

TOWNSHIP OF SILVER SPRING
Cumberland County, Pennsylvania

ORDINANCE NO. 6 of 2007

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING,
CUMBERLAND COUNTY, PENNSYLVANIA, AMENDING,
MODIFYING AND CHANGING THE
SILVER SPRING TOWNSHIP ZONING ORDINANCE
TO REQUIRE THAT CERTAIN NON-CLUSTER
DEVELOPMENTS NEED CONDITIONAL USE APPROVAL

BE IT ORDAINED by the Board of Supervisors of the Township of Silver Spring,
Cumberland County, Pennsylvania, as follows:

SECTION 1: The Silver Spring Township Zoning Ordinance (the "Zoning Ordinance"),
is hereby amended as follows:

Amend Section 202.2.2. regarding the R Rural Residential Zone to read as follows:

"Single-family detached dwellings, provided that if a proposed subdivision will involve 10 or more new Single family detached dwellings and it is not submitted and subsequently approved as a Rural Cluster Development, then conditional use approval shall be required under the standards of Section 449."

Add the following as Section 202.4.3. regarding the R Rural Residential Zone:

"Single family detached dwellings, if a proposed subdivision will involve 10 or more new single family detached dwellings and it is not submitted and subsequently approved as a Rural Cluster Development. (See Section 449)."

Amend Section 204.2.2. regarding the R-1 Residential Zone to read as follows:

"Single-family detached dwellings, provided that if a proposed subdivision will involve 10 or more new Single family detached dwellings and it is not submitted and subsequently approved as a Cluster Development, then conditional use approval shall be required under the standards of Section 449."

Add the following as Section 204.4.4. regarding the R-1 Residential Zone:

"Single family detached dwellings, if a proposed subdivision will involve 10 or more new single family detached dwellings and it is not submitted and subsequently approved as a Cluster Development (See Section 449)."

Amend Section 205.2.2 regarding the R-2 Residential Zone to read as follows:

“Single-family detached dwellings, provided that if a proposed subdivision will involve 10 or more new Single family detached dwellings and it is not submitted and subsequently approved as a Cluster Development, then conditional use approval shall be required under the standards of Section 449.”

Add the following as Section 205.4.5. regarding the R-2 Residential Zone:

“Single family detached dwellings, if a proposed subdivision will involve 10 or more new single family detached dwellings and it is not submitted and subsequently approved as a Cluster Development (See Section 449).”

Add the following as a new Section 449:

“449. Single Family Detached Dwellings.

449.1 The following additional conditional use standards shall apply to a single family detached dwelling subdivision when conditional use approval is required under the applicable zoning district regulations:

1. Compliance with this Ordinance. The applicant shall establish by credible evidence that the application complies with all applicable requirements of this Ordinance to include Design Requirements of the corresponding zoning district. The applicant shall provide the Board of Supervisors with sufficient plans, studies or other data to demonstrate this compliance.
2. Compliance with Other Laws. The approval may be conditioned upon the applicant later showing proof of compliance with other specific applicable township, state and federal laws, regulations and permits. Required permits or other proof of compliance may be required to be presented to the Township prior to the issuance of any zoning permit, building permit, certification of occupancy and/or recording of an approved plan.
3. Traffic. A traffic study shall be submitted by a professional traffic engineer in accordance with Section 402.05.6 of the Subdivision and Land Development Ordinance, which requires a minimum of 25 units before a traffic study shall be required. The applicant shall establish that the traffic from the proposed use will be accommodated in a safe and efficient manner that will minimize hazards and congestion, after considering any improvements proposed to be made or funding by the applicant as a condition on approval.

4. Site Planning. The application shall establish that the site layout, internal vehicle and pedestrian circulation, bicycle circulation and parking elements have been addressed in accordance with Article 6 of the Subdivision and Land Development Ordinance.
5. Expressway, Agricultural and Business Compatibility. The applicant shall establish that the subdivision has been designed to comply with Section 303.4 regarding minimum setback from an expressway.
6. Natural Features. The applicant shall establish that the proposed uses will be suitable for the site, considering the proposed disturbance of trees, streams, seeps, springs, caves, wetlands, and habitats of endangered species.

SECTION 2: In all other respects, the Zoning Ordinance shall remain as heretofore enacted, ordained and amended.

SECTION 3: Any ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 4: This Ordinance shall become effective five (5) days after enactment.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 6 of 2007 this 32nd day of August, 2007 by the Board of Supervisors of the Township of Silver Spring.

ATTEST:

BOARD OF SUPERVISORS
TOWNSHIP OF SILVER SPRING

Sue Ellen Adams
Township Secretary

Jim H. LeBlanc
Chairman