the approved Odor Management Plan.

F. Any exhaust or ventilation fans employed shall be located so that the odor, dust, and/or debris will be directed away from the nearby residences which are not that of the operator. The Township shall require the applicant to construct a dispersion buffer between the exhaust of the fans and nearby residences if there is no natural buffer. Such dispersion would require a vegetative berm or other equally effective treatment to effectively disperse or redirect the fan exhaust so that no direct exhaust velocity is perceptible at the property lines.

G. Construction and subsequent operation of any animal housing and/or waste storage facility shall be in accordance with the permit and the approved design. Any design changes during the construction or subsequent operation will require the obtainment of another review by the Snyder County Conservation District.

H. Traffic Impact: The supervisors shall consider the traffic that may be caused by the proposed activity. The applicant shall show that the activity will not overburden township roads nor cause a road-related nuisance to neighbors, as much as is possible according to state laws.

I. Agricultural operations that use or produce manure that are not CAO's or CAFO's shall comply with all current Department of Environmental Protection (DEP) requirements.

J. No new CAO's or CAFO's will be allowed outside the AC Zone and must conform to all DEP, state and federal regulations and permit procedures.

K. An owner or operator of a proposed CAO or CAFO shall obtain a Township permit to operate a CAO or CAFO, which the Township shall issue upon the receipt of proof that the owner or operator has an approved nutrient management plan and an approved odor management plan, has obtained all required DEP permits, and has provided all supplemental documentation listed in Section 806.D.

L. CAO and CAFO structures shall not be located in the five-hundred (500) year floodplain.

SECTION 807 ANIMAL KENNEL AND VETERINARY HOSPITAL

Subject to the requirements of that district in which located except as herein modified and provided:

A. All animals shall be housed within a completely enclosed building which shall be located a minimum of one hundred (100) feet from any property line.

B. All areas used for exercise shall be securely fenced and located a minimum of one hundred (100) feet from any property line.

C. Parking, signs, and buffers shall be in accordance with Article V.

D. The accumulation and storage of manure shall not be permitted.

SECTION 808 AUTO RELATED

Subject to the requirements of the applicable district except as herein modified and provided:

808.1 Body Shop/Paint Shop/Repair Shop

A. Activities involving bodywork, such as sanding and painting of vehicle bodies shall be conducted within an enclosed building where measures shall be taken to minimize noise, fumes and dust.

B. Only vehicles to be repaired on the premises or picked up by the vehicle's owner may be stored in the yard area. Junk cars shall not be stored on the lot.

C. A junkyard shall not be established, except in strict compliance with the township's Junkyard Ordinance No 2012-01.

D. Licensed towing operations and/or repossessioners shall provide a secure, fenced-in area for the storage of all vehicles.

808.2 Car Wash

A. Car wash structures shall be set back one hundred (100) feet from streams and sinkholes. Under no circumstances shall wastewater be drained into a stream or sinkhole.

B. Each bay shall have a fifty (50) foot long on-site stacking lane.

C. Car wash operations shall also comply with all regulations of the PA DEP.

808.3 Gas Station/Routine Service

A. Use shall not be permitted within one thousand (1,000) feet of any public or private drinking water supply or well not on the premises.

B. Buildings must be set back at least sixty (60) feet from the street center line and fuel pumps must be set back at least forty (40) feet from the street center line.

C. Driveways must be located as follows:

1. Minimum distance from any street intersection: two hundred (200) feet.

2. Minimum width: twenty (20) feet.

3. Maximum width: thirty (30) feet.

4. Minimum separation of drives on the same lot: seventy-five (75) feet.

D. No outdoor storage of trash is permitted.

E. Use shall not constitute a public or private nuisance or create a fire hazard.

F. Any repair activities shall be conducted within an enclosed building where adequate measures shall be taken to minimize dust, noise and fumes. Paint spraying and body/fender work shall not be permitted.

808.4 Vehicle Sales

A. Vehicles offered for rent or for sale must be set back a minimum of fifteen (15) feet from the front property line.

B. Accessory uses, such as engine or body repair, painting and undercoating, may be provided where such uses are clearly subordinate and incidental to the principal use. Accessory uses must be completely enclosed within a building in order to minimize dust, noise and fumes.

C. No vehicles shall be parked in the right-of-way of any adjacent street or alley.

SECTION 809 BED AND BREAKFAST

Subject to the requirements of the zone in which located except as herein modified and provided:

- A. No modifications to the external appearance of the building (except fire escapes) which would alter its residential character shall be permitted.
- B. All floors above-grade shall have direct means of escape to ground level.
- C. One (1) off-street parking space shall be provided for each room available for rent.
- D. A sign may be erected in accordance with Section 506 of this ordinance.
- E. Owner or manager shall live on site.

SECTION 810 BODY PIERCING ESTABLISHMENT

Subject to the requirements of the zone in which located except as herein modified.

- A. No body-piercing establishment or tattoo parlor shall be permitted within six hundred (600) feet of any residential district. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost residential district boundary.
- B. No body-piercing establishment or tattoo parlor shall be permitted within one thousand (1,000) feet of a school, library, public park, public playground, or church. Measurement shall be made from the outermost boundary of the lot or parcel upon which the proposed use will be situated to the outermost boundary of the lot or parcel on which the school, library, public park, public playground, or church is situated.
- C. No body-piercing establishment or tattoo parlor shall be located within one thousand (1,000) feet of another body-piercing establishment. Measurement shall be made from the outermost boundary of the lot or parcel of an existing body-piercing establishment to the outermost boundary of the lot or parcel of the proposed use.
- D. The permittee shall allow the code enforcement officer to inspect the premises any time the body-piercing establishment or tattoo parlor is open for business for the purpose of ensuring compliance with the provisions of the conditional use permit.
- E. The premises in which the body-piercing or tattooing is performed and all equipment used shall be maintained in a clean, sanitary condition and in good repair. The wall, floors, and ceilings shall have an impermeable, smooth, and washable surface. All tables, chairs, and other equipment shall be made of nonporous materials which may be readily disinfected.
- F. All used razors, needles, latex gloves, skin-cleansing sponges, gauze dressings, and other materials that have come in contact with human blood or other body fluids, excepting furniture and floor and wall coverings, shall be considered infectious waste and must be handled and discarded in the manner specified in Chapter 284 of Title 25 of the Pennsylvania Code, depending on the item of waste to be disposed.
- G. An individual shall not perform body-piercing or tattooing on a minor unless the individual obtains the prior written consent of the minor's parent or legal guardian. The minor's parent or legal guardian shall execute the written, informed consent required under this subsection in the presence of the individual performing the body-piercing or tattooing on the minor or in the presence of an employee or agent of that individual, and the parent or guardian must be present while the actual piercing or tattooing procedure takes place.

H. An individual shall not perform body-piercing or tattooing on another individual if the other individual is under the influence of intoxicating liquor or a controlled substance.

SECTION 811 CEMETERY

Subject to the requirements of the zone in which located except as herein modified and provided, and with reference to both human and pet cemeteries:

- A. Assurances must be provided that water supplies for surrounding properties will not be contaminated by burial activity. This assurance shall include a report on the soil types, geology and drainage of the site.
- B. No burial plots or facilities are permitted in the 100-year floodplain.
- C. A cemetery must conform to all applicable state regulations.

SECTION 812 CLUSTER DEVELOPMENT

Subject to the procedures for conditional use and the requirements of the zone in which located except as herein modified and provided. Cluster Developments may be permitted in Zones RR, R-1, and VC to increase flexibility in the arrangement of homes, and to provide a pattern of more usable open space.

- A. Minimum lot size and lot width may be reduced by as much as one-half (1/2) of the minimum requirements for the zone in which the development is located.
- B. Building height and building setbacks shall remain as required for the zone in which the development is located.
- C. Open Space: An area sufficient to bring the development into conformance with density requirements of the appropriate zone shall be reserved for open space. These provisions and any agreements, such as by-laws for a property owners association, shall be subject to the approval of the Board of Supervisors.
- D. For mobile home parks, see Section 6.05 of the Subdivision and Land Development Ordinance.

SECTION 813 COMMUNICATION OR CELL TOWERS

Subject to the requirements of the zone in which located except as herein modified.

- A. The applicant must be licensed by the Federal Communications Commission.
- B. A cell site with antenna or other communication tower that is attached to an existing communications tower or other tall structure, is PERMITTED in all zoning districts, provided:
 - 1. The height of the antenna shall not exceed the height of the existing structure by more than ten (10) feet.
 - 2. The applicant provides certification that the proposed tower will not exceed the structural capacity of the existing structure.
- C. A tower or antenna that is either mounted on an existing structure or is more than ten (10) feet higher than the structure on which it is mounted, may be PERMITTED AS A CONDITIONAL USE as in the AC, IA, HC and C zones subject to the following:

1. The applicant shall demonstrate, using technological evidence, that the antenna must go where it is proposed in order to satisfy its function in the company's grid system.
2. If the applicant proposes to build a tower (as opposed to mounting the antenna on an existing structure), he shall demonstrate that he contacted the owners of all tall structures and cell site antenna within a one-half-mile radius of the proposed site, asked for permission to install the antenna on those structures, and was denied for reasons other than economic reasons. This shall include smoke stacks, water towers, antenna support structures of other companies, other towers, farm silos, and other tall structures.
3. The applicant must demonstrate that the antenna is the minimum height required to function satisfactorily.

D. If a new antenna support structure is constructed (as opposed to mounted on an existing structure), the minimum distance between the base of the support structure or any guide wire anchors and any property line shall be the largest of the following:

1. Thirty (30) percent of antenna height.
2. The minimum setback in the underlying zoning district.
3. Forty (40) feet.

E. The applicant shall demonstrate that the proposed support structure is safe and certify that the tower design meets current national standards for steel towers.

F. Large trees shall be required to mitigate the visual impact of the tower and support structure.

G. Existing vegetation on and around the site shall be preserved to the greatest extent possible.

H. No antenna or tower may be artificially lighted, except when required by the Federal Aviation Administration.

I. Security, maintenance, and fencing

1. The site shall be secured by a fence with a minimum height of six (6) feet and maximum height of eight (8) feet to limit accessibility by the general public.
2. All guy wires shall be clearly marked so as to be visible at all times and shall be located within the fence enclosure.
3. All equipment and buildings shall be constructed and maintained in accordance with the Spring Township Building Code, as amended.

J. The applicant shall submit a plan for the removal of the facility if it is not activated for use, becomes obsolete, or is no longer in use. The applicant shall be responsible for the removal of the facility within six (6) months from the date the applicant ceases use of the facility.

SECTION 814 CONVERSION APARTMENT

Subject to the requirements of the zone in which located except as herein modified:

- A. There shall be a minimum of eight hundred (800) square feet of habitable floor area per family.
- B. The conversion of a single-family dwelling is prohibited in an existing dwelling of less than 2,000 square feet.
- C. No more than four (4) apartments can be created in any single dwelling.

D. The character of the existing structure shall be maintained. No exterior modifications shall be permitted which alter the original style of the dwelling, except for safety purposes.

E. The owner shall provide proof that the existing water and sewage disposal systems are adequate for the additional dwelling units. The township Sewage Enforcement Officer must approve the proposed method of sewage disposal.

F. Off-street parking and other applicable requirements of this ordinance shall be met.

SECTION 815 CORRECTIONAL FACILITY

Subject to the requirements of the zone in which located except as herein modified:

A. Area and bulk standards:

1. Minimum lot area: 25 acres
2. Minimum lot width: 1,000 feet
3. Minimum front yard: 500 feet
4. Minimum side yard: 500 feet
5. Minimum rear yard: 500 feet
6. Maximum building coverage: 5%
7. Maximum impervious coverage 10%
8. Maximum building height: 45 feet

B. Additional requirements:

1. The design, construction and operation of a correctional facility shall be supported by expert study as to every aspect of the facility. The implementation of the conclusions of those studies shall be subject to the review and approval of the Township.
2. The facility shall be effectively screened from view from any adjacent residentially zoned property, the details of the plantings to be developed during the conditional use process.
3. Building and site lighting shall be effectively shielded to prevent measurable spill beyond the property lines, to prevent direct view of the light source from off the property and to prevent sky glow.
4. The facility shall be served by public or community sewer and public water. All utilities shall be underground.

SECTION 816 DAYCARE CENTER AND PRIVATE SCHOOL

Subject to the requirements of the zone in which located except as herein modified and provided:

- A. The use shall be approved and licensed by the Department of Public Welfare or the Department of Education.
- B. Outdoor play area shall be provided at a minimum rate of one hundred (100) square feet per student enrolled. Enrollment shall be the largest number of students at any one time.
- C. A four (4) feet high fence shall enclose the outdoor play area.
- D. The outdoor play area must contain a means of shade, either shade trees or pavilion.

E. At least one parking space for each full-time person employed plus adequate space for the children being served by the facility. Driveways and parking areas shall be located so as not to endanger children entering or exiting the building.

F. "Drop off" and "pick up" areas shall be provided.

SECTION 817 FAMILY DAYCARE HOME

Subject to requirements of the applicable zone, except as herein modified:

A. The use shall be registered and licensed with the Department of Public Welfare.

B. The location shall be a family residence.

C. An occupant of the home may care for a maximum of six (6) young children.

SECTION 818 FARMETTE

Subject to the requirements of the applicable zone where there are animals being raised or kept for the owner's pleasure, hobby or incidental income, the raising and ownership of horses, steers, cows, pigs, sheep, goats, poultry, rabbits or exotic animals (excluding house pets) shall be subject to the following requirements:

A. Minimum lot area: One (1) acre

B. Outdoor animal-related shelters and accessory buildings associated with the keeping of said animals shall be suitably enclosed and located at least ten (10) feet from any lot line and not closer than fifty (50) feet from the nearest dwelling other than that of the owner of the animals.

C. All animals shall be confined to the property of the owner and shall not create a nuisance.

D. Agricultural operations that use or produce manure that are not CAO's or CAFO's shall comply with all current Department of Environmental Protection (DEP) requirements.

E. If animal numbers or densities qualify for a CAO or CAFO, the requirements of Animal Husbandry shall apply. See Section 806 of this ordinance.

SECTION 819 GROUP DAYCARE HOME

Subject to the requirements of the applicable zone, except as herein modified:

A. The use shall be registered with and licensed by the Department of Public Welfare.

B. The maximum number of children shall be twelve (12) with a staff minimum of two (2).

SECTION 820 GROUP HOME

Where provided and subject to the following requirements:

A. Group homes shall have the appearance of a conventional, single-family residence and shall meet the minimum yard, setback and lot width requirements for a single detached dwelling in the applicable zoning district.

B. The number of clients living in a group home shall not exceed four (4) plus a minimum of one (1) on-site support staff member 24 hours a day.

C. Proof of Department of Public Welfare licensing shall be furnished to the township Zoning Officer at the time of application.

D. It is not recommended that a group home be located within a one-half (.5) mile radius of any other group home.

SECTION 821 HALFWAY HOUSE

Subject to the requirements of the zone where located except as herein modified.

A. In order to provide an adequate buffer for adjoining private properties, sites to house more than seven (7) residents shall contain a minimum of six (6) acres.

B. If the site is to house more than seven (7) residents, the building and all secure areas shall not be less than two hundred (200) feet from any property line and the right-of-way line of any abutting public road, and five hundred (500) feet from any existing:

1. Residence.
2. Commercial enterprise catering primarily to persons under the age of eighteen (18) years.
3. Public or semi-public recreation facility.
4. Health facility.
5. Public or private school.
6. Church or synagogue.

C. A perimeter fence may be required by the Township, which shall be a minimum of ten (10) feet in height and constructed of chain-link and be topped with barbed or concertina wire as directed by the Township.

D. A half-way house must be licensed where required by an appropriate government agency(ies), and shall be in compliance with all applicable rules and regulations of the licensing body(ies). A copy of any required license must be delivered to the township prior to initiating the use, and continually maintained as required.

E. A common cooking and eating area must be provided for residents. No cooking or dining facilities shall be provided in individual resident rooms.

F. Necessary permits for water supply and sanitary waste disposal must be obtained.

G. A minimum of one (1) off-street parking space shall be provided for every two (2) residents of the half-way house, plus one space for each employee on the busiest shift.

H. Each application for permit shall be accompanied by a statement describing the following:

1. The type and number of residents to be housed.
2. The specific services to be offered to residents.
3. The staff to be employed to perform the services.
4. The form of security normally required with care of the type to be offered.
5. The specific measures to be taken in the construction, development and operation of the facility so as to provide adequate security.
6. How unauthorized entry and/or exit will be restricted.
7. How the facility will be physically isolated, as by fencing, screening, and the like, from adjoining properties.

8. The measures to be taken to ensure that lighting and noise are controlled, particularly with respect to loudspeakers or other amplification devices, and floodlights.

I. Any half-way house which is also a "methadone treatment facility" as defined by Section 621(d) of the Pennsylvania Municipalities Planning Code, shall, in addition to all other requirements of this Ordinance, comply with the requirements of Section 521 of the Pennsylvania Municipalities Code.

J. Any permission granted for a half-way house shall be bound to the type and number of offenders listed on the application. Any change in the type or number of offenders being housed shall require a new application.

SECTION 822 HOME COMMERCIAL

Subject to the requirements of a conditional use (See Section 801) and the following:

A. The primary use of the lot shall be residential.

B. Home commercial activities must meet all applicable licensing and environmental regulations.

C. Home commercial shall not in any way alter the residential character of a neighborhood or in any way adversely affect the sale and comfortable enjoyment of properties in the vicinity.

D. Home commercial shall not create objectionable noise that can be detected beyond the property line nor shall it create a traffic nuisance.

E. The following shall be permitted as home commercial: animal kennel, body shop, restaurants, and dance studio.

F. Off-street parking shall be provided in accordance with Section 502 of this ordinance.

G. Minimum parking spaces for the following specific uses are required:

Beauty shop, licensed insurance and real estate agents: three (3) spaces.

A non-resident employee: one (1) space.

H. Lot coverage and impervious surface ratios of the applicable zoning district shall apply and the use shall comply with Section 4.04 of the township's Subdivision and Land Development Ordinance.

I. A sign not larger than two (2) square feet in the area is permitted. It may be illuminated only by indirect lighting.

J. For lots less than one (1) acre in size, no more than two (2) non-resident employees may be employed, but additional non-resident employees may be added according to the following:

Lot Size	Additional non-resident employees
Less than one (1) acre	None
1-2 acres	2
2-4 acres	4
4-8 acres	6
More than 8 acres	8

K. If the home commercial activity cannot be contained in an existing building, an addition or a new freestanding building may be built according to the following guidelines based on the lot size:

Lot Size	Maximum Size of Addition (to house or other existing building)	Maximum Size of New Building
-----------------	--	-------------------------------------

Less than 1 acre	No addition allowed	No new building allowed
1-2 acres	25% of the house footprint	50% of the house footprint
2-4 acres	50% of the house footprint	100% of the house footprint
4-8 acres	50% of the house footprint	5,000 square feet
More than 8 acres	50% of the house footprint	10,000 square feet

L. Nothing that is listed as a conditional use can be classified as Home Commercial.

SECTION 823 HOME OCCUPATION

Also known as "No-impact Home-based Business" and permitted by right in all residential zones subject to the following:

- A. The primary use of the lot shall be residential.
- B. Home occupation must meet all applicable licensing and environmental regulations.
- C. Home occupation shall not in any way alter the residential character of a neighborhood or in any way adversely affect the sale and comfortable enjoyment of properties in the vicinity.
- D. Home occupation shall not create objectionable noise, vibration, glare, fumes, odors or electrical/electronic interference that can be detected beyond the property line nor shall it create a traffic nuisance.
- E. The following shall not be permitted as home occupations: animal kennel, body shop, restaurant, dance studio, body piercing establishment, and tattoo parlor.
- F. Off-street parking shall be provided in accordance with Section 502.
- G. Three parking spaces for the following specific uses are required: Beauty shop, licensed insurance and real estate agents.
- H. Lot coverage and impervious surface ratios of the applicable zoning district shall apply.
- I. No exterior evidence of the occupation shall be allowed, except for signs, subject to Section 506.
- J. For lots less than one (1) acre in size, no more than two (2) non-resident employees may be employed, but additional non-resident employees may be added according to the following:

Lot Size	Additional non-resident employees
Less than one (1) acre	None
1-2 acres	1
2-4 acres	2
4-8 acres	3
More than 8 acres	4

K. The use shall not involve a business with regular daily hours such as 9 to 5. Rather, customers or clients will come on an appointment basis.

L. Not more than twenty-five percent (25%) of the net floor area of the dwelling may be devoted to a home occupation. If an addition to the home is proposed, its size shall not be larger than twenty-five (25%) of the home's footprint.

SECTION 824 MOBILE HOME

Subject to the requirements of the zone in which located except as herein modified.

- A. A permit shall be required for placement of a mobile home on lot, whether on an individual lot or in a mobile home park.
- B. Every lot used for an individual mobile home shall meet the minimum lot size of the district in which it is located.
- C. The individual mobile home must meet the applicable setbacks and all other requirements of the district in which it is located.
- D. Mobile homes shall be securely anchored to the ground or foundation sufficiently to withstand a maximum wind velocity of ninety (90) miles per hour. Each mobile home shall have at least one (1) tie-down at each of the four corners.
- D. No mobile home shall be occupied, unless it is supported on concrete blocks or jacks, or rests on a foundation and is connected with utilities.
- F. From the bottom of the walls to the ground, mobile homes shall be provided with masonry walls or skirting designed to complement its appearance.
- G. For **mobile home parks**, see procedures for land development and related requirements in the township's Subdivision and Land Development Ordinance.

SECTION 825 MOTOR SPORTS PARK/RACETRACK

Subject to the requirements of the zone in which located except as herein modified.

- A. All race tracks for motor driven vehicles, including but not limited to automobiles, trucks, go-carts, motorcycles, motor scooters, dune buggies, water craft, all terrain vehicles (4-wheelers) and the like, shall be located in the Industrial Zone and not less than one (1) mile from any Residential District.
- B. The track/course shall not be less than five hundred (500) feet from any property line or public road right-of-way.
- C. No area on the lot which is required for the movement of vehicles in and about the buildings and facilities shall be used for complying with the off-street parking requirements of this ordinance.
- D. Gasoline pumps and other service appliance may be located in the required front yard but shall not be situated closer than thirty (30) feet from the road or street right-of-way line. Any above ground storage tanks shall not be placed in the front setback area.
- E. The track/course shall be maintained and kept in neat condition with no accumulation of trash or debris. There shall be no outside accumulation of tires, supplies, parts, or any other materials.
- F. The provisions of Article X regarding Performance Standards (noise) shall be complied with.

SECTION 826 MULTI-FAMILY DWELLING

Subject to procedures for land development and the requirements of the district in which located except as herein modified and provided for multi-family dwellings containing three (3) or more units, including garden apartments, condominiums, town or row house:

- A. The minimum net lot area, per unit, shall be fifty-four hundred (5,400) square feet.
- B. Maximum height shall be two and a half (2.5) stories.
- C. The minimum distance between principal buildings shall be forty (40) feet where two (2) or more multi-family dwellings are located on a single lot or parcel.
- D. The maximum number of dwelling units in a town or row house is eight (8).
- E. A minimum of ten percent (10%) of the gross area of the development or one thousand (1,000) square feet per unit, whichever is greater, shall be provided for recreational use. This space shall be provided and maintained by the owner or developer.
- F. A buffer yard plan must be submitted for approval. One-half (.5) of the required buffer yard area may be counted toward fulfillment of the required recreation area.
- G. Public sewer and public water must be utilized.

SECTION 827 NONCONFORMITY MODIFICATION

A. Expansion

In any Zone and subject to the requirements of the zone in which located except as herein modified and provided:

1. Expansion of the nonconformity shall be confined to the lot on which it is located on the effective date of this Ordinance or any amendment thereto creating the nonconformity.
2. The total of all such expansions or alterations of use shall not exceed an additional thirty-three percent (33%) of the area of those buildings or structures devoted to the nonconforming use as they existed on the date on which such buildings or structures first became nonconformities.
3. Provision for access driveways, off-street parking and off-street loading shall be consistent with standards required by this Ordinance.
4. Provision for yards, building height and building area shall be consistent with the standards required for the permitted use in the zone in which the nonconformity in question is located.
5. Appearance should be harmonious with surrounding properties. This feature includes but is not limited to: landscaping, enclosure of principal and accessory uses, height control, sign control, architectural control and maintenance in good conditions of all improvements and open spaces.
6. Landscaping and buffer yards in accordance with the Subdivision and Land Development Ordinance shall be provided as necessary to adequately protect neighboring properties.
7. The expansion shall not create new dimensional nonconformities or further increase existing dimensional nonconformities.

B. Replacement by Another Nonconformity

In any zone and subject to the requirements of that zone except as herein modified and provided.

Before granting a Conditional Use for the replacement of one (1) nonconformity by another, the Township must determine that the proposed nonconformity will have no more adverse effect upon adjacent property than the existing nonconformity. In making this determination, the Township should consider particularly the effect upon adjacent property of the following:

1. Signs and lighting.
2. Extent and appearance of structures.
3. Traffic generation and movement.
4. Parking and loading.
5. Emission of noise, odors, fumes, glare, vibration, smoke, vapors, gases, wastes or storm water run-off.
6. Fire, explosion or other hazards.

SECTION 828 OUTDOOR RECREATON

Subject to the requirements of that district except as herein modified:

- A. The township may require such conditions and safeguards as are necessary to protect adjoining properties from damage.
- B. The use must have access to a public street.
- C. The area used for recreation must be set back at least fifty (50) feet from any property line or street right-of-way.

SECTION 829 SAWMILLS

Subject to the requirements of that district in which located except as herein modified and provided:

- A. No material shall be deposited or stored and no building or structure shall be located within two hundred (200) feet of any rear and side property lines and five hundred (500) feet of any land within a VC, R-1, RR, or HC zone.
- B. All uses shall provide sufficiently long stacking lanes into the facility so that vehicles waiting will not back up onto public roads.
- C. All access drives shall connect with an arterial or collector road and shall be maintained mud-free. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the site.
- D. Litter control shall be exercised to prevent the scattering of windborne debris, and a working plan for the cleanup of litter shall be provided.

SECTION 830 SHOPPING CENTER

Subject to land development and conditional use requirements and the following provisions:

830.1 Shopping Plaza

- A. The shopping plaza shall be designed as a unit with a harmonious arrangement of building groups and pedestrian and vehicular circulation.
- B. The minimum tract width shall be two hundred (200) feet.

- C. The minimum front yard shall be one hundred twenty (120) feet as measured from the street centerline.
- D. The minimum side and rear yards for the tract shall be fifty (50) feet.
- E. Coverage: No more than thirty-three (33) percent of the tract shall be covered with buildings.
- F. Building Height: The maximum height of any building shall be thirty-five (35) feet or two and one half (2-1/2) stories.
- G. Landscaping: Shopping plazas shall have a buffer yard along boundary lines as submitted in a plan for review by the township Planning Commission. Such buffer shall be located within the shopping plaza and shall be used for no other purpose than landscaping. Such a buffer shall be maintained in good condition and free of rubbish.
- H. Sewerage: All buildings within the shopping center shall be served by public sewerage.
- I. Utilities: All utilities serving the shopping plaza shall be placed underground.
- J. Ingress and Egress: Road access to public streets shall be located no less than two hundred and fifty (250) feet from any public street intersection.
- K. Consolidated Access: Not more than one point of ingress and egress shall be allowed on any abutting street. The township shall require written justification if:
1. More than one (1) point is proposed and,
 2. If separate ingress and egress are less than 100 feet apart.
- L. Pedestrian Circulation: All structures in a shopping plaza shall be connected by means of pedestrian walkways.
- M. Adjoining Parcels: Internal driveway connection shall be provided where there are adjoining commercial parcels in order to lessen vehicular conflict along the frontage road.
- N. Off-Street Parking and Loading: Off-street parking and loading spaces shall be provided as an integral part of the shopping plaza and be physically separated from public streets, subject to Section 502. Off-street parking and loading areas shall be lighted so that no part of such area is in total darkness during the nighttime use.
- O. Drainage: Shopping plazas shall meet the requirements of Section 4.04 of the township's Subdivision and Land Development Ordinance.

830.2 Mixed Use Village

- A. See use requirements provided in the Village Center (VC) Zone.
- B. Such requirements are applicable for the existing village of Beaver Springs when new commercial/retail development and uses are proposed in the VC Zone.
- C. Provisions of the VC Zone may also apply to all new mixed-use village development if proposed in other permitted areas of the township.

SECTION 831 SMALL BACKYARD ANIMALS

Subject to the requirements of the applicable district except as herein modified:

- A. Animals shall be kept and raised in the rear yard only.
- B. Animal density shall be no greater than 24 animals per acre.
- C. Animals shall be kept in an enclosure.
- D. Animal waste which is kept on the premises must be kept in sealed containers.

SECTION 832 TRUCK STOP

Subject to the requirements of the applicable district except as herein modified:

- A. Minimum lot size shall be ten (10) acres.
- B. The truck stop parcel shall contain a buffer yard in compliance with Section 507.
- C. Setbacks:
 - 1. Minimum five hundred (500) feet to a stream or sinkhole.
 - 2. Minimum five hundred (500) feet to a residential district.
 - 3. Minimum two hundred fifty (250) feet from street centerline.
- D. The applicant shall provide a traffic study prepared by a professional traffic engineer with the following minimum considerations:
 - 1. Estimated vehicle trips to be generated, including peak periods.
 - 2. Existing traffic count, for all streets providing access.
 - 3. Capacity analysis on intersections that will be effected.
 - 4. Accident data at the above intersections.
 - 5. Description of proposed actions to alleviate negative effect upon the area.
- E. The applicant shall prepare a template diagram with a building permit application showing stacking locations for trucks while in line for fueling.

SECTION 833 TRUCK TERMINAL

Subject to the requirements of the applicable district except as herein modified:

- A. The Public Utilities Commission shall license the truck terminal, if applicable.
- B. Minimum lot size shall be ten (10) acres.
- C. The lot shall meet the buffer yard requirements of Section 507.
- D. Setbacks:
 - 1. Minimum five hundred (500) feet to a stream or sinkhole.
 - 2. Minimum two hundred fifty (250) feet from street centerline.
- E. The applicant shall provide a traffic study prepared by a professional traffic engineer with the following minimum considerations:

1. Estimated vehicle trips to be generated, including peak periods.
2. Existing traffic count, for all streets providing access.
3. Accident data at the above intersections.
4. Description of proposed actions to alleviate negative effect upon the area.

SECTION 834 SOLAR FARMS

A. This section is intended to guide the development of solar energy in Spring Township, Snyder County while protecting the public health, safety and general welfare of the community. All regulations and procedures set forth in the zoning ordinance shall apply unless modified in this section.

B. Development Standards for Solar Energy Uses.

Solar farms shall conform to the following development standards:

1. Height

No aspect of a solar farm shall exceed 25 feet in height, as measured from grade at the base of the structure to its highest point. Such height restrictions shall not apply to transmission lines

2. Setbacks

All aspects and components of a solar farm shall meet the minimum zoning setbacks for the zone in which it is located.

3. Transmission Lines

Any new electrical transmission lines associated with the solar farm may be located either above or below ground.

4. Screening

a) Solar collectors that are located more than one hundred fifty (150) feet from an adjacent public street right-of-way, residentially zone property, or residential use shall not require screening;

b) Solar collectors that are less than one hundred fifty (150) feet from an adjacent public right-of-way, residentially zoned property, or residential use shall be screened from view of such adjacent public right-of-way, residentially zoned property or residential use utilizing natural vegetation as approved by the Township Planning Commission. Such vegetative buffers shall be appropriate to the location of the site, the adjacent land use, and area topography.

5. Site Plan Requirements

Solar farms shall be developed in accordance with an approved site plan. Site plans must adhere to the standards outline in the Subdivision and Land Development Ordinance.

6. Approved Solar Components

a) Electric solar farm components must have a UL listing or equivalent and must be designed with anti-reflective coating(s).

b) Building and electrical plans for the solar farm shall be submitted to the Township Planning Commission for review and approval to ensure compliance with all applicable building and electrical codes.

7. Decommissioning

a) The owner or operator of a solar farm shall completely decommission the solar farm within twelve (12) months if the solar farm ceases to generate electricity for a continuous period of twelve (12) months. This period may be extended by the Planning Commission if the owner or operator provides evidence that the failure to generate electricity is due to circumstances beyond the owner's or operator's control and the solar farm has not been abandoned.

b) Decommissioning shall include the removal of all solar collectors, cabling, electrical components, fencing, and any other associated equipment, facilities and structures to a depth of at least 36 inches.

c) Disturbed earth shall be graded and reseeded.

d) To ensure the full completion of decommissioning requirements, and/or to facilitate the mitigation and abatement of public nuisances or health hazards caused by debris or hazardous materials occurring in the event of partial or complete destruction of any solar farm by natural or man-made causes, Spring Township requires the placement of a surety/performance bond or certified check meeting certain terms and in certain amounts as determined by the Township Planning Commission to ensure that such decommissioning or removal is completed expeditiously, and at no cost to the landowner.

C. Miscellaneous Provisions for Solar Farms

1. The perimeter of a solar farm shall be secured through the use of security fencing of at least six (6) feet in height.

2. The owner or operator of a solar farm shall provide for and maintain reasonable means of access for emergency services.

SECTION 835 SOLAR COLLECTORS NOT ASSOCIATED WITH SOLAR FARMS

- A. Roof-mounted or ground-mounted solar collectors shall not exceed the square footage of the principal structure or use and shall meet the following requirements:
- B. Solar collectors shall be configured to avoid glare and heat transference to adjacent properties.
- C. Ground-mounted solar collectors shall not be located within ten (10) feet of any side or rear lot line.
- D. Ground-mounted solar collectors located within a front yard shall meet the minimum setback required for the principal structure or use in the applicable zone where it is located and be sited as far back as the principal structure or use.
- E. The maximum height of a ground-mounted solar collector shall be fifteen (15) feet as measured from the grade or base of the collector to the highest point and shall not exceed the height of the principal structure or use.
- F. Roof-mounted solar collectors shall not extend beyond the exterior perimeter of the building or structure on which mounted or built and shall not exceed the maximum height for the applicable zone where the building or structure is located.

ARTICLE IX

PLANNED RESIDENTIAL DEVELOPMENT (PRD)

SECTION 901 PURPOSE

The following are the purposes of the Planned Residential Development:

- A. To encourage innovations in residential and nonresidential development so that the demand for housing and other development may be met by greater variety in type, design, and layout.
- B. To encourage the conservation of natural features by "designing around" sensitive or attractive environmental areas.
- C. To provide a procedure that can relate the design of the development to the particular site characteristics.
- D. To encourage a more efficient use of land and public services by clustering structures and providing varying densities.
- E. To offer an incentive (12% bonus) to developers, increasing the number of allowable units and decreasing developer costs (See 905.G).

SECTION 902 PERMITTED ZONES AND USES

Planned Residential Development is permitted in the following zoning districts subject to the requirements and procedures of this article.

- R-R -- Rural Residential
- R-1 -- Medium Density Residential
- VC -- Village Center

Permitted uses in Planned Residential Development shall consist of the following:

- Single-family dwellings
- Two-family dwellings
- Multi-family dwellings
- Customary accessory uses to the above

Conditional uses in Planned Residential Development shall consist of the following:

- Home occupation, subject to Section 821
- Outdoor recreation, subject to Section 826
- Home commercial, subject to Section 820

SECTION 903 APPLICABILITY OF COMPREHENSIVE PLAN

All provisions and amendments thereto adopted pursuant to this article shall be based on and interpreted in relation to the Spring Township Comprehensive Plan.

SECTION 904 POWERS OF THE COUNTY

The power of the county to enact, amend and repeal PRD provisions shall not supersede any local PRD, zoning or subdivision and land development ordinance which is already in effect or

subsequently becomes effective in the township provided that a certified copy of such provisions is filed with the County Planning Commission. However, all applications for tentative approval of a PRD shall nevertheless be referred to the County Planning Commission for study and recommendation, and the County Planning Commission shall be required to report to the township within forty-five (45) days of such referral or forfeit the right to review.

SECTION 905 DETERMING SITE CAPACITY

(Note: Sample numbers have been provided below based on the assumption of a 100-acre site area. The applicant should supply his own numbers in order to figure the calculations.)

Each site has physical features that are unique and create a sense of the plan. Portions of some sites may not be usable due to steep slope, stream corridor or other sensitive areas. Such features should remain undisturbed.

A minimum of buildable land should be reserved for recreation and open space. The purpose of this section is to establish the appropriate intensity of use to which a specific tract may be put. For each tract, the developer shall submit the following calculation with the initial plan for PRD.

A. Calculate Basic Site Area: That portion of the tract which is not usable for the activities proposed for the site shall be subtracted from the site area to determine base site area. Use the following formula to determine the base site area:

- | | |
|---|------------------------|
| 1. Take Total Site Area as determined by actual on-site survey. | <u>100 acres</u> |
| 2. Subtract: all land within rights-of-way used for roads and utilities | <u>2 acres</u> |
| 3. Subtract: land which in a previously approved subdivision was reserved for resource reasons such as floodplain or recreation. | <u>3 acres</u> |
| 4. Subtract: land used or zoned for another use; i.e., land which is used or is to be used for commercial or industrial uses in a residential development, or land in a different zoning district than the primary use. | <u>5 acres</u> |
| <i>Equals BASE SITE AREA</i> | <u>90 acres</u> |

B. Calculate Resource Protection Land: All land within the base site area shall be mapped and measured for the purpose of determining the amount of open space needed to protect it. On the form below identify the amount of land in each resource and then multiply the open space ratio that has been determined for that resource to get the Resource Protection Land.

Resource	Acres of Land in Resource	Open Space Ratio	Resource Protection Land
Floodplains	12	100%	12
Floodplain soils		100%	
Lakes, ponds and shores		100%	
Wetlands		100%	
Steep slope (25% or more)		85%	
Steep slope (15-25%)		80%	
Steep slope (8-15%)		70%	
Woodland	12	60%	7
Presence of 20" caliper trees		80%	

*Agricultural soils (Class I or II)		90%	
Total Resource Protection Land			19

* Applies to AC District and Ag Security Areas only.

C. Calculate the amount of unrestricted land.

1. Take Base Site Area from Section A. 90 acres
2. Subtract Resource Protection Land (from above table). 19 acres
3. *EQUALS UNRESTRICTED LAND* **71 acres**

D. Calculate Recreation Land for Cluster and Multi-Family Development.

In order to provide recreation as near to the development as possible for cluster and multi-family units, the following formula applies:

1. Take Unrestricted Land (from Section C). 71 acres
2. Multiply by twenty percent (20%). (Assumes single family)
(Note: the applicable for single family development)
3. *EQUALS TOTAL RECREATION LAND* **0 acres**
(Note: the recreation land is in addition to the open space set aside for all residential)

E. Calculate Net Buildable Site Acres. Individual site capacity is determined by calculating the net buildable site area. For single-family performance subdivisions, the number of allowable dwelling units is determined by multiplying the net density by net buildable site area. The calculations are as follows:

1. Take Resource Protection Land from Total of Section B. 19 acres
2. Add Recreation Land from Section D, if cluster or multi-family. 0 acres
3. *EQUALS TOTAL OPEN SPACE* **19 acres**
4. Take Base Site Area from Section A. 90 acres
5. Subtract Total Open Space. 19 acres
6. *EQUALS NET BUILDABLE SITE AREA* **71 acres**

F. Calculate Allowed Number of Units. Density is determined by the applicable zoning district and the overlay of public sewer.

1. Find Applicable Zone in Section 906 below Assume R-1 with sewer
2. Divide Net Buildable Site Area from Section E. by Acreage per Unit
as shown in Section 906 below (divide by acreage per unit) 71 divided by .33
3. *EQUALS NUMBER OF DWELLING UNITS ALLOWED)* **215 units**

G. Calculate Bonus. The option of using a PRD allows the developer to gain a "bonus" of twelve percent (12%) additional units. The township offers this bonus in order to meet the objectives listed in Section 907.A. In order to determine the total allowed dwelling units with the twelve percent (12%) bonus:

1. Take Number of Dwelling Units Allowed from Subsection F 234 units
2. Multiply by Twelve Percent (12%)
3. Add to Units Allowed 26 bonus units
4. *EQUALS TOTAL UNITS WITH BONUS* **241 units**

SECTION 906 DENSITY REGULATIONS

The net density standards of the table below shall apply.

Applicable Zones	Number of Dwelling Units Per District			
	With Public Sewer	Minimum Lot Size	On-Lot Sewage	Minimum Lot Size
RR	2 units/acre 0.5 acres/unit	25,000 sq. ft.	1 unit/acre 1 acre/unit	43,560 sq. ft.
R-1	5 units/acre 0.2 acres/unit	6,000 sq. ft.	3 units/acre 0.33 acres/unit	8,000 sq. ft.
VC	5 units/acre 0.2 acre/unit	6,000 sq. ft.	n/a	n/a

SECTION 907 OPEN SPACE

A minimum of thirty percent (30%) of the total tract shall be set aside as common open space.

A. It is the expressed intent that this requirement for open space be used to achieve the following objectives:

1. Maximization of groundwater recharge by reducing impervious surfaces.
2. Protection of streams, wetlands, woodlands, and wildlife habitats.
3. Extension or buffering of contiguous farmland enabling larger areas for agriculture.
4. Provisions of recreation areas that are conveniently accessible to PRD residents.
5. Integration of greenbelts and/or footpaths that link pedestrians with nearby parks, schools, or other destinations.

B. Common open space shall be subject to the following:

1. The township may at any time accept or refuse to accept the dedication of land or any interest therein for public use and maintenance. The township need not require, as a condition of the approval of a planned residential development, that land proposed to be set aside for common open space be dedicated or made available to public use.
2. The township may require that the landowner provide for and establish an organization for the ownership and maintenance of the common open space.

3. The common open space shall not be disposed of, by sale or otherwise, without first offering to dedicate the same to the township. Regardless, the common open space shall not be developed.
4. In the event of public dedication, any township costs including maintenance shall be assessed ratably against the properties within the PRD that have a right of enjoyment of the common open space, and shall become a lien on said properties. The township at the time of entering upon said common open space for the purpose of maintenance shall file a notice of lien upon the affected properties in the County Office of the Prothonotary.

SECTION 908 APPROVAL SEQUENCE

The zoning approval shall be obtained first. The applicant can be spared expenditures of plan preparation in the event the zoning application is denied. Once the developer has filed the zoning application for the conditional use, not intervening change or amendment to the zoning, subdivision or other governing ordinance may adversely affect the development plan.

SECTION 909 IMPROVEMENTS STANDARDS

All improvements for streets, driveways, utilities, landscaping, stormwater management, etc., unless otherwise accepted, shall be designed and constructed in conformance with the standards and requirements of the Spring Township Subdivision and Land Development Ordinance. All such improvements shall be guaranteed under the provisions of that same ordinance.

SECTION 910 ENVIRONMENTAL STANDARDS

- A. If streams (whether intermittent or perennial) are present at the site, compliance with Section 4.12 of the Subdivision and Land Development is required.
- B. If slopes of fifteen percent (15%) or greater are present at the site, requirements of the Subdivision and Land Development Ordinance Section 4.13 requirements shall be met.
- C. If woodlands and/or mature trees are present at the site, requirements of Section 4.14 of Subdivision and Land Development shall be met.
- D. The requirements of the Township Stormwater Ordinance must be met. "Low impact development" (see definition) is encouraged as a means of achieving stormwater management.

SECTION 911 WATER SUPPLY

- A. If water is to be provided by other than individual on-site systems (wells owned and maintained by the individual lot owners), the Final Plan must include evidence that the subdivision or development will be supplied by one of the following:
 1. A bona fide cooperative association of lot owners, or
 2. The Spring Township Municipal Authority.
- B. Water supply facilities must comply with Section 4.10 of the Subdivision and Land Development Ordinance.

SECTION 912 STAGING OF DEVELOPMENT

PRD's may be constructed in phases if the following criteria are met:

- A. The application for tentative approval covers the entire PRD and shows the location and approximate time of construction for each stage, in addition to other information required.
- B. At least one-third (1/3) of the dwelling units in the tentatively approved plan are included in the first phase.
- C. The subsequent stages are completed consistent with the tentatively approved plan and in no stage contain less than one-third (1/3) of the dwelling units receiving tentative approval.
- D. All stages are consistent with the township's Stormwater Management Plan.

SECTION 913 ENFORCEMENT AND MODIFICATION OF PLAN

A. The following provisions of the development plan shall run in favor of the township and shall be enforceable in law or in equity by the township, without limitation on any powers of regulation otherwise granted the township by law:

- 1. The use, size, and location of buildings and structures.
- 2. The quantity and location of common open space.
- 3. The density of residential units.

B. All other provisions of the development plan shall run in favor of the residents of the PRD in accordance with the terms of the development plan, whether recorded by plat, covenant, easement, or otherwise. The provisions may be enforced at law or equity by said residents acting individually, jointly or through an organization designated in the development plan to act on their behalf. However, no provisions of the development plan shall be implied to exist in favor of residents of the PRD unless those portions of the development plan have been finally approved and recorded.

C. Grants or easements relating to the service or equipment of a public utility may not be modified, removed or released by the township except by written authorization of the utility.

D. All provisions of the development plan authorized to be enforced by the township under this section may be modified, removed, or released, subject to the following conditions:

- 1. No modification, removal, or release of the provisions of the development plan by the township shall affect the rights of the residents of the PRD to maintain and enforce those provisions, at law or equity, as provided in this section.
- 2. No modification, removal, or release of the provisions of the development plan by the township shall be permitted except upon findings by the governing body following a public hearing pursuant to public notice.
- 3. Any modification, removal, or release of the development plan provisions shall:
 - a. Be consistent with the efficient development and preservation of the entire planned residential development.
 - b. Not adversely affect either the enjoyment of land abutting upon or across the street from the PRD or the public interest.
 - c. Not be granted solely to confer a special benefit upon any person or organization.

E. Residents of the PRD may, to the extent and in the manner expressly authorized by the provisions of the development plan, modify, remove, or release their rights to enforce the provisions of the development plan, but no such action shall affect the right of the township to enforce the provisions of the plan in accordance with the provisions of this section.

SECTION 914 APPLICATION FOR TENTATIVE APPROVAL

A. The application for tentative approval shall be filed with the township secretary and shall be accompanied with payment of application fee.

B. The Board of Supervisors shall approve the application for PRD and any subsequent modification after review and recommendation by the Township Planning Commission.

C. The township shall forward applications to the Snyder County Planning Commission for review and recommendation.

D. Information to be submitted:

Ten (10) copies of the plan shall be submitted consisting of the following:

1. A map showing the location, size, and topography of the site.
2. A plan showing all the existing natural features of the site, including:
 - Streams, whether perennial or intermittent
 - Wetlands, sinkholes, and sinkhole-prone soils
 - Woodland, hedgerows and mature trees
 - Slopes fifteen percent (15%) or greater
 - Prime Agriculture Land (see definition)
 - Historic structures of features, including cemeteries or burial sites
3. The proposed density for each area of the site to be developed.
4. The plans for stormwater management. See the Township Stormwater Management Ordinance.
5. The plans for sewage disposal. See Section 4.09 of the Subdivision and Land Development Ordinance.
6. The plans for water supply. See Section 4.10 of the Subdivision and Land Development Ordinance.
7. The use and approximate height, bulk, and location of buildings and other structures.
8. The location and size of the common open space and the form of organization proposed to own and maintain it.
9. The covenants, easements, or other restrictions proposed to be imposed upon the use of the land and/or buildings, including proposed easements for public utilities.
10. The provisions for parking of vehicles and the location and width of proposed streets and public ways.
11. In the case of plans that call for development over a period of years, a schedule showing the proposed times for final approval application of all sections of the PRD are intended to be filed. This schedule must be updated annually, until the development is completed.

12. Indication of landowner's interest in the land (eg. owned, leased, or optioned).

E. In lieu of procedures

The application for tentative final approval of a PRD prescribed in this article shall be in lieu of all other procedures or approvals otherwise required pursuant to the Zoning Ordinance and the Subdivision and Land Development Ordinance of the township, unless otherwise referenced.

SECTION 915 PUBLIC HEARINGS

A. Within sixty (60) days after the filing of an application for tentative approval of a PRD, a public hearing pursuant to public notice shall be held by the Board of Supervisors in the manner prescribed for an amendment to the Zoning Ordinance.

B. The Board of Supervisors may continue the hearing from time to time, and where applicable, refer the matter back to the Planning Commission for a report; however, the public hearing process shall be concluded within sixty (60) days after the date of the first public hearing.

SECTION 916 THE FINDINGS

A. Within sixty (60) days following the conclusion of the public hearing, or within 180 days after the date of filing the application, whichever occurs first, the Board of Supervisors 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.
3. Deny tentative approval to the development plan.

B. Failure to so act within the sixty (60) day period shall be deemed to be a grant of tentative approval of the development plan as submitted.

C. In the event, however, that tentative approval is granted subject to conditions, the landowner may, within thirty (30) days, notify the Board of Supervisors of his refusal to accept the conditions. In this case, the Board shall be deemed to have denied tentative approval of the development plan. In the event the landowner does not, within thirty (30) days, notify the Board of Supervisors refusal to accept all said conditions, tentative approval of the development plan, with all conditions, shall stand as granted.

D. The grant or denial of tentative approval by official written communication also shall include findings of fact related to the specific proposal and shall 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. Those respects in which the development plan is or is not consistent with the Township Comprehensive Plan.
2. The extent to which the development plan departs from zoning and subdivision regulations otherwise applicable to the subject property and the reasons 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 PRD, 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.
4. The physical design of the development and the manner in which design does or does not make adequate provision for pedestrian circulation, public services, and provide recreational and amenities and enjoyment of the natural environment.
5. The relationship, beneficial or adverse, of the proposed PRD to the surrounding area.
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 PRD.

E. When a development plan is granted tentative approval, the Board of Supervisors 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 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 between grant of tentative approval and an application for final approval shall not be less than three 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.

SECTION 917 STATUS OF PLAN AFTER TENTATIVE APPROVAL

A. The official written communication provided for in this article shall be certified by the Township Secretary and shall be filed in his or her 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:

1. Qualify a plat of the PRD for recording, or
2. Authorize development, or
3. Authorize issuance of any building permits.

C. A development plan which has been given tentative approval (and provided that the landowner has not defaulted nor validated any of the conditions of the tentative approval) shall not be modified, revoked, or impaired by action of the Township without the consent of the landowner. However, application for final approval must be filed within the periods of time specified in the official written communication granting tentative approval.

D. Tentative approval shall be deemed to be revoked in the following instances:

1. In the event that a development plan is given tentative approval and thereafter, but prior to final approval, the landowner abandons the plan and notifies the Board of Supervisors in writing.
2. In the event the landowner fails to file application or applications for final approval within the required period of time or times.

E. Such development plan whose tentative approval was revoked and for which final approval was not given shall be subject to those local ordinances other wise applicable, and the same shall be noted in the records of the Township Secretary.

SECTION 918 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. Application shall be made to the Township Secretary within the time or times specified by the official written communication granting tentative approval.

B. The application shall include all documents specified in this ordinance, as well as any conditions set forth in the official written communications at the time of tentative approval. A public hearing or an application 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 giving tentative approval.

C. 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, the Board of Supervisors shall, within forty-five (45) days of such filing, grant such development plan final approval.

D. In the event the development plan as submitted contains variations from the development plan given tentative approval, the Board of Supervisors 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 its refusal and setting forth 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. Refile the application for final approval without the variations objected.
2. File a written request for a public hearing on the application.

E. If the landowner wishes to take either such alternate action he may do so within the period of time to which he is 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 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 alternate 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 the landowner makes request for the hearing, and the hearing shall be conducted in the manner prescribed in this article for public hearings on application for tentative approval. Within thirty (30) days after the conclusion of the hearing, the 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 article.

F. A development plan, or any part thereof, which has been given final approval shall be so certified without delay by the Board of Supervisors and shall be recorded in the County Office of the Recorder of Deeds before any development shall take place. Upon final approval, the developer shall guarantee improvements and post financial security in accordance with Article V of the Township Subdivision and Land Development Ordinance.

G. In the event that a development plan, or a section thereof, is given final approval and thereafter the landowner abandons such plan or the section thereof that has been finally approved, and so notifies the Board of Supervisors in writing; or, in the event the landowner fails to commence and carry out the planned residential development within a reasonable time, no development or further development shall take place on the property included in the development plan until after the property is reclassified by enactment of an amendment to the Zoning Ordinance in the manner prescribed for such amendments.

SECTION 919 AS BUILT DRAWINGS

Whenever a developer installs or causes to be installed any sewer lines or water lines, the developer shall, as soon as practicable after installations are complete, furnish the township with a copy of a drawing that shows the exact location of such lines. The service provider must verify such drawings as accurate. Compliance with this requirement shall be a condition of the continued validity of the permit authorizing such development.

SECTION 920 JURISDICTION

District justices shall have initial jurisdiction over proceedings brought under this section. The enforcement remedies are as follows:

A. Any person, partnership or corporation who or which has violated the PRD provisions of this ordinance, shall, upon being found liable thereof 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 townships. 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 appropriate rules of civil procedure. Each day that a violation continues shall constitute a separate violation unless the district justice determines otherwise. All judgments, costs, and reasonable attorney fees collected for the violation of PRD provisions shall be paid to the township.

B. The court of common pleas, upon petition, may grant an order of stay, upon cause shown, tolling the per diem judgment pending a final adjudication of the violation and judgment.

C. Nothing contained in this section shall be construed or interpreted to grant to any person or entity other than the township the right to commence any action for enforcement pursuant to this section.

ARTICLE X

PERFORMANCE STANDARDS FOR NUISANCES

SECTION 1001 APPLICATION

Permitted and conditional uses enumerated in Commercial and Industrial Districts are subject to the following performance standards and procedures. However, if the dangerous and objectionable elements regulated by this article should occur in districts other than Commercial and Industrial, these same performance standards shall apply.

In addition, all property is subject to Township Ordinance No. 2008-04, known as the Spring Township Nuisance Ordinance. Nuisances prohibited therein include but are not limited to abandoned or junked vehicles, garbage, ashes, refuse/rubbish, junk material, and abandoned or unoccupied buildings or parts of building in a state of dilapidation or disrepair, and any offensive business.

SECTION 1002 PERFORMANCE STANDARDS PROCEDURE

A. Prior to Construction and Operation: Any application for a zoning permit for a use, which shall be subject to performance standards, shall be accompanied by a sworn statement by the owner of subject property that said use will be operated in accordance with the performance standards set forth herein.

B. Continued Compliance: Continued compliance with performance standards is required and enforcement of continued compliance shall be the responsibility of the Zoning Officer.

SECTION 1003 NUISANCE ELEMENTS

A. Definition of Elements: No land or building in any District to be used or occupied for manufacturing, commercial, or similar purposes shall be operated in such a manner so as to create any dangerous, injurious, noxious, or otherwise objectionable fire, explosive or other hazard; noise or vibration, smoke, dust, dirt or other form of air pollution; electrical or other disturbances; glare; or other nuisance, condition or element in such amount as to adversely affect the surrounding area or premises (referred to herein as "dangerous or objectionable elements"); provided that any use permitted by this ordinance may be undertaken and maintained in the Industrial District conforming to the regulations of this Subsection limiting dangerous and objectionable elements at the specified point or points of their existence.

B. Locations Where Determinations Are to be Made for Enforcement of Performance Standards:
The determination of the existence of any dangerous and objectionable elements shall be made at:

1. The point or points where such elements shall be most apparent for fire and explosion hazards, for radioactivity and electrical disturbances, for smoke and other forms of air pollution.
2. The property lines of the use creating such elements for noise, for vibration, for glare and for odors.

SECTION 1004 NUISANCE STANDARDS TO BE ENFORCED

A. Fire and Explosion Hazards: In all activities involving, and all storage of, inflammable and explosive materials, the owner or operator of such use shall provide adequate safety devices against

the hazard of fire and explosion and adequate firefighting and fire suppression equipment and devices standard in this industry. Burning of waste materials in open fires is prohibited. The relevant provisions of state and local laws and regulations shall also apply.

B. Radioactivity or Electrical Disturbance: No activities shall be permitted which emit dangerous radioactivity or electrical disturbances adversely affecting the operation of any equipment other than that of the creator of such disturbance.

C. Maximum Permissible Environmental Noise Levels

1. No person shall cause or permit noise to intrude into the property of another person which noise exceeds the maximum permissible noise levels set forth below in this section. Decibels shall be measured at the boundary line of the receiving property.
2. a. The noise limitations established are as set forth in the following table after any applicable adjustments provided for herein are applied.

EDNA OF NOISE SOURCE	EDNA OF RECEIVING PROPERTY		
	Class A Residential	Class B Commercial	Class C Industrial
CLASS A Residential	55 dBA	57 dBA	60 dBA
CLASS B Commercial	57	60	65
CLASS C Industrial	60	65	70

EDNA: Environmental designation for noise abatement

- b. Between the hours of 10:00 p.m. and 7:00 a.m. the noise limitations of the foregoing table shall be reduced by 10 dBA for receiving property within Class A EDNA's.
- c. At any hour of the day or night the applicable noise limitations in (a) and (b) above may be exceeded for any receiving property by no more than the following:
 - i. 5 dBA for a total of 15 minutes in any one-hour period; or
 - ii. 10 dBA for a total of 5 minutes in any one-hour period; or
 - iii. 15 dBA for a total of 1.5 minutes in any one-hour period.

D. **Exemptions.** (In addition to those listed in Township Ordinance No. 1993-2).

Exempt from the provisions of this section are sounds caused by the following:

1. Natural phenomena or wildlife.
2. Normal agricultural operations.
3. Activities conducted by non-profit organizations, such as the Beaver Community Fair, Relay for Life, and the Boy Scouts of America.
4. Portable generators when there is no electrical service available due to natural disaster or power outage.
5. Stationary generators which do not exceed a sound level of 75 dBA at any property line when there is no electrical service due to natural disaster or power outage.
6. Aircraft.

7. Electrical substations and stationary equipment used to convey water, wastewater or natural gas by a utility.
8. Operations which exceed standards contained in these regulations and which, over the previous three years, have consistently operated in excess of five (5) hours per day as a consequence of normal necessity and/or demonstrated routine normal operation. Changes which would increase the average day-night sound level require written approval of the Township.
9. Sound amplification equipment, emanating from any event or activity, for which a permit has been issued if the permit authorized the use of sound amplification equipment.
10. Sound amplification equipment which has been approved through and are in compliance with all terms and conditions of a conditional use permit.

E. **Exempt from the provisions of this chapter** are sounds caused by the following at all times if the receiving property is in the HC or I Zones, and between the hours of 7:00 a.m. and 10:00 p.m. on weekdays and 9:00 a.m. and 10:00 p.m. on weekends if the receiving property is located in the VC, RR, or R-1 zones, except as noted below.

1. Bells, chimes and carillons not operating continuously for more than five minutes in any one hour.
2. Discharge of firearms on legally established shooting ranges.
3. Repairing, rebuilding, modifying, operating or testing any motor vehicle or internal combustion engine.
4. Construction relating to temporary repairs, additions, remodels, or maintenance projects on existing single-family homes, grounds and appurtenances. Sounds related to the above activities must cease by 8:00 p.m.
5. Construction at construction sites between the hours of 7:00 a.m. and 6:00 p.m. on weekdays, and 9:00 a.m. and 6:00 p.m. on Saturdays which are not legal holidays. On Sundays or legal holidays sounds emanating from constructions sites are prohibited unless expanded hours have been authorized by the Township. Expanded hours may be authorized in the following conditions:
 - a. Construction on schools and essential government facilities which cannot be undertaken during exempt hours.
 - b. Construction activities and site stabilization in the fall prior to the onset of winter weather.
 - c. Emergency work.
 - d. Construction sounds will not exceed the maximum permissible environmental noise levels listed above as verified by sound level monitoring conducted before and during construction by a qualified acoustic consultant.
6. Commercial business activity, such as handling of containers and materials.
7. Public parks, playgrounds, and recreation areas during the hours these areas are open for public use.

F. Nothing in these exemptions is intended to preclude the Township through the authority of the State Environmental Policy Act from requiring installation of the best available noise abatement technology consistent with feasibility.

G. Vibration: No vibration shall be permitted which is detectable without instruments at the points of measurement.

H. Glare: No direct or sky-reflected glare or disruptive light whether from floodlights or from high-temperature processes such as combustion or welding or otherwise, shall be permitted.

I. Smoke: No emission shall be permitted from any chimney or other source of visible grey smoke of a shade greater than No. 1 on the Ringleman Smoke Chart except that visible grey smoke of a shade not darker than No. 2 on the Ringleman Smoke Chart may be emitted for four (4) minutes in any thirty (30) minutes.

J. Odors: No emission shall be permitted of odorous gases or other odorous matter in such quantities as to be readily detectable at the property line of the zone lot from which they are emitted without instruments.

K. Other Forms of Air Pollution: No emission of fly ash, dust, dirt, fumes, vapors, gases or other forms of air pollution shall be permitted which can cause any damage to health, animals, vegetation, or other forms of property, or which can cause soiling or staining of persons or property at any point beyond the lot line of the use creating the emission.

ARTICLE XI

ADMINISTRATION AND ENFORCEMENT

SECTION 1101 ZONING OFFICER

A. Appointment: The Zoning Officer shall be appointed and compensated by the Governing Body. He shall meet the qualifications established by the Governing Body and shall be able to demonstrate a working knowledge of this ordinance and municipal zoning in general.

B. Holding Other Public Office: The Zoning Officer may hold any other appointive office in the municipality, but no elective office.

C. Powers and Duties:

1. The Zoning Officer shall administer the zoning 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. He shall examine all applications for permits, issue permits for the construction, alteration, enlargement and occupancy of all uses which are in accordance with this ordinance and all nonconforming uses, record and file all applications for permits with accompanying plans and documents, and make such reports to the Governing Body, the Planning Commission and the Zoning Hearing Board (ZHB) as may be required.
2. Permits for a variance from the requirements of this ordinance and for such special uses as may be enumerated in ARTICLE VII hereof shall be issued only upon written order of the ZHB.
3. Permits for such conditional uses as may be enumerated in ARTICLE VIII hereof shall be issued only upon written order of the Governing Body.

D. Appeals: All appeals from decisions of the Zoning Officer shall be taken in the matter set forth in this ordinance.

SECTION 1102 ZONING PERMITS

A. Purpose: To determine compliance with the provisions of this ordinance. No person shall erect, alter or convert any structure or building, or part thereof, not alter the use of any land, until the Zoning Officer has issued a Zoning Permit.

B. Type of Permits:

1. Permitted Uses -- A permit for a permitted use may be issued by the Zoning Officer.
2. Conditional Uses -- A permit for a conditional use may be issued by the Zoning Officer only after review by the Planning Commission upon the order of the Board of Supervisors after a public hearing.

C. Application for Permits: All such applications shall be accompanied by plans, in duplicate, drawn to scale, showing the actual shape and dimensions of the lot or lots to be built upon, its assessment map and parcel number as recorded, the date of official record of any lot or lots on which construction is proposed, the exact size and location of any building, sign, parking or loading area or other physical feature existing or proposed on the lot, the existing and intended use of each building

or part of a building, the number of families, dwelling units, employees, offices or other appropriate units of occupancy which the building is designed to accommodate, and such other information as may be necessary to determine compliance with this ordinance. One (1) copy of such plans shall be returned to the owner when such plans shall be approved; one (1) copy of each of all applications that accompany plans and documents shall become a public record after a permit is issued or denied. Additionally, those applications which fall under the category of Subdivision and Land Development must follow the Plan Submission Procedures as set forth in Articles II and III of the Subdivision and Land Development Ordinance.

D. Issuance of Permits: It shall be the duty of the Zoning Officer to issue a permit, provided he determines that the structure, building, sign, parking area of premises, and the proposed use conform with all requirements of this ordinance and that all other reviews and actions, if any, have been complied with and all necessary approvals secured.

E. Denial of Permits: When the Zoning Officer determines that the applicant's proposed development does not meet the requirements of this ordinance, he shall deny a permit and the applicant may appeal to the Zoning Hearing Board for a reversal of the Zoning Officer's decision.

F. Revocation of Permits: If it appears to the Zoning Officer that the application or accompanying plans are in any material respect false or misleading or that work differs materially from that called for in the applications, he may forthwith revoke the permit, whereupon it shall be the duty of the person holding the permit to surrender it and all copies to the Zoning Officer. After the permit has been revoked, the Zoning Officer may, in his discretion, before issuing a new permit, require the applicant to file an indemnity bond in favor of the municipality with sufficient surety conditioned for compliance with this ordinance and all building laws and ordinances then in force and in sum sufficient to cover the cost of removing the building if it does not comply.

SECTION 1103 CERTIFICATE OF USE

A. Upon written request from the owner, tenant or occupant, the Zoning Officer, after inspection, shall issue a certificate of use for an existing use legally existing at the time this ordinance is made effective, certifying the extent and kind of use and whether any such existing use conforms with the provisions of this ordinance.

B. No change or extensions of use, and no alterations shall be made in a nonconforming use or premises without a certificate of use having first been issued by the Zoning Officer stating that such change, extension or alteration is in conformity with this ordinance.

C. Any request for a certificate of use for an existing use shall be accompanied by the certification of owner, tenant or occupant of a Commercial or Manufacturing use which is subject to the Performance Standards specified in ARTICLE X hereof, and any change or extension of use shall be in compliance with such Performance Standards. If such request is for an existing use that does not involve any change or extension of use, it shall be accompanied by the certification of the owner, tenant or occupant as to the extent of compliance or non-compliance of the property with ARTICLE X.

SECTION 1104 PLANNING COMMISSION

A. Review Application and Appeals:

1. The Zoning Hearing Board shall refer to the Planning Commission all applications or appeals which in its opinion require review by the Planning Commission.

2. The Board of Supervisors shall refer to the Planning Commission all applications for Conditional Uses for their review and recommendation.
3. The Planning Commission shall review such applications in accordance with applicable criteria set forth in ARTICLE VII and any special requirements for the intended use.

B. Reports: The Planning Commission may recommend approval, disapproval, or approval subject to conditions or modifications, and shall report its findings on any matter to the Board of Supervisors or to the ZHB within thirty (30) days of receipt thereof. Such report shall state all recommended conditions and modifications and the reasons for approval or disapproval.

C. Conditions for Addition or Other Similar Uses: Upon application or on its own initiative and after a public hearing preceded by due notice, the Commission may recommend to the Board of Supervisors additional uses to be included in the zoning districts of ARTICLE IV, provided that such uses conform with the conditions set forth in the special findings required below:

1. Such use is not permitted in any other zone.
2. Such use is more appropriate in the district or districts where it is proposed than in any other district or districts.
3. Such use conforms to the basic characteristics of the district to which it is to be added and will not adversely affect any uses already permitted in such districts.
4. Such use does not create danger to health and safety.
5. Such use is not likely to create any more traffic than other uses permitted in such district, and does not create any influence more dangerous or objectionable than those generated by the uses already permitted in the district.

D. Conditional Uses: The Planning Commission shall review all applications for Conditional Uses and shall make comment and/or recommendation.

E. Report to the Board of Supervisors: The Planning Commission shall, from time to time prepare and file with the Board of Supervisors a report on the operation of this ordinance including recommendations for amendments or supplements.

SECTION 1105 VIOLATIONS

A. Enforcement Notice:

1. If it appears to the Board of Supervisors, or Zoning Officer that a violation of this ordinance, or any amendments hereto has occurred, the Zoning Officer shall initiate enforcement proceedings by sending an enforcement notice as provided in this section.
2. The enforcement notice shall be sent to the owner of the parcel on which the violation has occurred, to any person who has filed a written request to receive enforcement notices regarding that parcel, and to any other person requested in writing by the owner.
3. The enforcement notice shall state at least 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 ZHB within a prescribed period of time in accordance with the procedures set forth in this ordinance.
- f. That failure to comply with the notice within the time specified, unless extended by appeal to the ZHB, constitutes a violation, with possible sanctions clearly described.

B. Enforcement Remedies:

- 1. Any person, partnership or corporation who or which has violated or permitted the violation of the provisions of this ordinance, or any amendments hereto shall, upon being found liable therefore in a civil enforcement proceeding commenced by the township before the District Justice, pay a judgment of \$500 plus all court costs, including reasonable attorney fees incurred by the township. No judgment shall commence or be imposed or levied until the date of the determination or a violation by the District Justice.
- 2. 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 determines that there was a good faith basis for the person, partnership or corporation to have believed that there was no such violation. In this case, there shall be deemed to have been only one violation until the fifth day following the date of the violation determination by the District Justice and thereafter each day that a violation continues shall constitute a separate violation.
- 3. All judgments, costs and reasonable attorney fees collected for the violation of this zoning ordinance shall be paid to the township.

ARTICLE XII

This ordinance shall become effective from and after the date of its approval and adoption as provided by law.

Enacted and ordained by the Board of Supervisors of Spring Township, Snyder County, Pennsylvania, this 26th day of June, 2018.

ATTEST:

SPRING TOWNSHIP
SUPERVISORS

/s / Deborah A. Browne
Secretary

/s/ John F. Kauffman, II
Chairman

/s/ Benjamin Zeigler
Supervisor

(Township Seal)

Robert E. Thomas, Sr.
Supervisor

AMENDMENTS:

Ord. 2019-01, adopted April 23, 2019 Amended Map to move 3 parcels from the Agricultural Conservation (AC) District to the Industrial (I) District.

Ord. 2022-01, adopted June 28, 2022 Included provisions for Solar Farm and Solar Collector Not Associated with a Solar Farm.