



Cumberland County Review Report

Cumberland County Planning Department
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<i>Name of Amendment:</i>				
Wireless Communication Facilities				
<i>Municipality:</i>	<i>Date Received:</i>	<i>Date Reviewed:</i>	<i>Reviewed By:</i>	<i>Checked By:</i>
Silver Spring Township	8/4/2020	8/17/2020	SH	KS
<i>Type of Amendment:</i>			<i>Recommendation:</i>	
Zoning Text Amendment			See Comments Below	
<i>Explanation of Amendment:</i>				
Text amendment that regulates Tower-Based, Non-Tower and Small Wireless Communication Facilities (WCF).				
<i>Consistent with Municipal Comprehensive Plan:</i>		<i>Consistent with County Comprehensive Plan:</i>		
Project is Generally Consistent		Project is Generally Consistent		
<i>Comments and Recommendations:</i>				
<ol style="list-style-type: none"> 1. Several sections in the proposed language refer to residential zones, residential districts and residentially zoned land. Recommend the Township add a list of all districts that are considered residential (also consider the proposed zoning districts). Is this list based on the name of the district, or the uses permitted in the district? 2. Section IV.A.3. This Section prohibits a tower-based WCF in residential districts or within 200 feet of a lot in residential use or a residential district. Section IV.A.4.c.iii .A regulates minimum setbacks in a residential district. This language should be reviewed and amended for consistency. 3. Section IV.A.4.a.i. This section requires the applicant to demonstrate a gap in coverage and capacity. The phrase "and capacity" should be added to all occurrences of the word coverage. 4. Section IV.A.4.a.iv. This section lists the requirements for a Site Plan. The language should only list WCF specific requirements. A list of general Site Plan requirements can be found in the Subdivision and Land Development Ordinance Section 303 (Preliminary Plan). 5. Section IV.A.5.a-b. This section requires an Applicant to make good faith effort to collocate the tower based WCF on another existing or approved structure. It appears that similar language with different requirements is listed in Section IV.A.4.a.iii. The Township should determine if these sections are both required and whether a good faith effort requires contacting owners within 1 mile or ¼ of a mile from the proposed tower. 6. Section IV.A.23. The language requires notification of every property within 200 feet and zoned residential. This requirement may not apply. The Township should review Section IV.A.3 which prohibits a tower-based WCF within 200 feet of a residential use or district. 7. Section IV.A.23. The language requires the Township to notify impacted property owners. The language should require the Applicant to provide contact names and address information. 				

8. Section IV.A.25.a-b and IV.A.32. These sections contain vague language regarding aesthetics and appearance. If this language is used, these sections should be combined into a single section.
9. Section IV.A.25.c. This section requires the Applicant to accommodate for future users. The Township should compare this language to Section IV.29 which appears to have the same requirement.
10. Section IV.A.26.a. This section requires the protection of existing vegetation. It appears that similar language is found in Section IV.A.27.c.
11. Section V.A.5 and V.A.11.a-b. This language regulates aesthetics and may be difficult to enforce. If this language is used, these sections should be combined into a single section.
12. Section VI.A.8. This section requires a small WCF setback of 100 feet from all historic structures or buildings. The requirement for tower-based WCF and non-tower WCF do not include a setback requirement from historic structures or buildings. The Township should consider including this setback for all WCF.
13. Section VI.A.9 – The rationale for prohibiting small WCF in the Conservation zone is unclear, especially if the WCF can comply with the aesthetic requirements of the ordinance.
14. Section VI.A.14. This section requires removal of graffiti within 10 days of notification by the Township. Why does this requirement only apply to small WCF? This language should be included in the Property Maintenance Code and apply to all land uses.
15. Section VI.A.31 and V.A.10. The Township should determine if bonding requirements for a single use are appropriate in the zoning ordinance.
16. Section VII. These requirements appear to be addressed in Sections 700.4-5 of the Township Zoning Ordinance. The Township should consider removing this section.
17. Section VIII. The Township should determine if insurance and Indemnification requirements for a single use are appropriate in the zoning ordinance.

“Section 505 (b) and 609 (g) of the Municipalities Planning Code requires that amendments to municipal ordinances be filed with the county planning agency. If this amendment is approved, please forward a final copy to the county planning office so we may update our records.”