

**TOWNSHIP OF SILVER SPRING
CUMBERLAND COUNTY, PENNSYLVANIA**

ORDINANCE NO. 03 of 2025

AN ORDINANCE OF THE TOWNSHIP OF SILVER SPRING, CUMBERLAND COUNTY, PENNSYLVANIA AMENDING CHAPTER 415 [ZONING] OF THE CODE OF THE TOWNSHIP OF SILVER SPRING TOWNSHIP, AS AMENDED, TO REVISE WAREHOUSES AND WHOLESALE TRADE ESTABLISHMENTS FROM PERMITTED USES BY RIGHT TO CONDITIONAL USES IN THE GENERAL INDUSTRIAL ZONE (I-2) WITH RELATED AMENDMENTS TO REGULATORY CONDITIONS UNDER ARTICLES 3 [GENERAL CRITERIA] AND 4 [SPECIFIC CRITERIA].

IT IS HEREBY ENACTED AND ORDAINED by the Board of Supervisors of the Township of Silver Spring, Cumberland County, Pennsylvania, that the Code of the Township of Silver Spring ("the Code"), Chapter 415 [Silver Spring Township Zoning Ordinance of 2022], as amended, is hereby amended as follows:

SECTION 1

Silver Spring Township Zoning Ordinance shall be amended as follows:

- A. Section 215.B shall be amended to make Warehousing and Wholesale Trade Establishment conditional uses along with regulatory provision section references as follows:**

Warehousing	C	454; 804
Wholesale Trade Establishment	C	454; 804

- B. Section 304.24 [Warehousing and Wholesale Trade Establishment] shall be amended as follows:**

SECTION 304.24 Warehousing and Wholesale Trade Establishment

Warehousing and wholesale trade establishments are subject to the following criteria:

- A. No building on the subject property shall be within two hundred (200) feet of any residentially zoned land;
- B. All access drives onto the site shall be paved for a distance of at least two hundred (200) feet from the street right-of-way line.
- C. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the wholesaling facility;

D. The applicant shall be required to provide sufficient off-street parking and loading so as not to require such parking or loading on or along any road, nor upon adjoining property. If, at any time after the opening of the facility, the Supervisors determine that parking, loading or traffic backups are occurring on adjoining roads, and such are directly related to the lack of on-site facilities on the subject property, the Supervisors can require the applicant to revise and/or provide additional on-site parking and/or loading space. In addition, the Supervisors may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;

E. The applicant shall furnish expert evidence, including testimony from the expert relied upon, that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution;

F. Soil erosion, sedimentation and storm water runoff shall be controlled in accordance with all applicable laws and regulations; and,

G. The applicant shall submit and continuously implement a working plan for the cleanup of litter and their debris.

H. The applicant shall provide a detailed description of the proposed use in each of the following topics:

1. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;

2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;

3. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Section 302 of this Ordinance; and,

4. A traffic study prepared by a professional traffic engineer, according to Section 402.05. of the SLDO, which shall include an analysis of the most intensive Institute of Transportation Engineers Land Use Code that is possible under the application. The proposed use may be limited by the applicant to a use under a lesser intensity Land Use Code.

C. Section 454 [Warehousing and Wholesale Trade Establishment] shall be added as follows:

SECTION 454 Warehousing and Wholesale Trade Establishment

Warehousing and wholesale trade establishments are subject to the following criteria:

- A. No building on the subject property shall be within two hundred (200) feet of any residentially zoned land;
- B. All access drives onto the site shall be paved for a distance of at least two hundred (200) feet from the street right-of-way line.
- C. The owner and/or operator shall be responsible for removing any mud from public roads caused by persons traveling to and from the wholesaling facility;
- D. The applicant shall be required to provide sufficient off-street parking and loading so as not to require such parking or loading on or along any road, nor upon adjoining property. If, at any time after the opening of the facility, the Supervisors determine that parking, loading or traffic backups are occurring on adjoining roads, and such are directly related to the lack of on-site facilities on the subject property, the Supervisors can require the applicant to revise and/or provide additional on-site parking and/or loading space. In addition, the Supervisors may require an unimproved grassed overflow parking area to be provided for peak use periods. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot. Overflow parking areas shall contain fencing to prevent vehicles from crossing adjoining properties or directly accessing adjoining roads;
- E. The applicant shall furnish expert evidence, including testimony from the expert relied upon, that the proposed use will not be detrimental to the use of adjoining properties due to hours of operation, noise, light, litter, dust and pollution;
- F. Soil erosion, sedimentation and storm water runoff shall be controlled in accordance with all applicable laws and regulations; and,
- G. The applicant shall submit and continuously implement a working plan for the cleanup of litter and their debris.
- H. The applicant shall provide a detailed description of the proposed use in each of the following topics:
 - 1. The nature of the on-site activities and operations, the types of materials stored, the frequency of distribution and restocking, the duration period of storage of materials, and the methods for disposal of any surplus or damaged materials. In addition, the applicant shall furnish evidence that the disposal of materials will be accomplished in a manner that complies with State and Federal regulations;
 - 2. The general scale of the operation, in terms of its market area, specific floor space requirements for each activity, the total number of employees on each shift, and an overall needed site size;

3. Any environmental impacts that are likely to be generated (e.g., odor, noise, smoke, dust, litter, glare, vibration, electrical disturbance, wastewater, storm water, solid waste, etc.) and specific measures employed to mitigate or eliminate any negative impacts. The applicant shall further furnish evidence that the impacts generated by the proposed use fall within acceptable levels, as regulated by applicable laws and ordinance, including but not limited to those listed in Section 302 of this Ordinance; and,

4. A traffic study prepared by a professional traffic engineer, according to Section 402.05. of the SLDO, which shall include an analysis of the most intensive Institute of Transportation Engineers Land Use Code that is possible under the application. The proposed use may be limited by the applicant to a use under a lesser intensity Land Use Code.

SECTION 2. Severability.

If any section, subsection, sentence, clause, phrase, provision, or portion of this Ordinance is found to be invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision. Such decision shall not affect the validity of the remaining portions of this Ordinance.

SECTION 3. Effective Date.

This Ordinance shall become effective as soon as permissible by law after its enactment by the Board of Supervisors of the Township of Silver Spring, County of Cumberland, Commonwealth of Pennsylvania.

DULY ENACTED AND ORDAINED INTO LAW as Ordinance No. 03 of 2025 this 23rd day of April 2025.

ATTEST:

**SILVER SPRING TOWNSHIP
BOARD OF SUPERVISORS**



Willetta D. Huth, Secretary



Carl R. Machamer, Chair