

ORDINANCE NO. 154

AN ORDINANCE OF SPRINGFIELD TOWNSHIP, BUCKS COUNTY, PENNSYLVANIA, AMENDING THE SPRINGFIELD TOWNSHIP ZONING ORDINANCE ADOPTED OCTOBER 2, 2007, BY REVISING THE FARMLAND LOT REQUIREMENTS TO PROVIDE FOR CERTAIN EXCEPTIONS TO THE REQUIREMENT OF A FARMLAND LOT AND PROVIDING RESTRICTIONS CONCERNING THE CONSTRUCTION OF NEW DWELLINGS ON FARMLAND LOTS.

BACKGROUND

- A. On or about October 2, 2007, the Board of Supervisors of Springfield Township enacted a new Zoning Ordinance establishing Zoning Districts, use regulations for land use types and establishing general zoning regulations for the entire Township.
- B. The Board of Supervisors finds that it is in the interest of the Township to modify the farmland lot requirements to create exceptions in certain circumstances to the requirement that a farmland lot be provided whenever a site includes ten (10) or more acres. Furthermore, the Board of Supervisors finds that it is in the interest of the Township to restrict the area of the farmland lot upon which dwellings may be constructed.
- C. In compliance with the requirements of Section 609(c) and (e) of the Pennsylvania Municipalities Planning Code ("MPC"), a copy of this Zoning Ordinance Amendment was forwarded to the Bucks County Planning Commission and the Springfield Township Planning Commission on October 19, 2009 for review and comment.
- D. In compliance with the requirements of Section 609(b)(1) of the MPC, this Ordinance was duly advertised in The Morning Call on November 10, 2009 and on November 17, 2009.
- E. A public hearing was held on the proposed Zoning Ordinance Amendment on November 24, 2009 in compliance with Section 609(b)(1) of the MPC.

NOW, THEREFORE, be it resolved and enacted by the Board of Supervisors of the Township of Springfield that the Springfield Township Zoning Ordinance is hereby amended as follows:

SECTION 01:

Section 601. AD Agricultural District, subsection D. is deleted and replaced with the following:

- D. Farmland Lot. If a site included 10 or more acres of site area as of the effective date of this Ordinance (October 7, 2007), then one farmland lot shall be provided. The farmland lot shall encompass the "agricultural soils, productive" that are required to be protected pursuant to Section 508.B.10 and 509.B of this Ordinance.
1. A Farmland Lot shall not be required when the lot or tract to be subdivided contains less than two acres of Productive Agricultural Soils that are required to be protected pursuant to Section 508.B.10 and 509.B of this Ordinance.
 2. A lot or tract of land in existence as of October 7, 2007 (the "Parent Tract") which contains soils required to be protected hereunder may be subdivided to create one additional lot (the "Exempted Lot") without creating a Farmland Lot under the following conditions:
 - (a) Only one Exempted Lot is permitted to be created out of a Parent Tract.
 - (b) The area of the Exempted Lot shall not exceed five (5) acres.
 - (c) The Exempted Lot shall be deed restricted from further subdivision.
 - (d) Any further subdivision of the Parent Tract shall provide a Farmland Lot containing the amount of Productive Agricultural Soils required to be protected pursuant to the requirements of Sections 508.B.10 and 509.B of this Ordinance based upon the size and area of the Parent Tract as it existed prior to the subdivision creating the Exempted Lot.
 - (e) A Note shall be placed on the record plan of subdivision stating substantially as follows: "Any future subdivision of the Parent Tract shall provide a Farmland Lot containing the amount of Productive Agricultural Soils required to be protected pursuant to Sections 508.B.10 and 509.B of the Springfield Township Zoning Ordinance as these sections existed on the date this Plan is recorded."
 3. The Farmland Lot shall be subject to a deed restriction or conservation easement that assures that Productive Agricultural Soils required to be protected hereunder are not built upon and are not otherwise disturbed such that their character as Productive Agricultural Soils is adversely impacted. Areas of the farmland lot that are protected by a deed restriction or conservation easement against additional subdivision, building, and development shall count toward the required amount of open space, as applicable.

4. The farmland lot shall be a contiguous area within a minimum dimension of 200 feet and which has a shape that is suitable for modern agriculture and horticulture uses.
5. The farmland lot may include one dwelling unit and agricultural buildings, but no other nonagricultural structures.
6. If a new dwelling is proposed, the farmland lot shall contain a building envelope of not greater than two acres for the proposed dwelling as long as the Productive Agriculture Soils that are required to be protected pursuant to Section 508.B.10 and 509.B remain undisturbed. The portion of the farmland lot to be utilized for new residential purposes shall be delineated by metes and bounds on the subdivision plan and deed restricted in a manner acceptable to the Township.
7. The farmland lot shall be readily accessible to a public street or street constructed to provide convenient access by farm machinery to the site but shall not be divided by new subdivision street or lot that would interfere with its suitability for farming.

SECTION 02: *Repealer.* This Ordinance hereby repeals any provision inconsistent with the Zoning Ordinance now in effect or of other Ordinances, to the extent of such inconsistency. All other provisions of the Zoning Ordinance of Springfield Township, not inconsistent herewith, shall remain in full force and effect.

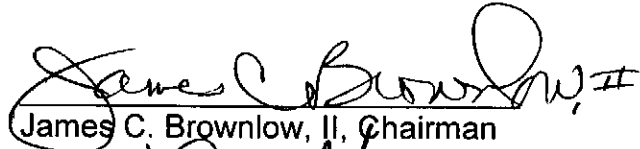
SECTION 03: *Severability.* The provisions of this Ordinance are declared to be severable. If any provision of this Ordinance is determined by a court of competent jurisdiction to be invalid or unconstitutional, such determination shall have no effect on the remaining provisions of this Ordinance.

SECTION 04: *Effective Date.* This Ordinance shall become effective five (5) days after its adoption.

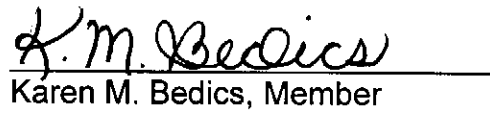
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ORDAINED AND ENACTED into Ordinance this 24th day of November, 2009.

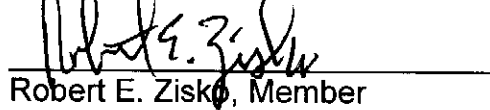
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Richard H. Schilling, Twp. Manager