

## ORDINANCE 2016 - 04

AN ORDINANCE OF MANCHESTER TOWNSHIP AMENDING OR ADDING PARTS TO CHAPTER 27 (ZONING) OF THE CODE OF ORDINANCES OF MANCHESTER TOWNSHIP, PROVIDING FOR THE DEFINITION OF A COMMUNITY COMMERCIAL SPORTS FACILITY; PROVIDING FOR THE USE OF A COMMUNITY COMMERCIAL SPORTS FACILITY IN THE HIGH DENSITY RESIDENTIAL (RH) AND THE OFFICE (O) ZONING DISTRICTS AS SPECIAL EXCEPTIONS, AND PROVIDING THE CRITERIA FOR THOSE SPECIAL EXCEPTIONS.

**WHEREAS**, the township recognizes that the use of a Community Commercial Sports Complex may fill the need for additional areas for sports and recreation; and

**WHEREAS**, the use of a Community Commercial Sports Facility is suited to be located in or near residential population; and

**WHEREAS**, the use of a Community Commercial Sports Facility may cause some disruption to existing residential neighborhoods or developments; and

**WHEREAS**, the township needs to provide regulations that will minimize the effect on existing residential neighborhoods or developments; and

**WHEREAS**, the township desires to protect the health, safety and welfare of all persons visiting or using the Community Commercial Sports Facility and the residents of the adjacent residential neighborhoods or developments;

**NOW, THEREFORE BE IT ORDAINED** by the *Manchester Township Board of Supervisors*, pursuant to the authority conferred by 1984 Pa. Laws 164 codified at 74 Pa. Cons. Stat. §§5912 et. Seq., the following be and is hereby adopted as an ordinance of *Manchester Township*.

**Section 1: Amend Section 27-105** of the Manchester Township Code of Ordinances by adding the following definition:

**COMMUNITY COMMERCIAL SPORTS FACILITIES** - A community-based commercial sports and active/passive recreation facility that is operated for profit but open to the public. This shall include, but not be limited to, bowling alleys; pools; skating rinks; rock climbing walls; courts for sports such as volleyball, basketball, tennis, etc.; fields for sports such as football, baseball, soccer, field hockey, lacrosse, etc.; area for community-related events; health and fitness equipment; and other indoor and outdoor passive and active recreation and sports facilities, and uses accessory to or subordinate to the primary use as a community commercial sports facility.

**Section 2: Amend Section 27-603** of the Manchester Township Code of Ordinances by adding the following to the Chart of Permitted and Special Exception Uses as a **Special Exception Use**:

Use#	RH - Residential High Density District	Front Yard	Rear Yard	Side Yard	Public Water & Public Sewer		Public Sewer & No Public Water	NO Public Water & No Public Sewer
		Minimum			Lot Size	Street Frontage		
20.	Community Commercial Sports Facility	See Section 27-1257			5 acres	200 ft.	Not Permitted	Not Permitted

**Section 3: Amend Section 27-703** of the Manchester Township Code of Ordinances by adding the following to the Chart of Permitted and Special Exception Uses as a **Special Exception Use**:

Use#	O - Office District	Front Yard	Rear Yard	Side Yard	Public Water & Public Sewer		Public Sewer & No Public Water	NO Public Water & No Public Sewer
		Minimum			Lot Size	Street Frontage		
19.	Community Commercial Sports Facility	See Section 27-1257			5 acres	200 ft.	Not Permitted	Not Permitted

**Section 4: Amend Chapter 27 Part 12** of the Manchester Township Code of Ordinances by adding the following:

27-1257. **Community Commercial Sports Facilities** shall be permitted as special exceptions in the Residential High Density (RH) and Office (O) zones, subject to the requirements of the zone except as herein modified:

- A. **Lot Size & Lot Width** - The subject property shall have a minimum lot area of 5 acres and a minimum lot width of 200 feet.
- B. **Public Utilities** - The subject property shall be served by public water and public sewer.
- C. **Structures** - The subject property may contain more than one principal structure. This may include a domed structure for indoor fields and court sports, as well as for ancillary structures to support the principal domed structure.
- D. **Access** - The subject property must front on and have access to a collector or arterial street as defined in the Manchester Township Comprehensive Plan, as amended.
  1. A minimum of two (2) access points must be provided and must be on two separate streets, although at the discretion of the Zoning Hearing Board more ingress or egress points may be required. One of these access points may be an "Emergency Access" that would not be required to access a

collector or arterial street, but either requiring or permitting this shall be at the discretion of the Zoning Hearing Board.

2. If the "Emergency Access" point accesses a street of lesser classification, the access point shall be secured from general access by a gate or other means. The permitting of an "Emergency Access" shall take into consideration general traffic flow and the neighborhood through which an emergency access would operate.

E. **Accessory uses** - that is a use accessory to the field or court sports provided for may include, but are not necessarily limited to the following listed uses. All such uses must be accessory to and subordinate to the principal use as a community commercial sports facility and must be contained within the principal building(s) for the community commercial sports facility except where noted below. The total floor area for all such accessory uses shall not exceed in aggregate 25% of the total building floor area. If multiple principal buildings are located on the subject property, then the total floor area for accessory uses within each individual building shall not exceed in aggregate 25% of each building's total floor area:

1. Retail sales of goods.
2. Restaurants including fast food (excluding drive-through service).
3. Day-care services.
4. Food and beverage concessions (may include outdoor, temporary concession facilities).
5. Medical and dental offices and clinics.
6. Conference and meeting spaces.
7. Arcades.

F. **Lighting** - When outdoor lighting of fields is provided, a lighting plan prepared by a qualified professional licensed in the Commonwealth of Pennsylvania shall be provided and approved by the Township. All outdoor lighting shall be arranged to restrict glare on adjacent residential lots and/or upon any public street.

All outdoor lighting for sports activities must be turned off by 9:00 PM on Sunday through Thursday, and by 10:00 PM on Friday and Saturday.

1. Any Monday holidays shall have the same times as a Sunday.
2. No outdoor lighting may be turned on before 8:00 AM.
3. The time for lighting does not include outdoor security lighting, which may be kept on at hours later than those hours for the lighting of fields.
4. Any increase in these hours may be permitted by the Zoning Hearing Board if the applicant can demonstrate to the satisfaction of the Zoning Hearing Board that the impact on neighboring properties will be negligible due to the distance from residential properties, the installation of substantial screening, or other physical properties which may cause the Zoning Hearing Board to, in its discretion, extend the hours in question.

5. Under no circumstance shall the use of outdoor lighting of athletic fields be permitted beyond 11:00 PM.
- G. **Outdoor Public Address System** -There shall be no outdoor public address system permitted.
- H. **Outdoor Scoreboards** - An outdoor scoreboard may be installed adjacent to any outdoor playing field.
1. Any outdoor scoreboard shall be limited to 100 square feet in total size, including any advertising or naming banners.
  2. All outdoor scoreboards shall not have any animation features
  3. All outdoor scoreboards or other lighting displays shall be directed away from any residential property.
- I. **Setbacks** - All buildings must be setback at least 50' from any property and/or street line. All outdoor recreation & sports facility areas must be setback at least 20' from any property line and 100' from any street line. An outdoor recreation & sports facility area is defined as the normal playing field plus a 10 foot wide perimeter.
- J. **Height** - Structures for a community commercial sports facility may exceed the maximum permitted building height within the zoning district so long as they are set back from all lot lines at least the horizontal distance equal to their height, provided that the maximum height of the structure shall not exceed eighty five (85) feet. Furthermore, the portion of the structure exceeding forty five (45) feet shall not be used for habitable occupancy.
- K. **Loading Spaces** - The facility shall have a minimum of one (1) loading space for deliveries and equipment. All loading spaces shall be clearly marked and shown on a site plan. The Township shall review and approve the loading space design so as to alleviate any safety concerns, roadway conflicts, sizing for vehicles unloading, and traffic congestion anticipated on any existing and/or proposed street.
- L. **Parking** - Required parking will be based on the following schedule:
1. The facility shall have a minimum of one (1) parking space for each 200 square feet of gross building floor area.
  2. The facility shall also provide a minimum of one hundred (100) automobile parking spaces for each outdoor multi-use field.
  3. There shall be provisions for bus parking in addition to the required automobile parking in (a) and (b) above.
  4. A minimum of one space shall be reserved for emergency vehicles in addition to the required automobile parking in (a) and (b) above.
  5. Additional parking for peak use periods may be provided in a grassed overflow parking area utilizing stabilization products. Such overflow parking areas shall be accessible only from the interior driveways of the permanent parking lot.

6. Parking spaces shall be ten (10) feet wide and eighteen (18) feet long. Parking shall comply with the requirements of the Americans with Disabilities Act.

M. **Buffers** - A buffer yard of twenty (20) feet wide shall be provided when the subject property is adjacent to residentially-used and/or residentially-zoned properties. The buffer yard shall be comprised of screen plantings, privacy fencing or a combination of both. The buffer yard shall be 50% opaque to a height of six (6) feet above ground level at the time of facility occupancy and 100% opaque to a height of six (6) feet above ground level within three (3) years of the facility occupancy. This buffer yard may overlap and be a part of a required yard area.

N. **Signage** - The facility may have a maximum of one (1) thirty-two (32) square foot freestanding business sign per street frontage with non-emergency vehicular access. The facility may also have a maximum of one (1) thirty-two (32) square foot attached business sign per street frontage with non-emergency vehicular access. Individual accessory uses within the principal building(s) may have a maximum of one (1) twenty (20) square foot attached business sign. The facility shall comply with all other Township sign regulations except as herein modified.

O. **Prohibitive uses** - Under no circumstance may any of the following uses be included within a Community Commercial Sports Facility in any outdoor facility:

1. Skeet shooting.
2. Rifle range.
3. Archery range.
4. Golf driving range.

Section 5: This ordinance shall take effect five (5) days after date of enactment as provided by law.

**ENACTED AND ORDAINED this      day of                      , 2016.**

ATTEST:

MANCHESTER TOWNSHIP  
BOARD OF SUPERVISORS

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Secretary

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Lisa D. Wingert, Chairperson

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Delmar L. Hauck, Vice Chairperson

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Kenneth D. Wingert

\_\_\_\_\_  
David Brosend

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Rodney K. Brandstetter