

TOWNSHIP OF SILVER SPRING CUMBERLAND COUNTY, PENNSYLVANIA

ORDINANCE NO. 9 of 2022

**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 MODIFY REGULATIONS RELATED TO
AUTOMOBILE FILLING STATIONS WITHIN THE TOWNSHIP**

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], as amended, is hereby amended as follows:

SECTION 1.

Section 304.3 of the Silver Spring Township Zoning Ordinance Section shall be amended as follows:

304.3 Automobile Filling Stations (including minor incidental repair)

Where permitted by right, automobile filling stations (including minor incidental repair) are permitted uses, subject to the following criteria:

- A. The subject property shall have a minimum width of one hundred twenty-five (125) feet;
- B. The subject property shall front on an arterial or collector road;
- C. The gasoline dispensing facility shall be set back at least three hundred (300) feet from any habitable building on a lot containing a school, day-care facility, library, hospital or nursing, rest or retirement home; and from any lot containing a park or playground that is not accessory to the aforementioned habitable buildings;
 - 1. A "gasoline dispensing facility" is defined as any stationary facility which dispenses gasoline or other petroleum-based fuel directly into the fuel tanks or for the use of motor vehicles and all other gasoline or other petroleum-based-fuel-powered engines. This facility shall be treated as a single source which includes all necessary equipment for the exclusive use of the facility, such as nozzles, dispensers, pumps, vapor return lines, plumbing, and storage tanks, and vent pipes.
- D. The outdoor storage of motor vehicles (whether capable of movement or not) for more than one (1) month is prohibited;
- E. All structures (including air compressors, kiosks, gasoline pump islands, but not permitted signs) shall be set back at least thirty (30) feet from any street right-of-way line;
- F. No outdoor storage of auto parts shall be permitted;

G. Access driveways shall be a minimum of twenty-eight (28) feet and a maximum of thirty-five (35) feet wide and separated by seventy-five (75) feet from one another if located along the same frontage as measured from edge to edge;

H. All ventilation equipment associated with fuel storage tanks shall be set back one hundred (100) feet and oriented away from any adjoining residentially zoned properties; and,

I. The applicant shall furnish evidence that the storage and disposal of materials will be accomplished in a manner that complies with State and Federal regulations.

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. 9 of 2022 this 25th day of January 2023.

ATTEST:

**SILVER SPRING TOWNSHIP
BOARD OF SUPERVISORS**



Willetta Huth, Secretary



Carldon R. Machamer, Chair